



BAKERSFIELD CITY COUNCIL AGENDA MEETING OF FEBRUARY 3, 2021

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

REGULAR MEETING - 5:15 PM

1. ROLL CALL

SPECIAL NOTICE

Public Participation and Accessibility February 3, 2021 Bakersfield City Council Meetings

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

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

1. The meeting scheduled for **February 3, 2021, at 3:30 p.m.** will have limited public access.
2. The meeting scheduled for **February 3, 2021, at 5:15 p.m.** will have limited public access.
3. Consistent with the Executive Order, Councilmembers may elect to attend the meeting telephonically and to participate in the meeting to the same extent as if they were physically present.
4. The public may participate in each meeting and address the City Council as follows:
 - View a live video stream of the meeting at <https://bakersfield.novusagenda.com/AgendaPublic/> or, on your local government channel (KGOV).
 - If you wish to comment on a specific agenda item, submit your comment via email to the City Clerk at City_Clerk@bakersfieldcity.us **no later than 1:00 p.m. prior to the Council meeting**. Please clearly indicate which agenda item number your comment pertains to.
 - If you wish to make a general public comment not related to a specific agenda item, submit your comment via email to the City Clerk at City_Clerk@bakersfieldcity.us **no later than 1:00 p.m. prior**

to the Council meeting.

- Alternatively, you may comment by calling **(661) 326-3100** and leaving a voicemail of no more than 3 minutes no later than **4:00 p.m. the Tuesday prior** to the Council meeting. Your message must clearly indicate whether your comment relates to a particular agenda item, or is a general public comment. If your comment meets the foregoing criteria, it will be transcribed as accurately as possible.
- If you are watching the live stream of the meeting and wish to make a comment on a specific agenda item as it is being heard, please email your written comment to the City Clerk at City_Clerk@bakersfieldcity.us. All comments received during the meeting **may not be read, but will be included** as part of the permanent public record of the meeting.

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS

5. PUBLIC STATEMENTS

- a. Public Statements

6. WORKSHOPS

Public comments will be received after Staff presentation.

7. APPOINTMENTS

8. CONSENT CALENDAR

Staff recommends adoption of Consent Calendar items.

Minutes:

- a. Approval of minutes of the January 20, 2021, Regular City Council Meetings.

Payments:

- b. Receive and file department payments from January 8, 2021, to January 21, 2021, in the amount of \$19,264,806.76; Self Insurance payments from January 8, 2021, to January 21, 2021, in the amount of \$336,646.01; totaling \$19,601,452.77.

Ordinances:

- c. Adoption of ordinance amending Title 17 of the Bakersfield Municipal Code related to parking space requirements within the Central District, Old Town Kern, and other mixed-use areas. **(FR 01/20/2021)**
- d. Adoption of ordinance amending Title 17 of the Bakersfield Municipal Code related to procedures for reasonable accommodation in the City's land use and zoning regulations

pursuant to State of California Department of Housing and Community Development guidelines and requirements and fair housing laws. **(FR 01/20/2021)**

Ward 4

- e. Adoption of ordinance amending the Official Zoning Map in Title 17 of the Bakersfield Municipal Code by changing the zone district from PCD (Planned Commercial Development) zone to revised PCD zone for a change of use from retail to fast food on approximately 0.75 acres located at 9030 Rosedale Highway. (ZC 20-0343) **(FR 1/20/2021)**
- f. Rescission of the following Ordinances:
 - 1. Rescission of Ordinance No. 5023 amending Section 6.08 of the Bakersfield Municipal Code relating to Fowl and Rescission of Ordinance No. 5032 which created Chapter 6.09 Relating to Hens in the R-1 Zone.
 - 2. Rescission of Ordinances (Clean-ups) amending the Bakersfield Municipal Code as follows:
 - Ordinance No. 5024: Section 6.04.230 of the Bakersfield Municipal Code relating to Keeping of Noisy Animals.
 - Ordinance No. 5025: Section 6.20.010 of the Bakersfield Municipal Code relating to Maiming, Injuring or Killing of Animals.
 - Ordinance No. 5026: Section 15.68.070 of the Bakersfield Municipal Code relating to Dogs, Pets, and Livestock at Mobile Park Homes.
 - Ordinance No. 5027: Section 17.10.020 of the Bakersfield Municipal Code relating to R-1 One-Family Dwelling Zone.
 - Ordinance No. 5028: Section 17.12.010 of the Bakersfield Municipal Code relating to Residential Suburban Zones.
 - Ordinance No. 5029: Section 17.19.020 of the Bakersfield Municipal Code relating to RH (Residential Holding) Zone.
 - Ordinance No. 5030: Section 17.31.020 of the Bakersfield Municipal Code relating to M-3 (Heavy Industrial) Zone.
 - Ordinance No. 5031: Section 17.32.020 of the Bakersfield Municipal Code relating to A Agricultural Zone.

Resolutions:

- g. Resolution confirming approval by the City Manager designee of the Chief Code Enforcement Officer's report regarding assessments of certain properties in the City for which structures have been secured against entry or for the

abatement of certain weeds, debris and waste matter and the demolition of dangerous buildings and authorizing collection of the assessments by the Kern County Tax Collector.

Ward(s) 1, 7

- h. 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 5-105 (1401 Brook Street) - Ward 1
2. Area 5-108 (6915 Colony Street) - Ward 7

Agreements:

Ward 2

- i. Agreement with Dennis Campos and Monica Campos (\$1.00) whose address is 4204 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- j. Agreement with Peyton Mills (\$1.00) whose address is 4200 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- k. Agreement with Flora J. Gonzalez (\$1.00) whose address is 4112 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- l. Agreement with Daniel Gonzalez and Kimberly Gonzalez (\$1.00) whose address is 4108 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- m. Agreement with Reyna Guerra (\$1.00) whose address is 4301 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- n. Agreement with Hendrick Hinse and Martha C. Hinse (\$1.00) whose address is 4104 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

Ward 2

- o. Agreement with Nicole M. McCoy (\$1.00) whose address is 4205 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

- p. Agreement with SC Communications (\$57,812.64) for the repair of portable Public Safety radios.

Ward 4

- q. Amendment No. 1 to Agreement No. 2020-023 with Mark

Thomas & Company, Inc. (\$34,460; revised not to exceed \$176,540), for the Rosedale Highway Widening Project between Calloway Drive and Verdugo Lane.

Ward 2

- r. Amendment No. 2 to Agreement No. 18-155 with NV5, Inc, (\$109,022.36; revised not to exceed \$3,794,115.22), for additional construction management services for the 24th Street Improvement Project.

Ward 2

- s. Amendment No. 2 to Agreement 18-148 with NV5, Inc. (\$314,655.34; revised not to exceed \$4,868,254.40), for the Belle Terrace Operational Improvement Project.
- t. Contract Change Order to Agreement No. 2020-242 with Pacific West Sound, Inc. (\$18,171.93, not to exceed unchanged at \$700,000) for addition Audio Video switching equipment for the Council Chambers A/V and Broadcast upgrade project.

Bids:

Miscellaneous:

- u. Appropriate \$20,000 Cal Water Firefighter Grant Program Revenue to the Fire Department Operating budget within the General Fund for the purchase of a Polaris Ranger Utility Terrain Vehicle.
- v. Acceptance of FY 2019-20 Transportation Development Act Funds Audit Reports:
 - 1. Independent Auditor's Report, Fund Financial Statements, and Supplementary Information for the fiscal year ended June 30, 2020.
 - 2. Auditor Communication with Those Charged with Governance (SAS 114 Letter) for fiscal year ended June 30, 2020.
- w. Audit Reports to be Referred to Budget and Finance Committee:
 - 1. Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2020.
 - 2. Agreed Upon Conditions Report for the fiscal year ended June 30, 2020.
 - 3. Auditor Communication with Those Charged with Governance (SAS 114 Letter) for fiscal year ended June 30, 2020.
 - 4. Independent Auditors Report – Compliance with Contractual Requirements relative to the Bakersfield Subregional Wastewater Management Plan for the year ended June 30, 2020.
 - 5. Independent Auditors Report on Appropriations Limit

Worksheet (GANN Limit) of the City of Bakersfield for the fiscal year ended June 30, 2020.

6. Independent Auditors Report – Mechanics Bank Arena, Theater, Convention Center, Dignity Health Amphitheatre, and Valley Children's Ice Center for the fiscal year ended June 30, 2020.
7. Agreed Upon Procedures Report (Public Safety and Vital Services) for the fiscal year ended June 30, 2020.

Successor Agency Business:

- x. Receive and file Successor Agency payments from January 8, 2021, to January 21, 2021, in the amount of \$184,428.97.

Public Safety/Vital Services Measure:

9. CONSENT CALENDAR PUBLIC HEARINGS

10. HEARINGS

Ward 2

- a. Public Hearing to consider a resolution ordering the vacation of portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor freeway.

Staff recommends approval of the resolution.

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

11. REPORTS

12. DEFERRED BUSINESS

13. NEW BUSINESS

14. COUNCIL AND MAYOR STATEMENTS

15. ADJOURNMENT

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Public Statements 5. a.

TO: Honorable Mayor and City Council

FROM: Julie Drimakis, City Clerk

DATE: 2/3/2021

WARD:

SUBJECT: Public Statements

STAFF RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

Description	Type
❑ Memorandum Transmitting Correspondence 1	Correspondence
❑ Memorandum Transmitting Correspondence 2	Correspondence
❑ Memorandum Transmitting Late Correspondence 3	Correspondence
❑ Written material submitted during the meeting by Michael Turnipseed	Correspondence
❑ Written material submitted during the meeting by Carl Bryan	Correspondence
❑ Written material submitted during the meeting by Brian Taylor	Correspondence



BAKERSFIELD

THE SOUND OF *Something Better*

CITY CLERK'S OFFICE
MEMORANDUM

February 3, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JULIE DRIMAKIS, CITY CLERK

SUBJECT: PUBLIC STATEMENTS

This memorandum is to transmit correspondence submitted after publication of the Agenda through Tuesday, February 2, 2021, 4:00 PM.

Attachments
JD

From	Agenda Item	Position	Subject	Type	Received	Recipient
Abe Bryan Bumacod	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:53:36 PM	Clerk
Abigail Lewis	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:38:00 AM	Clerk
Alex Dulay	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:26:21 PM	Clerk
Alexis Feller	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:41:37 PM	Clerk
Alisha Brewer	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:38:23 PM	Clerk
Allan De Leon	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 4:06:46 PM	Clerk
Allison Whitton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 10:09:11 PM	Clerk
Allyson Miller	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:00:49 PM	Council
Allyson Swen	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:04:53 PM	Clerk, Council
Alyssa Antongiovanni	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:41:27 AM	Clerk
Amanda Gauthier-Parker	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:30:21 PM	Clerk
Amanda Schwartz	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:16:59 PM	Clerk
Andrea Ripley	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:25:38 AM	Clerk
Andrea Selvey	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:03:40 AM	Clerk
Andrew RD	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February, 1, 2021 7:30 AM	Clerk, Mayor
Andy Varner	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:38:46 PM	Clerk
Angela Low	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 1:20:19 AM	Council
Angelee Rosales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 10:36:51 AM	Clerk
Angelina Subia	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:57:00 AM	Clerk
Anna Rocco	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:18:50 PM	Clerk
Annabella Rosales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:19:21 AM	Clerk
Arian Garcia	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:14:34 AM	Clerk
Ashkea McAllister	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:05:11 AM	Clerk
Ashley Fontes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:53:03 PM	Council
Barbara McNeil	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 1:14:42 PM	Clerk
Barbara Norcross	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:43:07 PM	Council
Barbara Rademacher	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
Barby Rodriguez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:51:01 PM	Clerk
Becca Moffatt	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:37:05 PM	Council
					Sunday, January 31, 2021 9:33:53 AM;	
Becky Pelishek	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:50:09 AM	Clerk, Council, Mayor
Beth Phipps	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
Betsy Wadman	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:17:27 AM	Clerk, Council, Mayor
					Sunday, January 31, 2021 11:06:24 PM;	
Bill Descary	8.f.	Support	Rescinding Hen Ordinances	Email, Voicemail	Tuesday, February 2, 2021 3:44 PM	Council, Mayor
Breanne Corley	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 2:47:43 PM	Clerk
Brenda Lopez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 2:29:04 PM	Clerk
Brian Malavar	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:53:58 AM	Clerk
brianthompson458	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:28:12 AM	Clerk
					Saturday, January 30, 2021 5:07:59 PM;	
Bruce Bagwell	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 5:01:46 AM	Clerk
Bryce Hayes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 1:03:34 PM	
Caleb Hawkesworth	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 3:41:27 PM	Clerk
Camelia Ceron Montes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:36:43 PM	Council
Candice Espericueta	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:54:45 AM	Clerk
Carla Martinez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:37:17 PM	Clerk
					Tuesday, February 2, 2021 9:37:05 AM;	
Carla McCoy	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 9:33:31 AM	Clerk, Council, Mayor
					Monday, February 1, 2021 8:44:32 PM;	
Carol Lair	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:45:00 PM	Council
Carol McMahon Bender	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:48:27 PM	Council, Mayor
Carole Gribben	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 6:07:21 PM	Clerk
Cassandra Sanchez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 11:54:21 AM	Clerk
Catherine Winters	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 12:11 PM	Clerk

Cathleen Warren	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:15:07 AM	Clerk
Ceasar	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:57:47 PM	Clerk
Cecilia Dollar	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:43:28 AM	Council
Chelsea Padilla	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:33:32 AM	Clerk
Christi Nolan	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:39:54 PM	Clerk
Christina Park	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:06:02 PM	Clerk
Christina Rajlal	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:26:11 AM	Clerk
Cindy Joslyn	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:13:21 AM	Clerk
Claudia Lopez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 3:52:37 PM	Clerk
Cody Ganger	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 4:31:03 PM	Clerk
Colleen Miller	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:19:48 AM	Clerk
Courtney McLemore	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:25:37 PM	Clerk
Craig D Harrell	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 6:40:24 PM	Council
Cristenlittle51	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 3:15:44 PM	Clerk
Crystal Day	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 3:50:40 PM	Clerk
Dan Soberano	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:21:14 AM	Clerk
Daniel Becina	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:52:54 PM	Clerk
Daniel Olivares	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 5:54:53 AM	Clerk
Danny Wilson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 4:41:41 PM	Clerk
Darrin Star	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:10:45 PM; Monday, February 1, 2021 2:19 PM	Clerk
Darryl Pope	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:05:29 AM	Clerk
Dave Thomas	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:19:23 AM	Clerk
David Brust	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 2:23 PM	Clerk
David Dmohowski	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:16:44 PM	Clerk
David M Hess	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:29:37 AM	Council
David Newton	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 11:14 AM	Clerk
Dawn Doyle	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:18:11 AM	Clerk
De Ana Christy	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:05:08 PM	Clerk
Dean Fowler	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 10:17:09 AM	Council
Debra Davis	8.f.	Oppose	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 7:31:26 PM	Council
Debra Foster	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:19:27 AM	Clerk
Denise Netherton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:46:14 PM	Clerk
Diane Olson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:40:21 AM	Clerk
Dianne Bryant	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 11:17:03 PM	Clerk
Dindo Franz	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:37:09 PM	Clerk
DJ	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:50:52 PM	Clerk
Donald McCall	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:43:50 AM	Council, Mayor
Donna Castillo	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:57:18 PM	Clerk
drgroves72	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:09:32 AM	Clerk
Dusti McDaris	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:25:08 AM	Clerk
Eb	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 3:38:19 PM	Council
Elena Porcho	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:31:49 AM	Clerk
Emily Dawson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, January 26, 2021 at 9:48 AM	Council, Mayor
Emily Keverline	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:29:53 AM	Clerk
Erica Bersentes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:15:48 PM	Clerk
Erica Kimmel	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:19 PM	Clerk
Erica Williams	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:05:37 PM	Clerk
Erica Williams	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:19:23 AM	Clerk
Erin Obert	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:19:23 AM	Clerk
Erin Obert	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:12:56 PM	Clerk
Esther Nunez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 4:30 PM	Clerk
Fabio Rosales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 4:31 PM	Clerk
Fabio Rosales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:25:05 AM	Clerk
Fawn Kline	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 10:34:29 AM; Sunday, January 31, 2021 10:36:57 AM	Clerk

Felix Camotuya	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:54:02 PM	Clerk
Frank Ripepi	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:11:34 AM	Clerk
Gabrielle Canales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 4:01:21 PM	Clerk
Gail Fieldgrove	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Tuesday, February 2, 2021 10:50 AM	Clerk
Gena Householder	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:33:15 AM	Clerk
George Fuentes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:01:51 PM	Clerk
Gwen Dobbs	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
Heather Aherne	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:28:16 PM	Clerk, Council
Heather Dobbs	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:20:37 AM	Clerk
Heather Merickel	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:31:45 PM	Clerk
Helen Kotowske	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Tuesday, February 2, 2021 2:00 PM	Clerk
Heyley Taber	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:54:53 PM	Clerk
imluke	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:12:00 PM	Clerk
Ingrid Henderson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 4:13:23 PM	Clerk
Iva Fendrick	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Tuesday, February 2, 2021 2:03 PM	Clerk
Jack Merickel	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:12:20 PM	Clerk
Jan Hei	8.f.	Oppose	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 8:14:05 PM	Council
Janice French	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:04:24 PM	Clerk
Janie Boland	8.f.	Oppose	Rescinding Hen Ordinances	Email	Thursday, January 21, 2021 11:39:30 PM	Clerk
Jay Clayton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:46:53 AM	Clerk
Jeanette Redstone	8.f.	Oppose	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 7:53:41 PM	Council
Jeff Murray	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 10:28:57 AM	Council
Jeffrey Maberry	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:18:11 PM	Clerk
Jenifer Pitcher	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:58:54 AM	Clerk, Council, Mayor, CMO, CAO
Jennifer Clayton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:21:49 AM	Clerk
Jennifer Constantine	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 4:39:19 PM	Clerk
Jennifer Kirstine	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:45:16 PM	Clerk
Jennifer Leflar	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 5:08:04 PM	Clerk, Council
Jennifer Phillips	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:28:13 AM	Clerk
Jenny Sanchez	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 12:37 PM	Clerk
Jeremy Doyle	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:00:48 PM	Clerk
Jessica Cadena	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 11:17:34 PM	Clerk
Jessica Regal	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:12:08 AM	Clerk
Jessie Fowler	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 10:19:10 AM	Clerk
Jill Burdick	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:59:46 AM	Clerk
Jocelyn Wolter	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:30:46 PM	Clerk
Johanna Coronado	General Public Commetn		SIDEWALKS	Email	Tuesday, February 2, 2021 11:05:19 AM	Clerk
John Franke	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 6:37:39 PM	Clerk
John Mccoy	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 9:37:05 AM; Tuesday, February 2, 2021 9:37:05 AM	Clerk, Council, Mayor
John Vanauken	8.f.	Support	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 4:07 PM	Clerk
Jonathan Hawes	General Public Commetn		EMBEZZLEMENT	Email	Tuesday, February 2, 2021 9:43:22 AM	Clerk
Jordan Kennedy	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Sunday, January 31, 2021 10:43 AM	Clerk
Jorge Talabong	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 2:11:18 PM	Clerk
Joshua Lewis	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:26:29 PM	Clerk, Mayor, CAO
JP Hampton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:00:31 PM	Clerk
J'Resah Keeney	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:45:53 AM	Clerk
Jtarula627	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 4:32:39 PM	Clerk
Julia Castillo	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:58:48 PM	Clerk
Justin Ader	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 10:56:05 PM	Clerk
Kailan Carr	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:43:31 AM	Clerk, Council
Kara Flockton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 5:50:23 PM	Clerk
Karen Ash	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 2:12:06 PM	Council
Karen Crawford	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:16:23 PM	Clerk
Karen Welch	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:29:39 AM	Clerk

Karla Herrboldt	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:45:16 PM	Council
Katherine Winters	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:13:07 PM	Clerk
Kathleen SansSoucie	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:01:27 AM	Council
Kathy Hawks	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:57:14 PM	Council
Katie Cerda	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 5:32:04 PM	Clerk
Katie Copeland	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:46:36 PM	Clerk
Kay Till	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:36 AM	Mayor
Keith Shotts	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:36:11 AM	Clerk
Kelly Castruita	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 9:33:01 AM; Tuesday, February 2, 2021 9:33:01 AM	Clerk, Council
Kelsey Doyle	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:31:40 PM	Clerk
Kevster Lugster	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:26:12 PM	Clerk
Kim Chaney	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:50:32 PM	Clerk
Kim Ouska	8.f.	Support	Rescinding Hen Ordinances	Email	Thursday, January 28, 2021 7:22 PM	Clerk, Council, Mayor, CAO
Kimberleigh Womack	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 11:57:03 AM	Clerk
Kimberly Klaas	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:29:50 AM	Council
Kristianna Serrano	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:10:43 PM	Council
Kristina Clark	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 10:36:32 AM	Clerk
Larry Bright	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:03:20 AM	Clerk
Larry Brown	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:15:33 AM	Clerk
Leah Carr	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:51:23 AM	Clerk
Leeandgenise	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:56:19 AM	Clerk
Leticia Pelayo	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:14:14 PM	Clerk
Linda Banducci	8.f.	Support	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 12:51 PM	Clerk
Lisa	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 6:18:05 PM	Clerk
Lisa Chatterton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:44:01 PM	Clerk
Lisa Smith	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:52:27 PM	Clerk
lisamuzzle	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:35:28 PM	Clerk
Lois Ashe	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 4:13:34 PM	Clerk
Lori A. Kayes	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:33:35 PM	Clerk
Lori Barnett	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 8:39:00 AM	Council
Lori Park	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:59:11 AM	Clerk
Lori Rodriguez	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 10:28:00 PM	Clerk
Luis Valladares	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:42:13 AM	Clerk
Lynda Leopold	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:06:32 AM	Council
Macario Visto	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:30:22 PM	Clerk
Mackenzie Jordan	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 4:06:30 PM	Clerk
Madison Antonell	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:48:00 PM	Clerk
Makenzie Jensen	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:42:13 AM	Clerk
Mallaurie Vermillion	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 10:32:42 AM	Clerk
Marci Nissen	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:08:53 PM	Clerk
Marci Scott	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:47:29 PM	Clerk
Marco Flores	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:12:11 PM	Council
Marcotapia93	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:37:24 AM	Clerk
Margaret Aguilera	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:51:58 AM	Clerk
Maribelle Guerrero	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:38:00 PM	Clerk
Mark Perral	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:27:02 PM	Clerk
Marta Spaeth	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:18:15 PM	Clerk
Mary Anne Blanchard	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 8:12:18 AM	Clerk
Matt Kennedy	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Sunday, January 31, 2021 10:44 AM	Clerk
Matt Pelishak	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:08 AM	Clerk, Mayor
Matthew Mills	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 11:12 AM	Clerk
Matthew Ouska	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:23:10 PM; Monday, February 1, 2021 8:23 PM	Clerk, Mayor
Medianman	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:25:21 AM	Clerk

Melinda Avila	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:56 PM	Clerk, Mayor, CAO, CMO
Michael Garcia	8.f.	Oppose	Rescinding Hen Ordinances	Email	Thursday, January 28, 2021 2:31 PM	Clerk, Mayor
Michael Harp	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:15:25 AM	Council
Mikaela Cardenas	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:23:57 PM	Clerk
Mike and Linda Fabrizio	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:38:34 AM	Clerk
Miranda McCoy	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:41:40 AM; Tuesday, February 2, 2021 10:41:39 AM	Clerk, Council
Misty Caraan	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:59:40 AM	Clerk
Mleveroni	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:59 AM	Clerk
Molly Foster	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 12:59:47 PM	Council
MT Merickel	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:45:00 PM	Clerk, Mayor, CAO, CMO
Myrriah Collins	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:39:51 PM	Clerk
Nancy Jean Romero	8.f.	Oppose	Rescinding Hen Ordinances	Email	Thursday, January 28, 2021 6:44 PM	Clerk, Mayor
Nicholas Rhodes	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 2:58:17 PM	Clerk, Mayor, CAO, CMO
Nichole Sabo	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:17:48 AM	Clerk, Mayor, CAO, CMO
Nick Swaim	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:28:06 PM	Clerk
Nicole Rickett	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 7:12:50 AM	Clerk, Mayor, CAO, CMO
Nikki Kirstine	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:08:26 AM	Clerk, Mayor, CAO, CMO
No Name - (661) 742-8681.docx	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Sunday, January 31, 2021 7:08 PM	Clerk
No Name Provided	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Sunday, January 31, 2021 7:08 AM	Clerk
No Name Provided	8.f.	Support	Rescinding Hen Ordinances	Voicemail	Tuesday, February 2, 2021 1:50 PM	Clerk
No Name Provided	8.f.	Support	Rescinding Hen Ordinances	Voicemail	Tuesday, February 2, 2021 1:50 PM	Clerk
ochoball83	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 4:29:54 PM	Clerk, Mayor, CAO, CMO
Olinda Garcia	8.f.	Oppose	Rescinding Hen Ordinances	Email	Thursday, January 28, 2021 1:27 PM	Clerk, Mayor, CAO, CMO
Paige Loya	8.f.	Oppose	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 3:21:53 PM	Clerk, Mayor, CAO, CMO
Pat Petersen	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:39:48 PM	Clerk, Council, Mayor
Pat Wadman	8.f.	Support	Rescinding Hen Ordinances	Email, Voicemail	Tuesday, February 2, 2021 10:29:38 AM; Tuesday, February 2, 2021 10:29:38 AM; Tuesday, February 2, 2021 1:39:48 PM	Clerk, Council, Mayor
Patricia Pierce	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:16:37 AM	Clerk, Mayor, CAO, CMO
Paula Maxwell	8.f.	Support	Rescinding Hen Ordinances	Email	Friday, January 29, 2021 4:13:59 PM	Clerk, Mayor, CAO, CMO
Paulette Bogges	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
paulys79	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:32:42 AM	Clerk
Pete Bogges	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
Pete Leveroni	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:02:36 PM	Clerk, Mayor, CAO, CMO
Phylliss Sims	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:43:03 PM	Clerk, Mayor, CAO, CMO
Randall Phipps	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk, Council
Randy Scholl	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:44:52 PM	Clerk, Mayor, CAO, CMO
Rebecca Lowe	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:14:36 AM	Clerk, Mayor, CAO, CMO
Regina Deaton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:43:24 PM	Clerk, Mayor, CAO, CMO
Renee Nelson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 3:26:54 PM	Clerk, Council, Mayor
Rex Estoque	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:13:16 PM	Clerk
Rhiannon Solorzano	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:08:13 PM	Clerk, Mayor, CAO, CMO
Richard & Cheryl Rodriguez	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 2:04:38 PM	Clerk, Mayor, CAO, CMO
RJ B	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:02:15 PM	Clerk, Mayor, CAO, CMO
Robert B Sheldon	8.f.	Support	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:37:26 AM	Clerk, Mayor, CAO, CMO
Robert Eichar	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:52:20 AM	Clerk, Mayor, CAO, CMO
Robert Flitcraft	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 9:20 AM; Monday, February 1, 2021 9:21 AM	Clerk
Robert Johnson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:02:25 PM	Clerk, Mayor, CAO, CMO
Robert Sheldon	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 12:22:51 PM	Clerk, Mayor, CAO, CMO
Robin Ablin	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:41:39 AM; Tuesday, February 2, 2021 10:41:42 AM	Clerk, Council
Rueben Canales	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 4:18:04 PM	Clerk, Mayor, CAO, CMO

Ryan Carr	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:51:12 AM	Clerk, Mayor, CAO, CMO
Ryan Dembosky	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 1:50:55 PM	Clerk
Sam Digilio	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 11:52:46 AM	Clerk, Mayor, CAO, CMO
Sandi Kallenberger	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 5:53:39 AM; Tuesday, February 2, 2021 5:54:37 AM	Clerk, Mayor, CAO, CMO
Sandra Descary	8.f.	Support	Rescinding Hen Ordinances	Email, Voicemail	Friday, January 29, 2021 3:13:40 PM; Tuesday, February 2, 2021 3:30 PM	Clerk, Mayor, CAO, CMO
Sandy Lewy	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 4:48:02 PM	Council
Sandy Welch	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:23:57 AM	Clerk, Mayor, CAO, CMO
Sara Smith	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:52:37 PM	Clerk, Mayor, CAO, CMO
Sarah Appleton	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 11:45:30 AM	Clerk
Sarah Elliot (3)	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:32:56 PM	Clerk, Mayor, CAO, CMO
Sarah Trupe 1	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:51:38 AM	Clerk, Mayor, CAO, CMO
Scott Anderson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 9:08:49 AM	Clerk, Mayor, CAO, CMO
Scott Waterman	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 8:00:33 PM	Clerk, Mayor, CAO, CMO
Shannon Christian	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:54:57 AM	Clerk, Mayor, CAO, CMO
Sharon Scott	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 8:26:43 PM	Clerk, Mayor, CAO, CMO
Shawnda Banks	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 4:44:56 PM	Clerk, Mayor, CAO, CMO
SL	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:26:00 AM	Clerk, Mayor, CAO, CMO
Stephen Winters	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 12:19 PM	Clerk
Steve Obert	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 7:19:13 PM	Clerk, Mayor, CAO, CMO
Steve Romero	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 5:33:20 PM	Clerk, Mayor, CAO, CMO
Stockdale Elementary	8.f.	Oppose	Rescinding Hen Ordinances	Voicemail	Monday, February 1, 2021 12:07 PM	Clerk
Str8Jesus	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:06:26 AM	Clerk, Mayor, CAO, CMO
Sue Layman	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 11:43:32 AM	Clerk, Mayor, CAO, CMO
Susan Richardson	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk
Tanja Brewer	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 9:34:33 PM	Clerk, Mayor, CAO, CMO
Tayler Bagwell	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 8:07:15 AM	Clerk, Mayor, CAO, CMO
Tea	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 1:05:56 PM	Clerk, Mayor, CAO, CMO
Terrance Banks	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 6:25:33 PM; Monday, February 1, 2021 6:25 PM	Clerk, Mayor, CAO, CMO
Terry & Betsy Kloth	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday, February 2, 2021 10:01:06 AM	Clerk
Tiffany Amaya	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:27:36 AM	Clerk, Mayor, CAO, CMO
Timari Duty	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:03:28 PM	Clerk, Mayor, CAO, CMO
Timothy Johnson	8.f.	Support	Rescinding Hen Ordinances	Letter	Tuesday, February 2, 2021 1:46 PM	Clerk
Tom Williams	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 3:23:35 PM	Clerk, Mayor, CAO, CMO
Tony Lopez	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:00:16 AM	Clerk, Mayor, CAO, CMO
Tracey Crawford	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 4:13:20 PM	Clerk, Mayor, CAO, CMO
Troy J Carroll	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 3:34:09 PM; Tuesday, February 2, 2021 10:31:06AM	Clerk, Mayor, CAO, CMO
Tyler Bates	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:02:29 PM	Clerk, Mayor, CAO, CMO
Valerie Walker	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 12:06:01 PM	Clerk, Mayor, CAO, CMO
Vicki Tobin	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:07:54 AM	Clerk, Mayor, CAO, CMO
Victoria Milligan	8.f.	Oppose	Rescinding Hen Ordinances	Email	Sunday, January 31, 2021 6:30:38 PM	Clerk, Mayor, CAO, CMO
Victoria Williamson	8.f.	Support	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 8:53:34 PM	Clerk, Mayor, CAO, CMO
Walkingdead237	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 9:45:05 AM	Clerk, Mayor, CAO, CMO
Walter Keenan	8.f.	Support	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 7:36:42 AM	Clerk, Mayor, CAO, CMO
Wanda Johnson	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:40:25 PM	Clerk, Council, Mayor
Wanda Petersen	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 9:40:25 PM	Clerk, Mayor, CAO, CMO
Wendi Kaff	8.f.	Oppose	Rescinding Hen Ordinances	Email	Saturday, January 30, 2021 7:51:07 PM	Clerk, Mayor, CAO, CMO
Yousef Hamed	8.f.	Oppose	Rescinding Hen Ordinances	Email	Monday, February 1, 2021 10:08:31 AM	Clerk, Mayor, CAO, CMO

From: [Abe Bryan Bumacod](#)
To: [City Clerk](#)
Subject: Oppose Rescinding Hen Ordinance
Date: Sunday, January 31, 2021 9:53:36 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting.

We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law.

Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you.

From: [Abigail Lewis](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 12:38:00 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am very concerned regarding information received about an ordinance that will not allow citizens to own hens in their own backyard. Are you able to advise if this is valid? I am concerned that an ordinance would even be considered that would take away the rights of private land owners. I would like to speak with someone regarding this matter as soon as possible.

Thank you,
Abigail Lewis

From: [Alex Dulay](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 1:26:21 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members:

Please do not kill the Ordinance supporting backyard hens.

Notwithstanding the merits of the lawsuit, we trust in your best judgement as elected Officials to tackle the issue the proper way and put forward the interest of the backyard hens community over a few unidentified or anonymous group who oppose the Ordinance.

Thank you for listening to the voice of your constituents.

Alex Dulay
661-889-6853

From: [Troy Carroll](#)
To: [City Clerk](#)
Subject: support backyard hens
Date: Monday, February 1, 2021 3:41:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

Though I do not live in the city proper as an owner of backyard chickens I strongly support the rights of my fellow residents to own & keep back yard chickens. They can be a great way for children to learn the arts of animal husbandry as well as a source of fresh organic eggs for your household .

Thank you for your time,

Sincerely ,
Alexis Feller

From: [Alisha Brewer](#)
To: [City Clerk](#)
Subject: OPPOSE TO RESCIND HEN ORDINANCE
Date: Sunday, January 31, 2021 9:38:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose to rescind the hen ordinance for the city of Bakersfield!

My name is Alisha Brewer,

I would like to voice my support for the backyard hen initiative which will be up for the rescension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

From: [JoLoG KIMUSABE](#)
To: [City Clerk](#)
Subject: I support backyard Hen
Date: Monday, February 1, 2021 4:06:46 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens in Bakersfield.

Thank you.

Name Allan De Leon
Telephone: 661 664 0320

Sent from my iPhone

From: allison_whitton@yahoo.com
To: [City Council](#)
Date: Friday, January 29, 2021 10:09:11 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. Those of us residents who support the Backyard Hen Initiative are deeply concerned about the consideration to rescind the previously approved ordinance that allowed backyard hens; from what we understand about the recent closed session, a majority were in favor of voting to rescind it at the upcoming meeting on February 3.

The anonymous group who has sued the city with a frivolous environmental lawsuit citing CEQA violations has subverted the democratic process that was fairly and legally completed in 2020.

This group - "Citizens for the Preservation of the R-1 Zones" - has NO history of advocacy for the environment and remains anonymous. Their lawyers in Beverly Hills have zero intention of negotiating. This is a power play. Given the legal team for these "Citizens" has indicated that as long as there are "no hens" there will be "no lawsuit", I believe this is civil extortion. And the Council is about to play their game.

Their legal team has somehow already racked up \$9,000 in legal fees, with the threat of tens of thousands of more dollars the city will pay IF the city defends the lawsuit and loses. But bow to their demands by rescinding the previously approved hen ordinance, and the lawsuit goes away.

The lawyers of this anonymous group allege that there was a CEQA violation due to the "common sense" waiver being used in the hen ordinance. This waiver has been used many times by other cities throughout California. It means that common sense says that backyard hens in the homesteads of city residents who choose to keep them will not have a significant effect on the environment. The fundamental definition of significant effect under CEQA is "a substantial adverse change in physical conditions." We believe that it's impossible for backyard hens in private homes to have a substantial adverse change in the physical environment of the city. Given the information and evidence our group of community supporters has gathered, along with the knowledge that the City has previously defended itself against similar lawsuits, we believe the potential to win is much stronger than the potential to lose. The Council should NOT rescind the hen ordinance and should fight to defend themselves in this lawsuit, as well as uphold the ethical obligation to its constituents and preserve the fair and democratic practice that is at stake here.

Obviously we are extremely disappointed given the overwhelming support demonstrated for backyard hens over the months-long, thorough process that took place to get the ordinance

passed, as well as the majority council vote that officially approved the ordinance in November 2020.

The fact that one small group of disgruntled folks has put the city in the position of having to choose between fighting a costly legal battle to uphold a previously approved ordinance or caving to the lawyers and rescinding the ordinance is not only outrageous, but sets a terrible precedent for the future.

Council members are supposed to represent and serve the community. Our elected officials have a responsibility and obligation to work with the majority public. The city of Bakersfield has an obligation to do its due diligence and fight this lawsuit. The cost to the taxpayers is extremely unfortunate, but the opposition has left NO choice given that they are not willing to negotiate at all. A lawsuit from an anonymous party who is not willing to come to an agreement, entertain a conversation, or negotiate in any way seems to be one that is clearly perpetuated for the sole intent of what it's about to achieve: shutting down a policy they disagree with and flexing their muscles for community and political influence.

Please know this: the community members who support backyard hens are willing to negotiate. We are willing to discuss reasonable revisions to the ordinance, particularly those that may be most concerning like allowing hens to free range, or the amount of hens allowed based on square footage. We believe we could all come to an agreement that serves the community, protects food sovereignty, expands on the list of current approved backyard pets, and makes a minimal impact to the city residents.

We are here to hold you accountable. I encourage the newly elected council members to review the many previous meetings that the council held where the community voiced their support, as well as read the record of letters and phone calls surrounding this issue. The workshop process first began in June 2020. The first vote approving the first draft of the ordinance took place in October 2020. At that time, there was no mention of CEQA at all; in November 2020 prior to the second and final vote, one council member became concerned with it moments before voting and did indicate they'd be faced with a lawsuit if they voted to approve it. Although this (partially) new Council may not have heard from us recently (because we believed this ordinance was, although tabled by a lawsuit, at least safe from being rescinded!), we were the majority.

It is egregious to think that our city council would not be willing to defend against this frivolous lawsuit, both for the sake of backyard hen ownership and protecting the democratic process from future muscle-flexers and political influencers.

We implore the Bakersfield City Council to not rescind the ordinance and to continue to work with the community to come to a resolution regarding backyard hens. If it must defend itself in a lawsuit, then it must. Not because backyard hens caused this, but because a few disgruntled people lawyered up and put the pressure on. Don't cave to this bad practice and the bad precedent that will follow.

In closing, I'd like to remind you of the other cities in California that allow backyard hens in homes that are less than 1 acre:

San Diego
Santa Rosa
Long Beach

Oxnard
Murrieta
Citrus Heights
Elk Grove
Stockton
La Mesa
Hanford
San Francisco
Los Angeles
Pasadena
Glendora
Chino
Rancho Cucamonga
Monterey Park
San Marino
Santa Fe Springs
Sacramento
Folsom
Porterville
San Jose
Santa Maria
San Luis Obispo
West Covina
Fullerton
San Clemente
Laguna Niguel
Roseville

I know progress can be a little slower in our big small town, but the opposition to such a simple issue allowing families to raise hens and collect their own eggs is embarrassing.

Thank you for your time.

From: [Allyson Miller](#)
To: [City Council](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 5:00:49 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Allyson Miller

Sent from my iPhone

From: [Allyson Miller](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 5:00:49 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Allyson Miller
Sent from my iPhone

From: [Ally Swen](#)
To: [City Clerk](#); andrae@andraegonzales.com; [City Council](#)
Subject: Hen initiative
Date: Monday, February 1, 2021 1:04:53 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the Feb 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we are exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Allyson Swen

From: [Alyssa Antongiovanni](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Saturday, January 30, 2021 7:41:27 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it May Concern:

I would like to make my position about the upcoming decision about the hen ordinance. I strongly oppose rescinding the ordinance. The lawsuit that has been brought to the council is frivolous. It is simply a way for an anonymous group to prevent the council from following through with their initial vote in favor of the backyard hen ordinance.

There are so many positive reasons to allow backyard hens in the city of Bakersfield. The biggest positive that I see in our current situation is that hens can aid in food security for many families. There are countless other reasons why backyard hens can bring a positive environment to our city.

Thank you for considering my opinion on this matter.

Alyssa Antongiovanni

From: [theGPS](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 5:30:21 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance. This ordinance ensures the people of our city have the right to a small number of hens to provide food for their families, fertilizer for backyard gardens, natural pest control, and most importantly, hands-on education for our neighborhood children.

Thank you,
Amanda Gauthier-Parker
Bakersfield resident 93304

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

From: [Amanda Schwartz](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Saturday, January 30, 2021 7:16:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

When it comes to a vote I would like you to consider allowing backyard hens. Everyone should be allowed to have hens if they so wish. There are many benefits to backyard hens not just for eggs as a food source. A person can add the chicken waste to a compost pile and use it on their garden as a fertilizer. Chickens will also happily eat any insects and pests in the yard. Most chicken owners love them as pets and have great affection for their hens. Just like dogs they should be well maintained.

Thank you,

Amanda Schwartz

Bakersfield resident of 43 years

[Sent from Yahoo Mail for iPhone](#)

From: [Andrea Ripley](#)
To: [City Clerk](#)
Subject: Hens
Date: Saturday, January 30, 2021 8:25:38 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello!

I am for people to have the freedom to have hens in the City of Bakersfield.

Thank you,
Andrea Walker

Sent from my iPhone

From: [Andrea Selvey](#)
To: [City Clerk](#)
Subject: Oppose Resending Hen Ordinance for Council Meeting- Please record my email as such for the record
Date: Saturday, January 30, 2021 7:03:40 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Morning,

Please reconsider resending the Hen Ordinance that passed a few months ago. Hens are lovely pets and provide eggs and love for our family. Our children have learned the value of hard work, care and importance of raising hens, responsibly.

We, the citizens of Bakersfield, support the Hen Ordinance. Please don't allow anonymous, disgruntled people- some of who are not even from OUR community- come in and dictate what we are able to do.

Thank you and please record my opposition to rescinding the Hen Ordinance that was already approved and passed.

Andrea Selvey

Sent from my iPhone

From: [Andrea Selvey](#)
To: [City Council](#)
Subject: I Oppose Rescinding the Hen Ordinance
Date: Monday, February 1, 2021 8:19:10 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

As a life-long citizen of Bakersfield and a Constituent, please do not rescind the Hen Ordinance that was already passed last year. We, followed protocol and did the right thing coming to you and presenting facts over fear...yet, outsiders are threatening to come in to represent "anonymous" people to overthrow the will of what the people fought for.

Stand up for YOUR people. Do the right thing, please.

Andrea Selvey

From: [Andrea Selvey](#)
To: [City Council](#); [City Clerk](#)
Subject: Do not Rescind the Hen Ordinance, Please
Date: Monday, February 1, 2021 8:20:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

As a life-long citizen of Bakersfield and a Constituent, please do not rescind the Hen Ordinance that was already passed last year. We, followed protocol and did the right thing coming to you and presenting facts over fear...yet, outsiders are threatening to come in to represent "anonymous" people to overthrow the will of what the people fought for.

Stand up for YOUR people. Do the right thing, please.

Andrea Selvey



Andrea Selvey
Administrative Assistant
Office of the Superintendent
Bakersfield City School District

☎ (661) 631-4612 📠 (661) 324-3190
selveya@bcsd.com

This electronic message is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying or distribution or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify me by telephone (661-631-4611) or by electronic mail immediately. Thank you.

From: [bakersfield mayor](#)
To: [A D](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Backyard Hen Initiative (Andrew RD)
Date: Sunday, January 31, 2021 11:31:14 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Andrew,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: A D [mailto:got2takechances@gmail.com]
Sent: Saturday, January 30, 2021 3:11 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Backyard Hen Initiative

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you for your time,

Andrew RD

From: [Virginia "Ginny" Gennaro](#)
To: [A D](#)
Cc: [Julie Drimakis](#)
Subject: Re: Backyard Hen Initiative
Date: Monday, February 1, 2021 7:30:26 AM

Good morning and thank you for your email.

By cc to the City Clerk I am asking that she submit your comments to the City Council as a public statement and part of the record at Wednesday's meeting.

Ginny Gennaro

Sent from my iPad

On Jan 30, 2021, at 3:14 PM, A D <got2takechances@gmail.com> wrote:

**Warning: This email originated from outside the City of Bakersfield.
Think before you click!**

Dear Ginny Gennaro,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you for your time,

Andrew RD

From: [A.D](#)
To: [City Clerk](#)
Subject: Backyard Hen Initiative
Date: Saturday, January 30, 2021 3:17:55 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

City Council Members,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you for your time,

Andrew RD

From: [Andy Varner](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 1:38:46 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I vote and You support backyard hens. You passed it now please make it legal. Please stand up to the frivolous law suit.

Thank you,

Andy Varner

Sent from my iPhone

CONFIDENTIALITY NOTICE: This communication and any documents, files or previous e-mail messages attached to it, constitute an electronic communication within the scope of the Electronic Communication Privacy Act (18 USCA § 2510). This communication may contain non-public, confidential, or legally privileged information intended for the sole use of the designated recipient(s). The unlawful interception, use or disclosure of such information is strictly prohibited under 18 USCA § 2511 and any applicable laws. If you are not the intended recipient, or have received this communication in error, please notify the sender immediately by reply e-mail or by telephone and delete any and all electronic and hard copies of this communication, including attachments, without reading them or saving them to disk.

From: [Angela Low](#)
To: [City Council](#)
Subject: Backyard Hen Initiative
Date: Saturday, January 30, 2021 1:20:19 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Angela Low

From: [AngieIsaRose](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Saturday, January 30, 2021 10:36:51 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am in support of Bakersfield hens and I oppose rescinding the hen ordinance.

Angelee Rosales

From: [angie bravo](#)
To: [City Clerk](#)
Subject: BACKYARD HEN INITIATIVE
Date: Monday, February 1, 2021 9:57:00 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Best regards
Angelina Subia

From: [Virginia "Ginny" Gennaro](#)
To: [angie bravo](#)
Cc: [Julie Drimakis](#)
Subject: RE: Backyard Hen Initiative
Date: Monday, February 1, 2021 3:59:06 PM

Thank you for your email.

By cc to the City Clerk I am asking her to make your comments part of the public statements and official record for this Wednesday's Council meeting.

From: angie bravo <bravoangie1967@gmail.com>
Sent: Monday, February 1, 2021 3:11 PM
To: Virginia "Ginny" Gennaro <vgennaro@bakersfieldcity.us>
Subject: Backyard Hen Initiative

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you for your time.

Best regards

Angelina Subia

From: [angie bravo](#)
To: [City Council](#)
Subject: Backyard Hen Initiative
Date: Monday, February 1, 2021 3:40:52 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Counsel Members,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you for your time and consideration.

Best regards
Angelina Subia

From: [Anna Rocco](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 7:18:50 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Anna Giesbrecht

From: [Annabelle Rosales](#)
To: [City Clerk](#)
Subject: I support Bakersfield hens
Date: Saturday, January 30, 2021 9:19:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am in support of Bakersfield hens. I do not think it's right how you are letting this cowardly anonymous small group of people bully you into changing your minds after so many of us have already invested in beautiful runs for our hens.

Annabelle Rosales

Sent from my iPhone

From: ariangarcia01@yahoo.com
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Monday, February 1, 2021 12:14:34 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am a resident of Kern County and would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Arian Garcia

[Sent from Yahoo Mail on Android](#)

From: [A McAllister](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 10:05:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Clerk's Office,

I am writing to express my opposition to your rescinding the hen ordinance. Please understand that 19 cities out of 35 in the state of California used the common sense CEQA exemption for backyard hens. At present, 35 cities allow hens and no full "environmental review" has ever been done. To rescind the ordinance would be to move in the opposite direction of meaningful progress for the city of Bakersfield.

Thank you,

Ashkea McAllister

From: [Ashley Fontes](#)
To: [City Council](#)
Subject: backyard hens
Date: Monday, February 1, 2021 8:53:03 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support the backyard hens. Keep the chicks!

Sincerely,

Ashley Fontes

CIYT

SCBWI

661-472-4186 voice

www.readandyoga.com

From: [Barbara McNeil](#)
To: [City Clerk](#)
Subject: Chicken Ordinance
Date: Saturday, January 30, 2021 1:14:42 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello all,

I strongly oppose rescinding the Chicken Ordinance that was passed by the city council last year. Especially now during Covid, having a few hens is a great education opportunity for families and children.

Barbara M

From: barbara@norcrossrealty.com
To: [City Council](#)
Subject: Chickens in the city
Date: Saturday, January 30, 2021 12:43:07 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am wondering why there is such an over whelming concern about chickens in the city limits? For years I have put up with other peoples Dogs leaving their unwanted land mines in my yard, chasing me on my (Health) walk, or walking my dogs on their leashes. I have reported, spoke with owners, and have been told to mind my own business. Being told, we can not do anything unless we see?? really!!!

Chickens don't bit, scratch, or leave land mines , they stay in their cage & yards. They produce food. Loose Dogs are making health hazards more ways than one. No one makes the pet owner responsible for the mess, and hazards of their Dogs to people's property and personal injury.

Why is it so important that we spend so much money on impact studies for a few Chickens, but no one can stop dogs from running

the streets. Quit wasting the TAX Payers money on frivolous lawsuits. This is a concerned and tax paying citizen. We have more important issues to deal with here in Bakersfield, and I am sure your job has much more pressing issues to deal with. Please do not vote to band chickens in the City. Pass a law that all Dogs need to be microchipped, so the owner can be responsible (fined) for not being a responsible pet owner.

Sincerely

Barbara Norcross

21 FEB -2 PM 1:46

BAKERSFIELD CITY CLERK

February 1, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Barbara Rademacher

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Barby Rodriguez](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Monday, February 1, 2021 12:51:01 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello.

I am writing as a concerned member of the community. I want to clearly express my strong feelings in SUPPORT OF BACKYARD HENS. I hope my position is arriving at the proper destination. My family and I have already started educating ourselves and taking responsible steps to plan for backyard hens and were sorely disappointed to learn it will be going to a vote. Please vote to support your citizen's autonomy and rights!

Thank you

Barby Rodriguez

From: [Becca Moffatt](#)
To: [City Council](#)
Subject: Uphold the Hen Ordinance
Date: Saturday, January 30, 2021 12:37:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. Those of us residents who support the Backyard Hen Initiative are deeply concerned about the consideration to rescind the previously approved ordinance that allowed backyard hens.

The anonymous group who has sued the city with a frivolous environmental lawsuit citing CEQA violations has subverted the democratic process that was fairly and legally completed in 2020.

Obviously we are extremely disappointed given the overwhelming support demonstrated for backyard hens over the months-long, thorough process that took place to get the ordinance passed, as well as the majority council vote that officially approved the ordinance in November 2020.

We implore the Bakersfield City Council to not rescind the ordinance and to continue to work with the community to come to a resolution regarding backyard hens. If it must defend itself in a lawsuit, then it must. I'd like to remind you of the other cities in California that allow backyard hens in homes that are less than 1 acre:

San Diego
Santa Rosa
Long Beach
Oxnard
Murrieta
Citrus Heights
Elk Grove
Stockton
La Mesa
Hanford
San Francisco
Los Angeles
Pasadena
Glendora
Chino
Rancho Cucamonga
Monterey Park
San Marino
Santa Fe Springs
Sacramento
Folsom
Porterville
San Jose
Santa Maria
San Luis Obispo
West Covina
Fullerton
San Clemente
Laguna Niguel
Roseville

Sincerely,
Becca Ollivier

Sent from my iPhone

From: [Becky Pelishek](#)
To: [City Clerk](#)
Subject: Keep the Passed Chicken Ordinance
Date: Sunday, January 31, 2021 9:33:53 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publized and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, every day citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable soluation.

Becky Pelishek

From: [Becky Pelishek](#)
To: [City Council](#)
Subject: keeping the backyard hen ordinance
Date: Sunday, January 31, 2021 9:50:09 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publized and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, every day citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable soluation.

Becky Pelishek

21 FEB -2 PM 1:46

DAVID L. GONZALES

January 29, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,

Beth Phipps



Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Betsy Wadman](#)
To: [City Council](#); [bakersfield mayor](#); [City Clerk](#)
Subject: agenda Feb 3 Ordinances f.1
Date: Tuesday, February 2, 2021 7:17:27 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,

I understand this topic will be discussed at the February 3, 2021 meeting.
Ordinances, f., 1.

1. Rescission of Ordinance No. 5023 amending Section 6.08 of the Bakersfield Municipal Code relating to Fowl and Rescission of Ordinance No. 5032 which created Chapter 6.09 Relating to Hens in the R-1 Zone.

I would like to state we are R-1 homeowners. We are life-long Bakersfield residents. We purchased our lot and built our home in R-1 for a reason. We chose R-1 because we wanted to live in a residential neighborhood. We love animals and love nature, but spent our money to live in R-1 to be insured of living in a residential neighborhood. If we had wanted to live in a neighborhood with animals we would not have chosen R-1.

It is very simple, those who want R-1 choose R-1, and those who wish to have animals or hens or whatever to teach their families and small children the value of 'farm life' can choose a different zone. Zoning is just simple it groups like-minded residents so that no one's rights are infringed upon.

The dangers in 'changing boats in the middle of the stream' with regards to allowing non-R-1 activities in R-1 areas are plentiful. With over 80,000 R-1 sites in Bakersfield it is not prudent to change the perimeters of R-1 to accommodate those few who wish to now raise hens in their yard. It is not just their yard, it is a R-1 neighborhood. There are ample opportunities in Bakersfield for families or homebuyers to choose housing with animals privileges. Wanting to change the rules of zoning to accommodate a new passion of raising hens is not acceptable now or ever.

We love our R-1 neighborhood because it is R-1, please do not allow a change in zoning to allow any number of hens within R-1. America is about free choice and homebuyers have a choice of zoning areas to accommodate their own personal lifestyle, please leave it that way. Zoning matters.

Thank you for your time and service to Bakersfield.

Sincerely,
Betsy Wadman

From: [bakersfield mayor](#)
To: [Betsy Wadman](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#); [Virginia "Ginny" Gennaro](#)
Subject: RE: agenda Feb 3 Ordinances f.1 (Betsy Wadman)
Date: Tuesday, February 2, 2021 3:50:05 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Wadman,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Betsy Wadman [mailto:betsywadman@gmail.com]

Sent: Tuesday, February 2, 2021 7:17 AM

To: City_Council <City_Council@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>; City_Clerk <City_Clerk@bakersfieldcity.us>

Subject: agenda Feb 3 Ordinances f.1

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,

I understand this topic will be discussed at the February 3, 2021 meeting.

Ordinances, f., 1.

1. Rescission of Ordinance No. 5023 amending Section 6.08 of the Bakersfield Municipal Code relating to Fowl and Rescission of Ordinance No. 5032 which created Chapter 6.09 Relating to Hens in the R-1 Zone.

I would like to state we are R-1 homeowners. We are life-long Bakersfield residents. We purchased our lot and built our home in R-1 for a reason. We chose R-1 because we wanted to live in a residential neighborhood. We love animals and love nature, but spent our money to live in R-1 to be insured of living in a residential neighborhood. If we had wanted to live in a

neighborhood with animals we would not have chosen R-1.

It is very simple, those who want R-1 choose R-1, and those who wish to have animals or hens or whatever to teach their families and small children the value of 'farm life' can choose a different zone. Zoning is just simple it groups like-minded residents so that no one's rights are infringed upon.

The dangers in 'changing boats in the middle of the stream' with regards to allowing non-R-1 activities in R-1 areas are plentiful. With over 80,000 R-1 sites in Bakersfield it is not prudent to change the perimeters of R-1 to accommodate those few who wish to now raise hens in their yard. It is not just their yard, it is a R-1 neighborhood. There are ample opportunities in Bakersfield for families or homebuyers to choose housing with animals privileges. Wanting to change the rules of zoning to accommodate a new passion of raising hens is not acceptable now or ever.

We love our R-1 neighborhood because it is R-1, please do not allow a change in zoning to allow any number of hens within R-1. America is about free choice and homebuyers have a choice of zoning areas to accommodate their own personal lifestyle, please leave it that way. Zoning matters.

Thank you for your time and service to Bakersfield.

Sincerely,
Betsy Wadman

Name: Bill Descary

Number: (661) 834-3507

Message: My name is Bill Descary and I'm calling in regards to Consent Calendar Item 8.f. 1 and 2. I just want to point out the many cities and counties that have adopted hen ordinances without knowing setback distances, lot sizes and numbers of hens allowed, as well as any provisions for animal control. Thank you.

From: [bakersfield mayor](#)
To: wcdescary@aol.com
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: All Councilmembers (Backyard Hens - Bill Descary)
Date: Sunday, January 31, 2021 11:06:24 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Mr. Descary,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: wcdescary@aol.com [mailto:wcdescary@aol.com]
Sent: Friday, January 29, 2021 10:48 AM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Fwd: All Councilmembers

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mayor Goh,

Please consider my comments below as you evaluate the vote to rescind the backyard hen ordinance.

Thank you,

Bill Descary

-----Original Message-----

From: wcdescary@aol.com

To: city_council@bakersfieldcity.us <city_council@bakersfieldcity.us>

Sent: Fri, Jan 29, 2021 10:34 am

Subject: All Councilmembers

COVID-19 health concerns prevent me from being a public speaker.

Councilmembers:

I am in support of the Council's decision to rescind the hen ordinance. The ordinance changed R-1 zoning rules on over 85,000 parcels without a properly noticed public hearing and an environmental impact report. Participation at public meetings continues to be limited by COVID-19 pandemic rules. The hen ordinance never should have been considered under these circumstances.

Regarding hen ordinance advocates being in the majority - a small well organized special interest group is not a majority. There have been no official surveys or public opinion polls to establish any sort of majority status. Calling themselves a majority is ridiculous. Existing R-1 rules are being subjugated for the wishes of a few.

Municipal Code concerning text amendments to zoning rules was ignored. Likewise, such a sweeping change to zoning rules is not exempt from longstanding CEQA requirements. The group effectively lobbied the Council to get four votes and achieve their goal.

Rescinding the hen ordinance will avoid a lengthy and costly CEQA lawsuit. To maintain a satisfactory quality of life for all Bakersfield residents, the City Council and staff need to focus on public safety, housing, economic opportunity and assure Measure N money is spent wisely.

Bill Descary

From: [YourBee Gal](#)
To: [City Clerk](#)
Subject: Support back yard chickens
Date: Saturday, January 30, 2021 2:47:43 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

A majority of pet owners care for the well being and cleanliness of their pets. The same goes for those who own chickens. The privilege of owning chickens should never be taken away because of the few. Chickens bring just as much joy to a family as a cat or a dog. They also help teach children where our food comes from. The connection this community has to farm life is hard to ignore. All though some dont understand this because they don't seem to leave the inner city, Kern and Tulare county are both rich with ag. It's what makes Kern County Unique. Please allow the great county of Kern the experience with back yard chickens. --
Sincerely,

Breanne Corley
661-703-3131
Owner, Kern County Bees
www.kerncountybees.com

From: [Brenda Madird](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 2:29:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.
Brenda Lopez

[Sent from Yahoo Mail for iPhone](#)

From: [Jennifer Malavar](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Sunday, January 31, 2021 9:53:58 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,

I appreciate your willingness to listen to the citizens of Bakersfield. I am writing to support your initial vote to allow backyard hens. Chickens are domesticated animals that people have as pets across California and the US. It is wrong that a small, anonymous group would have you consider undoing your 4-3 vote. The best reasons to allow chickens include: 1. They are fun, friendly pets 2. They offer educational value to children 3. They can provide a healthier food source 4. They provide a high quality fertilizer for gardens 5. They control flies and other pests and dispose of weeds and other scraps that would otherwise end up in landfills. Please keep the ordinance that you passed to allow backyard hens.

Sincerely,

Brian Malavar

Sent from my iPhone

From: [brianthompson458](#)
To: [City Clerk](#)
Subject: In support for backyard hens
Date: Tuesday, February 2, 2021 10:28:12 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

From: [Bruce Bagwell](#)
To: [City Clerk](#)
Subject: Fw: Oppose rescission of backyard hens ordinance
Date: Saturday, January 30, 2021 5:07:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

[Sent from Yahoo Mail on Android](#)

----- Forwarded Message -----

From: "Bruce Bagwell" <sdbruceb@yahoo.com>
To: "City_Council" <city_council@bakersfieldcity.us>
Sent: Sat, Jan 30, 2021 at 8:01 AM
Subject: Oppose rescission of backyard hens ordinance

I am furious that the city council is even considering rescinding the backyard hens ordinance and strongly oppose this move.

I am asking, no, I am demanding that you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this bogus lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is

bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Sincerely

Bruce Bagwell

[Sent from Yahoo Mail on Android](#)

From: [Bruce Bagwell](#)
To: [City Council](#)
Subject: Oppose rescission of backyard hens ordinance
Date: Saturday, January 30, 2021 5:01:46 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am furious that the city council is even considering rescinding the backyard hens ordinance and strongly oppose this move.

I am asking, no, I am demanding that you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

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This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Sincerely

Bruce Bagwell

[Sent from Yahoo Mail on Android](#)

From: [Bryce Hayes](#)
To: [City Clerk](#)
Subject: Backyard Hens - In Favor
Date: Saturday, January 30, 2021 1:03:34 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

It's crazy to think that it would be illegal to not be able to provide your own food. A government that doesn't allow this is a socialist government forcing its citizens to rely on someone else.

[Sent from Yahoo Mail for iPhone](#)

From: [Caleb Hawkesworth](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 3:41:27 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Sincerely,
Caleb Hawkesworth

From: [Hola Anjelina](#)
To: [City Council](#)
Subject: Backyard Hen Initiative
Date: Monday, February 1, 2021 3:36:43 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you for you time.

Best Regards,
Camelia Ceron Montes

From: [Candice](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Tuesday, February 2, 2021 10:54:45 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom It May Concern,

I oppose the city council rescinding the hen ordinance. My family are responsible hen owners who, like many took the Stay At Home ordinance as a chance to pour into our family and our home. Our hens have been a bright light during what can seem like a very dark time as my son struggles with the stress and disconnection of distance learning and as I cope with the loss my job last year due to COVID. Our hens have become like dear friends and my children look forward to harvesting eggs and learning how to care for them just like they do our dogs. It would be a shame to deny them their pets after we acquired them and cared for them legally last year. For me to tell my children that our pets are now deemed illegal and we have to get rid of them would be devastating. I am asking you today to please reconsider and support the hen initiative. Bakersfield is one of the top Agricultural hubs of Kern county and residents should be allowed to keep hens in city limits as it helps promote interest in this thriving industry and gives children valuable skills for later in life as they learn about the food chain and animal husbandry.

Kind Regards,
Candice Espericueta

From: cjohns77@gmail.com
To: [City Clerk](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 9:37:17 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen ordinance that was passed last year. I currently do not own any hens but plan to this summer. I was excited to learn the ordinance passed. I grew up with chickens and would like my children to have the same experience.

It sounds like an anonymous group is trying to back the city into a corner. Is this our future? Someone doesn't like an answer that's already researched and voted on but hey let's scare them with a lawsuit so they change their minds! Don't back down!! Keep the ordinance and teach groups if they had a problem with it then they should have voiced their concerns at the original meetings prior to the vote.

Don't be a "chicken". Hold your ground and let us have hens!

Carla Martinez
Bakersfield City Resident

From: [Carla & John](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 9:33:31 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

This is my formal request that my representatives follow through with what they gave me: Backyard Hens. These animals are quiet, kept clean, provide wonderfully organic eggs, give great fertilizer for our garden, and are just a lot of fun. My city representatives gave this to me and my kids.

You agreed that this was a worthy cause.

You knew that Bakersfield was more than ready for this.

You said it was happening.

And now you're threatening to take it away forever.

Why?

Because one group of bullies decided to hire a big wig attorney who's threatening time, threatening money, and threatening my freedom.

I am a 3rd generation Bakersfield resident. While my family has come and gone through the years, the boomerang effect has been a strong one, and for that, I'm very grateful. This city is large and getting larger, but the home town feel is as strong as ever. We run into friends while running to the store and we can borrow a cup of milk from a neighbor.

I'm shocked that this town I love is trying to tell me that I can't have a few birds in my backyard. I'm honestly, not entirely sure what people have against hens and I'm not sure why it ever became such a hot topic. It seems so simple. I raise the animals in my own yard, I feed them with my own money, and I eat their eggs in my own home. Why is this such a big deal?

The number of citizens in the Bakersfield community that would end up actually getting hens is small, but the number that support it is very large. Thanks to the ordinance that you provided us, the hen owners would be incredibly responsible or face the consequences laid out. It sure would be better than the neighbors who let their cats roam free so I now have 2 in my garage that I can't get rid of because they have found shelter there. It would also be better than my neighbors on both sides of me who have both pit bulls and great danes barking at all hours. My hens make a little noise when they're telling me they've laid an egg. Other than that, they're quiet the rest of the day AND night.

Please, please, please don't take away what you have already promised, just because of some uninformed, uneducated bullies who are simply sore losers that are trying to dictate what I do

in my own private backyard.

Sincerely,
Carla McCoy

From: [Carol Lair](#)
To: [City Council](#)
Subject: City Council meeting 2-3-21 Agenda Ordinances f. Rescinding the hen ordinances
Date: Monday, February 1, 2021 8:44:32 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I hope I have the correct agenda item number. I want to speak in support of allowing Bakersfield city residents to have backyard chickens.

I have followed this issue and I am not persuaded by the folks opposing this issue. If I correctly grasp the objections of the opponents to chickens they are concerned about the following:

-- Chickens will be noisy. Are they seriously arguing that the soft clucking of chickens can compare to the cars racing around our neighborhoods, barking dogs, and the seemingly never ending barrage of illegal fireworks set off on random days for no apparent reason.

-- Chickens will spread disease. Really? Where is their proof of this? We need to see actual proof not just the speculation of maybe this could happen.....

-- Chickens will cause odor. This shouldn't be an issue if the rules are followed. I think the folks that want chickens will be super careful of this considering all the publicity. If I were going to have chickens I would be considerate of my neighbors.

The group opposing chickens filed a lawsuit demanding the City Council rescind the chicken ordinances, conduct an appropriate environmental review if the council pursued and adopted new hen ordinances, and pay \$9,151.36 in attorneys fees, according to an administrative report compiled by the City Attorney's Office. Do we really need an environment impact report for backyard chickens? Are there not many more important issues for the city to concern itself?

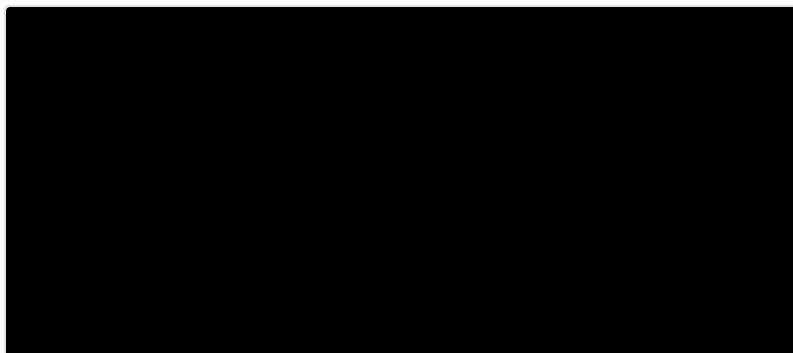
I do speak from some experience about chickens. I had 6 chickens, two mallard ducks and two gray/white geese for several years without single complaint. Never. No problems with noise, disease or odors. My neighbors had no problems with my little flock. They brought things for the birds to eat and brought their kids to see them. I had all the eggs I could eat and shared with others.

Backyard chickens are easy and fun to raise. Please, please, please do not rescind the ordinance changes you approved. Let's give it a try and if there are problems hold the bad actors accountable. Let folks have their chickens!!

Please take a few moments to check out the map showing the counties/cities with chicken ordinances. Look at California in particular. Note the number of jurisdictions allowing chickens. For example, San Luis Obispo, Fresno, Santa Barbara here in southern California. Clearly other places have made this work why can't we here in Bakersfield?



Go to [BackYard Chickens - Learn How to Raise Chickens](#) "Backyard chickens local laws and ordinances" for the interactive map.



BackYard Chickens - Learn How to Raise Chickens

Does your pet make you breakfast? Tips & Tricks for raising chickens,

building chicken coops, & choosing chicken...

Thank you for your consideration.

Carol Lair

From: [Carol Lair](#)
To: [City Clerk](#)
Subject: Consent agenda Ordinances f. Rescinding the hen ordinance
Date: Monday, February 1, 2021 8:45:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I hope I have the correct agenda item number. I want to speak in support of allowing Bakersfield city residents to have backyard chickens.

I have followed this issue and I am not persuaded by the folks opposing this issue. If I correctly grasp the objections of the opponents to chickens they are concerned about the following:

-- Chickens will be noisy. Are they seriously arguing that the soft clucking of chickens can compare to the cars racing around our neighborhoods, barking dogs, and the seemingly never ending barrage of illegal fireworks set off on random days for no apparent reason.

-- Chickens will spread disease. Really? Where is their proof of this? We need to see actual proof not just the speculation of maybe this could happen.....

-- Chickens will cause odor. This shouldn't be an issue if the rules are followed. I think the folks that want chickens will be super careful of this considering all the publicity. If I were going to have chickens I would be considerate of my neighbors.

The group opposing chickens filed a lawsuit demanding the City Council rescind the chicken ordinances, conduct an appropriate environmental review if the council pursued and adopted new hen ordinances, and pay \$9,151.36 in attorneys fees, according to an administrative report compiled by the City Attorney's Office. Do we really need an environment impact report for backyard chickens? Are there not many more important issues for the city to concern itself?

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Go to [BackYard Chickens - Learn How to Raise Chickens](#) "Backyard chickens local laws and ordinances" for an interactive map.

Thank you for your consideration.

Carol Lair

From: [cmbdolls](mailto:cmbdolls@bakersfieldcity.us)
To: City_Council@bakersfieldcity.us
Subject: Fwd: Distribute ALL Councilpersons prior to Feb 3, 2021 meeting re: Hen Ordinance Consent Item F (Hens)
Date: Monday, February 1, 2021 2:48:27 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

RE: City Council Meeting February 3, 2021
Agenda item: F Rescission of Hen Ordinance and accompanying zoning modifications

Good Afternoon,

I am pleased to see that the rescission of the Hen Ordinance and the accompanying zone modifications are on the consent agenda.

I had such a hard time understanding how the previous Council passed them without further study, environmental review and public input. It appeared that a very small group of very vocal persons were pushing this forward without any of the general public's knowledge weeks/months before it came before the council.

Something of this magnitude should never have been proposed in the midst of a worldwide pandemic when the public could not participate fully. Such a big change in zoning and zoning use should have been tabled until the public could more actively participate, as this is NOT an urgent issue/need.

I won't repeat what I have said in previous submissions. I know that we now have 2 new councilmembers who may not have read my previous e-mail letters. Additionally, I think it important to re-read them for those who previously voted.

Please rescind this set of hen ordinances. Minimally table them to a later date. Perhaps by 2022, the public will be able to fully participate. I urge you not to assume that the "majority" of Bakersfield homeowners are in favor of the hen ordinances. Personally, I know of not one.

I have copy/pasted my previous correspondence below.

Sincerely,
Carol McMahon Bender , RN, PHN

RE: City Council Meeting October 21, 2020 **Please distribute to all Councilpersons prior to meeting**
Agenda item 8 : Consent Calendar : Ordinances G (1-9)

Good Afternoon,

It was brought to my attention by Mayor Goh, that my submission to the last hearing regarding ordinance changes permitting hens in R-1 single family dwelling zones was not received-- therefore unread prior to the meeting. Therefore, I can only assume that it was not read by any councilpersons. Given that, I am submitting the letter again in hope that it will be read and considered.

I was extremely disappointed that this item was not at least continued to a later date, given the lack of public notification. It is my understanding that this type of zone ordinance must have a separate public hearing before it goes before the city council for a vote. I do not believe that has been done. It was very apparent in watching the meeting remotely, that the general public ...and even the Bakersfield Association of Realtors were not included in any committee/workshops that may have been formed by those that were promoting this new ordinance. Both the Bakersfield Association of Realtors and the Home Builders Association were not in favor of pushing this ordinance forward either. Many other homeowners spoke out in opposition and requested that the Council defer any decisions until a later date when there could be more participation.

I respectfully request that this item be pulled from the Consent Calendar for the next City Council meeting (Oct 21) for further discussion to include the need for a separate public hearing regarding the plan as put forward in the last hearing. It is inadequate to allow comment only at the public statement allotted period, when there is need for much further separate detailed discussion and much more public participation for such a serious ordinance change. Such a significant change in zone allowances should never have been pushed forward during a pandemic when the public is only able to have minimal participation.

Having said that, here is my letter:

-----Original Message-----
From: cmbdolls <cmbdolls@aol.com>
To: City_Council@bakersfieldcity.us <City_Council@bakersfieldcity.us>
Sent: Wed, Sep 23, 2020
Subject: Urgent E-mail to Council before today's meeting re: backyard chickens

(Please forward this e-mail with attachment to each City Council member as soon as possible so that they can review it prior to the meeting today.)

Dear Councilmembers:

I would like to submit comments in opposition to the upcoming agenda item 6b re: allowing backyard chickens (hens) in the city of Bakersfield.

I was present during the last discussions several years ago when this was last before the Council. At that time it was decided that it was not in the best interest of Bakersfield citizens to change the current ordinance. There was active participation from both sides of the issue--which is not the case here due to the Covid-19 pandemic limiting in-person access to meetings. I think that to be fair to all citizens, minimally the issue should be tabled until the pandemic restrictions for in-person attendance are eliminated.

Having said that, I will address the possibility of there being a vote despite opposition... to choose one of 2 options that are scheduled to be presented at the City Council meeting Wednesday, Sept 23.

Since this issue was last before the Council, the city of Bakersfield has grown and adapted to a policy of high density infill. This means that housing lots going forward are to be much smaller with shorter setbacks and minimum distances between neighborhood homes. Urban areas especially those with a future focus to increase densities is not an environment that can handle the disruption and difficulty of fielding complaints from citizens due to the addition of backyard chickens. It is my understanding that the Code Enforcement department is not looking favorably at being well enough equipped to field such complaints and provide oversight. Trying to finagle a way to allow chickens on the tiniest of lots by somehow rationing the number, as in option 2, is completely unacceptable.

As a health professional, I am very concerned about the health and well-being of our community. I also have experience with the raising and handling of chickens as my brother and his wife have a chicken farm in Northern California. Additionally, a very good friend of mine has backyard chickens in the unincorporated County area. I am concerned that the perception out there is that chickens make wonderful pets/companions and also that their care is not complex--perhaps no different than having a dog or cat. This could not be farther from the truth. There is a terrific amount of upkeep that must take place to maintain their coops, their food and their excrement. If not properly and CONSISTENTLY kept sanitary, there WILL BE problems with flies,lice, fleas and rodents, ...and ultimately, disease.

The proposed ordinance allowing up to 12 chickens per residence makes absolutely no sense since the sale of eggs is to be prohibited. It only takes 3-4 chickens to produce a dozen eggs a week. The ordinance says the sole purpose of a hen is for egg laying and/or pet companionship. Is it reasonable to assume a person needs 12 pets for companionship? 12 dogs? 12 cats? Do households need 3-4 dozen eggs/week when sale of them is prohibited? No!

If eggs are not harvested every day and properly washed and stored, they can be easily contaminated. Avian flu and salmonella are serious problems with backyard chickens for those owners not properly trained on their care and diligent in their care. There are documented cases of these problems with disease in other cities in California. This is especially true with regard to children under the age of 5 who are most susceptible to these contaminants. While raising chickens may be "educational" as proponents say, this is only true if the environment is meticulously maintained and children are supervised. Hands must be washed before and after dealing with chickens. Shoes should be left outside. Food properly stored. Excrement would have to be hosed off daily or composted if chickens are allowed to roam in backyards. A separate enclosure or chicken run is necessary in addition to a coop (not just a fenced backyard) to ensure the health of the household and neighborhood.

Who is going to do the education, permitting and follow-up to ensure people are adhering to the proper care of these chickens? Who is going to address the multitude of complaints that will come from odor, flies, rodents and predators? I know that in Northwest Bakersfield, there are already problems with rodents without this adding to it.

Chickens are very sociable and do like people, so I understand the affection that owners have towards their chickens. However, they do not belong in urban areas on small lots. In doing a survey of other cities that do allow them, the most dense cities that allow them restrict the number to 5 or fewer. They also require setbacks/distances from other homes of 30-50 feet. Many do not allow any at all unless the lot is at least 20,000 sq ft. Again, if eggs are not harvested daily, they can harbor disease.

I was opposed to this type of ordinance when first proposed years ago, and remain opposed at this time also...perhaps more so. Raising chickens in an urban city is simply a poor fit. If people want to raise chickens, they have the option to move into the county or other locations that are a better fit. The cost to care and feed chickens is more than what it would cost to buy eggs at the grocery store, so even in this pandemic when expenses are tight, having backyard chickens is not a money-saving proposition. With many adhering to the "stay at home order" and/or working from home, it may be easier for them to envision that they can easily care for backyard chickens. However, one cannot emphasize enough that it is hard work to maintain this type of "pet companion". If the council allows this ordinance to move forward, there will be more noise, nuisance and possibly disease introduced into neighborhoods. It will be very difficult to follow up and resolve these complaints, as there is no permitting, training and follow-up inspection required to ensure the health and safety of our neighborhoods.

During this pandemic, we are very concerned with those with compromised immune systems, particularly our elderly. Adding backyard chickens into the mix in the average neighborhood is just adding fuel to the fire.

Perhaps I am old-fashioned...but "free-range" chickens are usually associated with living freely on farms or at least on acreage (1/2 acre is even pushing it).... Is anyone really looking at what is in the best interest of the chickens?

Please carefully consider this issue and vote against both options. Keep the current ordinance in place. Backyard chickens do not belong within the city of Bakersfield. Copy/pasted below is a link to a brief CDC article addressing this issue. I encourage you to read it. It will reinforce what I include in this e-mail. I will also include it as an attachment.

Best regards,
Carol Bender R.N, P.H.N.

<https://wsava.org/wp-content/uploads/2020/01/Clinician-s-Brief-March-2018-TP-Backyard-Chickens.pdf#:~:text=Zoonotic%20diseases%20that%20backyard%20poultry%20may%20spread%20to,in%20the%20United%20States.%204%20Some%20humans%E2%80%94including%20children>
by: Casey Barton Behravesh, MS, DVM, DrPH, DACVPM Centers for Disease Control and Prevention Atlanta, Georgia

From: [bakersfield mayor](#)
To: [cmbdolls](#)
Cc: [City Clerk: Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Distribute ALL Councilpersons prior to Feb 3, 2021 meeting re: Hen Ordinance Consent Item F (Hens) (Carol McMahon Bender)
Date: Tuesday, February 2, 2021 3:36:12 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Bender,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm. (Clerk: Please also add any prior correspondence on this topic that was not previously included as part of the official comments.)

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770



From: cmbdolls [mailto:cmbdolls@aol.com]
Sent: Monday, February 1, 2021 2:48 PM
To: City_Council <City_Council@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Fwd: Distribute ALL Councilpersons prior to Feb 3, 2021 meeting re: Hen Ordinance Consent Item F (Hens)

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RE: City Council Meeting February 3, 2021
Agenda item: F Rescission of Hen Ordinance and accompanying zoning modifications

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Please rescind this set of hen ordinances. Minimally table them to a later date. Perhaps by 2022, the public will be able to fully participate. I urge you not to assume that the "majority" of Bakersfield homeowners are in favor of the hen ordinances. Personally, I know of not one.

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Best regards,
Carol Bender R.N, P.H.N.

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by: Casey Barton Behravesh, MS, DVM, DrPH, DACVPM Centers for Disease Control and Prevention Atlanta, Georgia

From: [cgribben](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Saturday, January 30, 2021 6:07:21 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am very much in favor of allowing backyard hens. Please do not rescind the Hen Ordinance on February 3rd.

Thank you,
Carole Gribben

From: [Cassandra Sanchez](#)
To: [City Clerk](#)
Subject: Hen Initiative
Date: Saturday, January 30, 2021 11:54:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am voicing my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. I am asking that the council uphold the fair and legally passed ordinance. The city of Bakersfield has an obligation to its citizens to uphold the previous vote and defend itself against this frivolous lawsuit. There is no legitimate basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Cassandra Sanchez

Name: Catherine Winters

Number: (773) 710-3518

Message: Hello, my name is Catherine Winters and I am a resident of Bakersfield and businessowner here. I am in full support of having backyard chickens for many reasons. Pest control, fertilizer, being able to produced your own eggs. Those are some of my top priorities. And I'm in full support of it. The fact that it's even coming back to Council to be discussed is ridiculous. We're an agricultural community. Allow the citizens of Bakersfield to have a few chickens in their yard if they would like. People are allowed to use pesticides, people are allowed to use leaf-blowers whenever they want. I mean, these are way worse for the City than a few chickens here and there. I'm in full support of chickens. I cannot stress that enough. And any City Councilmembers to oppose having backyard chickens will not be voted for in the future, or shown any support and love at all by me. That's it.

From: [cathleenwarren26](#)
To: [City Clerk](#)
Subject: oppose rescinding hen ordinance
Date: Monday, February 1, 2021 10:15:07 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. I am asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA “common sense” waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you. Cathleen Warren

Powered by Cricket Wireless

From: [Ceasar Ceasar](#)
To: [City Clerk](#)
Subject: Backyard hen
Date: Monday, February 1, 2021 7:57:47 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPhone

I support backyard hen in Bakersfield

Ceasar
6614872437

From: [Cecilia Dollar](#)
To: [City Council](#)
Subject: backyard ordinance
Date: Tuesday, February 2, 2021 12:43:28 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support the backyard hen ordinance.

From: [Chelsea Padilla](#)
To: [City Clerk](#)
Subject: Backyard Hen Ordinance
Date: Monday, February 1, 2021 9:33:32 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Bakersfield city council members, I

Urge you, as a Bakersfield city resident, to push through for the backyard hen ordinance already passed by the previous members of council. Backyard hens pose no risk to the city, and only add value. Please take the initiative in allowing Hens to the city as an added benefit to the city of Bakersfield as a farming community and as a community in general. The proper assessments have been taken and the city of Bakersfield backs the ordinance that was passed in 2020.

Thank you for your consideration,
Chelsea Padilla

From: [Christi Nolan](#)
To: [City Clerk](#)
Subject: City hen ordinance
Date: Sunday, January 31, 2021 6:39:54 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Have a great day!

Thank you for your time and consideration.

Christi Nolan

From: [Kalli Park](#)
To: [City Clerk](#)
Subject: Do not rescind
Date: Monday, February 1, 2021 3:06:02 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to the rescission of the backyard hen ordinance.

Christina Park

Sent from my iPhone

From: [CHRISTINA RAJLAL](#)
To: [City Clerk](#)
Subject: Hen Ordinance Letter of Support
Date: Saturday, January 30, 2021 8:26:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I am writing this letter in support for the Hen Ordinance. It has been brought to my attention that there are efforts in moving this action forward. During this time of the pandemic, many people are facing food insecurities and challenges with companionship in these isolating times. The Hens could be a source of sustainable at home food supply, adding fresh eggs to a home. Additionally, Hens can be a very loving pet for those home bound and facing isolation. Please take this letter in serious support for the Hen Ordinance.

Sincerely,
Christina Rajlal, PhD, MBA
2224 Park Way, 93304
(310)612-5329

Sent from my iPhone

From: [Cindy Joslyn](#)
To: [City Clerk](#)
Subject: Chickens
Date: Monday, February 1, 2021 8:13:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Chicken should be allowed in Bakersfield! If you limit the number of chickens (say, six) and have a complaint number to call, what's the problem? My son and his family have chickens and they're a wonderful source of food and fun. My seven year old granddaughter pushes her chickens in a stroller, hauls them in the wagon and carries them all over the yard. She chose her baby chicks and watched them grow up. They are her pets, with names, just the same as their German Shepherd and three cats. The chickens have an automatic door to their coop, and are absolutely no problem. Their eggs are delicious!

Even if you allow chickens, not everybody's going to go out and get them! I know I'm not! But, I think those who want to have a few chickens should be able to, without interference from nosy Know-it-Alls.

Cynthia Joslyn
12105 Riverfront Park Dr., Bakersfield 661-599-1829

Sent from my iPhone

From: [Claudia Lopez](#)
To: [City Clerk](#)
Subject: Don't Rescind
Date: Tuesday, February 2, 2021 3:52:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance. Work towards a solution.

Thank you,

From: [Cody Ganger](#)
To: [City Clerk](#)
Subject: City Hen Ordinance
Date: Monday, February 1, 2021 4:31:03 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am opposed to you rescinding the hen ordinance.

Thank you,

Cody Ganger

Sent from my iPhone

From: [Max Miller](#)
To: [City Clerk](#)
Subject: Repeal of hen ordinance
Date: Tuesday, February 2, 2021 11:19:48 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to the council rescinding the hen ordinance at the meeting on Wednesday, February 3, 2021.

Thank you for your consideration,
Colleen Miller
Sent from my iPhone

From: [Courtney McLemore](#)
To: [City Clerk](#)
Subject: Uphold the hen ordinance
Date: Saturday, January 30, 2021 7:25:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear city council,

How can we allow wealthy people to legislate through lawsuit?

I am voicing my support for the backyard hen initiative which will be up for the rescension at the February 3rd meeting. We're asking that city council uphold the ordinance that was FAIRLY and LEGALLY passed. This is heartbreaking to our children and to those of us who have been working toward this for so long and were so hopeful when it passed.

Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

Please uphold the previous vote to approve the backyard hen ordinance that was legally

35 cities in CA allow hens, and a full environmental review has NEVER been done. In 19 of those cities, the common sense waiver was used. Others used Negative Declarations. There is precedent to fight this ridiculous lawsuit!!

Why would you RUSH to a decision to rescind, pay these attorneys at the drop of a hat without negotiation, and lock the entire future of hen ordinance into an environmental review process that has never been done before?

This sets a dangerous precedent.

Thank you

Courtney mclemore

Sent from my iPhone

From: [CRAIG HARRELL](#)
To: [City Council](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 6:40:24 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To members of the City Council,

I ask that you please stop the ordinance to allow backyard hens. I am a life long resident of Bakersfield and I believe this would be a major negative to the quality of life in our city. It bothers me that this pro hen group is controlling the narrative through the local media showing a glossed over version of the reality of backyard hens. Some years back we had people move in next door and they brought in hens. And the noise. And the smell. And the feathers.

I tried to be a good neighbor but after several months of it I had enough. I was able to call Code Enforcement and get it stopped. Please don't stop my ability to enjoy my own home. Living next to hen owners is no different than having neighbors that play loud music. We all should have the right to enjoy our homes. But we shouldn't be doing what we enjoy at the expense of others. This is why we are a nation of laws- so we can get along or at least co-exist.

Thank you for your consideration.

Craig D Harrell
3613 Candlewood Drive
Bakersfield, CA
93306

From: [cristenelittle51](#)
To: [City Clerk](#)
Subject: Please do not allow chickens in our neighborhood! They are smelly and attract flies!
Date: Sunday, January 31, 2021 3:15:44 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my Verizon, Samsung Galaxy Tablet

From: [Crystal Day](#)
To: [City Clerk](#)
Subject: SUPPORT BACKYARD HENS
Date: Tuesday, February 2, 2021 3:50:40 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance!!!!
Crystal D.
Bakersfield, Ca

From: [Dan Soberano](#)
To: [City Clerk](#)
Subject: Chickens
Date: Saturday, January 30, 2021 9:21:14 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to have chickens in my backyard please do not resend the ordinance to allow to have chickens thank you

[Sent from Yahoo Mail on Android](#)

From: [Daniel Becina](#)
To: [City Clerk](#)
Subject: I support backyard hans
Date: Monday, February 1, 2021 5:52:54 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPhone

From: [Daniel Olivares](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 5:54:53 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.

City council has a job to perform and that is to hear their constituents. There's a majority of people who want Backyard Hens and there's a large amount of people that support ownership even if they themselves do not want hens. It should be up to a anonymous group that determines your vote... The people have spoken . We want HENS!

From: [Danny Wilson](#)
To: [City Clerk](#)
Subject: Support back yard hens
Date: Monday, February 1, 2021 4:41:41 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I'm writing this email in support of the back yard hen initiative.

From: [WebMaster](#)
To: [City Clerk](#)
Subject: FW: Backyard hens
Date: Monday, February 1, 2021 2:10:45 PM

From: Darrin_Starr@yahoo.com <Darrin_Starr@yahoo.com>
Sent: Sunday, January 31, 2021 10:01 AM
To: WebMaster <WebMaster@bakersfieldcity.us>
Subject: Backyard hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support the right to self sustain by raising chickens.

From: [WebMaster](#)
To: [City Clerk](#)
Subject: FW: Backyard Hens
Date: Tuesday, February 2, 2021 10:40:03 AM

From: Darrin_Starr@yahoo.com <Darrin_Starr@yahoo.com>
Sent: Monday, February 1, 2021 2:19 PM
To: WebMaster <WebMaster@bakersfieldcity.us>
Subject: Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I supportbackyard hens

From: [Darryl Pope](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Sunday, January 31, 2021 7:05:29 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is a general public comment in support of backyard hens

I do not agree with any groups ability to negate hardworking Bakersfield property owners rights and privileges. The ordinance for backyard hens was already legally passed by the council. Do not dismiss the democratic process and allow any unrighteous group with a hidden agenda negate what's right in the eyes of the beholder. Please uphold my right and freedom to use my property in a way that is reasonable, safe, and enhances quality of life for American families.

Respectfully,
Darryl Pope

From: [DAVE THOMAS](#)
To: [City Clerk](#)
Subject: Consent agenda/hen ordinance
Date: Monday, February 1, 2021 7:19:23 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Council members,

I am against the hen ordinance and would like to see its repeal. I live in the east side subdivision of Tuscany.

Although we have large lots, we have had issues with people raising chickens.

They say they will take care of them and it won't be an annoyance to neighbors but it is. We have CC&Rs that ban such activities but still have had year long battles with people raising chickens.

Dave Thomas

President Tuscany HOA

Thomasdave450@aol.com

661-333-6093

Sent from my iPhone

Name: David Brust

Number: (661) 326-1011

Message: Hi my name is David Brust. I live in Oleander and I am in favor of my neighbors having hens and I want to make sure that the City Council knows this. I also want to make sure that they know I'm very weary and believe that they should be, for acquiescing to an anonymous group on such a mundane subject as hens. Basically what we're looking at is a form of greenmail where unknown groups can then come out of the woodwork regarding any of these sorts of notions, and defeat them by forming an alliance and creating an anonymous group to sue the City. I'm very worried about the ability for these groups to sustain themselves and object to anything that we do to promote and improve life in Bakersfield. So I'm voting and asking for the City Council to vote to keep hens in Bakersfield. Thank you.

From: [David Brust](#)
To: [City Council](#); [PD-PIO Council member Chris Parlier](#); [PD-PIO Council Member Gonzalez](#); [Bruce Freeman](#); [Ken Weir](#); [Bob Smith](#); [Eric Arias](#); [Patty Gray](#)
Subject: Keep the hen ordinance.
Date: Tuesday, February 2, 2021 4:03:17 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Bakersfield City Council
Brust

David

1501 Truxtun Avenue
Oleander Avenue

225

Bakersfield, CA
93301

Bakersfield, CA 93304

Honorable Council members,

I'm writing to you in favor of the recently approved urban hen ordinance. I'm sure you have heard from many people that are in favor of the ordinance and a few that are opposed to it. I know hens to be wonderful pets, low noise, clean, and good for our backyards and families, but I believe the argument is not about chickens it's about council integrity. I'm not talking about individual integrity because I believe each one of you to be honorable and true to your convictions. The integrity I'm referencing is honoring the lawful decisions of past City Councils by standing up for what is just and honorable regardless of your individual feelings.

We rely on our City Council to protect our rights, improve our safety and maintain order in our community. This can't be done if we don't honor the past lawful decisions and we revoke ordinances due to a small shadow group "green mailing" our City. Acquiescing to this group may seem like a short term solution. The hen people go away, we don't have to deal with this shadow group and we save the City money. Unfortunately that won't be the case. The Urban hen community is a strong well guided community that surely will double down on their efforts to get a reasonable ordinance enacted. This shadow group will only be emboldened to shape our city in their view and attempt to thwart the will of your council and future councils by continued "greenmailing" when they are not satisfied with your decisions. This emboldened group will cost the City more money in the long run as they see a simple path to victory and countless legal proceedings. For these reasons I implore you as a Council not to give in to this anonymous group and keep our City Councils integrity.

Thanks,
David Brust

From: [David Dmohowski](#)
To: [City Clerk](#)
Cc: [Matt Towery](#)
Subject: Rescission of Hens Ord. 5023 and Ord. 5032--Item 8. f (1)--Bakersfield City Council Meeting February 3, 2021
Date: Monday, February 1, 2021 12:16:44 PM
Attachments: [HBA Email to City Council 09-23-20.pdf](#)

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Honorable Mayor & City Council:

The Home Builders Association of Kern County wishes to reiterate its concerns with ordinance amendments relating to keeping of hens in residential zones previously adopted by the City Council. Our email correspondence of September 23, 2020 to your Council on this subject is attached.

We are in support of the staff recommendation regarding rescission of Ordinance 5023 and Ordinance 5032 as set forth in your agenda packet for the February 3, 2021 City Council meeting. Thank you for your consideration.

Respectfully submitted,

Dave Dmohowski
Executive Officer
Home Builders Association of Kern County
661.510.8311



David Dmohowski <dave.d@kernhomebuilders.com>

City Council Agenda Item 6.b.---First Reading Hens Ordinance Amendments

1 message

David Dmohowski <dave.d@kernhomebuilders.com>

Wed, Sep 23, 2020 at 11:11 AM

To: City Clerk Bak <city_clerk@bakersfieldcity.us>

Bcc: Bruce Freeman <freebmorton@icloud.com>, Matt Towery <matt1@toweryhomes.com>

Honorable Mayor and Council Members:

The Home Builders Association of Kern County has reviewed the staff report and supporting information relating to the proposed first reading of municipal code amendments relating to the keeping of hens in residential zones. It is our recommendation that no action be taken on this item until further study is conducted on the noise, odor, public health, enforcement, and quality of life issues raised by this proposal.

Our membership is committed to quality community-building that reflects the City's high design and performance standards for planned residential development. The proposed hen-keeping regulations appear overly broad, largely unenforceable, and potentially threatening to the peaceful enjoyment of outdoor living spaces in existing and future residential neighborhoods.

There is a natural trend toward smaller lots in new residential construction due to affordability concerns and the high compliance costs associated with state regulations related to energy efficiency, climate change, and new restrictions on vehicle miles travelled. The close proximity of other rear yards in a typical mid-block R-1 lot situation, makes setbacks of whatever distance an ineffective regulatory measure. Up to 5 hen houses within 30 or so feet of a family's back door could be possible.

We found no analysis in the staff report of other communities' experience with hen-keeping, nor the potential negative effects of widespread hen-keeping on Bakersfield homeowners. Further study, and more rigorous public outreach (when pandemic restrictions allow it) seem appropriate prior to formal action by the City Council. Thank you for your consideration.

Respectfully,

Dave Dmohowski

Executive Officer

Home Builders Association of Kern County

661.510.8311

From: [David M Hess](#)
To: [City Council](#)
Subject: Ward 5
Date: Monday, February 1, 2021 10:29:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mr. Freeman:

I am urging you to vote **against allowing** backyard chickens in the residential areas of Bakersfield.

David M. Hess
1705 Aubusson Court
Bakersfield, CA 93311

661 333 2314
Sent from [Mail](#) for Windows 10

Name: David Newton

Number: (661)843-7456

Message: Hola buenos dias estoy llamando sobre las gallinas. Porque no le hacen ningun dano. tenian dos gallina-itos las personas. Y yo pienso que deberian de votar por dejar la lei que cualquier persona..(inaudible)

Hello good day I am calling regarding the chickens. I do not think they are a problem. My neighbors had two small chickens. I believe the council should vote to leave the ordinance to allow anybody to own chickens.

From: [Dawn doyle](#)
To: [City Clerk](#)
Subject: Support for backyard hens in Bakersfield city.
Date: Monday, February 1, 2021 9:18:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Bakersfield City counsel members,

As a Bakersfield City resident I am writing this letter to encourage you to move forward with allowing the backyard hens ordinance to be passed as it was in September of 2020. This ordinance has an overwhelming number of support from the residents of Bakersfield and the vote of the counsel members in September. We as a community are at the core an agricultural community, we are not unlike many other California city's that have also passed a similar ordinance. Those city's have had no adverse impacts due to allowing a few hens and no roosters on properties within city limits. I encourage you to please vote in favor of the backyard hens ordinance.

Thank you,
Dawn Doyle: Ward 6.

--

Dawn Doyle

From: [De Ana Christy](#)
To: [City Clerk](#)
Subject: "Support Backyard Hens"
Date: Monday, February 1, 2021 12:05:08 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am reaching out about my support of the BACKYARD hens! I fully support a family having these cute little animals in their yards and producing eggs for their dinner tables! They make great pets too! PLEASE let them have them!

Thank you so much for your consideration,

Ms. Christy

From: [Dean Fowler](#)
To: [City Council](#)
Subject: Backyard Hen initiative
Date: Sunday, January 31, 2021 10:17:09 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Sincerely,

Dean Fowler

From: [Debra Davis](#)
To: [City Council](#)
Subject: Backyard Hen Initiative
Date: Friday, January 29, 2021 7:31:26 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. Those of us residents who support the Backyard Hen Initiative are deeply concerned about the consideration to rescind the previously approved ordinance that allowed backyard hens; from what we understand about the recent closed session, a majority were in favor of voting to rescind it at the upcoming meeting on February 3.

The anonymous group who has sued the city with a frivolous environmental lawsuit citing CEQA violations has subverted the democratic process that was fairly and legally completed in 2020.

This group - "Citizens for the Preservation of the R-1 Zones" - has NO history of advocacy for the environment and remains anonymous. Their lawyers in Beverly Hills have zero intention of negotiating. This is a power play. Given the legal team for these "Citizens" has indicated that as long as there are "no hens" there will be "no lawsuit", I believe this is civil extortion. And the Council is about to play their game.

Their legal team has somehow already racked up \$9,000 in legal fees, with the threat of tens of thousands of more dollars the city will pay IF the city defends the lawsuit and loses. But bow to their demands by rescinding the previously approved hen ordinance, and the lawsuit goes away.

The lawyers of this anonymous group allege that there was a CEQA violation due to the "common sense" waiver being used in the hen ordinance. This waiver has been used many times by other cities throughout California. It means that common sense says that backyard hens in the homesteads of city residents who choose to keep them will not have a significant effect on the environment. The fundamental definition of significant effect under CEQA is "a substantial adverse change in physical conditions." We believe that it's impossible for backyard hens in private homes to have a substantial adverse change in the physical environment of the city. Given the information and evidence our group of community supporters has gathered, along with the knowledge that the City has previously defended itself against similar lawsuits, we believe the potential to win is much stronger than the potential to lose. The Council should NOT rescind the hen ordinance and should fight to defend themselves in this lawsuit, as well as uphold the ethical obligation to its constituents and preserve the fair and democratic practice that is at stake here.

Obviously we are extremely disappointed given the overwhelming support demonstrated for backyard hens over the months-long, thorough process that took place to get the ordinance passed, as well as the majority council vote that officially approved the ordinance in November 2020.

The fact that one small group of disgruntled folks has put the city in the position of having to choose between fighting a costly legal battle to uphold a previously approved ordinance or caving to the lawyers and rescinding the ordinance is not only outrageous, but sets a terrible precedent for the future.

Council members are supposed to represent and serve the community. Our elected officials have a responsibility and obligation to work with the majority public. The city of Bakersfield has an obligation to do its due diligence and fight this lawsuit. The cost to the taxpayers is extremely unfortunate, but the opposition has left NO choice given that they are not willing to negotiate at all. A lawsuit from an anonymous party who is not willing to come to an agreement, entertain a conversation, or negotiate in any way seems to be one that is clearly perpetuated for the sole intent of what it's about to achieve: shutting down a policy they disagree with and flexing their muscles for community and political influence.

Please know this: the community members who support backyard hens are willing to negotiate. We are willing to discuss reasonable revisions to the ordinance, particularly those that may be most concerning like allowing hens to free range, or the amount of hens allowed based on square footage. We believe we could all come to an agreement that serves the community, protects food sovereignty, expands on the list of current approved backyard pets, and makes a minimal impact to the city residents.

We are here to hold you accountable. I encourage the newly elected council members to review the many previous meetings that the council held where the community voiced their support, as well as read the record of letters and phone calls surrounding this issue. The workshop process first began in June 2020. The first vote approving the first draft of the ordinance took place in October 2020. At that time, there was no mention of CEQA at all; in November 2020 prior to the second and final vote, one council member became concerned with it moments before voting and did indicate they'd be faced with a lawsuit if they voted to approve it. Although this (partially) new Council may not have heard from us recently (because we believed this ordinance was, although tabled by a lawsuit, at least safe from being rescinded!), we were the majority.

It is egregious to think that our city council would not be willing to defend against this frivolous lawsuit, both for the sake of backyard hen ownership and protecting the democratic process from future muscle-flexers and political influencers.

We implore the Bakersfield City Council to not rescind the ordinance and to continue to work with the community to come to a resolution regarding backyard hens. If it must defend itself in a lawsuit, then it must. Not because backyard hens caused this, but because a few disgruntled people lawyered up and put the pressure on. Don't cave to this bad practice and the bad precedent that will follow.

In closing, I'd like to remind you of the other cities in California that allow backyard hens in homes that are less than 1 acre:

San Diego
Santa Rosa
Long Beach
Oxnard
Murrieta
Citrus Heights

Elk Grove
Stockton
La Mesa
Hanford
San Francisco
Los Angeles
Pasadena
Glendora
Chino
Rancho Cucamonga
Monterey Park
San Marino
Santa Fe Springs
Sacramento
Folsom
Porterville
San Jose
Santa Maria
San Luis Obispo
West Covina
Fullerton
San Clemente
Laguna Niguel
Roseville

I know progress can be a little slower in our big small town, but the opposition to such a simple issue allowing families to raise hens and collect their own eggs is embarrassing.

Sincerely,

Debra Davis

From: [Debra Foster](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 11:19:27 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance

Sent from my iPhone

From: thenethertons@yahoo.com
To: [City Clerk](#)
Subject: chickens in the city-support
Date: Monday, February 1, 2021 5:46:14 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I support allowing chickens in the city. Think this is a wonderful outlet for families and children who are currently home. Especially if other major cities are already doing this with no major issues- I dont see what the problem is for Bakersfield to do the same.

Thank you,

Denise Netherton

From: [Diane Olson](#)
To: [City Clerk](#)
Subject: Opposed
Date: Tuesday, February 2, 2021 7:40:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to REC I ding the hen ordinance. People have a right to be self-sufficient!!

Diane Olson
jndolson@icloud.com

Sent from my iPhone

From: [Dianne Bryant](#)
To: [City Clerk](#)
Subject: Chickens in the City of Bakersfield
Date: Saturday, January 30, 2021 11:17:03 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would really like the right to own a couple hens in my backyard if I desire. Please don't let the city council be bullied into passing an ordinance we don't want.

Thank you,
Dianne Bryant

From: [Dindo Franz](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 2:37:09 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support Backyard hens in Bakersfield.

Thank you.

Fernando Francisco

From: [davesredjeep](#)
To: [City Clerk](#)
Subject: hens
Date: Monday, February 1, 2021 1:50:52 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I am writing this email on behalf of all residents in Bakersfield who support the Backyard Hens Initiative. I am saddened to know that all it takes is a lawsuit with no merit, to cause our City Council to go back on their word. This ordinance was voted for the RIGHT way with a vote, and because an anonymous group decided they are is against it and did not accept the outcome of said vote, the rest of Bakersfield may lose their opportunity to have this element of self sufficiency taken from them forever?

I really cannot understand how this is being entertained by our Council. If we allow this to happen we are allowing our freedoms and our right to be heard, to be taken. We are further proving that the mentality of being “sue happy” is tolerated as well as feared upon without as much as even a full evaluation of the merit.

Hens not only contribute greatly to the well being of homeowners alike, they connect us to our food. They require responsibility, understanding, and teach you how to benefit from your efforts.

If you are uncomfortable with chemicals being dumped into your yard, hens can drastically eliminate weeds AND pests. If you are uncomfortable in paying \$3.99 for a squash at the store in hopes that the pretty little organic, non-gmo label is real..you can find comfort in knowing that you can enhance your own garden with chicken waste. You can grow your own produce and feed your family and friends for much less than what you spend at the store, and yes, hens contribute. You can teach children how to be compassionate, self sufficient, and smart about what they are eating.

If you or someone you know or love has suffered or is suffering from Cancer, wouldn't you like to be able to help in ensuring their food is quality? Healthy gardens produce healthy vegetables which turn you into a healthy human being. Healthy eggs come from healthy chickens who aren't caged up and pumped with hormones and feed to lay eggs and do nothing else. Eggs that are bleached and stored for months on end are not good for you. It really is common sense, and I'm appalled that we even need to lay it out this way.

I encourage you to research big farms and see where these eggs are really coming from. How these hens are really treated. The treatment of the hens trickles into the eggs that you consume and we should all be concerned about where our food comes from. Animals of all species deserve dignity, and chickens are no different. You provide them a healthy life, and they provide you with healthy eggs for your family and friends alike. What is the harm in that?

I sincerely hope that our Council hears our voices and takes their job seriously. Please do your

research, know what you're options are, and do not shy away from something that has no merit. If this is revoked I will have no choice but to believe that our Council does not hope for a better, healthier, and more self sufficient City.

Sincerely,
D.J

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

From: [davesredjeep](#)
To: [City Clerk](#)
Date: Monday, February 1, 2021 1:50:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I am writing this email on behalf of all residents in Bakersfield who support the Backyard Hens Initiative. I am saddened to know that all it takes is a lawsuit with no merit, to cause our City Council to go back on their word. This ordinance was voted for the RIGHT way with a vote, and because an anonymous group decided they are is against it and did not accept the outcome of said vote, the rest of Bakersfield may lose their opportunity to have this element of self sufficiency taken from them forever?

I really cannot understand how this is being entertained by our Council. If we allow this to happen we are allowing our freedoms and our right to be heard, to be taken. We are further proving that the mentality of being “sue happy” is tolerated as well as feared upon without as much as even a full evaluation of the merit.

Hens not only contribute greatly to the well being of homeowners alike, they connect us to our food. They require responsibility, understanding, and teach you how to benefit from your efforts.

If you are uncomfortable with chemicals being dumped into your yard, hens can drastically eliminate weeds AND pests. If you are uncomfortable in paying \$3.99 for a squash at the store in hopes that the pretty little organic, non-gmo label is real..you can find comfort in knowing that you can enhance your own garden with chicken waste. You can grow your own produce and feed your family and friends for much less than what you spend at the store, and yes, hens contribute. You can teach children how to be compassionate, self sufficient, and smart about what they are eating.

If you or someone you know or love has suffered or is suffering from Cancer, wouldn't you like to be able to help in ensuring their food is quality? Healthy gardens produce healthy vegetables which turn you into a healthy human being. Healthy eggs come from healthy chickens who aren't caged up and pumped with hormones and feed to lay eggs and do nothing else. Eggs that are bleached and stored for months on end are not good for you. It really is common sense, and I'm appalled that we even need to lay it out this way.

I encourage you to research big farms and see where these eggs are really coming from. How these hens are really treated. The treatment of the hens trickles into the eggs that you consume and we should all be concerned about where our food comes from. Animals of all species deserve dignity, and chickens are no different. You provide them a healthy life, and they provide you with healthy eggs for your family and friends alike. What is the harm in that?

I sincerely hope that our Council hears our voices and takes their job seriously. Please do your research, know what you're options are, and do not shy away from something that has no merit. If this is revoked I will have no choice but to believe that our Council does not hope for a better, healthier, and more self sufficient City.

Sincerely,
D.J

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

From: [Donald McCall](#)
To: [bakersfield mayor](#); [City Council](#)
Subject: Thank you NO Chickens!
Date: Tuesday, February 2, 2021 7:43:50 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning City Council, and Mayor Goh

I want to THANK YOU for voting to reject the hen ordinance in the city limits. When I heard it was going for review, I remembered my time with a neighbor who had hens, I can recall the noise, and they smelled, I couldn't believe that we as neighbors had to live with this. When it was recently rejected after the initial approval, my wife and I were ecstatic. Hens are NOT for everyone, and we shouldn't be forced to live with our neighbor's chickens.

After reading in The Bakersfield California that it may be overturned again, it saddens me that this is even being looked at. Not only do chickens carry many health issues, which are a concern with the current pandemic, but our Government should watch our budgets. Do we really have the funds to waste on allowing people to have hens? I KNOW we have better things to do with what little money our city has left.

PLEASE keep the hens out of the city limited!

Regards,
Donald McCall

From: [bakersfield mayor](#)
To: [Donald McCall](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Thank you NO Chickens! (Donald McCall)
Date: Tuesday, February 2, 2021 3:54:44 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Mr. McCall,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Donald McCall [mailto:mccall.donald@gmail.com]

Sent: Tuesday, February 2, 2021 7:44 AM

To: bakersfield mayor <mayor@bakersfieldcity.us>; City_Council <City_Council@bakersfieldcity.us>

Subject: Thank you NO Chickens!

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning City Council, and Mayor Goh

I want to THANK YOU for voting to reject the hen ordinance in the city limits. When I heard it was going for review, I remembered my time with a neighbor who had hens, I can recall the noise, and they smelled, I couldn't believe that we as neighbors had to live with this. When it was recently rejected after the initial approval, my wife and I were ecstatic. Hens are NOT for everyone, and we shouldn't be forced to live with our neighbor's chickens.

After reading in The Bakersfield California that it may be overturned again, it saddens me that this is even being looked at. Not only do chickens carry many health issues, which are a concern with the current pandemic, but our Government should watch our budgets. Do we

really have the funds to waste on allowing people to have hens? I KNOW we have better things to do with what little money our city has left.

PLEASE keep the hens out of the city limited!

Regards,
Donald McCall

From: [Donna Castillo](#)
To: [City Clerk](#)
Subject: Chicken Ordinance
Date: Sunday, January 31, 2021 7:57:18 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Sent from my iPhone

From: drgroves72@att.net
To: [City Clerk](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 7:09:32 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance. Hens do not make noise and do not smell but they do help control bug populations and provide fresh eggs.

Thank you!

Sent from my iPhone

From: [Dusti McDaris](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 11:25:08 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.

Sincerely,
Dusti McDaris

From: [e b](#)
To: [City Council](#)
Subject: I oppose
Date: Tuesday, February 2, 2021 3:38:19 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly oppose rescinding the Chicken Ordinance that was passed by the city council last year.

From: [Elena Porcho](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Monday, February 1, 2021 9:31:49 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please do not take my family's beloved pets and producers of some of the most nutritious food source.

Get [Outlook for Android](#)

From: [bakersfield mayor](#)
To: [Emily Dawson](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Feb 3rd Council Meeting: Support for Bakersfield Urban Hens (Emily Dawson)
Date: Tuesday, February 2, 2021 4:35:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Dawson,

Thank you for your email.

Best regards,

Karen Goh



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Emily Dawson [mailto:edawson@westmont.edu]
Sent: Tuesday, January 26, 2021 9:58 AM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Feb 3rd Council Meeting: Support for Bakersfield Urban Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh,

On February 3rd, the City Council will once again review the ordinance for backyard hens. *Please extend the time limit for public comment on this topic!* Our voices need to be heard, and 15 minutes is insufficient. Clearly, the ordinance requires further dialogue and collaboration; our City Council members ought to be willing to listen to their constituents and work with us to find solutions. Thank you for all you do.

Best,

Emily
6808 Segura Way
Bakersfield, CA 93309

----- Forwarded message -----

From: **Emily Dawson** <edawson@westmont.edu>

Date: Tue, Jan 26, 2021 at 9:48 AM

Subject: Re: Support for Bakersfield Urban Hens

To: <city_council@bakersfieldcity.us>

Dear City Council,

I've been dismayed to hear that after all the hard work of due process of law, and the passage of the hen ordinance, that rescinding is now under consideration. And in response to a lawsuit that has no precedence in other cities who have successfully adopted similar ordinances? Such a frivolous lawsuit should not have the power to bully the City. If amendments to the ordinance are needed, so be it; there is a large grassroots community who support backyard hens and are willing to continue collaborating to find the best solutions. But you can not just rescind and sweep this under the table!

Best,

Emily Clark
6808 Segura Way
Bakersfield, CA 93309

On Tue, Sep 22, 2020 at 1:20 PM Emily Dawson <edawson@westmont.edu> wrote:

Dear City Council,

I'm writing to you today to affirm my support for the urban hen ordinance. I was born and raised in Bakersfield and am now a new homeowner here, moving back after seven years away. I'm looking forward to raising a family here, and I hope we can add a future chicken coop as part of our new home! Thank you for all you do.

Best,

Emily Clark
6808 Segura Way
Bakersfield, CA 93309

From: [Emily Keverline](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 7:29:53 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I fully support the keeping of backyards hens in the city of Bakersfield. I urge the council not to rescind the ordinance regarding this

Emily Keverline
93312 Zip code area

Sent from my iPhone

From: [Erica Bersentes](#)
To: [City Clerk](#)
Subject: Chicken ordinance
Date: Saturday, January 30, 2021 7:15:48 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This impacts more than just hens, the reality is that very few people want backyard hens. This lawsuit is much more of a flex for control on the city council. I don't know about you, but it's really annoying to be told what I can cannot do on my own property.

It is not about chickens as much as it is about how people, whom can bully the council into going against their constituents.

I support the ordinance.

Erica Bersentes

From: [Erica pate](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Saturday, January 30, 2021 7:19:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Its my property and my land I support the hen ordinance. It is not about chickens as much as it is about how people, who can bully the council into going against their constituents.

Evan Bersentes

From: [Erica Kimmel](#)
To: [City Clerk](#)
Subject: Hens
Date: Monday, February 1, 2021 8:05:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom It May Concern,

Please let responsible citizens keep hens. Just like rules are enforced for dog and cat owners, there should definitely be guidelines that have to be followed to keep neighbors happy. Hens are quiet, they are a natural form of pest control, they provide fresh eggs, and they also give owners something to enjoy during these difficult times.

I am not even writing this on behalf of myself, since I am not able to keep hens at this time. This is an appeal for anyone that wishes to keep them. My younger years owning hens taught me so much about responsibility and self-sufficiency. I want to see others have that same wonderful experience. Don't let a lawsuit get in the way of what you know is right.

Erica Kimmel

From: [Erica Williams](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 9:19:23 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to the hen ordinance being rescinded. I am especially concerned that an absurd lawsuit can be filed by a few people with a minority opinion and have that paid for by the taxpayers. Please reconsider rescinding the ordinance and paying for their lawyers.

Thank you,
Erica Williams

From: [Erin Obert](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 6:12:56 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

From: [estherannunez](#)
To: [City Clerk](#)
Subject: Support backyard Hens
Date: Sunday, January 31, 2021 4:30:45 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens

Sent from my T-Mobile 4G LTE Device

From: [esther_nunez8](#)
To: [City Clerk](#)
Subject: Support backyard Hens
Date: Sunday, January 31, 2021 4:31:17 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens!

Sent from my T-Mobile 4G LTE Device

From: [fabio.rosales](#)
To: [City Clerk](#)
Subject: I support Bakersfield hens
Date: Saturday, January 30, 2021 9:25:05 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My name is Fabio Rosales, I live in ward 5 and I support Bakersfield hens.

From: [Fawn Kline](#)
To: [City Clerk](#)
Subject: Oppose Rescinding Backyard Hen Ordinance
Date: Sunday, January 31, 2021 10:34:29 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

From: [Fawn Kline](#)
To: [City Council](#)
Subject: Oppose Rescinding Backyard Hen Ordinance
Date: Sunday, January 31, 2021 10:36:57 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

From: [Pheelicks Junior](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 2:54:02 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens in Bakersfield.

Thanks you.

Felix Camotuya Jr.
661-301-9113

From: [Frank Ripepi](#)
To: [City Clerk](#)
Subject: Vote to approve Hen Ordinance
Date: Saturday, January 30, 2021 7:11:34 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Don't let a group with a questionable agenda manipulate the board with a meritless lawsuit and prevent the completely harmless practice of raising backyard hens, a practice that has been approved in jurisdictions across the country. The board needs to show some spine and reinitiate the ordinance on backyard hens!

Sent from [Mail](#) for Windows 10

From: [Gabrielle Canales](#)
To: [City Clerk](#)
Subject: I oppose rescinding the hen ordinance
Date: Saturday, January 30, 2021 4:01:21 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Last year the city council voted to allow backyard hens in city limits. Doing an environmental impact report for this ordinance would be a waste of taxpayer money as the impact of hens to the environment has been studied extensively and small backyard flocks are allowed in cities across the country. Do not allow an anonymous bullies to attempt to power grab at the city council by kowtowing to their absurd demands. I firmly oppose rescinding the hen ordinance.

Gabrielle Canales

Name: Gail Fieldgrove

Number: (661) 319-6571

Message: Hello, my name is Gail Fieldgrove. This is concerning allowing chickens in people's backyards. I'm actually all for it, don't think there's anything wrong with it. Children have an opportunity to see how things work. And I hope that they don't plan to recall this action. I think it's very important. Hi Andrae Gonzales. Bye, thank you so much. Bye.

From: [Gena Householder](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 10:33:15 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My name is Gena Householder and I live in the County. I am strongly opposed to the rescinding of the Hen Ordinance.

From: [George Fuentes](#)
To: [City Clerk](#)
Subject: Please Allow Backyard Hens
Date: Monday, February 1, 2021 9:01:51 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please advise my council representative that I am for backyard hens.

Thank You,
George Fuentes
2825 Harmony Dr
Bakersfield

21 FEB -2 PM 1:45
BAKERSFIELD CITY CLERK

February 1, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Gwen Dobbs

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Heather Aherne](#)
To: [City Clerk](#); [City Council](#)
Subject: Save our Hens!
Date: Sunday, January 31, 2021 6:28:16 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good evening Madams and Sirs:

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't even from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm tremendously disappointed that it's even being considered.

DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION

Yours, Heather

From: [Heather Pressley](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 11:20:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Cordially,
Heather Dobbs

Sent from my iPhone

From: [Merickel Family Email](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Sunday, January 31, 2021 9:31:45 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I am writing to share my support for lifting the temporary suspension of the amended ordinance to allow families the right to own hens. Please respect me and the other Bakersfield residents enough to be responsible with managing our own pets in our own backyards.

Heather Merickel



Virus-free. www.avg.com

Name: Helen Kotowske

Number: (661) 903-0976

Message: Hi, my name is Helen Kotowske, 661-903-0976 is my cell phone number. And I'm calling about the hen ordinance. I heard that it had passed and everything was okay but now there's a lawsuit and I'd hate to see people have to get rid of their hens. I know it provides food for people, it's a learning experience for children and it adds to the neighborhood. I have neighbors that have chickens, they have hens, and I had no idea that they had them because they don't cause any kind of problem, so I just hope that you're going to keep the ordinance we have so that they can continue to have hens. I live in the Oleander-Sunset area. Helen Kotowske 661-903-0976. Bye.

From: [Heyley Taber](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Tuesday, February 2, 2021 12:54:53 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.

Thank you,

Heyley Taber (661-333-5295)

From: [imluke](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 7:12:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly believe that we should be able to have hens on our property and this "unidentified group" should not dictate our rights and freedoms. I believe the group fighting for it already got the ordinance passed so why is it a problem when people are reasonable and safe. I hope that hens are allowed in the future and they have my FULL SUPPORT!

From: [Ingrid Henderson](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 4:13:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose to rescind the hen ordinance for the city of bakersfield.

Sincerely

Ingrid Henderson

Sent from my iPhone

Name: Iva Fendrick

Number: (661) 303-5327

Message: Hello, my name is Iva Fendrick. I live in the City of Bakersfield and I'm calling regarding the vote on having hens in people's backyards. I don't see how you could accept anonymous people, anonymous lawsuit, because if they don't have the guts to step forward to say who they are and they really believe in this, if people want to have chickens, fine. I vote for that and I hope our City Council will too, and look at this feasibly. The other animals we have in neighborhoods, barking, barking, and I don't think chickens are harmful to the environment and have already been approved in other counties, Fresno especially. They have an ordinance where they can have hens and so I hope our City Council will vote that we can have those chickens if they want them. Thank you for your time. Goodbye.

From: [Jack Merickel](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 7:12:20 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I am writing to you to express my support for backyard hens. Hens are healthy for families and they help make Bakersfield better. I was part of the process and spoke directly to you regarding the benefits and how any perceived nuisance is manageable. Please respect me and other Bakersfield residence by trusting us to be responsible and capable of following the ordinance that was passed and is now under attack from an anonymous unwarranted lawsuit. Thank you for having the courage to do the right thing and lift the temporary suspension on the ordinance that has already been debated and passed.

Sincerely,
Jack Merickel

From: [Jan Hei](#)
To: [City Council](#)
Subject: Backyard hens
Date: Friday, January 29, 2021 8:14:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please do not rescind the ordinance regarding the matter of backyard hens. Do the right thing and honor the many wishes of your community members. A dangerous precedent will be set if you allow the “anonymous” few to derail this effort.

Thank you for your time and consideration,

Jan Hei

Sent from my iPhone

From: [Janice French](#)
To: [City Clerk](#)
Subject: Council Meeting Agenda Item 8.f.1
Date: Monday, February 1, 2021 3:04:24 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Council Members,

I am writing in regards to Meeting Agenda Item 8.f.1, the "Backyard Hen Ordinance." The opposition group cites three major points in their argument against this ordinance: noise, odor, and disease.

In item one, noise, their argument is almost null. Hens only cluck, and not very loudly, with the exception of being under attack from a predator.

Item two, odor, is also close to null. Chicken feces are fairly free of odor, even in excess, due to their diet being mostly grain with occasional insects and worms. So this is also a very weak argument.

Item three, disease, is of concern to some extent. But I think if the ordinance added the requirement of a permit and a person who could issue said permits would minimize this fear.

The backyard of a person who applied for a permit could be inspected, and an area acceptable to guidelines for housing the hens could be marked. A follow-up visit after completion of coops, etc. could be done, and if guidelines are met, a flier of safety tips could be given to the owner to remind them of possible diseases, how they're spread, and how to prevent them. The permit process could include a fee, which would help pay for the inspections and such. This would also create a liaison for any complaints that come up from neighbors.

Just my two cents.

Thank you,
Janice French

From: [Janie Lugo](#)
To: [City Clerk](#)
Subject: Rescinding an ordinance
Date: Thursday, January 21, 2021 11:39:30 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I would like to communicate my support of allowing backyard hens within the city limits.

This has now become an issue much more than the right of the citizens of Bakersfield to own hens. This has become about upholding the democratic process of government and not allowing the power of a few wealthy individuals overrule the will of the majority of the common people.

It is unethical for past or present city employees or elected officials to be involved in a lawsuit against the city that they are supposed to serve because an ordinance was passed that they did not agree with. If there is any grounds for a lawsuit against the City of Bakersfield at all it would be for not upholding the ordinance that was passed and placing many Bakersfield citizens completely outside of the cities legal limits.

This is not fair to those of us who tried to go about doing things the right way. Many of us took significant time and effort to communicate with each of you in trying to get this ordinance passed. Many of us held off buying our hens until the ordinance was passed. Now it seems as though the hard working, upstanding citizens of Bakersfield who try to abide by it's rules are being ignored while only a few wealthy individuals are being allowed to manipulate the system.

I have to say that I am incredibly dissappointed that we are even at this place where the City Council is even considering rescinding the hen ordinance over a frivolous lawsuit. I was just starting to believe that maybe everyday citizens actually could have a voice. Maybe we actually could make a difference in our community for the better if we just got involved in the process. After learning of the 6-1 vote in a closed door session to consider rescinding the hen ordinance, I have serious doubts that any of our government actually works for the people.

I hope that the City Council of Bakersfield will uphold and not rescind the ordinance that was passed allowing backyard hens. I hope that they will actually fullfill their obligation to our community and support what the majority of their constituents have requested.

Sincerely,

Janie Boland

[Sent from Yahoo Mail on Android](#)

From: [Janie Lugo](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Backyard hens
Date: Friday, January 29, 2021 10:00:09 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I would like to communicate my support of allowing backyard hens within the city limits.

This has now become an issue much more than the right of the citizens of Bakersfield to own hens. This has become about upholding the democratic process of government and not allowing the power of a few wealthy individuals overrule the will of the majority of the common people.

It is unethical for past or present city employees or elected officials to be involved in a lawsuit against the city that they are supposed to serve because an ordinance was passed that they did not agree with. If there is any grounds for a lawsuit against the City of Bakersfield at all it would be for not upholding the ordinance that was passed and placing many Bakersfield citizens completely outside of the cities legal limits.

This is not fair to those of us who tried to go about doing things the right way. Many of us took significant time and effort to communicate with each of you in trying to get this ordinance passed. Many of us held off buying our hens until the ordinance was passed. Now it seems as though the hard working, upstanding citizens of Bakersfield who try to abide by it's rules are being ignored while only a few wealthy individuals are being allowed to manipulate the system.

I have to say that I am incredibly dissappointed that we are even at this place where the City Council is even considering rescinding the hen ordinance over a frivolous lawsuit. I was just starting to believe that maybe everyday citizens actually could have a voice. Maybe we actually could make a difference in our community for the better if we just got involved in the process. After learning of the 6-1 vote in a closed door session to consider rescinding the hen ordinance, I have serious doubts that any of our government actually works for the people.

I hope that the City Council of Bakersfield will uphold and not rescind the ordinance that was passed allowing backyard hens. I hope that they will actually fullfill their obligation to our community and support what the majority of their constituents have requested.

Sincerely,

Janie Boland

[Sent from Yahoo Mail on Android](#)

From: [Janie Lugo](#)
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Backyard hens
Date: Friday, January 29, 2021 10:00:09 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I would like to communicate my support of allowing backyard hens within the city limits.

This has now become an issue much more than the right of the citizens of Bakersfield to own hens. This has become about upholding the democratic process of government and not allowing the power of a few wealthy individuals overrule the will of the majority of the common people.

It is unethical for past or present city employees or elected officials to be involved in a lawsuit against the city that they are supposed to serve because an ordinance was passed that they did not agree with. If there is any grounds for a lawsuit against the City of Bakersfield at all it would be for not upholding the ordinance that was passed and placing many Bakersfield citizens completely outside of the cities legal limits.

This is not fair to those of us who tried to go about doing things the right way. Many of us took significant time and effort to communicate with each of you in trying to get this ordinance passed. Many of us held off buying our hens until the ordinance was passed. Now it seems as though the hard working, upstanding citizens of Bakersfield who try to abide by it's rules are being ignored while only a few wealthy individuals are being allowed to manipulate the system.

I have to say that I am incredibly dissappointed that we are even at this place where the City Council is even considering rescinding the hen ordinance over a frivolous lawsuit. I was just starting to believe that maybe everyday citizens actually could have a voice. Maybe we actually could make a difference in our community for the better if we just got involved in the process. After learning of the 6-1 vote in a closed door session to consider rescinding the hen ordinance, I have serious doubts that any of our government actually works for the people.

I hope that the City Council of Bakersfield will uphold and not rescind the ordinance that was passed allowing backyard hens. I hope that they will actually fullfill their obligation to our community and support what the majority of their constituents have requested.

Sincerely,

Janie Boland

[Sent from Yahoo Mail on Android](#)

From: [Jay Clayton](#)
To: [City Clerk](#)
Subject: Oppose rescinding of Hen ordinance
Date: Saturday, January 30, 2021 8:46:53 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly oppose rescinding the fair and reasonable chicken ordinance that was passed by the city council last year.

Jay Clayton
2236 San Emidio st. 93304

From: jeanette@jeanetteredstone.com
To: [City Council](#)
Subject: Backyard Hen Initiative
Date: Friday, January 29, 2021 7:53:41 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:
I support the Backyard Hen Initiative and ask you not to rescind the previously approved ordinance that allowed backyard hens. Hens are quiet pets that do not cause harm to others. They can also provide food for families with their eggs. In these uncertain economic times, a few eggs a day could be a huge blessing to a struggling family. Please do not bow down to the frivolous environmental lawsuit against the initiative.
Thank you for your time.
Sincerely,
Jeanette Redstone
661-808-6222

From: [Jeff Murray](#)
To: [City Council](#)
Subject: Backyard hen initiative
Date: Saturday, January 30, 2021 10:28:57 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

From: [Jeffrey Maberry](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 3:18:11 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council Members,

I support your previously passed ordinance in favor of allowing backyard hens.

Thank you for your service,
Jeff Maberry

From: [Jenifer Pitcher](#)
To: [City Clerk](#); [Eric Arias](#); [PD-PIO Council Member Gonzalez](#); ken@weircpa.com; [Robert Smith](#); [Bruce Freeman](#); [Patty Gray](#); [PD-PIO Council member Chris Parlier](#); [bakersfield mayor](#)
Cc: [Christian Clegg](#); [Virginia "Ginny" Gennaro](#); [Kim Huckaby](#)
Subject: Bakersfield Association of REALTORS Comments on Item 8 F on City Council Agenda 2-3-2021
Date: Monday, February 1, 2021 11:58:54 AM
Attachments: [BAOR Oppose Backyard Hens 01-29-2021 full analysis final.pdf](#)

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh and Members of the City Council,

I would like to respectfully submit the attached comment letter from the Bakersfield Association of REALTORS in regards to the Rescission of the Backyard Hen Ordinances (agenda item 8F) on the February 3 Bakersfield City Council Agenda.

Thank you for the opportunity to comment on this item. If you have any questions or concerns, please contact me at 661-331-0484.

Thank you.

Sincerely,

Jenifer Pitcher
Bakersfield Association of REALTORS
2300 Bahamas Dr.
Bakersfield, CA 93309
P|661.635.2052 F|661.405.0020 C|661.331.0484



January 29, 2021

Bakersfield City Council
1501 Truxtun Ave.
Bakersfield, CA 93301

Dear Mayor Goh and Members of the Council,

The Bakersfield Association of REALTORS®, the County’s largest trade association representing over 2,300 REALTOR® members in Bakersfield, continues to oppose the proposed backyard hen ordinance anticipated to be before your Council on February 3, 2021. We would like to thank you for your pragmatic approach and willingness to reconsider this matter. While our Association’s mission is to protect private property rights, we also support public policy that builds and maintains healthy and vibrant communities. We believe you should amend the current ordinance OR repeal it until a more thorough evaluation of the impacts on residential properties is conducted. We would like to reiterate the issues that we brought to your attention in October 2020 when this item was before you.

The **Background** section of this letter provides a summary of the key substantive provisions of the Hen Ordinance. The Background section then discusses some of the pros and cons of keeping and raising domestic hens on private property.

The **Analysis** section of this letter begins by comparing the proposed Hen Ordinance to hen ordinances adopted in six other California communities: Fresno, Modesto, San Bernardino, Riverside, San Diego, and Anaheim. It then discusses similarities and differences between the proposed Hen Ordinance and the existing hen ordinances in these other communities. The Analysis section then addresses concerns about the Hen Ordinance and the process the City is undertaking. First, it reviews the proposed setback requirement under the Hen Ordinance and recommends that the Hen Ordinance be revised to contain a setback that would be measured from the property line, rather than from the location of an offsite residential building, as now proposed. Second, it discusses how the proposed standards for regulating noise and odor generated by hens are too subjective and would be difficult to enforce and vulnerable to challenge. Third, it notes that the City Council has not undertaken CEQA review of the Hen Ordinance and should do so before taking further action on it. Lastly, it points out that the Hen Ordinance has the potential to impact over 85,000 properties and over 200,000 residents and the City Council should not rush to adopt it without giving the public the opportunity for an in-person, open dialogue.

BACKGROUND

OVERVIEW OF THE HEN ORDINANCE

Below is our summary of the key substantive provisions of the Hen Ordinance.

Key Definitions: Under existing Chapter 6.08 of the Municipal Code, the keeping of “fowl” is allowed in an enclosed yard or pen on property located within an agricultural zone or residential suburban zone.¹ While existing Chapter 6.08 treats all types of “fowl” the same, the proposed Hen Ordinance would insert the following definitions in order to regulate hens differently than roosters and other types of fowl.

“**Fowl**” means a duck, goose, rooster, turkey, or other poultry, except a hen as defined herein.²

¹ Municipal Code § 6.08 (available online at <https://bakersfield.municipal.codes/Code/6.08>).

² Hen Ord. §§ 6.08.010, 6.09.010.

“**Hen**” means a female chicken (subspecies *Gallus gallus domesticus*), specifically excluding a male chicken or rooster.³

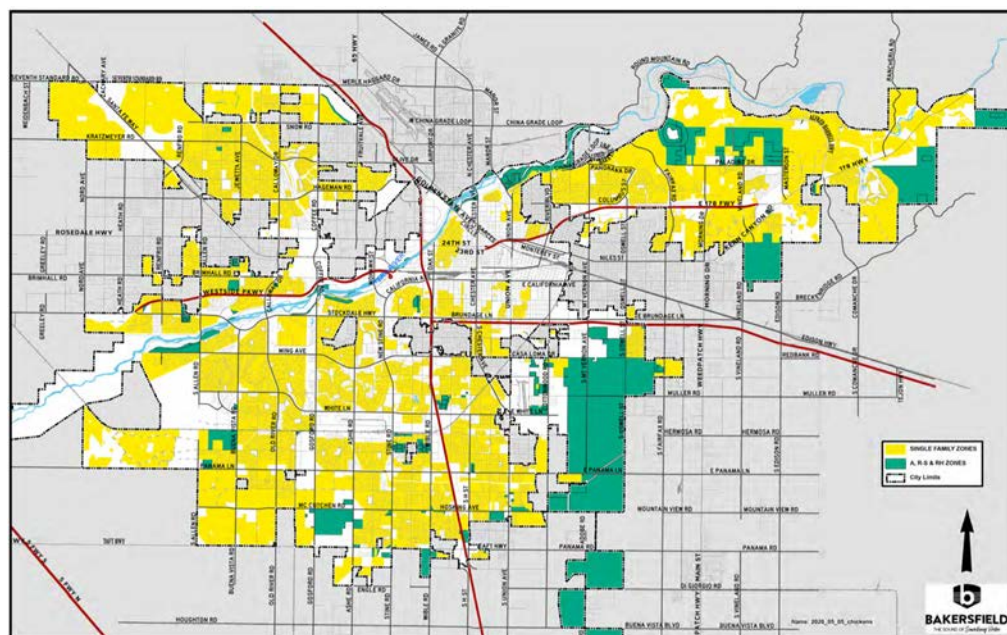
“**Rooster**” means a male chicken (subspecies *Gallus gallus domesticus*).⁴

“**Coop, Enclosure, Henhouse, or Hen Tractor**” mean a structure that allows for securely locking hens in at night. A henhouse is stationary while a hen tractor is moveable. An enclosure or coop could refer to either.⁵

“**Rear yard**” means an open unoccupied space on the same lot with the main building between the rear line of the nearest vertical support or wall of the main building or enclosed or covered porch attached thereto and the rear line of the lot and extending the full width of the lot.⁶

Hens Permitted in the R-1 Zone: The Hen Ordinance permits the keeping of hens in the R-1 Zone, subject to the requirements of proposed Chapter 6.09. In the map below, the R-1 Zone is shown in yellow, while the Agricultural (A), Residential Suburban (R-S), and Residential Holding (R-H) Zones—where the keeping of hens was previously permitted—is shown in green.⁷ The Hen Ordinance continues to permit the keeping of hens in the A, R-S, and R-H Zones.⁸

Figure 1: Map of R-1 Zone (Yellow) and A, R-S, and R-H Zones (Green) in Bakersfield



Hen Keeping Standards: Chapter 6.09 established the following requirements and restrictions for keeping hens in the City.

³ *Id.*

⁴ *Id.*

⁵ Hen Ord. § 6.09.010.

⁶ *Id.*

⁷ The map is attached to an Administrative Report to the City Council for the August 12, 2020 public workshop (available at <https://bakersfield.novusagenda.com/AgendaPublic/CoverSheet.aspx?ItemID=7869&MeetingID=583>).

⁸ Hen Ord. § 6.09.020.

- Purpose: Hens are allowed only for egg laying and/or pet companionship in the R-1 and R-S Zones.⁹
- Number of Hens Allowed: The maximum number of hens allowed per rear yard is based on how far the hen enclosure is set back from any off-site residential building as shown in the following table:¹⁰

Table 1: Number of Hens Allowed per Rear Yard

Distance from Hen Enclosure to Nearest Off-Site Residential Building	Maximum Number of Hens Allowed
10 feet	4
15 feet	6
20 feet	8
30 feet	12

Note Regarding the Alternative Draft Ordinance: City staff previously provided the City Council with an alternative draft of Chapter 6.09 (the “Alternative Draft Ordinance”) that proposed to establish a flat maximum of 12 hens per rear yard¹¹ and a flat setback requirement of 30 feet from the hen enclosure to the nearest offsite residential building.¹² Except for the maximum hen limitation and the setback requirement, the requirements of the Alternative Draft Ordinance are the same as the Hen Ordinance. In voting to approve the Hen Ordinance on September 23rd, the City Council effectively rejected the Alternative Draft Ordinance.

- Hen Enclosure Requirements: The Hen Ordinance requires that hens be kept in an enclosure or the fenced rear yard at all times. Moreover, all hens have to be secured in a henhouse or hen tractor during non-daylight hours. The enclosures have to be “kept clean, dry, odor-free, and sanitary at all times” and owners have to provide the hens with “adequate ventilation and water” and “adequate exposure to sun and shade.”¹³
- Odor and Noise Standards: The Hen Ordinance requires that “hen manure, hen odor, or other hen related substances ... not be perceptible beyond the property boundaries such that it would cause discomfort or disturb persons.”¹⁴ It also requires that hen noise “not be loud enough” to cause “discomfort or annoyance” beyond the property boundaries.¹⁵

⁹ Hen Ord. § 6.09.030.

¹⁰ Hen Ord. § 6.09.040.

¹¹ Alternative Ord. § 6.09.040.

¹² Alternative Ord. § 6.09.050.F.

¹³ Hen Ord. § 6.09.050.

¹⁴ Hen Ord. § 6.09.060.A.

¹⁵ Hen Ord. § 6.09.060.B.

- **Feed and Water Requirements:** Section 6.09.070 of the Hen Ordinance requires that every hen be given access to feed and clean water in a manner that provides for their good health and basic needs.

Prohibited Acts: The Hen Ordinance makes it unlawful to allow a hen to roam outside of an enclosed rear yard or to keep a hen on undeveloped land.¹⁶ In addition, the breeding of hens for resale purposes, hen fertilizer production for resale purposes, and egg production for resale purposes is prohibited in the R-1 and R-S Zones.¹⁷

Penalty: Violations of the Hen Ordinance are punishable as an infraction, misdemeanor or administrative penalty and subject to penalty of up to \$50 for the first violation, \$100 for a second violation within 1 year, and \$250 for each additional violation within 1 year.¹⁸

PROS AND CONS OF KEEPING HENS FOR DOMESTIC PURPOSES

Over the last decade, American cities have seen an increase in the movement towards bringing agricultural practices into urban settings.¹⁹ One commentator attributes this movement to people wanting to take control over their own food, starting with the source of the food, after learning of the problems with our modern commercial agricultural practices.²⁰ A significant portion of the urban agricultural movement involves urban animal husbandry, particularly the keeping and raising of chickens.²¹ The following is a summary of the “pros” and “cons” commonly associated with the domestic keeping and raising of chickens in urban settings, based on a review of several environmental and planning articles on the subject.²² **Note:** Many of the pros and cons discussed below were also identified in a presentation given by staff at a City Council Workshop on August 12, 2020.

Pros

- **Fresh and Nutritious Eggs:** Eggs produced from domestically raised hens reportedly taste better and are more nutritious.²³ Most eggs in commercial production are weeks or months old before they reach the point of sale in a grocery store,²⁴ while eggs produced by a backyard hen can be eaten as soon as the same day they are laid. Eggs laid by backyard hens are also more nutritious because they can forage in the backyard for fresh grass and other

¹⁶ Hen Ord. §§ 6.09.080, 6.09.090.A.

¹⁷ Hen Ord. § 6.09.090.B-D.

¹⁸ Hen Ord. §§ 6.09.100; 1.40.010.A.

¹⁹ Jaime Bouvier, *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry and a Model Ordinance for Regulating City Chickens*, 42 ENVTL. L. REP. NEWS & ANALYSIS 10888 (SEPTEMBER 2012) (hereinafter “*Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry*”).

²⁰ *Id.*

²¹ *Id.*

²² See generally *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry*; Urban Livestock, American Planning Association (available at <https://www.planning.org/knowledgebase/urbanlivestock/>); and Patricia Salkin, *Feeding the Locavores, One Chicken at a Time: Regulating Backyard Chickens*, ZONING AND PLANNING LAW REPORT (March 2011).

²³ *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry* at 3.

²⁴ *Id.*

greens, whereas commercially produced eggs have a standardized diet. Scientific nutritional analysis shows that eggs laid in the backyard contain one-third less cholesterol, one-fourth less saturated fat, two-thirds more vitamin-A, twice the omega-3 fatty acids, three times more vitamin-E, and seven times more beta-carotene than commercially-raised store bought eggs.²⁵

- Companionship as Pets: People who raise hens consider them to be pets and part of the family, just like any other domestic pet. Hens are said to have their own personality that their owners bond with.²⁶ Currently, due to the COVID-19 pandemic, many people are spending more time at home and may feel they can benefit from the companionship of a household pet.
- Pest Control: Hens eat insects such as ants, spiders, ticks, fleas, slugs, roaches, beetles, worms, small snakes, and small mice. Therefore, the presence of hens in a backyard can help to remove pesky insects and eliminate the need to use harsh chemicals for the prevention of insects and other pests.²⁸

Cons

- Noise: A common concern over the raising and keeping of hens is their noise production. The average noise level of a clucking hen is about 65 decibels, which is comparable to human conversation. (By contrast, a rooster's crowing registers around 130 decibels).²⁹ The more hens in a backyard, the more noise that would be generated, thereby increasing the likelihood of disturbing neighboring property owners.
- Odor: The odor produced from hen waste is a common concern voiced by people who live near domestically raised backyard hens. Reportedly, most of the odor associated with hens is actually ammonia, which is typically the product of poor ventilation or a moist coop or enclosure.³⁰
- Spread of Disease: The avian flu and salmonella are two diseases that are commonly transferred from poultry to humans.³¹ Hens are just like any other household pet and can transfer illness to humans. Disease may be spread within the household due to a failure to keep the enclosures clean and failure to wash hands after touching the hens.³²
- Impact on Property Values: Another common concern associated with the domestic raising of hens in backyards is that it will reduce the surrounding property values. Local Appraisers have submitted opinions regarding negative impacts on property values. However, according to one article on the topic of municipal regulation of backyard poultry, though the argument can certainly be made, there is no study to date that definitively attributes a decrease in property values to the domestic raising of hens.³³

²⁵ *Id.* at 3-4 (citing Robert & Hannah Litt, *A Chicken in Every Yard* at 179 (2011)).

²⁶ *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry* at 4.

²⁷ *Id.* It is not clear whether this price range is accurate for Bakersfield.

²⁸ *Id.* at 4-5.

²⁹ "Roosters are as Deafening as Jet Engines but Insanely Advanced Ears Protect Their Hearing," *Newsweek* (available online at: <https://www.newsweek.com/roosters-are-loud-enough-deafen-humans-insanely-advanced-ears-protect-their-787043>).

ANALYSIS

PART 1

COMPARISON OF THE HEN ORDINANCE WITH HEN ORDINANCES ADOPTED BY OTHER CALIFORNIA CITIES

In order to provide some additional perspective on the substantive terms of the Bakersfield Hen Ordinance, the table on the following page compares the key substantive components of the Hen Ordinance with a sampling of hen ordinances adopted by other California cities.

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³⁰ *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry* at 5 (citing Doug Gurian Sherman, *CAFOS Uncovered, The Untold Costs of Animal Feeding Operations*, UNION OF CONCERNED SCIENTISTS (Apr. 2008) (available online at: www.ucsusa.org/assets/documents/food_and_agriculture/cafos-uncovered.pdf).

³¹ *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry* at 6.

³² *Id.*

³³ *Id.* at 7.

Table 2: Comparison of Municipal Hen Ordinances

STANDARD OR REQUIREMENT	MUNICIPALITY						
	Bakersfield	Fresno ³⁴	Modesto ³⁵	San Bernardino ³⁶	Riverside ³⁷	San Diego ³⁸	Anaheim ³⁹
Permitted in Single-Family Zoning Districts	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Maximum number of Hens	4 to 12 ⁴⁰	12 per acre	12	2 to 24 ⁴¹	5 to 50 ⁴²	5 to 25 ⁴³	1 per 1,800 s.f. lot area
Minimum Lot Size (square feet)	6,000	36,000	5,000 ⁴⁴	None	20,000 ⁴⁵	1 acre	1,800
Minimum Setback from On-Site Residence	None	None	40 feet	50 or 100 feet ⁴⁶	50 or 100 feet ⁴⁷	50 feet	None
Minimum Setback from Property Line	None	40 feet	5 to 15 feet ⁴⁸	None	None	25 feet	20 feet
Minimum Setback from Off-Site Residence	10 to 30 feet ⁴⁹	50 feet	40 feet	50 or 100 feet ⁵⁰	50 or 100 feet ⁵¹	25 to 50 feet ⁵²	50 feet
Enclosure Requirement	Yes	Yes	No	Yes	Yes	Yes	Yes
Nighttime Henhouse or Hen Tractor Requirement	Yes	No	No	No	No	No	No
Odor and Noise Standards	Yes	No	Subject to noise regulations	Subject to noise regulations	No	No	Subject to noise regulations

Comment: Based on the comparison of municipal hen ordinances outlined in Table 2, there appears to be a consensus with regard to the types of regulations that should be included in a municipal backyard hen ordinance, but little agreement with regard to the specifics of those regulations. For example, while all seven ordinances surveyed contain a minimum setback from off-site residences, the setback distances range from a low of 10 feet in the Bakersfield Hen Ordinance up to a high of 100 feet in San Bernardino. Similarly, while all but one city (San Bernardino) imposes a minimum lot area requirement on the keeping of hens, the lot area

³⁴ Fresno Zoning Code § 15-2707.

³⁵ Modesto Zoning Code § 10-3.202.

³⁶ San Bernardino Municipal Code § 6.05.

³⁷ Riverside Zoning Code §§ 19.100, 19.455.

³⁸ San Diego Municipal Code § 42.0709(e) and San Diego Zoning Code § Chapter 13, Article 1.

³⁹ Anaheim Zoning Code § 18.38.030.

⁴⁰ Based on distance of enclosure from any offsite residential building.

⁴¹ Based on distance hens are kept from any residential building.

⁴² Based on distance hens are kept from any offsite residential building. Additional hens may be permitted subject to a conditional use permit.

⁴³ Based on existing setback requirements.

⁴⁴ Based on minimum lot size requirement for residential districts that allow this use.

⁴⁵ Based on minimum lot size requirement for residential districts that allow this use.

⁴⁶ 50 feet for up to 2 hens, 100 feet for more than 2 hens

⁴⁷ RA-5 and RC Zoning Districts only. 50 feet for up to 5 hens, 100 feet for up to 50 hens.

⁴⁸ Based on number of stories per dwelling

⁴⁹ Based on number of hens allowed per rear yard.

⁵⁰ 50 feet for up to 2 hens, 100 feet for more than 2 hens

⁵¹ 50 feet for up to 5 hens, 100 feet for up to 50 hens.

⁵² Based on number of hens allowed per rear yard.

requirements vary widely from a low of 1,800 square feet per hen in Anaheim to a high of one acre in San Diego. The chicken regulations at Section 42.0709 of the SD Code do not specify a minimum lot area requirement, but Table 131-04B of the SD Zoning Code permits “Raising, Maintaining & Keeping of Animals” as an accessory use only in the Residential Estate (RE) zones, which have minimum lot size requirements of 1 acre on up to 10 acres. Read together these provisions would appear to create a minimum lot area requirement for the raising and keeping of chickens in a residential zone. Unfortunately, the term Raising, Maintaining & Keeping of Animals is not defined in the code, resulting in some ambiguity. We did not confirm with San Diego how it interprets the relationship between the foregoing provisions, but given the ambiguity it is possible that the city interprets Table 131-04B as not applying to chickens.

There is also a divergence with regard to how certain standards are calculated. For example, while two cities have set a fixed cap on the number of hens allowed per property, the other five cities use a variable cap based on lot area. Anaheim, for example, permits one hen per 1,800 square feet of lot area. Another area where the sample group diverges is the minimum setback from off-site residential buildings; three cities have a uniform fixed setback distance, while four cities (including Bakersfield) have a variable standard based on the number of hens kept on the property.

As discussed further below, the only aspect of the Bakersfield Hen Ordinance that stands out as an outlier among the sample group of municipal hen ordinances is the required minimum setback distance from off-site residential buildings. Bakersfield’s minimum setback requirement—which ranges from a low of 10 feet for four or fewer hens to a high of 30 feet for nine to twelve hens—is *less than half* of the next lowest setback distance (San Diego’s range of 25 feet to 50 feet) and just *one-fifth* of the 50-foot minimum setback requirement adopted by the majority of cities in the sample group.

The Bakersfield Hen Ordinance is also unique in that it requires the hens to be kept within their coops or enclosures during the overnight hours. Other cities do not impose this restriction. Bakersfield’s Hen Ordinance also imposes both noise and odor standards on backyard hens, however, as discussed below, these standards may be too subjective and vague to be enforceable as a practical matter.

PART 2

ISSUES RAISED BY THE BAKERSFIELD HEN ORDINANCE

Issue: The Hen Ordinance should be amended to include a minimum setback distance from the property line.

The Bakersfield Hen Ordinance contains a variable setback requirement, measured from the hen enclosure to nearest off-site residential building, based on the number of hens kept on a property. For example, a hen enclosure with four or fewer hens must be at least 10 feet from the nearest off-site residential building, while an enclosure with ten hens must be at least 30 feet from the nearest off-site residential building.⁵³ This type of setback requirement is a common one—all of the municipal hen ordinances surveyed in Table 2 above have a minimum setback from off-site residential buildings requirement. But it is not the only type of setback requirement—many other municipalities surveyed all also impose setbacks from the property line. Moreover, the setbacks from off-site residential buildings in the Hen Ordinance are significantly less than the comparable setbacks in the other ordinances surveyed, and arguably do not adequately protect adjoining properties from the negative impacts of backyard hens.

⁵³ Hen Ord. § 6.09.040.

In practice, a minimum setback requirement measured from a hen enclosure to off-site residential buildings may provide little or no protection to neighboring yards. Depending on how far a neighboring home is setback from its own property line, the proposed setback requirement could allow a hen enclosure to be placed right at the property line. For example, if my rear yard directly abuts my neighbor's rear yard and my neighbor's house is 20 feet from our common property line, the Hen Ordinance would allow the neighbor to place an enclosure with eight hens right at the property line. In this scenario, while my home arguably would be protected, to some extent, by the 20-foot setback requirement, my backyard would enjoy no such protection. In fact, virtually any use of my backyard, such as a barbeque, children playing, or gardening likely would put my family just feet (possibly inches) away from my neighbor's hens. This is problematic, because the closer people get to a hen enclosure, the more they will be exposed to their negative impacts, including the risk of disease transmission, odor, and noise.

One way to address this concern would be to add an additional setback requirement measured from the hen enclosure to the property line, which would better protect neighboring properties by ensuring that the hen enclosure is kept an appropriate distance from neighboring yards.⁵⁴ This setback approach is used by four of the six municipal hen ordinances surveyed in Table 2—Fresno, Modesto, San Diego, and Anaheim. In fact, the July 19, 2020 Administrative Report from the Development Services Director to the Mayor and City Council identified “setback of animal enclosure [from the] property line” as a restriction that the City Council should have considered including in the Hen Ordinance. We recommend this issue be considered for an amendment to the ordinance.

One possible approach would be to establish a minimum property line setback for hen enclosures that matches the existing R-1 Zone setback requirement of 25 feet or 20% of the depth of the lot, whichever is less.⁵⁵

The Bakersfield Association of REALTORS® believes that the setback requirement from off-site residential buildings is not sufficient to protect neighboring properties and residents from the negative impacts of backyard hens, including the potential for disease transmission, odor, and noise. The Association urges the City Council to amend the Hen Ordinance to include a requirement that hen enclosures also be setback a minimum distance from the rear and side property lines, as many other California cities have done. We also recommend that the City use the existing R-1 Zone setback requirement of not less than 25 feet or 20% of the depth of the lot, whichever is less as the basis for establishing a minimum property line setback for hen enclosures.⁵⁶

⁵⁴ *Illegal Fowl: A Survey of Municipal Laws Relating to Backyard Poultry* at 22.

⁵⁵ Zoning Code § 17.10.060.

⁵⁶ *Id.*

Issue: The adopted odor and noise standards of Section 6.09.060 are subjective and vague.

Section 6.09.060 of the Hen Ordinance requires that “hen manure, hen odor, or other hen related substances shall not be perceptible beyond the property boundaries such that it would cause *discomfort or disturb* persons.”⁵⁷ It also requires that hen noise “not be loud enough” to cause “*discomfort or annoyance*” beyond the property boundaries.⁵⁸ While these odor and noise standards presumably are intended to protect neighboring residents from the potential negative impacts of hens, they are arguably so subjective and vague that they are essentially unenforceable. Questions about whether a particular odor or noise causes “discomfort” or “disturbs” or “annoys” a person are entirely subjective – what one person may find annoying may not bother another person at all. Additionally, Section 6.09.060 lacks any objective standards for determining whether a particular odor or noise causes discomfort or disturbs or annoys, leaving it unclear how the City would decide what constitutes an odor or noise violation under the Hen Ordinance. This may quickly result in wasted City staff time responding to code compliance complaints that cannot be resolved. As a practical matter, these standards would be very difficult to enforce in a consistent way across the City.

The lack of clarity and certainty in the adopted odor and noise standards leaves Section 6.09.060 subject to arbitrary and discretionary interpretation, application, and enforcement because it leaves hen owners, neighbors, and City staff guessing as to whether the odor from the hen coop at a particular property causes discomfort or disturbs persons, or what level of hen noise reasonably causes discomfort or annoys. As a result, Section 6.09.060 may be susceptible to challenge under the “void for vagueness” doctrine, which is rooted in the procedural due process clause of the Fourteenth Amendment to the U.S. Constitution. A recent California case states that a statute or ordinance is unconstitutionally vague if it “either forbids or requires the doing of an act in terms so vague that [people] of common intelligence must necessarily guess at its meaning and differ as to its application.”⁵⁹

The Bakersfield Association of REALTORS® believes that the odor and noise standards of the Hen Ordinance are so subjective and vague that they are unenforceable as a practical matter. We must also point out that whether a particular level and type of noise or odor causes discomfort or is disturbing or annoying is not an objective standard and would lead to inconsistent interpretation and application. The Association would like to know whether the City has considered the risk that enforcement actions under Section 6.09.060 may be vulnerable to challenge under the “void for vagueness” doctrine.

⁵⁷ Hen Ord. § 6.09.060.A (emphasis added).

⁵⁸ Hen Ord. § 6.09.060.B (emphasis added).

⁵⁹ *People v. Superior Court (J.C. Penney Corp., Inc.)*, 34 Cal.App.5th 376, 399 (2019).

Issue: The Hen Ordinance has not undergone an environmental review process under the California Environmental Quality Act.

One of the concerns raised by the Bakersfield Association of REALTORS® in previous comments on this subject, is that the Hen Ordinance has not undergone an environmental review under the California Environmental Quality Act (“CEQA”). The purpose of CEQA review is to provide decisionmakers with information about environmental impacts of proposed projects prior to granting approval and to allow the public adequate time to comment on the impacts of proposed changes in their community.⁶⁰ Proposed amendments to zoning ordinances are among the types of public agency actions that are subject to review under CEQA.⁶¹ This is because a zoning ordinance can result in a reasonably foreseeable change in the environment caused by the conduct or activity that the zoning ordinance proposes to permit.⁶² This concept was recently reaffirmed by the California Supreme Court.⁶³

The backyard hen ordinances adopted by other California cities have undergone CEQA review. For example, before its city council reviewed and voted on an ordinance permitting the keeping hens in residential zoning districts, the City of La Mesa did a CEQA review.⁶⁴ During the initial study process, La Mesa determined that the proposed hen ordinance would not have an impact or would have a less than significant impact on aesthetics, air quality, land use and planning, noise, and other environmental considerations.⁶⁵ After conducting an initial study in compliance with CEQA, the La Mesa Planning Commission concluded that the proposed hen ordinance did not have the potential to create significant adverse impacts to the environment and prepared a Negative Declaration for the City Council’s consideration and adoption.⁶⁶

Other examples of recently adopted backyard hen ordinances that also were subject to an initial study under the CEQA include Placer County⁶⁷ and the City of Santa Rosa.⁶⁸

⁶⁰ “CEQA Basics,” California Office of Historic Preservation (available online at https://ohp.parks.ca.gov/?page_id=21721).

⁶¹ See CEQA § 21080(a).

⁶² *Union of Med. Marijuana Patients, Inc. v. City of San Diego*, 7 Cal. 5th 1171 (2019) (finding that a proposed zoning amendment to allow for marijuana dispensaries in the City was a “project” that triggered CEQA review since it was foreseeable that the ordinance could cause indirect physical changes to the environment due to the potential for new construction.)

⁶³ *Id.*

⁶⁴ See “Environmental Initial Study Domestic Poultry General Plan and Zoning Ordinance Amendment” (available at <http://www.cityoflamesa.us/AgendaCenter/ViewFile/Item/4459?fileID=10528>).

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ Placer County adopted a Negative Declaration under the CEQA based on a finding that the proposed ordinance would not have a significant adverse effect on the environment. See https://www.placer.ca.gov/DocumentCenter/View/11684/bosd_110208_03_p3_p154-PDF.

⁶⁸ City of Santa Rosa hen ordinance reviewed in compliance with the CEQA. See <http://www.westernfarmcenter.com/wp-content/uploads/2015/07/santa-rosa-city-chicken-ordinance-3994.pdf>.

There is no indication that the City of Bakersfield did a CEQA analysis of the adopted Hen Ordinance. Neither the text of the Hen Ordinance nor the supporting materials prepared by City staff, including the City Attorney's September 4, 2020 memorandum and the Administrative Report on "Urban Hens" dated July 19, 2020, contains any mention of a CEQA study having been done in connection with the Hen Ordinance.

The Hen Ordinance is a zoning ordinance that arguably has the potential to cause a direct or indirect physical change to the environment. Other municipalities considering the adoption of similar hen ordinances have conducted an initial study in compliance with CEQA before adopting their ordinance.

We urge the Council to repeal the Hen Ordinance and conduct a study to determine whether an Environmental Impact Report (EIR) or a Negative Declaration should be prepared, before bringing another proposed ordinance to your Council for consideration. In addition, we recommend that *if* a new proposed ordinance is brought back before your Council after a CEQA analysis, it be done in a manner that allows for adequate public participation. One of the previous issues the Bakersfield Association of REALTORS® had with the current ordinance is that it underwent a rushed public process, during a time when the public had limited access to participate in the public hearings.

In short, we believe this is first and foremost a zoning issue and should be treated as such, including setbacks that would be measured from the property line rather than from the location of an offsite residential building. We also believe the proposed standards for regulating noise and odor generated by hens are too subjective and would be difficult to enforce, leaving the City vulnerable to challenges. The fact that the Ordinances will potentially impact over 85,000 properties and over 200,000 residents is reason to require a full CEQA analysis, which has not been completed for this matter.

On behalf of our Associations' leadership and members, we thank you for your leadership and consideration of our feedback on this matter. Given the concerns raised, we urge the Council to repeal or amend the ordinance per the above recommendations.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Newport", with a stylized, cursive script.

Ronda Newport
President, Bakersfield Association of REALTORS®

From: [bakersfield mayor](#)
To: [Jenifer Pitcher](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Bakersfield Association of REALTORS Comments on Item 8 F on City Council Agenda 2-3-2021
Date: Monday, February 1, 2021 6:12:12 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Jenifer,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Jenifer Pitcher [mailto:jenifer@bakersfieldrealtor.org]

Sent: Monday, February 1, 2021 11:58 AM

To: City_Clerk <City_Clerk@bakersfieldcity.us>; Eric Arias <ariaseric7@gmail.com>; PD-PIO Council Member Gonzalez <andraeg3000@gmail.com>; ken@weircpa.com; Robert Smith <Bob@smithtechusa.com>; Bruce Freeman <freebmorton@yahoo.com>; Patty Gray <patty@dreammakerbakersfield.com>; PD-PIO Council member Chris Parlier <chrisparlier@sbcglobal.net>; bakersfield mayor <mayor@bakersfieldcity.us>

Cc: Christian Clegg <cclegg@bakersfieldcity.us>; Virginia "Ginny" Gennaro <vgennaro@bakersfieldcity.us>; Kim Huckaby <kim@bakersfieldrealtor.org>

Subject: Bakersfield Association of REALTORS Comments on Item 8 F on City Council Agenda 2-3-2021

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh and Members of the City Council,

I would like to respectfully submit the attached comment letter from the Bakersfield Association of REALTORS in regards to the Rescission of the Backyard Hen Ordinances (agenda item 8F) on the February 3 Bakersfield City Council Agenda.

Thank you for the opportunity to comment on this item. If you have any questions or concerns, please contact me at 661-331-0484.

Thank you.

Sincerely,

Jenifer Pitcher

Bakersfield Association of REALTORS

2300 Bahamas Dr.

Bakersfield, CA 93309

P|661.635.2052 F|661.405.0020 C|661.331.0484

From: [Jennifer Clayton](#)
To: [City Clerk](#)
Subject: Oppose Rescinding the Chicken Ordinance
Date: Saturday, January 30, 2021 7:21:49 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

We strongly oppose rescinding the reasonable and fair chicken ordinance that was passed by the City Council last year. To allow an anonymous group and meritless lawsuit to bully the Council into rescinding this ordinance sets a precedent that the people of Bakersfield can not trust their elected City Council members to support them. This ordinance was written and passed in good faith and people believed that our council, who represents us, would continue to support it.

Please do not vote to rescind this ordinance.

Sincerely,
Jennifer Clayton

From: [Jennifer Constantine](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 4:39:19 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I've been following with interest the details of the hen ordinance. I am opposed to you rescinding the ordinance. I also would not like to see city dollars used to pay the attorney fees of the group who is opposed. This issue was decided.

Thank you,

Jennifer Constantine

--

Jen Constantine Jennconstantine@gmail.com 661-619-2504

From: [Jennifer Kirstine](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Saturday, January 30, 2021 9:45:16 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

Soli Deo Gloria

From: [bakersfield mayor](#)
To: [Jennifer Kirstine](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Oppose rescinding hen ordinance (Jennifer Kirstine)
Date: Sunday, January 31, 2021 11:16:09 PM

Good evening, Ms. Kirstine,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Jennifer Kirstine [<mailto:jennkirstine@gmail.com>]
Sent: Saturday, January 30, 2021 9:49 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Oppose rescinding hen ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

Soli Deo Gloria

From: [Jennifer Leflar](#)
To: [City Council](#); [City Clerk](#)
Subject: Oppose Rescinding Backyard Hen Ordinance
Date: Sunday, January 31, 2021 5:08:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

From: [Jennifer Phillips](#)
To: [City Clerk](#)
Subject: Regarding hens
Date: Monday, February 1, 2021 11:28:13 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support back yard hens ! Thank you

Name: Jenny Sanchez

Number: (661) 348-1667

Message: I am calling to support the backyard hens. I believe people should have the freedom to have these special animals with the benefit of eggs, responsibility and reliability.

From: [Jeremy Doyle](#)
To: [City Clerk](#)
Subject: Chickens
Date: Saturday, January 30, 2021 9:00:48 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I have been a resident of Bakersfield since 2003. I love this city. I love raising my family here. It is a farm land and I would love to have a few chickens in my yard so that my kids can learn how to take care of them. Please pass the chicken ordinance and let us have just a few.

Thanks,

Sent from my iPhone
Jeremy Doyle

From: [Jessica Cadena](#)
To: [City Clerk](#)
Subject: City Hen Ordinance
Date: Saturday, January 30, 2021 11:17:34 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Jessica Cadena

From: [Jessica Regal](#)
To: [City Clerk](#)
Subject: Oppose the rescinding of the hens ordinance
Date: Monday, February 1, 2021 11:12:08 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the rescinding of the hens ordinance. My children are interested in caring for hens, raising them and enjoying the eggs produced. Do not rescind the ordinance for hens; they are beneficial for gardens, educational and allow for some home-grown protein for families. Hens are not loud and can be kept contained in coops. The residents want this ordinance and have asked for it for years.

Thank you for your attention to this matter and for respecting the wishes of many families who would like to raise a few hens.

Jessica Champlin
Bakersfield Resident

From: [Jessie Fowler](#)
To: [City Council](#)
Subject: Backyard Hen initiative
Date: Sunday, January 31, 2021 10:19:10 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Sincerely,

Jessica Fowler

From: [Jill Burdick](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 10:59:46 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I oppose the city council rescinding the hen ordinance.

Sent from my iPhone

From: [Jocelyn Wolter](#)
To: [City Clerk](#)
Subject: I SUPPORT BACKYARD HENS
Date: Monday, February 1, 2021 8:30:46 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Evening,

Please stand your ground and respect the decision that was originally passed. Stand behind moving forward with the backyard hen ordinance. Do NOT bend to the threats of a few nameless cowards. Show them that the council sticks to its word. I know many people have sent fact, etc. of why you should approve backyard hens. Hens have many helpful benefits that outweigh any negative. I know several people in the neighborhood with hens, they have never caused any issues. I support my neighbors in their hobby, they should not have to live in fear of losing pets that are like family members.

BAKERSFIELD CITIZENS SUPPORT THE HEN ORDINANCE!!!

Thanks,
Jocelyn

From: [City Clerk](#)
To: jcoronado@tdhintl.net; [City Clerk](#)
Subject: RE: Feb. 3 - City Council Comment
Date: Tuesday, February 2, 2021 11:21:14 AM

Dear Johanna Coronado,

The City of Bakersfield prepares Action only minutes which only reflect the decisions, votes and referrals made by the Councilmembers and none of the discussions. We also include a brief summary of each public comment received.

Regards,

Julie Drimakis, CPMC, CMC | City Clerk
City of Bakersfield
email: jdrimakis@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3073

-----Original Message-----

From: jcoronado@tdhintl.net <jcoronado@tdhintl.net>
Sent: Tuesday, February 2, 2021 11:05 AM
To: City_Clerk <City_Clerk@bakersfieldcity.us>
Subject: Feb. 3 - City Council Comment

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City Clerk,

I want to bring to your attention that the City Manager's statement concerning Ms. Macias' January 20th public statement on sidewalks was not included in the minutes.

This is what the City Manager stated in both English and Spanish:

English: "We will do so."

Spanish: "Lo haremos."

I will appreciate your consideration on this matter.

Best,

Johanna Coronado

--

Johanna Coronado
Public Affairs Associate
TDH Associates International
Email: jcoronado@tdhintl.net

From: jcoronado@tdhintl.net
To: [City Clerk](#)
Subject: Feb. 3 - City Council Comment
Date: Tuesday, February 2, 2021 11:05:19 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City Clerk,

I want to bring to your attention that the City Manager's statement concerning Ms. Macias' January 20th public statement on sidewalks was not included in the minutes.

This is what the City Manager stated in both English and Spanish:

English: "We will do so."

Spanish: "Lo haremos."

I will appreciate your consideration on this matter.

Best,

Johanna Coronado

--

Johanna Coronado

Public Affairs Associate

TDH Associates International

Email: jcoronado@tdhintl.net

From: [John Franke](#)
To: [City Clerk](#)
Subject: Right to Backyard Hens
Date: Saturday, January 30, 2021 6:37:39 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can

Sincerely,
A chicken advocate

From: [John McCoy](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Subject: Support Backyard Hens!
Date: Tuesday, February 2, 2021 9:37:05 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Sincerely,

John McCoy

From: [bakersfield mayor](#)
To: [John McCoy](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support Backyard Hens!
Date: Tuesday, February 2, 2021 3:56:43 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Mr. McCoy,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: John McCoy [mailto:johnmccoy1998@gmail.com]

Sent: Tuesday, February 2, 2021 9:37 AM

To: City_Clerk <City_Clerk@bakersfieldcity.us>; City_Council <City_Council@bakersfieldcity.us>;
bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Support Backyard Hens!

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The

process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Sincerely,

John McCoy

Name: John Vanauken

Number: (661) 747-4277

Message: This is about keeping hens in backyards in Bakersfield. My daughter has chickens but she lives on a farm. If anybody says chickens are quiet and clean if taken care of properly, is lying. They're always squabbling and fighting over food. They molt, fly and wander wherever they want. Have you got enough code enforcers to remove roosters because they'll never stop crowing? My name is John Vanauken. 8908 Bakersfield, California. Thank you.

From: [Jonathan Hawes](#)
To: [City Clerk](#)
Subject: Public comment for next city council meeting
Date: Tuesday, February 2, 2021 9:43:22 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good evening. My name is Jonathan Hawes. I served as El Monte City Clerk from 2013 to 2018. Since 2015 I have been a whistleblower on Andre Quintero and Team El Monte's embezzlement of \$10 million from the El Monte Promise Foundation scholarship fund. I have interviewed dozens of El Monte residents who have privately confirmed that Promise funds were used for fraudulent trips to Vietnam and Haiti, a bogus consultant in Salt Lake City, house repairs, and other criminal activities. I have myself been interviewed by the FBI about two dozen times. Documents proving the embezzlement have been submitted to the FBI and the District Attorney's Office and are now available to the public online (https://drive.google.com/file/d/1v434alh1dkikaj4TCNZLMsZkhfmtA8f/view?usp=drive_web). I am asking the Bakersfield City Council to call out these crimes and protect the vulnerable residents of one of the poorest cities in southern California. El Monte children, who should've been provided with college scholarships, were robbed. Andre Quintero and Team El Monte members must go to prison. If you have any questions, please call or text me at (626) 863-2149. Thank you.

Name: Jordan Kennedy

Number: (661) 979-0338

Message: I support backyard hens and the right to use your own property in a way that is reasonable, safe and enhances quality of life experience for families. Thank you for honoring your already-passed City ordinance. Jordan Kennedy. This is a general public comment.

From: [Jorge Talabong](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 2:11:18 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens in Bakersfield. Thank you.

Jorge Talabong
661-778-9340

From: [Virginia "Ginny" Gennaro](#)
To: [Joshua Lewis](#)
Cc: [Julie Drimakis](#)
Subject: Re: hen ordinance
Date: Monday, February 1, 2021 12:26:29 PM

Thank you Mr. Lewis for the email.

By cc to the City CLerk, I am asking her to make your comment part of the public statements and official record of Wednesday's Council meeting.

Sent from my iPad

On Feb 1, 2021, at 10:57 AM, Joshua Lewis <joshuallewis@gmail.com> wrote:

**Warning: This email originated from outside the City of Bakersfield.
Think before you click!**

Dear Ms. Gennaro,

I respectfully ask that you stand by the council's decision to allow backyard hens. Regardless of how one feels about the issue, this is now much bigger than mere chickens. I am all for people pursuing wealth but the depth of one's pockets should not afford them an inflated voice in the political process. Do we really want a Beverly Hills lawyer coming to town at the behest of a few angry and wealthy men? This is a horrible precedent. On Wednesday you have an opportunity to demonstrate what the political process should be and stand up to those who would undermine it. Please...do the right thing.

All the best,
Joshua Lewis

Sent from [Mail](#) for Windows 10

From: [bakersfield mayor](#)
To: [Joshua Lewis](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: hen ordinance
Date: Monday, February 1, 2021 10:59:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning, Mr. Lewis,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Joshua Lewis [mailto:joshuallewis@gmail.com]

Sent: Monday, February 1, 2021 10:56 AM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: hen ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh,

I respectfully ask that you stand by the council's decision to allow backyard hens. Regardless of how one feels about the issue, this is now much bigger than mere chickens. I am all for people pursuing wealth but the depth of one's pockets should not afford them an inflated voice in the political process. Do we really want a Beverly Hills lawyer coming to town at the behest of a few angry and wealthy men? This is a horrible precedent. On Wednesday you have an opportunity to demonstrate what the political process should be and stand up to those who would undermine it. Please...do the right thing.

All the best,
Joshua Lewis

Sent from [Mail](#) for Windows 10

From: JPHampton@bak.rr.com
To: [City Clerk](#)
Subject: Oppose The Rescinding of the Bakersfield Hen Ordinance
Date: Monday, February 1, 2021 12:00:31 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

My name is JP Hampton and I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Please do what is right and uphold the democratic process. Bakersfield is a leader in agriculture, so let's show it.

JP Hampton

From: [J'Resah Keeney](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 11:45:53 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.
Thanks,

J'Resah Keeney
Daughter of God
Grateful Believer in Jesus

From: [jtarula627](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Sunday, January 31, 2021 4:32:39 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens!

Sent from my T-Mobile 4G LTE Device

From: [Julia Castillo](#)
To: [City Clerk](#)
Subject: In favor of chicken ordinance
Date: Sunday, January 31, 2021 7:58:48 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am in favor of keeping the recently passed backyard hen ordinance. Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Thank you,
Julia Castillo

From: [Justin Ader](#)
To: [City Clerk](#)
Subject: oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 10:56:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Soli Deo Gloria,

Justin K. Ader

Rejoice in hope, be patient in tribulation, be constant in prayer.
- Romans 12:12

From: [Kailan Carr](#)
To: [City Clerk](#); [City Council](#)
Subject: Opposition for rescinding hen ordinance
Date: Monday, February 1, 2021 11:43:31 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I oppose rescinding the hen ordinance that was fairly and legally voted on and approved in October.

19 out of 35 cities in CA use the common sense CEQA exemption for backyard hens and 35 cities allow hens and no full "environmental review" has ever been done.

Hen supporters of Bakersfield are willing to work toward modifications on the ordinance.

This has become more about the democratic process than hens. This anonymous party is trying to strong arm the council and it will set a detrimental precedent for the future.

There IS legal precedent for the city to fight the case. Please support the many families who choose to have hens (again, not even roosters) so they can collect their own eggs.

Kailan Carr

From: [Kara Flockton](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Saturday, January 30, 2021 5:50:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I am in favor of being allowed to choose for myself whether or not I want to raise hens for eggs. As a resident of the city of Bakersfield, at 11310 Pacific Shores Dr, I am asking you to allow city residents the option of raising hens if they so choose. Bakersfield has long supported self sufficiency and this is exactly that. Do the right thing for the people of our city and continue to allow us this choice.

Sincerely,

Kara Flockton
661-706-8911

From: [Karen Ash](#)
To: [City Council](#)
Subject: Hen Ordinance
Date: Sunday, January 31, 2021 2:12:06 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Attention Bruce Freeman,

This email is regarding my initial opposition to the Hen Ordinance which is now being resubmitted for the Council's review due to the fact that thousands of property owners/home owners were not informed and had no knowledge that this was up before the board in November of 2020. The council took it upon themselves to vote on this and now it's up for reconsideration.

I'm still opposed to this ordinance and have submitted a list of homeowners that are opposed to this ordinance also (2 images with names attached). If I had more notice, I could have submitted an even longer list of people in opposition of this issue.

In fact, 2 council members, Jacquie Sullivan and Willie Riviera, were not seeking reelection and their terms were up within 3 months and should not have voted on this issue for their constituents. Plus, Jackie Sullivan lived in a gated community and should have abstained from voting since it would not impact her residence.

The majority of property owners should have been surveyed and notified by mail.

Please vote to rescind this ordinance!

Sincerely,
Karen Ash
661-835-7837
7400 Eliso Court
Bakersfield, CA
93309

From: [Karen Crawford](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Sunday, January 31, 2021 6:16:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please, no hens allowed in Bakersfield.

I have emailed the Council a few times with my concerns.

I grew up with chicken next door. They are noisy, it smells, and the flies are horrendous. Could not enjoy outside with the summer months being the worst.

Karen Crawford
karen.crawfordy63@gmail.com

From: [Karen Welch](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Monday, February 1, 2021 8:29:39 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it may concern, This is in my support for the backyard hen initiative that will be up for recension at the February 3rd meeting. I am asking that the council upholds its obligation with the previous ordinance that was fairly and legally passed. It is only right that the city upholds it's previous vote against this silly lawsuit. There is no basis for this lawsuit since we were exempt from CEQA "common sense waiver" and this is a terrible manipulation of the environmental protection law. Please, uphold the ordinance and uphold vote for November 2020 for legalizing hens for city residents. Thankyou

Sincerely, Karen Welch

Sent from my iPhone

From: [Karla Herrboldt](#)
To: [City Council](#)
Subject: Against Backyard Hens in Bakersfield city
Date: Monday, February 1, 2021 12:45:16 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I was raised on a farm and I have experience with the chicken manure, disease, smell and work it takes to maintain chickens. This should not be allowed in Bakersfield city backyards. Backyards are too small and we do not have enough City personnel to oversee those who do not respect their neighbors and maintain their animals. Poultry mites/ticks are an example of this concern and may spread to humans and pets or other animals. My husband and I live in the city of Bakersfield - Laurel Glen and do not want backyard hens in our neighborhood.

Thank you.
Karla Herrboldt

From: [Katherine Winters](#)
To: [City Clerk](#)
Subject: Backyard chickens
Date: Monday, February 1, 2021 1:13:07 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am in FULL support of people having the right to own their own chickens within the city limits.

I will not support or vote in the future for any city council members who try to stop the residents from owning backyard chickens.

--

Namaste,

Katherine G Winters

www.samsarawellnesscenter.com

www.whitewolfwellness.org

773.710.3518

The most common way people give up their power is by thinking they don't have any.

-Alice Walker

From: [Kathy SansSoucie](#)
To: [City Council](#)
Subject: Hen ordinance
Date: Saturday, January 30, 2021 9:01:27 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to rescinding the hen ordinance and ask that you do not cower to the threats of a Beverly Hills lawyer and their anonymous clients.

The ordinance was passed and should have gone into effect in November.

Please do the right thing and stand by the original decision.

Thank you

Kathleen SansSoucie

Sent from my iPad

From: [bakersfield mayor](#)
To: [Kathy SansSoucie](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: website email (Backyard Hens - Kathleen SansSoucie)
Date: Sunday, January 31, 2021 11:32:50 PM

Good evening, Ms. SansSoucie,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Kathy SansSoucie [<mailto:kgsans@gmail.com>]
Sent: Saturday, January 30, 2021 8:45 AM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: website email

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh,

I am writing to let you know I oppose the rescinding of the hen ordinance.

It saddens me that this ordinance was voted on twice and passed each time to then not go into effect because of a threat(bullying) by a Beverly Hills lawyer representing an anonymous group.

We have seen enough of these tactics on the Federal & State level and hope that you and the council members will stand by your original decision.

Thank you for your time.

Kathleen SansSoucie

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Fwd: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:57:14 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:45:16 PM PST
To: City_Council@bakersfieldcity.us
Subject: Please! No chickens in the City.

Mr. Ken Weir

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

Please take into consideration, everything that is written above, before you vote for chickens in the city.....Just think really hard to yourself how much you would like to look at a chicken coop in your backyard everyday.

Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Fwd: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:57:09 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:45:16 PM PST
To: City_Council@bakersfieldcity.us
Subject: Please! No chickens in the City.

Mr. Bruce Freeman

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

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Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Fwd: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:54:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:52:22 PM PST
To: City_Council@bakersfieldcity.us
Subject: Fwd: Please! No chickens in the City.

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:45:16 PM PST
To: City_Council@bakersfieldcity.us
Subject: Please! No chickens in the City.

Mr. Chris Parlier

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with

family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

Please take into consideration, everything that is written above, before you vote for chickens in the city.....Just think really hard to yourself how much you would like to look at a chicken coop in your backyard everyday.

Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Fwd: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:52:26 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:45:16 PM PST
To: City_Council@bakersfieldcity.us
Subject: Please! No chickens in the City.

Mr. Bob Smith

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

Please take into consideration, everything that is written above, before you vote for chickens in the city.....Just think really hard to yourself how much you would like to look at a chicken coop in your backyard everyday.

Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Fwd: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:50:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from my iPad

Begin forwarded message:

From: CHawks <2pc4me@reagan.com>
Date: February 1, 2021 at 2:45:16 PM PST
To: City_Council@bakersfieldcity.us
Subject: Please! No chickens in the City.

Mr. Eric Arias

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

Please take into consideration, everything that is written above, before you vote for chickens in the city.....Just think really hard to yourself how much you would like to look at a chicken coop in your backyard everyday.

Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [CHawks](#)
To: [City Council](#)
Subject: Please! No chickens in the City.
Date: Monday, February 1, 2021 2:45:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mrs. Patty Gray

We do not want to have chicken coops & chickens in our Northwest neighborhood.

We have lived with this situation before and it was not pleasant. After months of complaining to code enforcement it was finally dismantled. Needless to say it did not make for a good neighbor situation. When we go into our backyard to enjoy our beautiful surroundings we do not want to see ugly chicken coops, smell poop, deal with more flies and listen to chicken noise. I know that you probably live in a very nice area, so I would like for you to go out into your backyard and think about what it would look like if you had a couple of neighbors with a chicken coop with chickens. I don't think you will like what you visualize, it will not be a pretty site or smell. You will also be embarrassed to have get togethers with family and friends outside. We have a big investment in our property and love our beautiful home & neighborhood.

Please take into consideration, everything that is written above, before you vote for chickens in the city.....Just think really hard to yourself how much you would like to look at a chicken coop in your backyard everyday.

Please call anytime if you would like to discuss this further.

Kathy Hawks
9711 Anaparno Court
Bakersfield, CA 93312
Phone # 391-8722

Sent from my iPad

From: [Katie Cerda](#)
To: [City Clerk](#)
Subject: Urban Hen Ordinance
Date: Saturday, January 30, 2021 5:32:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

My name is Katie Cerda, I am a resident of Bakersfield, and have been all my life. I am writing this email on behalf of myself and my local residents in opposition to the rewriting of the Urban Hen Ordinance. We as homeowners should be allowed to have hens raised on our property.

Thank you, Katie Cerda.

From: [Katie Copeland](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 1:46:36 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I'm writing to voice my support for the hen ordinance which passed with a majority vote back in October. This is a meritless lawsuit that will set a precedent for future lawsuits which will cost the city more money. It is common practice to use the CEQA or common sense exemption. At least 19 other counties in California have use the exemption. I am also opposed to the city council paying for the opposition's legal fees based on such meritless claims. I believe the city council should stand by their original vote and ensure that the small percentage of Bakersfield residents who want hens can continue to raise them legally.

Thank you,
Katie Copeland

From: [bakersfield mayor](#)
To: [katie karsan](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Please have a law/ordinance letting Bakersfield residents keep chickens with no rooster. I am in favor of the legally amended ordinance to have them. Thank You Sincerely Kay Till (Kay Till - Katie Karsan)
Date: Tuesday, February 2, 2021 4:31:31 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Till,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm. (Clerk: Correspondence is in the email subject line)

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: katie karsan [mailto:katiekarsan@yahoo.com]

Sent: Tuesday, February 2, 2021 7:36 AM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Please have a law/ordinance letting Bakersfield residents keep chickens with no rooster. I am in favor of the legally amended ordinance to have them. Thank You Sincerely Kay Till

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Sent from [Mail](#) for Windows 10

From: [Keith Shotts](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Sunday, January 31, 2021 6:36:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens for residential single family homes. The city council should stand by the decision they previously took to support the ordinance. Keith Shotts

From: [Kelly Kasperowicz Castruita](#)
To: [City Clerk](#); [City Council](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 9:33:01 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Thank you for your time,
Kelly Castruita

Sent from my iPhone

From: [Kelsey Doyle](#)
To: [City Clerk](#)
Subject: Chickens
Date: Sunday, January 31, 2021 6:31:40 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello! I just wanted to send a quick email to say that our family is hoping to be able to own chickens in the city of Bakersfield soon. Our son especially would love to have them as pets as soon as possible. Thank you for your consideration with this!

-Kelsey

From: [Kevster Lugster](#)
To: [City Clerk](#)
Subject: Public Statement Council Meeting 2/3/2021
Date: Saturday, January 30, 2021 12:26:12 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing to advocate for the Backyard Hens movement. I oppose resending the ordinance and believe the decisions made last summer should be upheld.

From: [Kim Chaney](#)
To: [City Clerk](#)
Subject: Chicken ordinance
Date: Saturday, January 30, 2021 7:50:32 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am sending you this email asking you to please NOT overturn the city ordinance allowing homeowners to raise chickens in their backyards! Please do not let a small group of people ruin it for those of us who would enjoy having our own little flock running around the pen & providing us with fresh eggs! I live downtown & owning chickens is a part of the downtown culture! Please do not give in to this group who oppose the ordinance. Thank you!

Kimberly Chaney

Sent from my iPhone

From: [bakersfield mayor](#)
To: [Kim Ouska](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#); [Virginia "Ginny" Gennaro](#)
Subject: RE: Hen Ordinance and CA Department of Interior statement (Kim Ouska)
Date: Sunday, January 31, 2021 11:02:02 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Ms. Ouska,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Kim Ouska [mailto:kim.ouska@gmail.com]
Sent: Thursday, January 28, 2021 7:22 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>; City_Council <City_Council@bakersfieldcity.us>
Subject: Hen Ordinance and CA Department of Interior statement

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council and other city officials,

I am writing today because I would like my family's opinion and the research I have found to be read and considered when the council makes their decision about the hen ordinance and the potential lawsuit that might be coming. We ask for more time and more research to be done before deciding a future of the backyard hen ordinance.

I am including a link to a statement from California Interior Health with regards to backyard hens. I will quote the most important line from the document, "Thus, Interior Health neither supports, nor is opposed to, allowing backyard chickens within municipal boundaries, if appropriate protocols are in place and enforced." Based on this statement, our city council would be safe in using the "common sense" exemption from conducting a SEQA study.

<https://www.interiorhealth.ca/YourHealth/HealthyLiving/FoodSecurity/Documents/Food-UrbanHens.pdf>

In addition, in all of my research, I have not found even one California City that has performed an Environmental Impact Report in order to approve backyard hens. Many cities have approved their own backyard hen ordinances using the same exemption the council has already stated. The current precedent stands with the previous decision to approve the ordinance.

I did find one city in Oregon that performed an environmental study. To summarize, their study did approve the backyard hen ordinance with specific stipulations. Here is a quote from page 4 of this study "1.4 RECOMMENDATION After considering the impacts of the three options, the preferred course of action is the Alternative Action Number One. We developed this alternative as a compromise between environmental degradation and important community values. After completing this EIA, we feel that the stipulations of this ordinance mitigate environmental impacts enough that the implementation of Alternative Ordinance Number Two, completely banning chickens, is unnecessary."

From pages 1-2, here is what they stipulated in their recommended ordinance "Alternative Ordinance Number One would entail chicken ownership through a new re-structured ordinance, limiting the number of chickens to twenty per acre, requiring that all chickens remain confined, and banning chickens in city limits that are part of the Lake Whatcom Watershed (Appendix 5.1.3). This 2 ordinance emphasizes proper waste management and acknowledges the Critical Areas Ordinance. Full disclosure of chicken ownership would be ensured by mandated permits, which would be obtained through the Whatcom Humane Society. We developed this ordinance based on the Best Management Practices (BMPs) suggested for small farms by the Whatcom Conservation District (WCD). They developed guidelines for small farmers to best mitigate manure impacts generated by chickens. We feel that the restrictions in this ordinance are an appropriate compromise between community values and environmental stewardship. Twenty chickens per acre (or five chickens per quarter acre, which is the average size of a city lot) will allow families to own enough chickens to meet their egg demand, while limiting the amount of manure produced to an amount that can be managed with BMPs."

https://cedar.wvu.edu/cgi/viewcontent.cgi?article=1055&context=huxley_stupubs&fbclid=IwAR1wDVeb9zkoDHTtd477SXEVSUZuM6oDMnVdTVE15-xt13MfKqDPD_OJMjQ

In summary, these resources demonstrate that there is significant reason to believe that the "common sense" SEQA exemption applies to the ordinance of backyard hens in Bakersfield. We implore you to allow us more time to research and produce facts to support the city council's previous decision.

From: [KimberLeigh Womack](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Saturday, January 30, 2021 11:57:03 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

Sent from my iPhone

From: [Kimberly Klaas](#)
To: [City Council](#)
Subject: Oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 9:29:50 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern:

I oppose rescinding the hen ordinance. And frankly the fact that you are letting these people bully you and take control of the council in this way is embarrassing for you. Or at least it should be.

Kimberly Cuhendis-Klaas
415-299-5675 cell

Sent from my iPhone

From: [Kristianna Serrano](#)
To: [City Council](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 9:10:43 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

‘I support the backyard hen ordinance’

From: [Kristina Stone](#)
To: [City Clerk](#)
Subject: City Hen Ordinance
Date: Saturday, January 30, 2021 10:36:32 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing this email in support of equitable opportunity for hen ownership within the city limits of Bakersfield, CA. Though I am not in a position to own hens, I do not support the rescinding of our local hen ordinance and I fully support our local hen community in their journey to become self sufficient homesteads. Denying this opportunity to the entire city is an additional governmental control once again infringing on personal freedoms.

As a taxpaying constituent, I ask that the recent hen ordinance voted in by the counsel remain.

Thank you

Kristina Clark
817 Quail Ln, Bakersfield, CA 93309

From: [Larry Bright](#)
To: [City Clerk](#)
Subject: Council Meeting, Wednesday, Feb 3. Item f (hen ordinance).
Date: Monday, February 1, 2021 11:03:20 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to allowing backyard hens in Bakersfield. R-1 has never allowed hens in backyards in Bakersfield. It is simply not fair to change the rules after the fact.

From: [Larry Brown](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 11:15:33 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I don't agree with the council rescinding the hen ordinance.

Sent from my iPhoneLLB

From: [Leah Carr](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Monday, February 1, 2021 11:51:23 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I oppose rescinding the hen ordinance that was fairly and legally voted on and approved in October.

19 out of 35 cities in CA use the common sense CEQA exemption for backyard hens and 35 cities allow hens and no full "environmental review" has ever been done.

Hen supporters of Bakersfield are willing to work toward modifications on the ordinance.

This has become more about the democratic process than hens. This anonymous party is trying to strong arm the council and it will set a detrimental precedent for the future.

There IS legal precedent for the city to fight the case. Please support the many families who choose to have hens (again, not even roosters) so they can collect their own eggs.

From: leeandgenise@aol.com
To: city_clerk@bakersfieldcity.us <city_clerk@bakersfieldcity.us>
Subject: Backyard Hens
Date: Saturday, January 30, 2021 9:56:19 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello! Please vote to approve Backyard Hens!!! They are fun, clean, quiet, and produce the best tasting eggs! Thank you.

From: [LETICIA PELAYO](#)
To: [City Clerk](#)
Subject: Support backyard Hens
Date: Sunday, January 31, 2021 6:14:14 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern, we support backyard hens. We currently have 5 hens my children would be devastated to have to give them up. Coops are cleaned weekly, no smell, hardly any noise, I have used our chickens to teach my children about responsibility, life, and so many other lessons. During these uncertain times they have become such a huge part of our day and life, They are members of our family and we love them.

Thank you.

Sent from my iPhone

From: [Linda Banducci](#)
To: [City Clerk](#)
Subject: backyard hen ordinance
Date: Tuesday, February 2, 2021 1:21:20 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please no chickens in residential neighborhoods! Several years ago, my sister and her husband had a few chickens on their property. She developed a debilitating illness that left her lethargic and with respiratory issues. After a year or so and many doctors who couldn't determine the cause, one inquired whether she kept chickens or birds. When getting rid of the chickens, she quickly and completely recovered. I found that I also have the allergy to chickens, as does our 3rd sister. The symptoms are severe enough to require medical attention as they affect the respiratory system and cause face, neck, and neck hives. Like many here in Bakersfield, I spend all Spring, Summer, and Fall enjoying backyard barbeques and my pool. I would not be able to do this, and neither would many others who suffer from the same allergies if our neighbors had chickens. I didn't choose to live in a rural area with farm animals. Linda Banducci 7305 Darrin Ave. Bakersfield

Name: Linda Banducci

Number: (661) 399-3227

Message: Linda Banducci, Bakersfield, CA. Please no chickens in residential areas. Several years ago, my sister and her husband had a few chickens on their property. My sister developed a debilitating illness that left her lethargic and with respiratory illnesses. After a year or so, many doctors who couldn't determine the reason for her illness. Finally, one doctor inquired whether she kept chickens or birds. When getting rid of chickens, she quickly recovered completely. I found I also have the allergy to chickens with an experience similar to hers. I spend all spring, summer and fall in my backyard. I would not be able to do this if my neighbors had chickens. Please, no chickens in backyards. Thank you.

From: [lisa chatterton](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Saturday, January 30, 2021 7:44:01 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please support backyard hens

Sent from my iPhone

From: [Lisa Smith](#)
To: [City Clerk](#)
Subject: Chicken ordinance
Date: Sunday, January 31, 2021 7:52:27 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am in favor of keeping the recently passed backyard hen ordinance.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Sent from my iPhone

From: [Lisa](#)
To: [City Clerk](#)
Subject: In favor of chicken ordinance
Date: Saturday, January 30, 2021 6:18:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

The reason for this email is to show my support in favor of the chicken ordinance!

Sent from my iPhone

From: [Lisa](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 12:35:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

From: [Lois Ashe](#)
To: [City Clerk](#)
Subject: Back yard hens
Date: Tuesday, February 2, 2021 4:13:34 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!



I am opposed to you rescinding the backyard hen ordinance. My hens teach my grandchildren responsibility (daily care as well as planning for future events), respect for our food sources, protecting the environment and so many other things.
Lois Ashe

[Sent from Yahoo Mail on Android](#)

From: [lakayes](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 8:33:35 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I have done what I can so let's hope that our voices are heard. I have shared, sent texts, signed and contributed to petitions, left a voicemail and below is my email.

Hears to hoping they do what is right.

Hello,

I am writing this email on behalf of all residents in Bakersfield who support the Backyard Hens Initiative. I am saddened to know that all it takes is a lawsuit with no merit, to cause our City Council to go back on their word. This ordinance was voted for the RIGHT way with a vote, and because an anonymous group decided they are is against it and did not accept the outcome of said vote, the rest of Bakersfield may lose their opportunity to have this element of self sufficiency taken from them forever?

I really cannot understand how this is being entertained by our Council. If we allow this to happen we are allowing our freedoms and our right to be heard, to be taken. We are further proving that the mentality of being "sue happy" is tolerated as well as feared upon without as much as even a full evaluation of the merit.

Hens not only contribute greatly to the well being of homeowners alike, they connect us to our food. They require responsibility, understanding, and teach you how to benefit from your efforts.

In my neighborhood, we have had neighbors with pigeon and dove coops for over 25 years. A few chickens would be no more bothersom and they produce edible eggs.

A few bullies with the means to sue should not control the city.

I sincerely hope that our Council hears our voices and takes their job seriously. Please do your research, know what you're options are, and do not shy away from something that has no merit. If this is revoked I will have no choice but to believe that our Council does not hope for a better, healthier, and more self sufficient City.

Sincerely,
A born and bread Bakersfield Resident

Lori A. Kayes

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

From: dee5876@yahoo.com
To: [City Council](#)
Subject: Chickens
Date: Sunday, January 31, 2021 8:39:00 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I read that you're reconsidering the ordinance to allow chickens. I would like to say to you, YES! Please undo this ordinance.

I raised chickens when I was younger in a semi-rural area with half acre lots. Chickens are more work than people think and can stink up quite a large area if people don't take care of their pens. Chickens are noisy even without roosters. Chickens will attract rats, mice, raccoons, and opossums.

I do not want chickens in my neighborhood! Please do rescind the chicken ordinance.

Thank you for your consideration,

Lori Barnett, Northwest ward.

From: [Lori Park](#)
To: [City Clerk](#)
Subject: OPPOSE RESCINDING backyard hen ordinance
Date: Monday, February 1, 2021 11:59:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I strongly oppose rescinding the backyard hen ordinance at the upcoming meeting. The supporters of this ordinance deserve the council either uphold and defend their prior vote or arrange for mediation between the parties involved. Doing a sudden 180 at the threat of a lawsuit does not seem to support a good democratic process.

Sincerely,
Lori Park

From: [peachesincali28](#)
To: [City Clerk](#)
Subject: hens in the backyard
Date: Saturday, January 30, 2021 10:28:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I have the email addresses that will help in reaching them. This email goes to all the councilmen:

City_council@bakersfieldcity.us

We are also sending emails to our city attorney, mayor and city manager.

City atty :

vgennaro@bakersfieldcity.us

Mayor:

Mayor@bakersfieldcity.us

City manager:

cclegg@bakersfieldcity.us

Thank you so much.

Dear Council Members or Dear Mayor Goh or Dear Ginny Gennaro or Dear Christian Clegg
Just address it to whomever you're sending it to.

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you
(Lori Rodriquez)

Sent from my Verizon, Samsung Galaxy smartphone

From: [Luis Valladares](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 8:42:13 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am writing this letter to lend my full support behind keeping backyard hens. Hens are not a problem when kept properly. When properly maintained, they produce less noise and waste than a dog, yet we do not have any rules against keeping a dog in our backyards. Hens will allow us to teach our kids about raising animals, help us produce our own eggs and cut down on insects like mosquitos, flies and garden eating worms which are favorite foods of the hens. Please do not take away our ability to keep hens in our yards.

Sincerely,

Luis Valladares

Sent from [Mail](#) for Windows 10

From: [Lynda Leopold](#)
To: [City Council](#)
Subject: Hens at Home
Date: Monday, February 1, 2021 9:06:32 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Morning,

I am pleased that the Council is revisiting the hen ordinance. I live on Century Drive and have two neighbors with chickens. At best I am annoyed by the noise. I would encourage you to repeal the ordinance. Not only are the chickens noisy, but they also attract flies and stink.

Thank you,
Lynda K. Leopold

From: [Macario Visto](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 2:30:22 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

Please do not kill the ordinance supporting backyard hens.

Notwithstanding the merits of the lawsuit, we trust in your best judgement as elected officials to tackle the issue the proper way and put forward the interest of the backyard hens community over a few unidentified or anonymous group who oppse the Ordinance.

Macario Visto
661-497-7054

From: [Mackenzie Jordan](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 4:06:30 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.
-MB

Sent from my iPhone

From: [Madison Antonell](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 1:48:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I'm writing in in response to the lawsuit trying to change the city ordinance when it comes to backyard hens. Me and my fellow voters used our voices to be allowed to have access to fresh eggs among other things in a time when going to a store can be less than safe. I do not want to see my right striped away by a few disgruntled citizens that clearly have the money to move if they have the money to bring forth a lawsuit.

Please do not allow this change to be made. We want backyard hens and shouldn't have to face a fine.

Sincerely,
Madison Antonell
10818 Trentadue Dr
Bakersfield, Ca

From: [Dane Jensen](#)
To: [City Clerk](#)
Date: Tuesday, February 2, 2021 11:42:13 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly oppose rescinding the Chicken Ordinance that was passed by the city council last year.

Makenzie Jensen

From: [Mallaurie Vermillion](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Saturday, January 30, 2021 10:32:42 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Mallaurie Vermillion

Sent from my iPhone

From: [Marci Nissen](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 9:08:53 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the City Council's rescinding of the hen ordinance.

Sincerely,
Marci Nissen

Sent from my iPhone

From: [Marci](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Saturday, January 30, 2021 8:47:29 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance!

Marci Scott

From: [Marco Flores](#)
To: [City Council](#)
Subject: Pro Democracy : Chickens
Date: Monday, February 1, 2021 1:12:11 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

The City Council voted to allow the people of Bakersfield raise chickens. May I mention there is a pandemic going on people are broke .

GREAT DEPRESSION BROKE WHILE THE RICH GET RICHER

The people just want to be allowed to to raise chickens to be able to EAT.

Since the stay at home order has been lifted the Governor Newsom then I believe the City Council should have in person meetings with people from the public allowed to sit and watch and speak. This to comply with The Brown Act of California.

Whomever sued anonymously are cowards.

City Council it is common sense to allow the hungry people of Bakersfield to raise chickens.

Be prepared for a huge protests if you do not allow chickens in the city
think BLM

Occupy

Protesters at Kern BOS when they tried banning cannabis use and sales

Marco Antonio R Flores JR

From: marcotapia93@gmail.com
To: [City Clerk](#)
Subject: For backyard hens
Date: Monday, February 1, 2021 5:37:24 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Leave the backyard hens alone! It is not about chickens as much as it is about how people can bully the council into going against their constituents.

Sent from my iPhone

From: [Margaret Hudgens](#)
To: [City Clerk](#)
Subject: Opposed
Date: Tuesday, February 2, 2021 10:51:58 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please accept this email as an official oppose to you rescinding the hen ordinance.

Thank you
Margaret Aguilera
661-303-0890

Sent from my iPhone

From: [Maribelle Guerrero](#)
To: [City Clerk](#)
Date: Tuesday, February 2, 2021 1:38:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Thank you,
Maribelle Guerrero

--

Thank you, Maribelle Guerrero

From: [Mark Perral](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 1:27:02 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens in Bakersfield.

Thank you.

Mark Perral
630-254-7286

From: [Marta Solitaire](#)
To: [City Clerk](#)
Subject: I support Backyard hens
Date: Tuesday, February 2, 2021 12:18:15 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I do not agree with withdrawing the backyard hen ordinance. People can benefit from hens and increase the protein in their diet by producing their own eggs.

Thank you.

Marta Spaeth

From: [Mary Anne Blanchard](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Sunday, January 31, 2021 8:12:18 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning! I am in agreement with the hen ordinance. Backyard hens are essential for many people, fresh eggs for one, teaching children how to care for them, and something to look forward to at the end of a crappie mask wearing day!! They do not make any more noise than the neighborhood dog that barks all day! Please consider voting in favor of the ordinance!! The hens of Bakersfield are counting on you!

Sent from my iPhone

Name: Matt Kennedy

Number: (661) 342-1170

Message: This is a general public comment. I support backyard hens and the right to use your own property in a way that is reasonable, safe and enhances the quality of life experiences for families. Thank you for all honoring the already-passed Bakersfield City ordinance. Matt Kennedy.

From: [Matt Kennedy](#)
To: [City Clerk](#)
Subject: SUPPORT BACKYARD HENS
Date: Sunday, January 31, 2021 10:33:28 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

City_Clerk@bakersfieldcity.us,

My family and I SUPPORT BACKYARD HENS and right to use your own property in a way that is reasonable, safe, and enhances quality of life experiences for families.

Matt Kennedy family

[Sent from Yahoo Mail for iPhone](#)

From: [bakersfield_mayor](#)
To: [Matt Pelishack](#)
Cc: [neverbelacking@gmail.com](#); [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Bakersfield's Chicken ordinance
Date: Monday, February 1, 2021 10:45:11 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good morning, Matt,

Thank you for your email. I do remember your daughters speaking at Council. It's great to see young people engaged in the civic process. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

I'm sorry to hear about the COVID challenges at the station. My prayers are for a speedy recovery. Stay safe!

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Matt Pelishack [mailto:Matt@kaxl.com]
Sent: Monday, February 1, 2021 9:08 AM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Cc: neverbelacking@gmail.com
Subject: Bakersfield's Chicken ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi Mayor Goh! Hope you've been doing well and staying healthy. Half of our small staff at the station got Covid, so I'm holding down the entire station by myself at the moment.

I wanted to add my voice in favor of the chicken ordinance. You may remember my daughters

speaking at the Council meetings last year. I would ask that the city stand strong against the lawsuit. Those in favor of the ordinance all agree to keep reasonable standards in place, as determined by the Council, and in a city based in agriculture, I think it's important.

To be honest, the lawsuit strikes me as being on a very weak premise, and bullyish. I don't think families, especially during a pandemic, should be denied an easy course for sustainability within reasonable guidelines.

I've always trusted our City Council, having the pleasure of getting to know some of them. Since they have already made the approval, I hope they won't allow an anonymous lawsuit bully them into changing their decision.

Thank you for your time Mayor Goh. I really appreciate everything you do!

Matt Pelishek
88.3 Life FM

From: [Matt Pelishack](#)
To: [City Clerk](#); [City Council](#)
Cc: neverbelacking@gmail.com
Subject: Chicken ordinance
Date: Monday, February 1, 2021 9:26:51 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I wanted to add my voice in favor of the chicken ordinance. I would ask that the city stand strong against the lawsuit. Those in favor of the ordinance all agree to keep reasonable standards in place, as determined by the Council, and in a city based in agriculture, I think it's important.

I've always trusted our City Council, and even when I've disagreed in the past, I've seen the reasonable approach the Council has taken to arrive there. In this case, the Council once again earnestly navigated both sides of the issue, and clear due diligence was done, and the decision was made. I hope the Council will stand strong, and not be bullied by an anonymous lawsuit. It undermines the work and wisdom of the Council, as well as the people who have stood up for this cause. I don't think families, especially during a pandemic, should be denied an easy course for sustainability within reasonable guidelines, and they are very open to letting the Council set those guidelines.

In a city supported by farming, where kids are encouraged to raise animals, and when a pandemic is raging, I feel this lawsuit is frivolous, and an attempt to use money to force (due to false, pre-concieved notions) the will of a few over the will of the majority. I feel that allowing a lawsuit to cancel the decision of the Council would indicate that anyone with enough money can change the course of any decision they disagree with.

Thank you for your time and consideration!

Matt Pelishek

Name: Matthew Mills

Number: (661) 201-2543

Message: Yes I'm calling about the protest about the chickens in the backyard. These people that are protesting - their houses are in the outlying area of Bakersfield, are built over where chickens used to be, so they're sitting on manure piles. And also, they're worried about the clean-up. Do they own dogs? They have to clean their backyard or else the dog will attract flies, smell and everything. So there's a lot that they are protesting against that they don't realize what they're protesting against. Thank you very much. Bye.

From: [Matthew Ouska](#)
To: [City Clerk](#); [bakersfield mayor](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 8:23:10 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing to show my support for the backyard hen ordinance that was already passed, and litigation should not change that.

Many other cities in California have already approved urban hen ordinances, has the city council reached out to any of those cities to see if they have environmental issues? Why are you ignoring the precedence that other cities have set by using the CEQA exemption? The lawsuit has no basis when looking at these other cities - what would make Bakersfield any different? What do you expect of your residents that already built coops and got chicks when the ordinance was approved? Are they just out the money and time invested? Not to mention the personal attachment to the animals - do they need to rip these animals away from their children because the city council is afraid of possibly spending money? (Which is unlikely since the precedent is on our side). The council knew that this lawsuit was a possibility, and yet decided to approve the ordinance. Why would you change your mind now? Many of the poorer families in Bakersfield are looking at this as a way to provide healthy food for their families - should that be taken away because a few people have money to hire lawyers?

Supporters of backyard hens are more than willing to help the city adapt the ordinance even further to mitigate any potential environmental impacts (fewer hens according to the size of your lot) - and yet this anonymous group is not willing to find a solution - clearly demonstrating that they are not really concerned with the environment. The city council should proceed with the ordinance, even if legal defense is required.

-Matthew Ouska

From: [bakersfield mayor](#)
To: [Matthew Ouska](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Hen Ordinance (Matthew Ouska)
Date: Monday, February 1, 2021 9:30:03 PM

Good evening, Mr. Ouska,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Matthew Ouska [<mailto:matt.ouska@gmail.com>]
Sent: Monday, February 1, 2021 8:23 PM
To: City_Clerk <City_Clerk@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Hen Ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing to show my support for the backyard hen ordinance that was already passed, and litigation should not change that.

Many other cities in California have already approved urban hen ordinances, has the city council reached out to any of those cities to see if they have environmental issues? Why are you ignoring the precedence that other cities have set by using the CEQA exemption? The lawsuit has no basis when looking at these other cities - what would make Bakersfield any different? What do you expect of your residents that already built coops and got chicks when the ordinance was approved? Are they just out the money and time invested? Not to mention the personal attachment to the animals - do they need to rip these animals away from their children because the city council is afraid of possibly spending money? (Which is unlikely since the precedent is on our side). The council knew that this lawsuit was a possibility, and yet decided to approve the ordinance. Why would you change your mind now? Many of the poorer families in Bakersfield are looking at this as a way to provide healthy food for their families - should that be taken away because a few people have money to hire lawyers?

Supporters of backyard hens are more than willing to help the city adapt the ordinance even further to mitigate any potential environmental impacts (fewer hens according to the size of your lot) - and yet this anonymous group is not willing to find a solution - clearly demonstrating that they are not really concerned with the environment. The city council should proceed with the ordinance, even if legal defense is required.

-Matthew Ouska

From: medianman@netzero.net
To: [City Clerk](#)
Subject: Hens Ordinance
Date: Monday, February 1, 2021 8:25:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

“I am opposed to you rescinding the hen ordinance.”

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- [Price of Silver Surges as Rebel Traders Zero In](#)

From: [Virginia "Ginny" Gennaro](#)
To: [Melinda I. Avila](#); [Christian Clegg](#); [bakersfield mayor](#)
Cc: [Julie Drimakis](#)
Subject: RE: Support on Bakersfield Urban Backyard Hens
Date: Monday, February 1, 2021 3:58:28 PM

Thank you for your email.

By cc to the City Clerk I am asking her to make your comments part of the public statements and official record for this Wednesday's Council meeting.

From: Melinda I. Avila <MAvila@RFKJDLC.COM>
Sent: Monday, February 1, 2021 3:56 PM
To: Christian Clegg <cclegg@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>; Virginia "Ginny" Gennaro <vgennaro@bakersfieldcity.us>
Subject: FW: Support on Bakersfield Urban Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it may concern,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. I think it's only fair that the ordinance should remain the same since it was already fairly and legally passed.

Thank you
Melinda I Avila

From: [bakersfield_mayor](#)
To: [Melinda I. Avila](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support on Bakersfield Urban Backyard Hens
Date: Tuesday, February 2, 2021 3:37:55 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Avila,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Melinda I. Avila [mailto:MAvila@RFKJDLC.COM]

Sent: Monday, February 1, 2021 3:56 PM

To: Christian Clegg <cclegg@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>; Virginia "Ginny" Gennaro <vgennaro@bakersfieldcity.us>

Subject: FW: Support on Bakersfield Urban Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it may concern,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. I think it's only fair that the ordinance should remain the same since it was already fairly and legally passed.

Thank you
Melinda I Avila

From: [bakersfield mayor](#)
To: [Michael Garcia](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support on Bakersfield Urban Backyard Hens
Date: Sunday, January 31, 2021 10:57:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Mr. Garcia,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Michael Garcia [mailto:gigglesmainman@yahoo.com]

Sent: Thursday, January 28, 2021 2:31 PM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Support on Bakersfield Urban Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mayor Goh,

I am a resident of the City of Bakersfield, as a hard working US Disabled Military Veteran (Desert Storm), and productive member of our community, I wanted to share the following grievance sent to our City Council members today. I hope after reading what was sent, we can have your continued support on this ordinance.

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold

your obligation.
Thank you
Michael Garcia

From: [Michael Harp](#)
To: [City Clerk](#)
Subject: Support of backyard hens
Date: Tuesday, February 2, 2021 2:31:58 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing in support of the City Of Bakersfield Backyard Hen initiative. Our members have been devastated by ordinance may be revoked by the efforts of a few disgruntled people. One particular one person in question. That is Mr. Terry Maxwell. Mr. Maxwell had always been unhappy with the City Council no matter whether it was the hen ordinance or the 24th Street project. Mr. Maxwell tries to thwart your efforts every step that you do. This is not about backyard hens which was a well written & carefully researched ordinance. It is about politics and about one persons efforts to control the City Council's decisions. There has always been bad-blood between him & the city council.

We in our group have been more than willing to compromise on the ordinance & possible amend it? We would even be willing to pay a \$50 dollar a year permit fee & also any inspection that the City deemed necessary. It is also not true that most real estate agents oppose this ordinance. We would also propose that they not be free-range but must be contained in a coop or run. There was absolutely no need for a CEQA study. Other larger cities proved this. People use chicken & beef manure all the time to fertilize their gardens & flower beds.

Many of us have already spent thousands of dollars in coops & concrete slabs when the ordinance was passed. Already there in talk among many of us of seeking our own attorneys under basis of the first amendment or other civil violations. A friend of mine who is a retired local judge has been following these proceedings has suggested that the council may have violated the Brown Act? We really hope this doesn't come to this? Our group has been more than willing to work with the City Council on this ordinance. It was a well written ordinance. We sincerely hope that the City Council seriously consider not cancelling this ordinance.

Thank You,

Michael Harp

From: [Michael Harp](#)
To: [City Council](#)
Subject: Dear City Council members
Date: Tuesday, February 2, 2021 10:15:25 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing in support of the City Of Bakersfield Backyard Hen initiative. Our members have been devastated by ordinance may be revoked by the efforts of a few disgruntled people. One particular one person in question. That is Mr. Terry Maxwell. Mr. Maxwell had always been unhappy with the City Council no matter whether it was the hen ordinance or the 24th Street project. Mr. Maxwell tries to thwart your efforts every step that you do. This is not about about backyard hens which was a well written & carefully researched ordinance. It is about politics and about one persons efforts to control the City Council's decisions. There has always been bad-blood between him & the council.

We in our group have been more than willing to compromise on the ordinance & possible amend it? We would even be willing to pay a \$50 dollar a year permit fee & also any inspection that the City deemed necessary. It is also not true that most real estate agents oppose this ordinance. We would also propose that they not be free-range but must be contained in a coop or run. There was absolutely no need for a CEQA study. Other larger cities proved this. People use chicken & beef manure all the time to fertilize their gardens & flower beds.

Many of us have already spent thousands of dollars in coops & concrete slabs when the ordinance was passed. Already there in talk among many of us of seeking our own attorneys under basis of the first amendment or other civil violations. A friend of mine who is a retired local judge has been following these proceedings has suggested that the council may have violated the Brown Act? We really hope this doesn't come to this? Our group has been more than willing to work with the City Council on this ordinance. It was a well written ordinance. We sincerely hope that the City Council seriously consider not cancelling this ordinance.

Thank You,

Michael Harp

From: [Mikaela Beatrice Lontoc Cardenas](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Monday, February 1, 2021 2:23:57 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens. Please do not rescind the Ordinance. Thank you.

Mikaela Cardenas
661-889-6887

--

Mikaela Beatrice Lontoc Cardenas
University of California, Irvine | Program in Public Health
Public Health Science Major
mikaelbc@uci.edu | 661-889-6887

From: fabfam@bak.rr.com
To: [City Clerk](#)
Subject: Wednesday's Council hearing regarding hen ordinance
Date: Tuesday, February 2, 2021 11:38:34 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My wife and I would like to express our feelings on the proposal to repeal the hen ordinance passed last September. We feel strongly that it should be repealed. If we wanted to live in the country around folks that have livestock and chickens, we wouldn't have bought our home in Silver Creek over 10 years ago. I'd bet that many other Bakersfield residents feel the same way. Anyone that claims that chicken manure doesn't smell bad, especially in Bakersfield's summer heat, should have their heads examined.

It's gotten bad enough around town with the homeless vagrants loitering about and sleeping in bushes outside of people's homes. And let's not forget about the mobile street vendors setting up shop just about wherever they want, including residential areas, so they can hawk their cheap junk and flowers. Oh, and then there's the ever-present panhandlers standing out on busy traffic medians asking for handouts for whatever. It's an eyesore and it's embarrassing for this city.

You want to improve Bakersfield's image? Do something about the above issues and don't open a proverbial "can of worms" with this ill-advised hen ordinance. Please repeal it Wednesday evening! Thank you for your consideration.

Mike and Linda Fabrizius
Bakersfield, Ca.

From: [Miranda McCoy](#)
To: [City Council](#)
Subject: Support for my backyard hens
Date: Tuesday, February 2, 2021 10:41:39 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Miranda McCoy

From: [Miranda McCoy](#)
To: [City Clerk](#)
Subject: Support for my backyard hens
Date: Tuesday, February 2, 2021 10:41:40 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Miranda McCoy

From: [bakersfield mayor](#)
To: [Miranda McCoy](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support for my backyard hens (Miranda McCoy)
Date: Tuesday, February 2, 2021 4:08:55 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. McCoy,

Thank you for your email regarding the rescission. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Miranda McCoy [mailto:mirandakelleymccoy@gmail.com]

Sent: Tuesday, February 2, 2021 10:41 AM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Support for my backyard hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Miranda McCoy

From: [MISTY CARAAN](#)
To: [City Clerk](#)
Subject: SUPPORT FOR BACKYARD HENS, Meeting for Feb 3rd 2020
Date: Saturday, January 30, 2021 12:59:40 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My name is Misty Caraan, and the purpose of this email is to express my SUPPORT for the new amendments to our city ordinances that would allow for backyard hens, with safeguards and restrictions. The ordinance that has actually passed twice now, should not be allowed to be rescinded or delayed any further simply because a group of anonymous people didn't get their way and are now threatening a lawsuit against this city.

I live in an R1 neighborhood located in ward 5., a large lot of approximately .35 acres. We are surrounded by orchards and agricultural land and right around the corner from the Buena Vista Edible School Yard. Our daughter who is now 13, spent Kindergarten through 6th grade at Buena Vista Elementary, where they would take weekly trips to "the garden". It is there where she learned all about the benefits of living a greener, more sustainable way of life. BVESY is also home to a flock of hens! The children were taught that hens are wonderful source of food as producers of eggs not to mention wonderful for recycling your vegetables scraps. It seems a bit hypocritical to include these teachings into the classes for our children, only to be told that they can't implement what they have learned.

I personally feel that just because residents would be allowed to raise chickens, this does not mean every household will want to do so. The few households that would actually be interested in raising a few chickens in line with the given restrictions, on their own property, are going to take the venture very seriously, and because there are restrictions and guidelines, more thought would go into the decision of owning hens than some would put into owning a cat or a dog. This family would be willing to pay for a permit for the opportunity to own a couple of hens.

As far as the concern of smell and noise that would come of allowing backyard chickens, hens do not produce the amount of noise that barking dogs left outside all day and all night do, nor does it compare to the noise of the neighbor kids who constantly scream while they play in the back yard. Just like all animals allowed in backyards, it only gets smelly when you don't properly keep up with cleaning up after them.

The numerous benefits of backyard hens are clear and undeniable. The concerns of nuisance and health have been found to be minimal and a non-factor. The majority

of the council has already come to the conclusion that
hens are the right thing for our community.

It is my hope and expectation that this council stands up to this obstructionist attempt of a lawsuit as well as puts in motion a process to find a workable solution, a compromise of sorts, and does not outright rescind this ordinance. Follow suit with the multiple California cities that were able to work out and come to a compromising resolution. This is a fair and reasonable request for something that will contribute to and enhance the quality of life experiences.

Thank you for your time and consideration!

Misty Caraan
[661-204-9053](tel:661-204-9053)

From: [MISTY CARAAN](#)
To: [City Clerk](#)
Subject: DO NOT RESCIND THE CHICKEN ORDINANCE (re: 2/3/21 meeting)
Date: Saturday, January 30, 2021 8:05:44 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My name is Misty Caraan, and the purpose of this email is to express my SUPPORT for the new amendments to our city ordinances that would allow for backyard hens, with safeguards and restrictions. The ordinance updates that have actually passed twice now, should not be allowed to be rescinded or delayed any further simply because a group of anonymous people didn't get their way and are now threatening a lawsuit against this city.

I live in an R1 neighborhood located in ward 5, on a large lot of approximately .35 acres, which would be ideal for a small flock of about 4 hens. We are surrounded by orchards and agricultural land and right around the corner from the Buena Vista Edible School Yard. Our daughter who is now 13, spent Kindergarten through 6th grade at Buena Vista Elementary, where they would take weekly trips to "the garden". It is there where she learned all about the benefits of living a healthier, greener, more sustainable way of life. BVESY is also home to a flock of hens, right here in Ward 5! The children were taught that hens are wonderful source of food as producers of eggs not to mention wonderful for recycling your vegetables scraps.

Many life changing lessons come from the care of hens, as it teaches responsibility and respect for life. It seems a bit hypocritical to include these teachings into the classes for our children, only to be told that implement what they have learned.

I personally feel that just because residents would be allowed to raise chickens, this does not mean every household will do so. The few households that would actually be interested in raising a few chickens in line with the given restrictions, on their own property, are going to take the venture very seriously, and because there are restrictions and guidelines, more thought would go into the decision of owning hens than some would put into owning a cat or a dog.

As far as the concern of smell and noise that would come of allowing backyard chickens, hens do not produce the amount of noise that barking dogs left outside all day and all night do, nor does it compare to the noise of the neighbor kids who constantly scream while they play in the back yard. Just like ALL animals allowed in backyards, it only gets smelly when you don't properly keep up with cleaning up after them.

The numerous benefits of backyard hens are clear and undeniable. The concerns of

nuisance and health have been found to be minimal and a non-factor. The majority of the council had already come to the conclusion that hens, as a backyard urban pet, is the right thing for our community.

It is my hope and expectation that this council stands up to this obstructionist attempt of a lawsuit as well as puts in motion a process to find a workable solution, a compromise of sorts, and does not outright rescind this ordinance. This is a fair and reasonable request for something that will contribute to and enhance the quality of life experiences. Many California cities, much more affluent than Bakersfield, have already approved such ordinances. Do the right thing and work toward solutions and compromises for all. People are passionate about this and it's not going to go away.

Thank you for your time and consideration!

Misty Caraan
[661-204-9053](tel:661-204-9053)

From: [WebMaster](#)
To: [City Clerk](#)
Subject: FW: Hen ordinance
Date: Monday, February 1, 2021 2:05:01 PM

From: mleveroni@brighthouse.com <mleveroni@brighthouse.com>
Sent: Monday, February 1, 2021 7:59 AM
To: WebMaster <WebMaster@bakersfieldcity.us>
Subject: Hen ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am in favor of repealing the hen ordinance. We have a rental house and our renters are complaining of the sMell already and noise of the neighbors chickens. In theory it is not a bad idea but u cannot rely on the average homeowner to ensure his chickens are not a problem for his neighbors.

From: [Molly Foster](#)
To: [City Council](#)
Subject: Backyard Hen Ordinance
Date: Tuesday, February 2, 2021 12:59:47 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I fully support the backyard hen ordinance.
Thank you,
Molly Foster

From: [Edwin S. Bonilla](#)
To: [City Council](#)
Subject: Patty Gray
Date: Tuesday, February 2, 2021 12:18:30 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

MT Merickel with the backyard hen community group called to ask if the councilmember had any questions regarding the hen ordinance. You may reach him at thebubh@gmail.com.



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield

email: ebonilla@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3071



From: [MT Merickel](#)
To: [Virginia "Ginny" Gennaro](#); [bakersfield mayor](#); cclegg@bakersfieldcity.us; [City Clerk](#)
Subject: Support of Backyard Hens Lift the Temporary Suspension on the Ordinance
Date: Monday, February 1, 2021 12:45:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I am writing to express my continued support for backyard hens.

I am requesting several actions of you. Please answer my requests in writing. Thank you.

1. I am requesting that Mayor Goh extend the 15 minute limit for the February 3rd 5:15 Council meeting for public comment on the topic of backyard hens. The Backyard Hen Community and our City Council have spent months on this topic, yet in a very short period of time we have gone from an amended ordinance to a rumored closed session vote/discussion to rescind the ordinance without any opportunity for input, questions, comments, or clarification. This topic has generated much attention and it is expected that the courtesy of hearing our concerns, ideas, and solutions be provided. Otherwise, it would be a blatant show of disrespect and an unwillingness to partner with us.
2. I am requesting that the topic of "backyard hen ordinance" be taken off of consent and that the discussion on this important issue be conducted in public on Wednesday, February 3 at the council meeting. I also expect the vote to be public so each Council Member's position is clearly understood and known. The Backyard Hen Community has concerns about the closed session process that took place on Wednesday, January 20th.
3. I am asking the City to lift the temporary suspension on the amended ordinance and allow Bakersfield citizens the legal protection of hen ownership that they have asked for, worked to get, and were granted.
4. If the suspension is not lifted, I am requesting that the City keeps the suspension in place and sets a plan in motion to meet the concerns of the lawsuit while working with the Backyard Hen Community to identify common ground and a doable solution. This is the democratic process. The Backyard Hen Community is willing to compromise on the already amended ordinance and work together for the good of the City. Once that has taken place, in a timely manner, the newly amended ordinance shall be immediately put into effect.
5. If the passed ordinance is rescinded, I request that a plan be articulated to the public regarding how the City will continue to work with the Backyard Hen Community to find an alternative path to amending our current ordinances to allow for R-1 zone backyard hen ownership. It is not acceptable under these circumstances to quickly rescind the passed amended ordinance and dismiss the Backyard Hen Community without transparency or clearly explaining how the Council came to the conclusion to rescind.

6. I am requesting documentation on the procedures and policy of rescinding an ordinance. Provide examples of past practice of how this has been done.

Here are a few of my questions that I request answers to in writing:

1. Has our City Council Members discussed any alternative actions beside defending the passed ordinance or rescinding the ordinance? If so, what alternative possible actions were discussed?

2. If the City does not defend the CEQA lawsuit that challenges the City's recommendation that filed a notice of exemption for CEQA, does this mean that the City will not defend future challenges of CEQA lawsuits? If the City intends to defend future CEQA challenges to their actions and policy, explain why they are not doing so with this ordinance amendment.

3. Are our Council Members aware that numerous other cities in CA have used the CEQA notice of exemption when passing their cities' urban backyard hen ordinances? If so, what was the discussion that took place to come to the conclusion that the exemption is not valid for our amended ordinance? If they have not had this discussion please explain why. This is especially confusing when during a previous Council meeting it was stated that the City believes the exemption is valid.

4. Has the City had discussions regarding their responsibility to environmental concerns as it relates to backyard hens now that it has come to their attention with the lawsuit from an anonymous group? The RS zone which starts at less than twice the size of my R-1 lot has unlimited chickens (roosters and hens). The Backyard Hen Community is now concerned for the environment as we want to be good stewards of our natural resources. We have factual studies that show evidence that backyard hens are beneficial to the environment. We have found this to be true with our own experiences as well. However, if our City is permitting a practice that is potentially damaging to our community and residents, we believe the City has a responsibility to reassure us that the practice is safe and not harmful. If the City has not had these discussions when will they? How will the public be informed of the conclusions of those discussions and possible actions taken? If no action is taken, we expect an explanation on how unlimited chickens on a RS zone family lot that is less than half the size of my R-1 lot is not an environmental concern when 1 to 12 hens on my lot is?

5. Who are the Bakersfield residents that the Council Members are concerned about not being able to or not willing to be responsible with regards to the amended ordinance? The Backyard Hen Community that have attended Council meetings and have made public comments were told by a Council Member, in session, that is also on record of voting no for the amendments to our current ordinance, that he believes they are responsible enough to own hens. I am requesting clarification from the Council Members, Weir, Parlier and Freeman (and possibly Arias and Gray depending on their vote on February 3rd), of who they do not trust or believe are not responsible enough to own backyard hens while following the safeguards and restrictions that have been established and passed. If the Council Members are unwilling or unable to provide clarity on this topic, let it be known that

it makes no sense to not allow a community a right to use their property when they have demonstrated that they are capable of doing so. I remind you, only approximately 10 annual complaints that are mostly rooster related are made. In 2012-2013 the Council used a wrong assumption that chicken nuisance reported issue would continue to rise when in fact the Backyard Hen Community has decreased an already low amount to an even lower amount of complaints. Why would this Council not lift the temporary suspension on the amended ordinance that aligns the Bakersfield residents' respectful and responsible practices and beliefs with the law? The Backyard Hen Community would appreciate an explanation that explains why Council Members would make criminals out of people that they say are responsible enough to follow an ordinance.

6. Please provide evidence of your work that looked into the defence of the unwarranted lawsuit. If no evidence is available, why was there no inquiry made to properly investigate the merits of the claim that the notice of exemption to CEQA requirements is not defensible?

I look forward to reading your responses to the Backyard Hen Community's questions and concerns. For the Council Members that have been backyard hen supporters, thank you for your continued support. For the Council Members that have been opposed, I trust that you will be reflective people that take the time to understand a different point of view. The Backyard Hen Community has demonstrated that the practice of hen ownership in an urban setting is safe, reasonable, and that there are established successful ordinances in many communities in California. What we have asked for, worked with the City to get amended, and have been granted, enhances the quality of life experiences for families.

Sincerely,

MT Merickel

thebubh.wixsite.com/bubh

From: [myrriah collins](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 3:39:51 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly support the backyard hen initiative. I have friends who raise backyard chickens and the benefits I have seen strongly outweigh the perceived downsides. The hens are quiet and provide fresh organic eggs, and I have seen their children learn about responsibility and self reliance due to them helping their parents raise hens. Whatever misconceptions others may have who are against this need to educate themselves about the benefits rather than filing a lawsuit against the city.

Thank you,

Myrriah Collins

From: [bakersfield mayor](#)
To: [Nancy Romero](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support on Bakersfield Urban Backyard Hens
Date: Sunday, January 31, 2021 10:58:49 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Ms. Romero,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Nancy Romero [mailto:nancyr1250@gmail.com]
Sent: Thursday, January 28, 2021 6:44 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Support on Bakersfield Urban Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you
Nancy Jean Romero

From: [Edwin S. Bonilla](#)
To: [City Council](#)
Subject: Patty Gray
Date: Monday, February 1, 2021 2:58:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Nicholas Rhodes called to voice his disapproval of the hen ordinance. You may reach him at 661 573 6270.



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield
email: ebonilla@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3071



From: [Nichole Sabo](#)
To: [City Clerk](#)
Subject: City hen ordinance
Date: Saturday, January 30, 2021 12:17:48 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. I am writing to you in regards to the upcoming decision to rescind the Backyard Hen Initiative. I reside in the county so while this decision does not affect me personally, I have many city friends who are affected by this upcoming decision. I believe that everyone should have the opportunity to own hens. My own children learned many lessons about not only raising chicks but also how to care for an animal, to be appreciative of where some of our food comes from and more.

I wanted to offer my support to my fellow Bakersfield city residents. I believe they should have the opportunity to have backyard hens.

Sincerely,

Nichole Sabo

From: [nick swaim](#)
To: [City Clerk](#)
Subject: Hens
Date: Tuesday, February 2, 2021 1:28:06 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support allowing home owners to have hens if they so choose thank you

Sent from my iPhone

From: niccel16@hotmail.com
To: [City Clerk](#)
Subject: Support Backyard hens
Date: Tuesday, February 2, 2021 7:12:50 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I am writing you today because I oppose the city council rescinding the hen ordinance.

My daughter is a part of 4-H and FFA. I am a 4-H poultry leader. We are fortunate enough to live in the county and we are able to have backyard poultry. I see first hand by watching my children and the kids in my 4H group, how owning and raising poultry instills good work ethic. It helps families bond over working together and being responsible in caring for their pets.

Please give Kern County's youth another opportunity of something bigger they can be a part of. Not only should every responsible citizen be able to have farm fresh eggs, but please don't forget how this can impact our young people. Being able to be part of 4-H or FFA builds camaraderie, leadership skills and knowledge.

Thank you,
Nicole Rickett

From: [Nikki](#)
To: [City Clerk](#)
Subject: Oppose Rescinding Hen Ordinance
Date: Monday, February 1, 2021 9:08:26 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,

I would like to voice my support for the backyard hen initiative which will be up for recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Nikki Kirstine

Name: No Name Provided

Number: (661) 742-8681

Message: Hello, this is a general public comment in support of backyard hens. I do not agree with any group's ability to negate hardworking Bakersfield property owners' rights and privileges. The ordinance for backyard hens was already legally passed by the Council. Do not dismiss the democratic process and allow any unrighteous group with a hidden agenda to negate what's right in the eyes of the beholder. Please uphold my right and my freedom as a Bakersfield City property owner to use my property in a way that is reasonable, in a way that is safe, in a way that clearly enhances quality of life of American families. Thank you.

Name: Name Unavailable

Number: (661) 301-5998

Message: I'm phoning about hens in the City limits. I find hens to be productive, they give people food, they are quieter than dogs, they don't come over and mess up your yard because they're allowed to run free. They don't have to be gathered up by the Animal Protection Services because they're causing a nuisance, and it helps a lot of people have better nutrition. Thank you, bye.

Name: No Name Provided

Number: (661) 324-6482

Message: Hello, I'm calling regarding the chicken issue. If people want to raise chickens, they should move out to the country. We already have dirtiest air in the nation and you want to add chicken poop and feathers to the mix? Please no hens in this City. Thank you.

Name: Name Unavailable

Number: (661) 871-6689

Message: I'm calling about the chicken problem and I just want to say that voting is for the protection of the majority of the homeowners. I think it should be kept in place as it is and I wanted to tell you I lived with my grandmother. She had chickens, the hens were dirty, they cackled, they were noisy, they leave droppings everywhere, they peck you, they jump fences, and it's hard to clean up their waste. We'll be wasting a lot of water just cleaning up these coops and their droppings. I think people should purchase property where you can have chickens to start with instead of making other people change their plans and their lifestyle. Thank you.

From: [ochoball83](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Sunday, January 31, 2021 4:29:54 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard Hens!

Sent from my T-Mobile 4G LTE Device

From: [bakersfield mayor](#)
To: [City Clerk](#)
Subject: FW: Backyard hens
Date: Sunday, January 31, 2021 10:56:08 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Please see below.



Karen Goh | Mayor

City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770



From: bakersfield mayor
Sent: Thursday, January 28, 2021 3:47 PM
To: 'Olinda Garcia' <giggles287@yahoo.com>
Subject: RE: Backyard hens

Good afternoon, Ms. Garcia,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen Goh



Karen Goh | Mayor

City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770



From: Olinda Garcia [<mailto:giggles287@yahoo.com>]
Sent: Thursday, January 28, 2021 1:27 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Backyard hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mayor Goh,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Olinda Garcia

From: [Olinda Garcia](#)
To: [City Clerk](#)
Subject: Backyard hen ordinance
Date: Saturday, January 30, 2021 2:42:22 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you, Olinda Garcia

From: [Olinda Garcia](#)
To: [City Council](#)
Subject: Support for backyard hens
Date: Saturday, January 30, 2021 2:40:47 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Councilman Smith,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you, Olinda Garcia

From: [Paige Loya](#)
To: [City Council](#)
Subject: Ward 6 Backyard Hen Support
Date: Friday, January 29, 2021 3:21:53 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello Councilwoman Gray,

As a resident of your ward (I live by Grissom Park), I would like to express my support for the backyard hen initiative which will be up for recension at the Feb 3rd meeting. I've been a supporter of this initiative since it began over 6 months ago when the City Council first heard it come before them.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 30 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 11 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

As a graduate from CSUB with degree environmental resource management, it is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. Many are willing to raise funds to cover monies necessary for an environmental impact report or other steps needed. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you for your time,

--

PAIGE LOYA

SAFETY & HEALTH PROGRAM ADVISOR

ARTHUR & HANSEN

[4130 ARDMORE AVENUE STE. 201](#)

[BAKERSFIELD, CA 93309](#)



From: patpetersen@gmail.com
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Subject: Previously Passed Hen Ordinance
Date: Tuesday, February 2, 2021 1:39:48 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

I am writing to opposition the rescinding of the PREVIOUSLY PASSED Hen Ordinance. The fact that our city representatives are considering caving to a baseless and ANONYMOUS lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is unbelievable. It has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is ridiculous that it is even being considered. DO NOT CAVE TO THE OUT OF TOWN BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Sincerely,

Pat Petersen

From: [Pat Wadman](#)
To: [City Council](#); [bakersfield mayor](#); [City Clerk](#)
Subject: Rescission of Hens in R-1 Zone Areas.
Date: Tuesday, February 2, 2021 10:29:38 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is in regards to amending 6.08 of the municipal code relating to fowl and rescission of 5032 which created chapter 6.09 relating to hens in the R-1 zone.

I'm sure there are responsible owners of hens who will be diligent at keeping the hens and the coops up to appropriate standards. However, there are those that will take advantage and have many more hens than allowed (and probably roosters) which will lead to complaints from neighbors. Slaughtering will most likely take place also. This situation does not belong in the back yard of a R-1 area. Just not a good idea.

Pat Wadman
5310 Greystone Ct. 93306

Name: Pat Wadman

Number: (661) 549-3172

Message: This is in regards to rescission of Ordinance 5023 amending Section 6.08 of the Bakersfield Municipal Code relating to Fowl and Rescission of Ordinance No. 5032 which created Chapter 6.09 relating to Hens in the R residential 1 zone. I do not believe those animals belong in an R-1 residential area. I see it eventually becoming abused and I'd like to state that fact. Pat Wadman 5310 Greystone Court, Bakersfield, CA. Thank you.

From: [bakersfield mayor](#)
To: [Pat Wadman](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Rescission of Hens in R-1 Zone Areas. (Pat Wadman)
Date: Tuesday, February 2, 2021 4:02:15 PM

Good afternoon, Mr. Wadman,

Thank you for your email about the rescission of hens. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Pat Wadman [<mailto:patrick.wadman@yahoo.com>]
Sent: Tuesday, February 2, 2021 10:29 AM
To: City_Council <City_Council@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>; City_Clerk <City_Clerk@bakersfieldcity.us>
Subject: Rescission of Hens in R-1 Zone Areas.

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is in regards to amending 6.08 of the municipal code relating to fowl and rescission of 5032 which created chapter 6.09 relating to hens in the R-1 zone.

I'm sure there are responsible owners of hens who will be diligent at keeping the hens and the coops up to appropriate standards. However, there are those that will take advantage and have many more hens than allowed (and probably roosters) which will lead to complaints from neighbors. Slaughtering will most likely take place also. This situation does not belong in the back yard of a R-1 area. Just not a good idea.

Pat Wadman
5310 Greystone Ct. 93306

From: [Patricia Pierce](#)
To: [City Clerk](#)
Subject: Backyard Hen Initiative
Date: Monday, February 1, 2021 10:16:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you,

Patricia Pierce

Sent from my iPhone

From: [Paula Maxwell](#)
To: [City Clerk](#)
Subject: Chickens ordinance
Date: Friday, January 29, 2021 4:13:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please send this email to ALL the City Council as I wish my opinions to be heard.

I don't appreciate that you should spend one more dollar of my tax money on allowing a few people putting pressure on you as a board to have chickens in a zone that is R1. This has as far as I know always been zoned R1! You should represent all of your constituents on this subject. It is your responsibility not to make a pressured one sided decision to the squeaky wheel. It has not been a problem to many homeowners as they have gone to their neighbors and asked first if they would mind. It only doesn't work for the people who don't take into consideration their neighbors' health issues, noise, and smell. The squeaky wheel can go before you all day long but I can tell you many don't take care of their animals, much less chickens. If they wanted chickens they should have first checked it out before they bought or rented the home they are in. They are trying to get you to change something for selfish reasons like their wants are more important than anyone else's. We have roads that are in horrible condition, homeless that have destroyed or damaged peoples businesses, homes, vehicles. For several years we have not had enough police for people to feel safe. As it is if you call 911 you might as well forget it unless someone is shot. It's foolish again to spend any money on changing an ordinance that currently works, unless you don't like what you neighbor says or you don't have a good relationship with them.

Respectfully,

Paula Maxwell

paula@pmcoffice.com

21 FEB -2 PM 1:46
BAKERSFIELD CITY CLERK

February 1, 2021

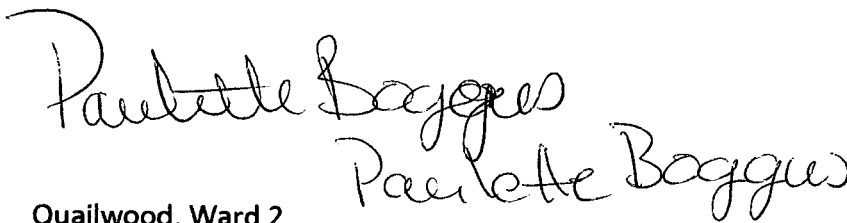
Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,


Paulette Bagges

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Paul](#)
To: [City Clerk](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 10:32:42 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to rescinding the hen ordinance.

Sent from my iPhone

21 FEB -2 PM 1:46

BARBERSFIELD CITY CLERK

February 1, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Pete Baggus

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Pete Leveroni](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 7:02:36 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

My neighbors had hens in their back yard for a few months and it was a nightmare.

The smell was terrible and the hen poop drew clouds of flies. The hen feed attracted rats and we would see them walking along the fence.

Hens have no place in a residential area. Please do not pass this ordinance.

Thanks!

Pete Leveroni
5817 Sky Ranch Ave
Bakersfield, CA 93306
661-332-3054

From: [Phylliss Sims](#)
To: [City Clerk](#)
Cc: [City Council](#)
Subject: Rescinding Hen Ordinance
Date: Sunday, January 31, 2021 9:43:03 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing in support of the Bakersfield Backyard Hen Ordinance. I respectfully request that all council members honor their previous votes in favor of establishing a backyard hen policy through this ordinance and vote against the rescission.

I do not personally own or plan to raise any hens on my property. However, I completely support citizens who are trying to provide their families and neighbors with healthy alternatives to supermarket products and perhaps a little child gets a new pet to love in the process.

I believe it is an excellent opportunity for parents to teach their children the responsibilities of caring for something other than themselves and realizing the fruits of their labor. With limited interaction allowed because of the Covid-19 restrictions, it is a healthy alternative to sitting around watching TV or playing video games alone.

In addition, how is this fair to the residents who worked consciously and lawfully with the City Council to obtain the necessary votes to pass this initiative, invested the time, labor and expense of developing their little backyard hen projects for their families only to be told, after the fact, that it could all be taken away?

Please consider all the positive possibilities and vote in favor of allowing a few Backyard Hens to those families who are only trying to survive their current circumstances.

Thank you,

Phylliss Sims

21 FEB -2 PM 1:46

2021 FEB 21 PM 1:46

January 29, 2021

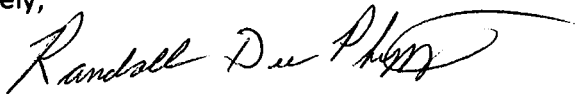
Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall D. Phipps". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Randall Phipps

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Randy Scholl](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Saturday, January 30, 2021 7:44:52 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please uphold the ordinance that was passed in regards to the Backyard Hens. Families should have the right to use there own property in a reasonable and safe manner as long as it does not disrupt others.

Sent from my iPhone

From: [rebecca lowe](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 10:14:36 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Thank you!

Sent from my T-Mobile 4G LTE Device

From: [Regina Deaton](#)
To: [City Clerk](#)
Subject: Oppose rescinded the hen ordinance
Date: Monday, February 1, 2021 3:43:24 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Get [Outlook for Android](#)

From: [renee nelson](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Cc: [Renee Nelson](#); [AdmMgr](#); [Shared admatt](#)
Subject: Opposition to Repeal of Ord.5032
Date: Tuesday, February 2, 2021 3:26:54 PM
Attachments: [City of Bakersfield Opposition to Repeal 2.2.21.pdf](#)

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please find my letter with comments, corrections and proposed recommendations regarding Ordinance 5032

I am requesting that City Manager Mr. Clegg, City Attorney Ms. Gennaro and City Council members, including but not limited to, Mr. Bob Smith and Mr. Kenton Weir, be given copies ASAP. Thank you for your attention to this matter. Please acknowledge receipt of this email as well.

Thank you again.

Sincerely,

Renee Donato Nelson

Renee Donato Nelson
12430 Backdrop Court
Bakersfield, California 93306

2/1/2021

City of Bakersfield
Attn: City Council
1501 Truxtun Avenue
Bakersfield, California 93301

Attn: Julie Drimakis
City_Clerk@bakersfieldcity.us

RE: Oppose Rescinding Ordinance #5023 (Backyard Hens in the R-1 Zone)

Dear Ms. Drimakis,

Thank you for the opportunity to comment on this issue. This letter is in opposition to the staff recommendation to repeal the approved ordinance regarding the right to keep backyard hens in R-1 zoned lots, which is an expansion of the existing right to keep hens in other designated zones.

First however, there is an error in the agenda packet in the Administrative Report, Meeting Date 2/3/2021, Consent – Minutes a. the date of the message is 12/11/2020. Perhaps a typo but all the same, in need of correction since the meeting being referenced happened on 1/20/2021.

If the City Council should decide to repeal the approved Ordinance, first and foremost, this item must be removed from the consent calendar. This shall serve as a formal request for the removal and that the item be opened to public comment at that time. Californiacities.org states that the process to repeal is the same process used to pass an ordinance, granting “equal dignity”.

The written document must be given two reading. The Ordinance to repeal must then be published 15 days in whole or a summery depending on the City Charter in a general circulation newspaper. Although I could not find this procedure in the Charter itself, I don't recall seeing the original Ordinance published. The timeline provided in the minutes did not mention the publication. Please provide proof of this necessary action.

The decision to vote on the repeal in closed session is a violation of the Ralph M. Brown Act, in that ligation may be discussed, terms of a settlement offer included in that discussion and the ability of the City Council to either accept, reject or make a counter offer are acceptable. The council may not do the peoples business behind closed doors. The council must openly debate the merits and the downfalls of the action at hand in the regular Council meeting.

The minutes state that the vote was to “ consider the repeal of the so-called Backyard Hen Ordinance, which **passed** (emphasis mine) 4-3 by City Council in September [9/2020] at the next council meeting February 3 [2021]”.

If you intend to consider, then why was this item placed on consent? Another error in need of correction? Although the minutes also state that the plaintiffs will dismiss the lawsuit if the conditions of the recision are met, along with an appropriate environmental document and payment of \$9,151.36 in attorneys fees, what gaurentee does the City have that the plaintiffs will not file another CEQA suit after the environmental document is complete? What do they consider to be an appropriate environmental document? Is this a part of the settlement? If not it should be included.

If the ordinance is repealed, as written, does it mean that all residential zones, including those previously approved, would be precluded from owning hens?

Additionally, the City told the community that if the City placed a Temporary Restraining Order (TRO) instead of having it court ordered, the plaintiffs would not charge the City the attorney fees for time spent in drafting the TRO request. So just what cost \$9,000 plus in fees? Papers were mistakenly sent to the wrong address for the Plaintiffs attorneys, Channel Law Group, but that cost would be born by the City anyway.

I am requesting that the City Council keep the Ordinance in place, as is, and continue to keep the TRO without any further enforcement actions while an environmental document is prepared.

No new hens would be allowed but people with hens now would not be penalized for having them. The City, in issuing the TRO, did not notify the public in R-1 zones directly and therefore, many people bought materials to build coops and purchased hens. If I am wrong about the notification system used by the City, please correct me with documentation of said notification.

The settlement as stipulated in the minutes does not quantify what type of document must be used. I would offer that only one other city in California, the City of Stockton, used an Environmental Impact Report (EIR) that was prepared when they updated their General Plan, and not as a stand alone document for their ordinance. Unfortunately, for the City of Bakersfield, our General Plan has not been updated in many years, although we have been talking about it for the last 3 or 4 years at my request, both in committee and through phone calls. That means that the EIR is also out of date and would be considered flawed by the courts.

That would indicate a Mitigated Negative Declaration (MND) would be appropriate, in consideration of the current litigation.

Of the approximately 35 cities in California that allow backyard hens, 15 used a Negative Declaration while the other 19 used the Notice of Exemption, as did the City of Bakersfield. This sets a strong precedent.

Using a mitigated negative declaration would enable the plaintiffs areas of greatest concern, which to my understanding are noise, odor and disease, to be addressed in a circulated document. This is not to imply that the ordinance itself did not address those areas of concern, but that the plaintiffs didn't feel they had participated in an appropriate public forum.

If the Ordinance needs to be changed after the MND, it can be amended as necessary. Why re-invent the wheel? Much time and effort by staff, the City Council and the public went into the drafting of the amended Ordinance.

If the City Council should decide to repeal the current Ordinance, please provide a timeline to the community for the creation and circulation of the environmental document.

Regarding the plaintiffs, it seems odd that no named plaintiff was required to establish standing. The person most qualified should be identified. The group as a whole does not need to be named, but surely it is important to the court and the City to have an individual person that can be held accountable for the agreements the city is intending to enter via the mandatory settlement process. Any potential future litigation should not allowed by yet another anonymous member of this group.

Ultimately, this is a property rights issue. You gave people a right and just as quickly you took it away. Of the 85,000 plus lots in the R-1 zone, nowhere was it delineated how many were in a Homeowners Association and precluded in their by-laws from keeping hens. Not everyone is going to want hens.

For the people that do want hens, for what ever the reason, from a pet that brings comfort to an autistic child to a clean food source in this time of food insecurity for so many in our community, it is right for us to make it available to them. It is shameful for a City that prides itself on it agricultural roots to not allow people to own, care for and love chickens. And yes, my family had chickens when I was a child. Fresh eggs are the best!!

Please do the right thing.

Respectfully submitted,

Renee Donato Nelson

cc: Virginia Gennaro, City Attorney
Christian Clegg, City Manager
Bob Smith
Kenton Weir

From: [Rex Estoque](#)
To: [City Clerk](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 1:13:16 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly support backyard hen in Bakersfield City.

Rex Estoque
(661)703-3012

From: [Rhiannon Solorzano](#)
To: [City Clerk](#); [City Council](#)
Subject: Backyard Hens Ordinance
Date: Sunday, January 31, 2021 7:08:13 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Greetings!

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard chickens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, every day citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Rhiannon Solorzano
661-717-8762

From: [Richard Rodriguez](#)
To: [City Council](#)
Cc: [bakersfield mayor](#)
Subject: Ward 5
Date: Sunday, January 31, 2021 2:04:38 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mr. Freeman,

We are writing in regards to the problems we have had with a direct neighbor who housed chickens at his residence, 216 El Tovar Court. Fortunately, the hastily passed ordinance allowing a change in zoning to allow for the noise and odor associated with our previous exposure will be reconsidered this week. We are truly flabbergasted that after 30 years living at this same location, that this is being allowed.

We feel that this ordinance should have never been passed in the first place, and if left to stand, will subject us once again to a lifestyle we never imagined to be exposed to within city limits. Please vote to rescind this ordinance.

Sincerely,

Richard & Cheryl Rodriguez
301 Montalvo Drive
Bakersfield, 93309

From: [bakersfield mayor](#)
To: [Richard Rodriguez](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Ward 5 (Backyard Hens - Richard & Cheryl Rodriguez)
Date: Sunday, January 31, 2021 11:14:12 PM

Good evening, Mr. and Mrs. Rodriguez,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Richard Rodriguez [<mailto:cms1960@mac.com>]
Sent: Sunday, January 31, 2021 2:05 PM
To: City_Council <City_Council@bakersfieldcity.us>
Cc: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Ward 5

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Mr. Freeman,

We are writing in regards to the problems we have had with a direct neighbor who housed chickens at his residence, 216 El Tovar Court. Fortunately, the hastily passed ordinance allowing a change in zoning to allow for the noise and odor associated with our previous exposure will be reconsidered this week. We are truly flabbergasted that after 30 years living at this same location, that this is being allowed.

We feel that this ordinance should have never been passed in the first place, and if left to stand, will subject us once again to a lifestyle we never imagined to be exposed to within city limits. Please vote to rescind this ordinance.

Sincerely,

Richard & Cheryl Rodriguez
301 Montalvo Drive
Bakersfield, 93309

From: [RJB](#)
To: [City Clerk](#)
Subject: Chicken Ordinance
Date: Saturday, January 30, 2021 9:02:15 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I think chickens are important resource for people to have. Especially in uncertain times.
It is not ok to bully in order to change what the people want.
The people want chickens.
RJ

From: rsheldon@bak.rr.com
To: [City Clerk](#)
Subject: chickens
Date: Sunday, January 31, 2021 6:37:26 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,
I am a resident of Bakersfield residing at 5004 Crow Ct, 93312 and want to register my vote AGAINST allowing chickens in backyards.
Thank you,
Robert B. Sheldon

From: [Robert Eichar](#)
To: [City Clerk](#)
Subject: Keep the chickens
Date: Saturday, January 30, 2021 8:52:20 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly oppose rescinding the fair and reasonable chicken ordinance that was passed by the city council last year. If an environmental impact study needs to be done then complete it, but the city should always be on the side of allowing its citizens more freedom and more economic security especially in these times. Backyard hens can provide a source of food for both humans and animals in a household.

Name: Robert Flitcraft

Number: (661) 201-1664

Message: This is a general public comment. We are in support of backyard hens. Thank you.

From: [Robert Johnson](#)
To: [City Clerk](#)
Subject: We Support Backyard Hens
Date: Sunday, January 31, 2021 7:02:25 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern:

We would like to voice our support for the "backyard hen initiative" which will be up for reconsideration at the February 3rd meeting. We're asking that the City Council uphold the ordinance that was duly passed. It is our hope that the City Council will uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit and only serves as a gross manipulation of the Environmental Protection Law. Please up-hold the ordinance as it was originally designed.

Thank you for your consideration!!

Robert Johnson
Bakersfield California 93313

From: [Robert Sheldon](#)
To: [City Clerk](#)
Subject: Consent Agenda f.1
Date: Monday, February 1, 2021 12:22:51 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to express my desire for the Board to rescind the ordinance allowing chickens within the city boundaries. I do NOT want chickens in my neighbor's yards. My wife and I agree so this represents two votes in favor of rescinding the chicken ordinance.

Robert Sheldon

From: [Robin Ablin](#)
To: [City Clerk](#)
Cc: [City Council](#)
Subject: Hen Ordinance, 2-3-21 City council Meeting Agenda Item 8.f.1.
Date: Tuesday, February 2, 2021 10:41:39 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning City Clerk, Honorable Councilman Freeman and all Council Members,

I hereby express my support AGAINST amending City ordinances to allow the keeping of hens and or chickens in established areas of R-1 zoning. The historical rights of property owners who acquired their property knowing the existing zoning of that property and relying on that same zoning going into the future as to their effects on the quiet enjoyment of their property are the foundation of property rights and the express purpose of zoning laws. The Council has a duty to protect that which the vast (though mostly silent) majority have knowingly and justifiably relied upon.

The passions and motivations of the vocal and small minority of property owners in R-1 zones who desire to change their zoning are no doubt well intended, but none the less, they are a small minority and, obviously, should not hold sway over the overwhelming majority on this matter. There is no extremely pressing or urgent need for, no overarching or emergency public need or policy to be served by, no unforeseen or unanticipated events to justify, modifying the clear and correct intent and purpose of the existing zoning ordinances on this matter.

Do not forget or discount the fact that the very people that now want to change their zoning originally, willingly and knowingly purchased property in R-1 zones, no doubt relying upon the very same zoning protections as their neighbors. While their desired use of their property has changed, those of the majority of their neighbors have not; and the zoning on their property not changed either. Additionally, there are other remedies available for those desiring to keep hens and chickens. They are already free to do so on property currently zoned for this use.

I urge you to NOT adopt and or to RESCIND the proposed ordinance(s) regarding the keeping of hens and or chickens in R-1 zones.

Respectfully submitted,

RA

Mr. Robin Ablin
RSC Realty Company, Owner & Broker
2205 Haggin Oaks Blvd.
Bakersfield, Calif. 93311
rablin@rscrealty.com

www.rcrealty.com

Cell: 661-809-1910

Cal. BRE Lic. 00996751

From: [Rueben Canales](#)
To: [City Clerk](#)
Subject: Backyard hen ordinance
Date: Saturday, January 30, 2021 4:18:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I just wanted to let you know that I oppose rescinding the backyard hen ordinance. Bakersfield should not be intimidated by specious lawsuits. I don't even want to own a chicken myself. The opposition to the chicken ordinance just seems silly. Thanks for reading.

Rueben Canales



Virus-free. www.avg.com

From: [Ryan Carr](#)
To: [City Clerk](#)
Subject: Backyard Hen Ordinance
Date: Monday, February 1, 2021 11:51:12 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning,

I am writing to voice my displeasure that the council may rescind the ordinance on allowing backyard hens. This was fairly, and legally, voted on and approved in October of 2020.

Please stand up for our city and for the democratic process that was legally followed back in October. Don't let an anonymous group and their attorneys strong arm the council with a meritless suit.

Sincerely,
Ryan Carr

From: [Ryan Dembosky](#)
To: [City Clerk](#)
Subject: SUPPORT for BACKYARD HENS
Date: Tuesday, February 2, 2021 1:50:55 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

RE: Support for Backyard Hens

Honorable Mayor Goh and City Council Members,

Though it pains me to be writing yet another letter of strong and ardent support for Backyard Hens and though it may be redundant – I will spare you the reasons why the Bakersfield Backyard Hens Initiative was lobbied for and passed. Ultimately, we have moved beyond the point of why we feel Backyard Hens should be legalized – I would remind the Council that we currently have an ordinance on the books that should and must be honored.

Last years initiative push was transparent and in good faith with the residents of the City of Bakersfield and the Council as a whole. By a process of mutual discussions – the members of the organization (and the vast majority of the community) were pleased to see the City of Bakersfield pass the ordinance. Though our organization would have liked to convince all Council Members that this was in the best interest for city – we were not blind to the fact that certain distractors were in place and in many cases, we were fighting an anti-chicken campaign based on in many cases feelings and not facts, or as in the case of former Council Member, Terry Maxwell and his radio platform – intentional lies and miss-truths. Unfortunately – several Council Members who ultimately voted against the initial ordinance even willfully failed their own constituents - who overwhelmingly supported the creation of a legalized path to Backyard Hen ownership in R1 zones.

Long gone is the time to have the discussion of “if we should allow” backyard hens. This has been passed and should be honored. The City of Bakersfield as a whole is standing on the precipice of a decision far greater than Backyard Hens. This issue has become one of the obstructionists to government movement. The City faces a decision – on one hand to honor the ordinance and stand by legislative precedence for the *Common Sense* CEQA language to be protected and honored (as it has been done over and over in countless cities in the State of California). Or – to bow down to an anonymous group – for fear of doing what is right and correct.

Finally **(AND THIS IS EXTRTEMELY IMPORTANT)** – I would remind the Council Members that initially voted AGAINST this ordinance for one reason or another: this is not the time to take action AGAINST Backyard Hens simply because you were on the losing side of a legal vote. Your responsibility and duty as a Council Member – at this EXACT MOMENT – is to honor the ordinance as it stands. This is due to the fact that the CEQA threat is wholeheartedly baseless, without merit and is a slap in the face to the legislative precedence that our city relies upon in its decision-making matrix when it comes to all kinds of issues.

Ryan Dembosky, Resident of the City of Bakersfield

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Ryan R. Dembosky

"'Conducting' is when you draw 'designs' in the nowhere - with a stick, or with your hands - which are interpreted as 'instructional messages' by guys wearing bow ties who wish they were fishing."

~Frank Zappa

From: [Ryan Dembosky](#)
To: [bakersfield mayor](#); smorgan@bakersfield.com; [City Council](#)
Subject: SUPPORT for BACKYARD HENS
Date: Tuesday, February 2, 2021 1:38:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

RE: Support for Backyard Hens

Honorable Mayor Goh and City Council Members,

Though it pains me to be writing yet another letter of strong and ardent support for Backyard Hens and though it may be redundant – I will spare you the reasons why the Bakersfield Backyard Hens Initiative was lobbied for and passed. Ultimately, we have moved beyond the point of why we feel Backyard Hens should be legalized – I would remind the Council that we currently have an ordinance on the books that should and must be honored.

Last years initiative push was transparent and in good faith with the residents of the City of Bakersfield and the Council as a whole. By a process of mutual discussions – the members of the organization (and the vast majority of the community) were pleased to see the City of Bakersfield pass the ordinance. Though our organization would have liked to convince all Council Members that this was in the best interest for city – we were not blind to the fact that certain distractors were in place and in many cases, we were fighting an anti-chicken campaign based on in many cases feelings and not facts, or as in the case of former Council Member, Terry Maxwell and his radio platform – intentional lies and miss-truths. Unfortunately – several Council Members who ultimately voted against the initial ordinance even willfully failed their own constituents - who overwhelmingly supported the creation of a legalized path to Backyard Hen ownership in R1 zones.

Long gone is the time to have the discussion of “if we should allow” backyard hens. This has been passed and should be honored. The City of Bakersfield as a whole is standing on the precipice of a decision far greater than Backyard Hens. This issue has become one of the obstructionists to government movement. The City faces a decision – on one hand to honor the ordinance and stand by legislative precedence for the *Common Sense* CEQA language to be protected and honored (as it has been done over and over in countless cities in the State of California). Or – to bow down to an anonymous group – for fear of doing what is right and correct.

Finally **(AND THIS IS EXTREMELY IMPORTANT)** – I would remind the Council Members that initially voted AGAINST this ordinance for one reason or another: this is not the time to take action AGAINST Backyard Hens simply because you were on the losing side of a legal vote. Your responsibility and duty as a Council Member – at this EXACT MOMENT – is to honor the ordinance as it stands. This is due to the fact that the CEQA threat is wholeheartedly baseless, without merit and is a slap in the face to the legislative precedence that our city relies upon in its decision-making matrix when it comes to all kinds of issues.

Ryan Dembosky, Resident of the City of Bakersfield

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Ryan R. Dembosky

"'Conducting' is when you draw 'designs' in the nowhere - with a stick, or with your hands - which are interpreted as 'instructional messages' by guys wearing bow ties who wish they were fishing."

~Frank Zappa

From: [Sam Digilio](#)
To: [City Council](#)
Date: Saturday, January 30, 2021 11:52:46 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you
Samuel Digilio

From: [Sam Digilio](#)
To: [City Clerk](#)
Date: Monday, February 1, 2021 12:44:13 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you

Samuel Digilio

From: [Sandi Kallenberger](#)
To: cityclerk@bakersfieldcity.us
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 5:54:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I write to you today to let you know that that I do not support rescinding the hen ordinance. I demand you, and others to stand up to these bullies who are attempting to persuade to overturn a 4-3 vote in favor of the citizens you represent.

Best regards,

Sandi K.

From: [Sandi Kallenberger](#)
To: city.council@bakersfieldcity.us
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 5:53:39 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello Council members,

I write to you today to let you know that that I do not support rescinding the hen ordinance. I demand you, and others to stand up to these bullies who are attempting to persuade to overturn a 4-3 vote in favor of the citizens you represent.

Best regards,

Sandi K.

From: [bakersfield mayor](#)
To: [Sandi Kallenberger](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Hen ordinance (Sandi Kallenberger)
Date: Tuesday, February 2, 2021 3:42:02 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. Kallenberger,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Sandi Kallenberger [mailto:bellestar25@hotmail.com]

Sent: Tuesday, February 2, 2021 5:45 AM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Hen ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello MayorGoh,

I write to you today to let you know that that I do not support rescinding the hen ordinance. I demand you, and others to stand up to these bullies who are attempting to persuade to overturn a 4-3 vote in favor of the citizens you represent.

Best regards,

Sandi K.

Name: Sandra Descary

Number: (661) 834-3507

Message: This is Sandra Descary, Ward 2, and I'm calling regarding the Consent Calendar Item 8.f. 1 and 2. I support the Council's rescinding the hen ordinance. The current ordinance has a ridiculously short setback and it's taken the approach of allowing the majority of owners to have hens instead of protecting the quality of life of vast residential homeowners who have no interest in hens. The seeming lack of resistance to the ordinance is primarily due to the lack of information about the adoption of the ordinance. Most R-1 zone residents will remain unaware of the ordinance until a neighbor has a backyard coop that's populated with hens and realizes that there is a problem now. Again, I support the rescinding of the backyard hen ordinance.

From: [Sandra Descary](#)
To: [City Council](#)
Subject: All Council
Date: Friday, January 29, 2021 3:13:40 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support the Council's rescinding the hen ordinance. The adopted hen ordinance is onerous and intrusive to standards expected for living in urban residential areas. If my closest neighbor chose to have hens he could have six (6) hens roaming his yard just eight (8) feet from where I'm trying to enjoy a peaceful pleasant meal and beverage at my patio table. It is absolutely absurd to think of hens clucking, unpleasant odors and the gathering flies while I'm trying to enjoy my yard. Instead, I'm being held hostage by my neighbor's hobby or possible desire to have fresh eggs because of his fear of food insecurity. People who want more farm or agricultural environments need to move to those areas of the city or county that are zoned for meeting their needs.

The current ordinance with ridiculously short setbacks took the approach of allowing the majority of homeowners to have hens instead of protecting the quality of life of vast residential homeowners who have no interest in hens. The ordinance is substandard and grossly inadequate compared to other cities whose ordinances provide reasonable setbacks, lot sizes, number of hens allowed, cleanliness standards, licensing and animal control provisions.

The hen advocates frequently use the phrase "majority of people" in their claims to promote the City's adopting the hen ordinance. Using this phrase frequently does not make it true. The seeming lack of resistance to the ordinance is primarily due to the lack of information about the adoption of the ordinance. For example, in discussing this with my neighbor yesterday, she was dumbfounded to learn that the city had passed such an ordinance. Most R-1 zoned residents will remain unaware until a neighbor has a backyard coop populated with hens.

Again, I support rescinding the backyard hen ordinance.

Sandra Descary

Quailwood, Ward 2

From: [Sandy Lewy](#)
To: [City Council](#)
Subject: Chickens
Date: Tuesday, February 2, 2021 4:48:02 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

My name Is Sandy Lewy. I do not live in the city I live in the county. I am sending you this email because I have to deal with chickens and hens that live right below me. I just wanted to give my opinion because they make noise 24/7. At 3 AM in the morning the rooster is crowing. He never stops. There is nothing that I can do about this because they are allowed in the county. So I am just writing this to give you my opinion that maybe it would be better if you took some time and looked at this a little more thorough. It is so annoying.

Thank you for your time.

Sandy Lewy

From: [Sandy Welch](#)
To: [City Council](#)
Subject: Hen ordinance
Date: Monday, February 1, 2021 11:23:57 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing to let you know that I think the hen ordinance needs to be repealed. When I bought my house 20 years ago, I knew that there would not be chickens next door to me. We raised chickens when I was young and they are messy, noisy and get diseases if not properly taken care of. We do not need anymore diseases. If someone wants chickens, they need to move to an area that they are zoned for. The people who want chickens knew when they bought their houses that they could not have chickens in the city limits where they bought a house. They are not having any changes by not being able to have chickens, however, if granted anyone living in the city limits that don't want the chickens will be having their lives changed. Please repeal the ordinance.

Thank you,

Sandra Welch

Sent from my iPad

From: [Sara Smith](#)
To: [City Council](#)
Subject: Chickens
Date: Monday, February 1, 2021 9:52:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support the backyard hen ordinance.

Sincerely,
A Bakersfield Resident
Sara Smith

From: [Sarah Appleton](#)
To: [City Clerk](#)
Subject: I support backyard hens
Date: Tuesday, February 2, 2021 11:45:30 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council members,

I am writing to implore you to refuse to rescind the Hen Ordinance that was considered and passed after much thought and deliberation. Please do not give in to this frivolous lawsuit aimed at intimidating you. There is clear precedent in many cities that hens do not pose a negative environmental impact. Our community is one that promotes agriculture, independence and freedom. Allowing residents to raise hens is in support of each of these important priorities. Please do not let these bullies intimidate this governing body and set a dangerous precedent that they can overturn your decisions which have taken numerous hours to deliberate with a simple lawsuit threat. Please uphold the decision you have made to allow residents to responsibly raise a small number of hens.

With respect and gratitude,
Dr. Sarah Appleton, LMFT

From: [Sarah Elliott](#)
To: [City Clerk](#); [City Council](#)
Subject: Backyard Hen Ordinance
Date: Monday, February 1, 2021 10:32:56 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Sarah Elliott

From: [Sarah Trupe](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 11:51:38 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi there,

I am a Kern county resident and own a small group of backyard hens. I'm writing to oppose rescinding the ordinance that was legally voted on and approved in October.

I live in Rosedale in a county neighborhood where hens are legal. Our chicken coops are well kept and less noisy than most neighbor's dogs and cats. Our hens are also a food source and provide my family with good quality eggs. My young children have found joy and life experience in caring for our hens while they haven't been able to attend school or other hobbies.

Please consider the input from families like mine and allow other Bakersfield families to benefit from the order you already placed in motion this fall.

Thank you.

Sarah Trupe

From: [Sarah Trupe](#)
To: [City Council](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 11:54:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi there,

I am a Kern county resident and own a small group of backyard hens. I'm writing to oppose rescinding the ordinance that was legally voted on and approved in October.

I live in Rosedale in a county neighborhood where hens are legal. Our chicken coops are well kept and less noisy than most neighbor's dogs and cats. Our hens are also a food source and provide my family with good quality eggs. My young children have found joy and life experience in caring for our hens while they haven't been able to attend school or other hobbies.

Please consider the input from families like mine and allow other Bakersfield families to benefit from the order you already placed in motion this fall.

Thank you.

Sarah Trupe

From: [Anderson, Scott](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Tuesday, February 2, 2021 9:08:49 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Let responsible citizens keep hands. Thank you.

Scott Anderson
Route Representative
Tech Data
(707)580-8110

From: [Scott Waterman](#)
To: [City Clerk](#)
Subject: oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 8:00:33 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

From: [Shannon Christian](#)
To: [City Council](#)
Subject: Support for the backyard hen initiative
Date: Saturday, January 30, 2021 8:54:57 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City Council-members Arias, Gonzales, Weir, Smith, Freeman, Gray, and Parlier:

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting. Backyard hens are living in most of the big cities in the US. Per a 2015 review of 150 of the most-populated U.S. cities, nearly all (93 percent) allowed backyard poultry flocks. **Rather than disallowing this important food source, look to implement cutting edge public health and animal welfare policies.**

In the interim, please uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA “common sense” waiver that was also used in our city’s ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree

on any terms other than “no hens.” This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Please uphold the ordinance. Please uphold the vote of the council from November 2020 legalizing hens for city residents. Please uphold your obligation.

Shannon Christian (California native going back 4 generations)
shannonchristian1@gmail.com

From: [Sharon Scott](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 8:26:43 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you, Sharon Scott

Sent from my iPad

From: [Shawnda L](#)
To: [City Council](#); [City Clerk](#); [bakersfield mayor](#)
Subject: Bakersfield City Chicken Ordinance
Date: Monday, February 1, 2021 4:44:56 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it May Concern:

In accordance with the freeze of the chicken ordinance, I find it appalling that a special interest group of wealthy constituents can unhinge and utilize their financial privilege in order for their desired outcome. The issue was voted upon by representatives of Bakersfield diverse constituents and should be upheld. It is surprising that this matter is even an issue in a city that was primarily founded on agriculture and is the starting of the breadbasket of the United States. This bending of power to to wealthy and elite will have lasting consequences to our Bakersfield political atmosphere. This issue goes beyond the chicken ordinances and personally attacks our political process. And, in the politically divisive culture in which we reside, it's even more important to uphold trust in our representatives. I am against changing the bill in favor for a few group of secretive elitists whose goal is to bend the city council to their will and not the will of the diverse Bakersfield City constituents. It's embarrassing for my children, who is having doubts in the nature of our countries political atmosphere, that our City Counsel Representatives can be bullied into representing special interest groups and not their true constituents. I ask you, as my representative, to maintain the ordinance that allows hens in urban backyard settings in our city. During times of economic hardships in American history, backyard hen ownership was advertised and the push for self sufficiency in an environment of food disparity and pandemic is vital individual food security. It's easy to tell people that if they want to have chickens then to move to an area where you are allowed to have chickens. That is a financial luxury that many in the city simply cannot afford. Thus, making another "poor" tax for those who cannot afford the needed land requirements for chickens in the city. Chicken ownership is an investment that is easily comped when reaping the benefits of chicken ownership. Please maintain your ground and vote to maintain the ownership chickens for those not in farming zones. Thank you.

Sincerely,
Shawnda Banks

From: [bakersfield mayor](#)
To: [Shawnda L](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Chicken Ordinance (Shawnda Banks)
Date: Tuesday, February 2, 2021 3:39:02 PM

Good afternoon, Ms. Banks,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Shawnda L [<mailto:srligons@yahoo.com>]
Sent: Monday, February 1, 2021 4:11 PM
To: city@bakersfieldcity.us; [bakersfield mayor](mailto:bakersfield mayor@bakersfieldcity.us) <mayor@bakersfieldcity.us>
Subject: Chicken Ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it May Concern:

In accordance with the freeze of the chicken ordinance, I find it appalling that a special interest group of wealthy constituents can unhinge and utilize their financial privilege in order for their desired outcome. The issue was voted upon by representatives of Bakersfield diverse constituents and should be upheld. It is surprising that this matter is even an issue in a city that was primarily founded on agriculture and is the starting of the breadbasket of the United States. This bending of power to to wealthy and elite will have lasting consequences to our Bakersfield political atmosphere. This issue goes beyond the chicken ordinances and personally attacks our political process. And, in the politically divisive culture in which we reside, it's even more important to uphold trust in our representatives. I am against changing the bill in favor for a few group of secretive elitists whose goal is to bend the city council to their will and not the will of the diverse Bakersfield City constituents. It's embarrassing for my children, who is having doubts in the nature of our countries political atmosphere, that our City Counsel Representatives can be bullied into representing special interest groups and not their true constituents. I ask you, as my representative, to maintain the ordinance that allows hens in urban backyard settings in our city. During times of economic hardships in American history, backyard hen ownership was advertised and the push for self sufficiency in an environment of food disparity and pandemic is vital individual food security. It's easy to tell people that if they want to have chickens then to move to an area where you are allowed to have chickens. That is a financial luxury that many in the city simply cannot afford. Thus, making another "poor" tax for those who cannot afford the needed land requirements for chickens in the city. Chicken ownership is an investment that is easily comped when reaping the benefits of chicken ownership. Please maintain your ground and vote to maintain the ownership chickens for those not in farming zones. Thank you.

Sincerely,
Shawnda Banks

From: [S.L](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Monday, February 1, 2021 8:26:00 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

"I am opposed to you rescinding the hen ordinance."

Name: Stephen Winters

Number: (773) 964-3101

Message: hello, my name is Stephen. I'm a concerned citizen of Bakersfield who loves the sunshine and the ability to grow food in my backyard as well as the recent change in law about chickens. So this is about the challenge or lawsuit to make that illegal again. I'm just appalled and disgusted that somebody would dedicate their time to creating a bigger barrier between human beings, people and the food we eat, the livestock that we raise and use to feed our families. We should be able to choose as Americans and citizens of a free country to raise our own chickens within reason and with our neighbors, as long as it's clean and safe and doesn't cause a problem. There's no reason why we shouldn't be able to have our own chickens. This is ridiculous and it's just another form of government control where it doesn't need to be. And whoever is trying to make it illegal to have chickens in your own backyard should be ashamed of themselves and really question what their ulterior motives are. Why don't they want people to be able to have a few chickens in their own backyard? Why would somebody not want that, unless they can profit from other people not being able to provide for themselves? That's ridiculous and I really hope that it's not voted and I can keep my chickens. Thank you.

From: [Steve Obert](#)
To: [City Clerk](#)
Subject: Oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 7:19:13 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,

From: [Steve Romero](#)
To: [City Clerk](#)
Subject: Hens
Date: Monday, February 1, 2021 5:33:20 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support being able to have hens.

Don't listen to those who are trying to tell me what I can do on my property that we worked hard to pay for.

Sent from my iPhone

Name: Stockdale Elementary

Number: (661) 831-7835

Message: Hello, I'm calling to say how much I fully support the backyard hen ordinance. I am asking that you please consider letting these people have their backyard hens and letting their children have these precious little animals. Not only that, it produces food for our table. Thank you so much for your consideration. Have a blessed day.

From: str8jesus@hotmail.com
To: [City Clerk](#)
Subject: Opposed
Date: Monday, February 1, 2021 10:06:26 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to rescinding the backyard hens city ordinance!!

From: [Edwin S. Bonilla](#)
To: [City Council](#)
Subject: All Council
Date: Monday, February 1, 2021 11:43:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Sue Layman supports backyard hens. You may reach her at 661 900 6330



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield

email: ebonilla@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3071



21 FEB -2 PM 1:46

BAKERSFIELD CITY CLERK



February 1, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,

A handwritten signature in blue ink that reads "Susan E. Richardson".

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Tanja Brewer](#)
To: [City Clerk](#)
Subject: Oppose to rescind hen ordinance for city of Bakersfield
Date: Sunday, January 31, 2021 9:34:33 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose to rescind the hen ordinance for the city of Bakersfield!

My name is Tanja Brewer,

I would like to voice my support for the backyard hen initiative which will be up for the rescension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Tanja Brewer

From: [Tayler Bagwell](#)
To: [City Clerk](#)
Subject: In support of Backyard Hens!
Date: Monday, February 1, 2021 8:07:15 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Morning,

I am voicing my support for the backyard hen initiative which will, unfortunately and unnecessarily, be up for rescission at the Feb 3 meeting.

Please uphold the ordinance that was fairly and legally passed and fought for by the amazing citizens of the Bakersfield R1 zone. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

"Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority."

Rescinding this ordinance based on the fear of litigation costs would be truly disappointing.

Thank you for your time,
Tayler

[Sent from Yahoo Mail on Android](#)

From: [Tea](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Monday, February 1, 2021 1:05:56 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am writing this email on behalf of all residents in Bakersfield who support the Backyard Hens Initiative. I am saddened to know that all it takes is a lawsuit with no merit, to cause our City Council to go back on their word. This ordinance was voted for the RIGHT way with a vote, and because an anonymous group decided they are against it and did not accept the outcome of said vote, the rest of Bakersfield may lose their opportunity to have this element of self sufficiency taken from them forever?

I really cannot understand how this is being entertained by our Council. If we allow this to happen we are allowing our freedoms and our right to be heard, to be taken. We are further proving that the mentality of being "sue happy" is tolerated as well as feared upon without as much as even a full evaluation of the merit.

Hens not only contribute greatly to the well being of homeowners alike, they connect us to our food. They require responsibility, understanding, and teach you how to benefit from your efforts. If you are uncomfortable with chemicals being dumped into your yard, hens can drastically eliminate weeds AND pests. If you are uncomfortable in paying \$3.99 for a squash at the store in hopes that the pretty little organic, non-gmo label is real..you can find comfort in knowing that you can enhance your own garden with chicken waste. You can grow your own produce and feed your family and friends for much less than what you spend at the store, and yes, hens contribute. You can teach children how to be compassionate, self sufficient, and smart about what they are eating.

If you or someone you know or love has suffered or is suffering from Cancer, wouldn't you like to be able to help in ensuring their food is quality? Healthy gardens produce healthy vegetables which turn you into a healthy human being. Healthy eggs come from healthy chickens who aren't caged up and pumped with hormones and feed to lay eggs and do nothing else. Eggs that are bleached and stored for months on end are not good for you. It really is common sense, and I'm appalled that we even need to lay it out this way.

I encourage you to research big farms and see where these eggs are really coming from. How these hens are really treated. The treatment of the hens trickles into the eggs that you consume and we should all be concerned about where our food comes from. Animals of all species deserve dignity, and chickens are no different. You provide them a healthy life, and they provide you with healthy eggs for your family and friends alike. What is the harm in that?

I sincerely hope that our Council hears our voices and takes their job seriously. Please do your research, know what you're options are, and do not shy away from something that has no merit. If this is revoked I will have no choice but to believe that our Council does not hope for a better, healthier, and more self sufficient City.

Sincerely,

A born and bred Bakersfield Resident.

Sent from [Mail](#) for Windows 10

From: [Terrence Banks](#)
To: city_counsel@bakersfieldcity.us; [City Clerk](#); [bakersfield mayor](#)
Subject: Chicken Ordinance
Date: Monday, February 1, 2021 6:25:33 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City of Bakersfield,

I'm writing to you today to let you know that as a resident of this City, I'm outraged by the recent actions of City Council regarding The suspension of the Urban Hen Ordinance that was already voted for. A minority group threatening with lawsuits should not dictate what the rest of the majority of residents in Bakersfield do with their property. Anyone can wave \$10,000 dollars and threaten with a lawsuit. Does that mean the city will just do whatever people with money demand to be done? We urge you as a large group of residents of Bakersfield to continue on with the ordinance and allow people to exercise one of the basic rights which is do what they please with their property as long as it doesn't hurt others properties which in this case, we believe it will not. The city Council and the city serves the people not the minority Rich, let us please keep it that way.

Thank you

Terrence Banks

Sent from my iPhone

From: [bakersfield mayor](#)
To: [Terrence Banks](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Chicken Ordinance (Terrence Banks)
Date: Monday, February 1, 2021 9:31:48 PM

Good evening, Mr. Banks,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: Terrence Banks [<mailto:terrencebanks@yahoo.com>]
Sent: Monday, February 1, 2021 6:25 PM
To: city_counsel@bakersfieldcity.us; City_Clerk <City_Clerk@bakersfieldcity.us>; bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Chicken Ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City of Bakersfield,

I'm writing to you today to let you know that as a resident of this City, I'm outraged by the recent actions of City Council regarding The suspension of the Urban Hen Ordinance that was already voted for. A minority group threatening with lawsuits should not dictate what the rest of the majority of residents in Bakersfield do with their property. Anyone can wave \$10,000 dollars and threaten with a lawsuit. Does that mean the city will just do whatever people with money demand to be done? We urge you as a large group of residents of Bakersfield to continue on with the ordinance and allow people to exercise one of the basic rights which is do what they please with their property as long as it doesn't hurt others properties which in this case, we believe it will not. The city Council and the city serves the people not the minority Rich, let us please keep it that way.

Thank you
Terrence Banks

Sent from my iPhone

From: btkloth@bak.rr.com
To: [City Clerk](#)
Subject: Hens
Date: Tuesday, February 2, 2021 10:01:06 AM
Importance: High

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning. I (Terry Kloth) have been a resident of Bakersfield since 1978. Our residence is in an R-1 Zone. My wife and I are in strong agreement to the city council's decisions to rescind the hen ordinance.

I grew up on a farm in Illinois and we had chickens and other farm animals on our farm. The chickens coops were smelly and had to be cleaned regularly to keep the smell and odors down. This waste from cleaning has to be disposed of somewhere. Disposal is no problem on a farm or in area zoned for farm animals. Both the waste and the chickens themselves are a disease problem and will generate other problems such as increased rats and mice which will increase the spread of disease.

We chose to live in an R-1 Zone for we did not wish to have chickens or other farm animals in our neighborhood. Since 1978 when we purchased our house this has not been a problem since farm animals such as chickens have not been allowed in R-1 zones.

Those people who desire to raise chickens and other farm animals need to move to areas which are zoned for chickens and other farm animals. People who have purchase homes in R-1 zones have purchased for a reason one of which is that they did not wish to have chickens or farm animals in their neighborhood.

Once again we support the city council's decision to rescind the hen ordinance. Thanks, Terry & Betsy Kloth

From: [mytiffanyrose](#)
To: [City Clerk](#)
Subject: I support Bakersfield hens
Date: Saturday, January 30, 2021 9:27:36 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am a 9 year homeowner of ward 5 and I support the right to own chickens in my neighborhood.

Tiffany Amaya

Sent from my Verizon, Samsung Galaxy smartphone

From: [Timari Duty](#)
To: [City Clerk](#)
Subject: oppose rescinding hen ordinance
Date: Sunday, January 31, 2021 6:03:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Sir or Madam,

I would like to voice my support for the backyard hen initiative which will be up for the rescension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Blessings,
Timari Duty

21 FEB -2 PM 1:46

BAKERSFIELD CITY CLERK

February 1, 2021


Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Timothy M Johnson

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Tom Williams](#)
To: [City Council](#)
Subject: Oppose rescinding Hen ordinance
Date: Saturday, January 30, 2021 3:23:35 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. Those of us residents who support the Backyard Hen Initiative are deeply concerned about the consideration to rescind the previously approved ordinance that allowed backyard hens; from what we understand about the recent closed session, a majority were in favor of voting to rescind it at the upcoming meeting on February 3.

The anonymous group who has sued the city with a frivolous environmental lawsuit citing CEQA violations has subverted the democratic process that was fairly and legally completed in 2020.

This group - "Citizens for the Preservation of the R-1 Zones" - has NO history of advocacy for the environment and remains anonymous. Their lawyers in Beverly Hills have zero intention of negotiating. This is a power play. Given the legal team for these "Citizens" has indicated that as long as there are "no hens" there will be "no lawsuit", I believe this is civil extortion. And the Council is about to play their game.

Their legal team has somehow already racked up \$9,000 in legal fees, with the threat of tens of thousands of more dollars the city will pay IF the city defends the lawsuit and loses. But bow to their demands by rescinding the previously approved hen ordinance, and the lawsuit goes away.

The lawyers of this anonymous group allege that there was a CEQA violation due to the "common sense" waiver being used in the hen ordinance. This waiver has been used many times by other cities throughout California. It means that common sense says that backyard hens in the homesteads of city residents who choose to keep them will not have a significant effect on the environment. The fundamental definition of significant effect under CEQA is "a substantial adverse change in physical conditions." We believe that it's impossible for backyard hens in private homes to have a substantial adverse change in the physical environment of the city. Given the information and evidence our group of community supporters has gathered, along with the knowledge that the City has previously defended itself against similar lawsuits, we believe the potential to win is much stronger than the potential to lose. The Council should NOT rescind the hen ordinance and should fight to defend themselves in this lawsuit, as well as uphold the ethical obligation to its constituents and preserve the fair and democratic practice that is at stake here.

Obviously we are extremely disappointed given the overwhelming support demonstrated for backyard hens over the months-long, thorough process that took place to get the ordinance passed, as well as the majority council vote that officially approved the ordinance in November 2020.

The fact that one small group of disgruntled folks has put the city in the position of having to choose between fighting a costly legal battle to uphold a previously approved ordinance or caving to the lawyers and rescinding the ordinance is not only outrageous, but sets a terrible precedent for the future.

Council members are supposed to represent and serve the community. Our elected officials have a responsibility and obligation to work with the majority public. The city of Bakersfield has an obligation to do its due diligence and fight this lawsuit. The cost to the taxpayers is extremely unfortunate, but the opposition has left NO choice given that they are not willing to negotiate at all. A lawsuit from an anonymous party who is not willing to come to an agreement, entertain a conversation, or negotiate in any way seems to be one that is clearly perpetuated for the sole intent of what it's about to achieve: shutting down a policy they disagree with and flexing their muscles for

community and political influence.

Please know this: the community members who support backyard hens are willing to negotiate. We are willing to discuss reasonable revisions to the ordinance, particularly those that may be most concerning like allowing hens to free range, or the amount of hens allowed based on square footage. We believe we could all come to an agreement that serves the community, protects food sovereignty, expands on the list of current approved backyard pets, and makes a minimal impact to the city residents.

We are here to hold you accountable. I encourage the newly elected council members to review the many previous meetings that the council held where the community voiced their support, as well as read the record of letters and phone calls surrounding this issue. The workshop process first began in June 2020. The first vote approving the first draft of the ordinance took place in October 2020. At that time, there was no mention of CEQA at all; in November 2020 prior to the second and final vote, one council member became concerned with it moments before voting and did indicate they'd be faced with a lawsuit if they voted to approve it. Although this (partially) new Council may not have heard from us recently (because we believed this ordinance was, although tabled by a lawsuit, at least safe from being rescinded!), we were the majority.

It is egregious to think that our city council would not be willing to defend against this frivolous lawsuit, both for the sake of backyard hen ownership and protecting the democratic process from future muscle-flexers and political influencers.

We implore the Bakersfield City Council to not rescind the ordinance and to continue to work with the community to come to a resolution regarding backyard hens. If it must defend itself in a lawsuit, then it must. Not because backyard hens caused this, but because a few disgruntled people lawyered up and put the pressure on. Don't cave to this bad practice and the bad precedent that will follow.

In closing, I'd like to remind you of the other cities in California that allow backyard hens in homes that are less than 1 acre:

San Diego
Santa Rosa
Long Beach
Oxnard
Murrieta
Citrus Heights
Elk Grove
Stockton
La Mesa
Hanford
San Francisco
Los Angeles
Pasadena
Glendora
Chino
Rancho Cucamonga
Monterey Park
San Marino
Santa Fe Springs
Sacramento
Folsom
Porterville
San Jose
Santa Maria
San Luis Obispo
West Covina
Fullerton
San Clemente
Laguna Niguel

Roseville

I know progress can be a little slower in our big small town, but the opposition to such a simple issue allowing families to raise hens and collect their own eggs is embarrassing.

Sincerely,
Tom & Dee Williams

Blessings! Dee

From: [Tony Lopez](#)
To: [City Clerk](#)
Subject: Stop the hen invasion!
Date: Monday, February 1, 2021 10:00:16 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am all for hens in the right place. I saw hens and roosters in the campus park duck enclosure. Invasive!! I oppose hen ordinance. Please repeal.

From: [Tracey Crawford](#)
To: [City Council](#)
Subject: Backyard Hens
Date: Saturday, January 30, 2021 4:13:20 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Council Members,

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Tracey Crawford

From: [Troy J Carroll](#)
To: [City Council](#)
Subject: Support backyard Hens
Date: Tuesday, February 2, 2021 10:31:06 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

Though I do not live in the city proper as an owner of backyard chickens I strongly support the rights of my fellow residents to own & keep back yard chickens. They can be a great source of fresh organic eggs for your household as well as a way for children to learn the arts of animal husbandry.

Thank you for your time,

PLEASE NOTE: DUE TO COVID-19 OUT BREAK CUSTOMERS ARE CURRENTLY NOT ALLOWED IN THE FACILITY. ALL WILL CALLS ARE TO BE PICKED UP IN THE MAIN YARD. PLEASE EMAIL OR CALL IN ORDERS PRIOR TO ARRIVAL.

Troy J. Carroll
Operations Manager
CED Greentech Bakersfield
115 Kentucky st.
Bakersfield, CA
93305
O:661-631-0213
www.Greentechbakersfield.com

From: [Troy J Carroll](#)
To: [City Clerk](#)
Subject: Support backyard chickens
Date: Monday, February 1, 2021 3:34:09 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom it may concern,

Though I do not live in the city proper as an owner of backyard chickens I strongly support the rights of my fellow residents to own & keep back yard chickens. They can be a great source of fresh organic eggs for your household as well as a way for children to learn the arts of animal husbandry.

Thank you for your time,

PLEASE NOTE: DUE TO COVID-19 OUT BREAK CUSTOMERS ARE CURRENTLY NOT ALLOWED IN THE FACILITY. ALL WILL CALLS ARE TO BE PICKED UP IN THE MAIN YARD. PLEASE EMAIL OR CALL IN ORDERS PRIOR TO ARRIVAL.

Troy J. Carroll
Operations Manager
CED Greentech Bakersfield
115 Kentucky st.
Bakersfield, CA
93305
O:661-631-0213
www.Greentechbakersfield.com

From: [Tyler Bates](#)
To: [City Council](#)
Subject: letter in support of domesticated hens
Date: Sunday, January 31, 2021 6:02:29 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We re asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city s ordinance, all without incident . Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit , and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

From: [Tyler Bates](#)
To: [City Council](#)
Subject: Allow Backyard Hens In Bakersfield
Date: Sunday, January 31, 2021 12:48:23 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for rescission at the Feb 3 meeting.

We re asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 35 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 19 cities that we know of have used the CEQA "common sense" waiver that was also used in our city s ordinance, all without incident . Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit , and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents.
Uphold your obligation

From: [Valerie Walker](#)
To: [City Clerk](#)
Subject: Hen Policy
Date: Saturday, January 30, 2021 12:06:01 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to raise laying hens as a food source for my family. I oppose the council from rescinding the ordinance.

[Sent from Yahoo Mail on Android](#)

From: [Vicki Tobin](#)
To: [City Council](#)
Cc: [AdmMgr: DEVPln](#)
Subject: Backyard Chicken Initiative
Date: Saturday, January 30, 2021 9:07:54 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members,

My husband and I would like to voice our support for the initiative that will be up for recension at the
February 3rd meeting.

We are asking that the council uphold the ordiance that was legally and fairly passed.

Uphold the ordiance.

Uphold the vote.

Uphold your obligation.

Thank you,

John and Vicki Tobin

From: [Victoria Milligan](#)
To: [City Council](#)
Date: Sunday, January 31, 2021 6:30:38 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello Mayor Goh,
I do not support rescinding the hen ordinance,

From: [bakersfield mayor](#)
To: [Victoria Milligan](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Backyard Hens (Victoria Milligan)
Date: Sunday, January 31, 2021 11:09:19 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Ms. Milligan,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Victoria Milligan [mailto:lovedbyjesus14@gmail.com]

Sent: Sunday, January 31, 2021 6:31 PM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject:

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello Mayor Goh,
I do not support rescinding the hen ordinance,

From: [Victoria Williamson](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Saturday, January 30, 2021 8:53:34 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom it May Concern:

I live within the city limits of Bakersfield and I strongly OPPOSE the hen ordinance! If I wanted farm animals I would have purchased property in the country or within county limits.

Thank you for your consideration.

Victoria Williamson
11009 Mohican Dr/93312

From: [walkingdead237](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Monday, February 1, 2021 9:45:05 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Support backyard hens!!!!

From: [Walter Keenan](#)
To: [City Clerk](#)
Subject: NO on Backyard Hen Ordinance
Date: Monday, February 1, 2021 7:36:42 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I strongly urge you NOT TO ALLOW hens in residential backyards not currently zoned for such. Both sides of this issue cite credible stories of what will / might happen if such an ordinance is passed, but the potential for a myriad of problems strongly exists if this would pass and so it is prudent NOT to allow it.

We are fortunate that there is plenty of space in close proximity outside of the “city” where one could live if one really wanted to raise chickens. I specifically chose to live in the city as I did not want to neighbor with such.

you made a mistake initially in passing this ordinance but now you have the opportunity to rectify it. VOTE AGAINST The BACKYARD HEN ORDINANCE !

I will not support with my future vote any council member voting in favor of this.

Thank you

Walter Keenan

Sent from my iPad

21 FEB -2 PM 1:45
BAKERSFIELD CITY CLERK

February 1, 2021

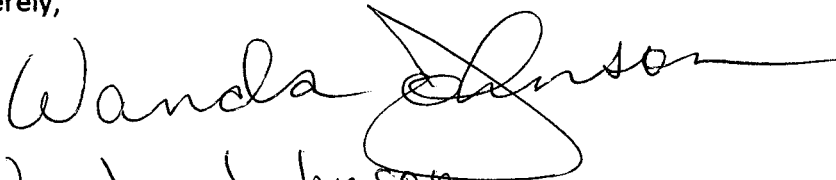
Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Wanda Johnson

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

*I had a neighbor who had backyard hens which
created a huge trash problem. No hens!
WJ*

From: [Wanda Petersen](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Subject: Backyard chickens
Date: Saturday, January 30, 2021 9:40:25 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

From: [Wendi Kaff](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Saturday, January 30, 2021 7:51:07 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would appreciate the opportunity for my family to have backyard hens.

From: [yousef.M.hamed](#)
To: [City Clerk](#); [City Council](#)
Subject: Urban Hen Ordinance Hault
Date: Monday, February 1, 2021 10:08:31 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello City of Bakersfield,

I'm writing to you today to let you know that as a resident of this City, I'm outraged by the recent actions of City Council regarding The suspension of the Urban Hen Ordinance that was already voted for. A minority group threatening with lawsuits should not dictate what the rest of the majority of residents in Bakersfield do with their property. Anyone can wave \$10,000 dollars and threaten with a lawsuit. Does that mean the city will just do whatever people with money demand to be done? We urge you as a large group of residents of Bakersfield to continue on with the ordinance and allow people to exercise one of the basic rights which is do what they please with their property as long as it doesn't hurt others properties which in this case, we believe it will not. The city Council and the city serves the people not the minority Rich, let us please keep it that way.

Thank you



CITY CLERK'S OFFICE
MEMORANDUM

February 3, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JULIE DRIMAKIS, CITY CLERK

SUBJECT: PUBLIC STATEMENTS

This memorandum is to transmit correspondence submitted after Tuesday, February 2, 2021, 4:00 PM, through Wednesday, February 3, 1:00 PM.

Attachments
JD

From	Agenda Item	Position	Subject	Type	Received	Recipient
6617474647	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 5:59 PM	Mayor
Ada Robinson	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 5:11 PM	Clerk
Andrew May	General Public Comments		Street light concerns	Email	Wednesday 2/3/2021 7:04 AM	Clerk
Annette Lyday	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:57 AM	Clerk
Barbara Lewy	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 11:09 AM Wednesday 2/3/2021 11:17 AM	Clerk Council
Brian Boozer & Megan McCullah-Boozer	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 9:37 PM	Clerk
Bruna Faulkner	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 6:39 AM	Clerk
Carissa Clough	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 1:06 AM	Clerk
Carl Bryan	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 9:23 AM	Clerk Council CMO
Carmen Lopez	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/3/21 10:00 PM	Council
Carolina Chaidez	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/3/21 6:24 PM	Council
Cassie LaFever	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 7:32 PM	Clerk
Dana Kirui	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 10:10 PM	Clerk
Danielle Peterson	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 10:47 AM	Clerk
Dave and Tanya Beagles	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 8:40 PM	Council
Debbie Tweed	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:26 PM	Clerk Council
Ginger Brown	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:22 PM	Clerk
Gloria Pope	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 7:40 AM Wednesday 2/3/2021 7:42 AM	Council Clerk
Heather Crosby	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 10:26 AM	Clerk
Jakob Vigstrom	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:13 AM	Clerk
James Lautner	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:31 AM	Clerk
Jamie Whitlock	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 6:32 PM	Clerk
Jesse Mary Leal	8.f.	Support	Rescinding Hen Ordinances	Voicemail	Wednesday 2/3/2021 10:53 AM	Clerk
Joan Ellis	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 5:11 PM Tuesday 2/2/2021 5:12 PM	Clerk Council
Joe Newton	8.f.	Opposed	Rescinding Hen Ordinances	Letter	Wednesday 2/3/2021 8:45 PM	Clerk
Joe Rivas	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 10:15 PM	Clerk
John Tweed	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:02 PM	Clerk Council
Juan Rodriguez Jr.	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 9:47 PM	Clerk
Judy Farris	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 6:16 AM	Clerk
junksp	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:59 AM	Clerk

Kim	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:15 AM Wednesday 2/3/2021 8:15 AM Wednesday 2/3/2021 8:15 AM	Clerk Council CAO
Kirk Boland	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 5:14 PM	Clerk
Leah Lynn Simmons	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:38 AM	Clerk
Leslie Fowler	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 9:13 PM	Clerk
Leticia Alvarado	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:07 PM	Clerk
Leticia Pelayo	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 10:27 AM	Clerk
lorie.chambless	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:47 AM	Clerk
Mat Uman	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 10:20 AM	Clerk Mayor Council
Michelle Harp	8.f.	Opposed	Rescinding Hen Ordinances	Email	8 Comments received Tuesday 2/2/2021 5:15 PM	Clerk Mayor Council CAO
Nate Vazquez	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday, 2/2/2021 5:08 PM	Clerk
Nicole Ramirez	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday, 2/2/2021 5:10 PM	Clerk
Nikki Tramel	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 8:21 AM	Clerk
Olga See	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 8:28 PM	Clerk
Peni Darnell	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 8:23 PM	Clerk
Phillip Smith	General Public Comments		ADA Issues	Email	Wednesday 2/3/2021 8:46 AM	
Rob Graphic Tech	8.f.	Support	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 7:33 PM	Clerk
Ron Antongiovanni	8.f.	Opposed	Rescinding Hen Ordinances	Phone	Tuesday 2/2/2021 4:59 PM	Clerk
Sari	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 9:00 AM	Clerk
Sari Potes	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 10:03 AM	Clerk
Savannah McCoy	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 9:43 PM Tuesday 2/2/2021 9: 43 PM	Clerk Mayor Council
Seth Paillet	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 9:26 AM	Clerk
Sheryce Scott	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 9:14 AM	Council
Valerie Clark	8.f.	Opposed	Rescinding Hen Ordinances	Email	Tuesday 2/2/2021 8:39 PM	Clerk
Walter Keenan	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 7:37 AM	Clerk
William E. Butcher	8.f.	Support	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 11:02 AM	Clerk
Jennifer Clayton	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:58 PM	Clerk Mayor Council
Kalli Beckwith	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:57 PM	Clerk Mayor Council
Jocelyn Mimaja	8.f.	Opposed	Rescinding Hen Ordinances	Email	Wednesday 2/3/2021 12:57 PM	Clerk

From: [bakersfield mayor](#)
To: 6617474647@mms.att.net
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Hens (6617474647@mms.att.net)
Date: Tuesday, February 2, 2021 5:58:49 PM

Good evening,

Thank you for your message. Would you be able to provide your name, please, so by cc to the City Clerk, she can include your correspondence as part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen

Karen Goh | Mayor
City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770

-----Original Message-----

From: 6617474647@mms.att.net [<mailto:6617474647@mms.att.net>]
Sent: Tuesday, February 2, 2021 5:53 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject:

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mayor Goh@bakersfieldcity.us
I DO NOT support rescinding the backyard hens issue, ordinance.

THANK YOU

From: [Ada](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 5:10:57 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.

Ada Robinson
[Sent from Yahoo Mail for iPhone](#)

From: [Andrew May](#)
To: [City Clerk](#)
Cc: [Christian Clegg](#); [Nick Fidler](#); Kerntax@kerntaxpayers.org; 2045994@gmail.com
Subject: Public Comment - Street Light Concerns
Date: Wednesday, February 3, 2021 7:04:17 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is a public comment for tonight's council meeting. I would like help with getting our street lights repaired on S St between California and rail tracks. Our neighbors and I have submitted approximately a dozen tickets over 4 years and our lights are still out. What are we paying Measure N and maintenance funds for if no one does maintenance? We know lighting is an important issue for KernTax. We would like to urge KernTax to support the repeal of Measure N.

From: [Annette Lyday](#)
To: [City Clerk](#)
Subject: I Support backyard hens
Date: Wednesday, February 3, 2021 8:57:07 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please do not rescind the standing order for hens! People need the food security that comes with backyard hens!
And cities also need not be bullied by an anonymous Beverly Hills lawyer!

Annette Lyday

Sent from my iPhone

From: [Barbara Lewy](#)
To: [City Council](#)
Subject: HEN ORDINANCE
Date: Wednesday, February 3, 2021 10:43:33 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Why the hurry?

This particular hen ordinance should be rescinded and not brought up again until there can be a fairer, more informed and enforceable ordinance that doesn't affect the quality of life of R-1 constituents who will have NO PLACE LEFT TO LIVE IN OUR CITY without the negative impacts of backyard chickens.

The proponents say they are the majority and democracy rules. Has a survey or vote proven they are the majority?

I feel they are speaking like bullies trying to smear and intimidate anyone who dares oppose them. This IS a very emotional issue.

It should wait until there can be more study, open hearings, and means of enforcement.

Maybe it can be approved only in wards where a majority wants it. Then there would be a place for us lifelong residents to keep our peaceful lifestyle and clean air—or at least have an opportunity to be convinced there is no downside.

Pleas rescind this ordinance and start over the democratic way.

Thank you.

Barbara Lewy
5725 Harpy Eagle Avenue
Bakersfield CA 93306

661 303-7010

--

Barbara Lewy

From: [Barbara Lewy](#)
To: [City Clerk](#)
Subject: All Council Members — HEN ORDINANCE
Date: Wednesday, February 3, 2021 11:17:06 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Why the hurry?

This particular hen ordinance should be rescinded and not brought up again until there can be a fairer, more informed and enforceable ordinance that doesn't affect the quality of life of R-1 constituents who will have **NO PLACE LEFT TO LIVE IN OUR CITY** without the negative impacts of backyard chickens.

The proponents say they are the majority and democracy rules. Has a survey or vote proven they are the majority?

I feel they are speaking like bullies trying to smear and intimidate anyone who dares oppose them. This IS a very emotional issue.

It should wait until there can be more study, open hearings, and means of enforcement.

Maybe it can be approved only in wards where a majority wants it. Then there would be a place for us lifelong residents to keep our peaceful lifestyle and clean air—or at least have an opportunity to be convinced there is no downside.

Pleas rescind this ordinance and start over the democratic way.

Thank you.

Barbara Lewy
5725 Harpy Eagle Avenue
Bakersfield CA 93306

661 303-7010

--

Barbara Lewy

From: [Brian & Megan](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 9:36:49 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

We are writing today to support the hen ordinance in Oleander. We are residents and have lived in this neighborhood either renting or owning since 2008.

We think allowing hens to supply eggs is an excellent source of protein rich nutrition. Knowing that in our area we have many families struggling with food stability. Raising hens to provide a family with eggs is no skin off our nose and fully support allowing hens in the neighborhood.

Thank you,
Brian Boozer & Megan McCullah-Boozer

Sent from my iPhone

From: [Bruna Faulkner](#)
To: [City Clerk](#)
Subject: Agenda item 8f Urban Hens
Date: Wednesday, February 3, 2021 6:39:20 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning

RE: Support repeal of urban hen ordinance

I am writing in support of the request to withdraw the urban hen ordinance. This ordinance was passed with haste and without full exploration of the environmental impact of neighborhood hens and the additional cost burden for the city budget that will be associated with compliance enforcement and licensing of residents for urban hens.

Thank you

Bruna

Sent from my iPhone

From: [Carissa Clough](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Wednesday, February 3, 2021 1:05:41 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom It May Concern,

I am opposed to you rescinding the hen ordinance. Please, at least, consider negotiating further until all parties are satisfied. Thank you.

Sincerely,

Carissa Clough

From: [Carl Bryan](#)
To: [bakersfield mayor](#)
Cc: [City Clerk](#); [City Council](#); [Shared admatt](#)
Subject: Hen ordinance and Council Meeting
Date: Wednesday, February 3, 2021 9:22:49 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am planning on attending the City Council meeting on February 3. I would very much appreciate being included in the public statements regarding the Hen Ordinance.

The safe and healthy keeping of household hens according to reasonable restrictions has many benefits, including:

A healthy learning experience for school-age children (and younger). My frequent conversations with hen owners are a good learning experience. Bakersfield has always been a city that depends on agriculture and farming for its prominent place in the country. The keeping and caring of pets and other animals is an experience that no one should miss.

Fresh eggs!!

Thank you for the chance to be heard. The lack of sporting events to announce recently has kept me uncomfortable.

Carl Bryan
4401 Fruitvale Ave #119
Bakersfield CA 93308
661-703-1319
carl-bryan@sbcglobal.net

Sent from my iPad

From: [Carmen Lopez](#)
To: [City Council](#)
Subject: In support of the hens
Date: Tuesday, February 2, 2021 10:00:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I and my family oppose rescinding the chicken ordinance that was passed by the city council last year.

From: [Carolina Cortez](#)
To: [City Council](#)
Subject: In support of backyard hens
Date: Tuesday, February 2, 2021 6:24:57 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City council members,

I would like to voice my support for the backyard hen initiative which will be up for recension at the Feb 3 meeting. I've been a supporter of this initiative since it began over 6 months ago when the City Council first heard it come before them.

We're asking you to uphold the ordinance that was fairly and legally passed. The city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit.

Over 30 cities in California allow backyard hens in homesteads that are smaller than 1 acre. 11 cities that we know of have used the CEQA "common sense" waiver that was also used in our city's ordinance, all without incident. Furthermore, in all of the work that was done toward this ordinance, including the workshop and discovery period by city staff, the drafting of the ordinance, the committee review of the draft, the public hearing portion, and the two meetings in which this was an agenda item, the CEQA concerns were only mentioned by one private resident in open comment at the 11th hour and then reiterated by one council member moments before voting.

It is clear there is no basis for this lawsuit, and it is a gross manipulation of environmental protection law.

This lawsuit was filed by an anonymous, disgruntled individual or individuals who have no history of environmental advocacy. Their legal team has refused to negotiate or agree on any terms other than "no hens." This is a power play. The community supporters involved with the backyard hen initiative are willing and able to come to a resolution that is fair and reasonable for all involved. Many are willing to raise funds to cover monies necessary for an environmental impact report or other steps needed. We did not bring this lawsuit on and do not appreciate our own taxpayer dollars going toward such a ridiculous claim, and we remain open and willing to work toward solutions. But we will also hold you accountable to your obligation to the will of the majority.

Rescinding this ordinance based on the fear of litigation costs in a case that can be won is bad leadership, bad practice, and sets a bad precedent.

Uphold the ordinance. Uphold the vote of the council from November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,

-Carolina Chaidez

Sent from my iPhone

From: [Cassie LaFever](#)
To: [City Clerk](#)
Subject: I am opposed to you rescinding the hen ordinance.
Date: Tuesday, February 2, 2021 7:31:53 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

From: thekiruis@gmail.com
To: [City_Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 10:09:15 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Sincerely,
Dana Kirui

From: [Danielle Spiller](#)
To: [City Clerk](#)
Subject: Backyard hens.
Date: Wednesday, February 3, 2021 10:47:28 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Bakersfield city council members,
I Urge you, as a Bakersfield city resident, to push through for the backyard hen ordinance already passed by the previous members of council. Backyard hens pose no risk to the city and only add value. Please take the initiative in allowing Hens to the city as an added benefit to the city of Bakersfield as a farming community and as a community in general. The proper assessments have been taken, and the city of Bakersfield backs the ordinance that was passed in 2020.

Thank you for your consideration,

Danielle Peterson

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: [Tanya & Shopping Beagles](#)
To: [City Council](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 8:40:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To Whom It May Concern,

We are opposed to rescinding the Hen Ordinance.

Respectfully,
Dave & Tanya Beagles

Sent from my iPhone

From: [Debbie Tweed](#)
To: [City Clerk](#)
Subject: Chris Parlier, Ward 7 - Hen Ordinance
Date: Wednesday, February 3, 2021 12:27:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello, my name is Debbie Tweed and I live near Taft Highway in a housing area backing up to Stine Road. I would like to see the city adopt the ordinance allowing homeowners to keep a few hens on their property as pets. The city of Los Angeles allows roosters and larger populations of hens within the city limits. I don't understand why this is a problem in the agricultural community of Bakersfield.

Thank you for supporting this ordinance for your Ward residents who would dearly love to raise a few chickens in their back yard.

Sincerely,

Debbie Tweed

From: [Ginger Brown](#)
To: [City Clerk](#)
Subject: Hens
Date: Wednesday, February 3, 2021 12:22:02 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi,

As a chicken owner living in the county now, I thought it was wonderful that hen keeping was allowed in the city.

Hens are not typically noisy and they produce fresh eggs for families and provide food. They also provide companionship and teach children lessons about science and being an animal owner.

Dogs are more noisy then chickens.

This is just my two cents but my chickens have been a great joy for myself and kids. People have cats, dogs, bunnies and turtles. What is the issue with chickens?

The only issue I see is a rooster. That would be noisy in a city neighborhood and disruptive.

Sincerely,

Proud chicken keeper and advocate for a wholesome lifestyle.

Ginger Brown

From: [Gloria Pope](#)
To: [City Council](#)
Subject: Chickens
Date: Wednesday, February 3, 2021 7:42:52 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

3 February 2021

Hi, My name is Gloria Pope and I live in the county, out here in Rosedale. I have lived on Eagle Ranch Drive for 29 years. My neighbors two houses over have chickens, and yes one of them is a rooster. They do make a little noise but the kids are in 4H and I am happy they have that opportunity.

Please let people have chickens. They produce eggs and can be a real source of fun.

PS Through the years our neighbors have had emus, goats, sheep, rabbits and you know it's been just fine. A couple of streets over a family has two huge hogs, a few chickens and three big dogs. The dogs are a lot more of an issue than the farm animals.

Thank you,
Gloria Pope

From: [Gloria Pope](#)
To: [City Clerk](#)
Subject: Chickens
Date: Wednesday, February 3, 2021 7:40:08 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

3 February 2021

Hi, My name is Gloria Pope and I live in the county, out here in Rosedale. I have lived on Eagle Ranch Drive for 29 years. My neighbors two houses over have chickens, and yes one of them is a rooster. They do make a little noise but the kids are in 4H and I am happy they have that opportunity.

Please let people have chickens. They produce eggs and can be a real source of fun.

--

All is grace.

--Gloria--

From: [Heather Crosby](#)
To: [City Clerk](#)
Subject: Back yard Hens
Date: Wednesday, February 3, 2021 10:25:52 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please leave backyard hens alone. They are not causing problems and would honestly cost you more in trying to remove them than maintaining the current ordinance. I support back yard hens!

From: [Jakob Vigstrom](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Wednesday, February 3, 2021 12:12:55 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to rescinding the city of Bakersfield hen ordinance.

The city council was well within the law when they used the common sense exemption to CEQA to pass the ordinance.

Please do not let a petty lawsuit pressure you into rescinding. If it was taken to court, it's very unlikely this party would be successful. There is plenty of precedent.

Thank you for your consideration,

From: [Hindsight Inc.](#)
To: [City Clerk](#)
Subject: James Lautner supports Backyard Hens
Date: Wednesday, February 3, 2021 8:31:29 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good afternoon,

I vehemently support Backyard Hens.

Not only is the food they provide integral to feeding our people, but the love people have for them will influence our next generation of farmers.

We are an agriculture town, it's one of the leading majors at the colleges, and it's one of our major exports.

People aren't just born with a love for agriculture, it's fostered by their experiences with livestock and plants, there's a reason that a major draw to our fairgrounds revolves around livestock, that major programs revolve around teaching children to care for animals, it's because they know what you know, children are the future.

It starts at home.

The council has already voted to support backyard hens, and it's egregious that they would let such a spurious lawsuit to change their minds.

It is absolutely worth it for our people and our future to support backyard hens.

Join many cities in the nation in continuing to support Backyard hens.

Signed, James Lautner

From: [Jamie Whitlock](#)
To: [City Clerk](#)
Subject: Backyard Chickens
Date: Tuesday, February 2, 2021 6:32:36 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

My name is Jamie Whitlock. I support Bakersfield residents right to own backyard chickens.

Sent from my iPhone

From: [Jennifer Clayton](#)
To: [City Clerk](#); [bakersfield mayor](#); [City Council](#)
Subject: support our hen ordinance
Date: Wednesday, February 3, 2021 12:58:12 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am asking to remain anonymous with this letter, but would like to reach out once more on the issue of the Hen Ordinance. We have been very vocal about the benefits of hens and the need to show support for this fair and reasonable ordinance that was passed in good faith.

When we got our hens we did not know they were not legal. We got them as tiny chicks at the beginning of the pandemic and they became part of our family quickly. My adult son is autistic, he also is on dialysis due to renal failure. This last few months have been horrible for him, as his method of dialysis failed. He has had 3 surgeries and 3 major procedures since August, on top of the isolation from the pandemic, he has been through the ringer. Our chickens have been a bright spot for him, days it is hard to get him to leave his room, he wants to check on them. He will eat an egg because his hens laid it. I don't know how we will explain that they can not stay if this ordinance is rescinded, and it is not fair to have to.

There are many studies showing the benefits of hens for people on the spectrum, support for people with ADHD, and alzheimer's. In my home, our hens have opened up the backyard for my son and helped with some rough patches, they will teach our grandchild about nature and compassion, and we are very grateful to our feathered friends.

I ask to be anonymous because my son is an adult and he can not make the decision to share his story openly, but we also feel it needs to be heard.

Thank you for your time!

Time: Feb 3, 2021 10:53:50 AM

Name: Leal Jesse Mary

Number: 661-366-9664

Message: It's the hen ordinances.

You know what, I've called before even before they passed the, the ordinances, they passed it without enough people being a part of it, and they should never have passed that. And I hope right now that they consider it. And I know, supposedly, you all want chickens, hens. But you know what, not everybody is that way. So there was a lot of things I called quite a few of those city council people. And still, they passed it. 4/3 Okay, we need to stop this. I'm still having problems with neighbors having chickens, turning them loose. I mean, I don't need to tell you all this stuff. You've heard it before. So you need to not, you need to not pass this. You need to stop it. For everybody's sake.

If people are going to have chickens, hens, they need to have the proper place for them. Not in our backyards, next door neighbors.

Thank you.

From: [Joan Ellis](#)
To: [City Clerk](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 5:11:06 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am in favor of keeping the recently passed backyard hen ordinance. I personally do not intend to own hens, but I believe you should respect and trust the residences of Bakersfield to be responsible.

Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

As you know, an anonymous group has caused the ordinance to be put on hold and now threatens the ordinance being rescinded. I will ask you, what's right? Is democracy right- allowing regular, everyday citizens to have a voice and going through the process of a collective, workable decision? Or, is it right to have those who can afford a lawyer shut down the whole process?

The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Joan Ellis

From: [Joan Ellis](#)
To: [City Council](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 5:12:54 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,
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Our elected officials rightly went through a process of putting backyard hens on the agenda, doing their own research and presentation, and hearing from both sides- for and against backyard hens. The process was not rushed, but thorough, publicized, and open to the public.

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The arguments were already presented for and against backyard hens. The decision based on those arguments were already made. The point now is sticking with a democratic process. The point now is our elected officials do their job of representing the majority, not the minority with money.

There are more options than just rescinding. Many backyard hen supporters want to continue to work toward a workable agreement. I urge you do not to rescind the ordinance but stand by democracy and continue to work towards a reasonable, workable solution.

Joan Ellis

From: [Jocelyn Dimaya](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Wednesday, February 3, 2021 12:57:25 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the Feb 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we are exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

Respectfully,
Jocelyn Dimaya-Thurley

From: [Edwin S. Bonilla](#)
To: [City Clerk](#)
Subject: Chicken Ordinance item f
Date: Wednesday, February 3, 2021 8:55:45 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[p0110.pdf](#)

A letter received at our office addressed for all council .



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield

email: ebonilla@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3071



From: [Joe Rivas](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 10:15:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the ordinance.

Joe Rivas

From: [John Tweed](#)
To: [City Council](#)
Subject: Chris Parlier - Ward 7 - Hen Ordinance
Date: Wednesday, February 3, 2021 12:07:06 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello, my name John Tweed and I live near Taft Highway in a housing area backing up to Stine Road. I have a very large lot and I would love to raise about four hens with my grandchildren. There is such a wonderful and wholesome life related to agriculture and farming that has been a huge part of this community from the founding of this city. I really don't understand the arguments against this ordinance. Hens are certainly not any noisier than the dogs that are in this neighborhood; not to mention the late night parties with very loud music, or the cars that now seem to have no restrictions on the volume of their exhaust systems and speed around our city streets.

What really blows my mind is that in the city of Los Angeles there is no restriction on hen ownership as well as having a rooster (now there is a *real* noise problem). Los Angeles, a trendy metropolis allows chickens; Bakersfield, a longstanding ag community does not. Now that makes me scratch my head.

As far as health issues. You have to be pretty imaginative to come up with issues that the people who actually own hens would not have an understanding of.

In times like these we need distractions in the home such as pets, and hens really do make great pets. They are great for our children. So I am pleading with you to please do whatever is necessary to allow us as a community to allow the few people that would actually raise hens, to do so.

Thank you so much for your consideration in this matter.

Sincerely,
John Tweed

From: [John Tweed](#)
To: [City Clerk](#)
Subject: Patty Gray; Ward 6 - hen ordinance
Date: Wednesday, February 3, 2021 12:01:47 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello, my name John Tweed and I live near Taft Highway in a housing area backing up to Stine Road. I have a very large lot and I would love to raise about four hens with my grandchildren. There is such a wonderful and wholesome life related to agriculture and farming that has been a huge part of this community from the founding of this city. I really don't understand the arguments against this ordinance. Hens are certainly not any noisier than the dogs that are in this neighborhood; not to mention the late night parties with very loud music, the cars that now seem to have no restrictions on the volume of their exhaust systems and speed around our city streets.

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In times like these we need distractions in the home such as pets, and hens really do make great pets. They are great for our children. So I am pleading with you to please do whatever is necessary to allow us as a community to allow the few people that would actually raise hens, to do so.

Thank you so much for your consideration in this matter.

Sincerely,
John Tweed

From: [Juan Rodriguez Jr](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 9:48:10 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I'm writing to express my opposition in the Bakersfield City Council's potential move to rescind the backyard hen ordinance.

Juan Rodriguez

--

Juan Rodriguez Jr

Personal: 202-603-4075

Email: ggirodriguez@gmail.com

From: [Judy Farris](#)
To: [City Clerk](#)
Subject: Backyard hen ordinance
Date: Wednesday, February 3, 2021 6:16:21 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I'm contacting you to let you know that our family is in favor of the backyard hen ordinance. Hens are inquisitive clean and relatively quiet. Hens keep pests in check and provide food. Hens are good pets. Your neighbors would not even know you had hens. We have loud dogs that bark night and day around us, neighbor's dogs poop on our front lawn, neighbor's cats poop in my backyard but if my neighbors had chickens in their backyard I would not care, and it would not impact us at all. Please pass the backyard hen ordinance. Don't cave-in to a few naysayers.
Judy Farris

Sent from my iPhone
Micah 6:8

From: [junksp](#)
To: [City Clerk](#)
Subject: Meeting 020321 agenda, item #2
Date: Wednesday, February 3, 2021 9:00:55 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I OBJECT the proposed hen ordinance. Chicken do not belong in the city.
Noise, dirt, smell, rodents will affect the quality of life of our city
residents.

From: [Kalli Beckwith](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#)
Subject: Do not rescind / Questions for the Council
Date: Wednesday, February 3, 2021 12:57:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

You do not have to rescind the R-1 ordinance related to backyard hens tonight. I contend that more research is needed before the City Council can make an informed decision.

19 cities in California out of 35 have used the same CEQA “common sense” exemption. The others used Negative Declarations. There IS legal precedent to defend this.

The City has defended 30 CEQA lawsuits in 10 years.

Here’s the problem quite simply: They’ve done it once, they’ll do it again. It sets a terrible precedent for anyone who doesn’t agree with an action and can call up a lawyer. And then where does it end?

Even if we start from square one, propose a new ordinance, get it sent to committee and the planning commission, and do everything full scale for a mitigated negative declaration, this anonymous group of disgruntled folks could still file a new meritless lawsuit.

And if the council rescinds it now without defending it, then why would anyone expect differently the next time? This anonymous group doesn’t have to answer for filing this frivolous lawsuit as even their attorney fees will be paid for!

The Bakersfield hen community is happy to negotiate. We’re happy to work toward solutions, even if it amends the ordinance (such as not to allow free ranging).

I would like the following questions answered:

- To what extent were attempts made to negotiate with the Petitioners’ attorney? Did you counter with at least dropping the lawsuit and NOT paying their legal fees? As a taxpayer, I find it egregious that you’d agree so swiftly to this. As a taxpayer, I’m also outraged that the Petitioners and their attorneys have backed the Council into this corner. But if you don’t stand up to it now, this power play and civil extortion will continue to occur.
- What CEQA industry professionals have you consulted with up to this point? Have you consulted with experts in CEQA as it relates to urban hen or other small scale ordinances rather than large scale projects such as the centennial corridor?
- What is the scope and cost of an environmental review that would be sufficient to meet the terms of the stipulation agreement? What is the cost of a Mitigated Negative Declaration?
- If you were to agree to the Petitioner’s stipulation, what assurances do we have that it would include specifics that allow for a Negative Declaration rather than a full EIR to comply with CEQA? (Although I understand an EIR wouldn’t be appropriate, City Attorney Gennaro did confirm that this “ordinance” does in fact qualify as a “project”, and I know legalese enough to know that vague wording and legally binding agreements don’t go well together.
- The city attorney has indicated that a third-party outside attorney would be hired due to them not having enough resources in-house. It is my understanding that there is no CEQA specialist or CEQA attorney on the city staff. Have you had a consultation with the outside legal team you would presumably hire? Have you gotten their professional opinion of the strength of the oppositions’ case or an estimate of the legal fees that defending this lawsuit would cost? If not, why not?
- What does the legal precedent show regarding CEQA “common sense” exemptions in similar situations? If you don’t know this - unless via information researched and provided to you by the Bakersfield Hen Community - then why not?
- 35 cities in CA allow hens and 19 of those cities have used the common sense exemption in question (per the group’s research). Why do you believe there’s not legal precedent and a strong case that the city can use to defend itself?
- What facts in this process initially led you to do the common sense CEQA exemption and feel confident in that

decision, and what has changed that you no longer believe you can stand by that in a court of law?

- Why is this lawsuit different than other CEQA-related lawsuits you've defended in the past? Ms. Gennaro informed me the City has defended 30 CEQA-related lawsuits in her last 10 years on staff.
- The opposition is trying to make the case that hens have an adverse environmental impact. If the case can be made that there could be adverse environmental impact, then what is the city's obligation to review the current existing ordinance for larger or Zone RS lots and do an environmental review?
- Where is the accountability? How will you prevent this from happening in the future? What assurances does the Bakersfield community have that they can fairly work through a democratic process, go through all the correct steps, be as thorough as possible, win a majority vote, and then be defended if and when a meritless lawsuit is brought against the city again related to backyard hens, small animals, or other initiatives that are supported by a majority of the community?
- What you're telling us is that the lawsuit is not worth the waste of money and that we should just start over with a new proposed ordinance. However, do you understand the issues we could face when the stipulation agreement notes that an environmental review must be conducted for any future proposed ordinance? Are you willing to proceed with such a review? Will a negative declaration be sufficient? What if this vague language calls for a larger environmental impact study as you have many times referenced the 85,000 homes it could impact? Either way, this lawsuit means we lose and the people of Bakersfield are not being fairly represented. I urge you at the very least to continue the conversation and listen to your constituents as this matter will not be over.

Sincerely,

Kalli Beckwith

Kalli Beckwith, M.S., BCBA
kallibeckwith@gmail.com
(661) 301-1443

"If better is possible, good is not enough."

From: [Kim](#)
To: [Kim](#)
Subject: Support Backyard Hens
Date: Wednesday, February 3, 2021 8:15:26 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom this may concern,

My husband almost died from covid he was too weak to eat meat and loss 30 lbs. Organic backyard hens saved us while being in quarantine, soft to swallow and chew, egg protein is the only organic source protein he can eat right now without me leaving the house. After 2 months he is still high risk his heart and lungs are now severely damaged. He is a doctor at Accelerated urgent care and his patient coughed to his face because he has a rare blood type plasma is not available to him. The hospital did their best and has now sent him home for comfort care. Please I beg you let backyard hens be legalized in Bakersfield for the sick weak families like mine. KL

From: [Virginia "Ginny" Gennaro](#)
To: [Kim](#)
Cc: [Julie Drimakis](#)
Subject: RE: Support Backyard Hens
Date: Wednesday, February 3, 2021 8:58:00 AM

Thank you for your email.

By cc to the City Clerk, I am asking that she make your email part of the Public Statement record for tonight's meeting.

From: Kim <k75402@yahoo.com>
Sent: Wednesday, February 3, 2021 8:15 AM
To: Kim <k75402@yahoo.com>
Subject: Support Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

To whom this may concern,

My husband almost died from covid he was too weak to eat meat and loss 30 lbs. Organic backyard hens saved us while being in quarantine, soft to swallow and chew, egg protein is the only organic source protein he can eat right now without me leaving the house. After 2 months he is still high risk his heart and lungs are now severely damaged. He is a doctor at Accelerated urgent care and his patient coughed to his face because he has a rare blood type plasma is not available to him. The hospital did their best and has now sent him home for comfort care. Please I beg you let backyard hens be legalized in Bakersfield for the sick weak families like mine. KL

From: [Kim](#)
To: [Kim](#)
Subject: Support Backyard Hens
Date: Wednesday, February 3, 2021 8:15:26 AM

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To whom this may concern,

My husband almost died from covid he was too weak to eat meat and loss 30 lbs. Organic backyard hens saved us while being in quarantine, soft to swallow and chew, egg protein is the only organic source protein he can eat right now without me leaving the house. After 2 months he is still high risk his heart and lungs are now severely damaged. He is a doctor at Accelerated urgent care and his patient coughed to his face because he has a rare blood type plasma is not available to him. The hospital did their best and has now sent him home for comfort care. Please I beg you let backyard hens be legalized in Bakersfield for the sick weak families like mine. KL

From: [Kirk Boland](#)
To: [City Clerk](#)
Subject: Backyard Hens Council meeting 2/3/2021 (Please return receipt of email)
Date: Tuesday, February 2, 2021 5:14:13 PM
Attachments: [Arcata.pdf](#)
[Citrus Heights.pdf](#)
[Calistoga.pdf](#)
[Atherton.pdf](#)
[Escondido.pdf](#)
[Contra Costa County.pdf](#)
[Elk Grove.pdf](#)
[Grass Valley.pdf](#)
[Hemet.pdf](#)
[Nevada County.pdf](#)
[San Anselmo.pdf](#)
[Placerville.pdf](#)
[Clayton.pdf](#)
[San Diego.PDF](#)
[Stanislaus County.pdf](#)
[Semi Valley.pdf](#)
[Vacaville.pdf](#)
[Yreka.pdf](#)
[Trinity County.pdf](#)

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Public Statement

Dear City Council members,

The many Local Government agencies in California that have passed an ordinance relating to the keeping of hens, I have found documentation of 19 agencies (See attachments for relevant information) that have used the CEQA "exemption." One of those cities being San Diego, which passed an ordinance not only for the keeping of backyard hens but also allowed the keeping of goats and beekeeping.

CEQA requires analysis of agency approvals of discretionary "projects." A "project," under CEQA is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." CEQA only applies to projects which "have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The approval of this ordinance did not approve any development project and does not result in the possibility of creating significant or cumulative effects on the environment.

The City Council cannot allow an anonymous group to manipulate the democratic process and dictate the rules for all of us to follow.

The City Council needs to stand up for the council members that voted to pass the ordinance and the citizens that worked hard to get it passed.

Thank you,

Kirk Boland

From: [Leah Lynn](#)
To: [City Clerk](#)
Subject: oppose rescinding hen ordinance
Date: Wednesday, February 3, 2021 8:38:45 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I'm surprised that the City Council is bending to the will of a very small number of wealthier citizens who oppose backyard hens. How is this democratic? I oppose rescinding the hen ordinance, and believe this process exposes the disparities between representation in our community.

--

Leah Lynn Simmons
missleahlynn@gmail.com

From: [Leslie Fowler](#)
To: [City Clerk](#)
Subject: Support back yard chickens
Date: Tuesday, February 2, 2021 9:13:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the the decision to turn the law over that people should be able to have chickens.

From: [Leticia Alvarado](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Wednesday, February 3, 2021 12:07:04 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose to rescind the ordinance. We should be able to have our hens.

[Sent from Yahoo Mail on Android](#)

From: [LETICIA PELAYO](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Wednesday, February 3, 2021 10:27:20 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Council members, I am asking that you please not back down due to the threat of a lawsuit by an “anonymous group”. My hens have improved my family’s quality of life during uncertain times, they have become family members, each with quirky personalities and names. They get their coop cleaned out weekly, they are much much quieter than the dogs in our neighborhood that bark at all times of the day/night...our hens sleep from dusk until dawn and even when awake make very little noise. They are teaching my children about responsibility and being self sustained.

Sincerely An anonymous hen lover.

Sent from my iPhone

From: Lorie.chambless@gmail.com
To: [City Clerk](#)
Subject: Backyard Hens
Date: Wednesday, February 3, 2021 8:46:56 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the Feb 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we are exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you.

From: [Tatum Langley](#)
To: [City Clerk](#)
Cc: [City Council](#); [bakersfield mayor](#)
Subject: Stand up to civil extortion - and the Terry Maxwells of the world
Date: Wednesday, February 3, 2021 10:20:06 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

The City Council has an obligation today to support the existing ordinance for backyard hens in the city of Bakersfield. Do not rescind this ordinance based on a frivolous lawsuit. This conversation is no longer about the merits or value of owning hens - that issue was already settled with a majority vote in October 2020.

The issue now is what kind of precedent you're willing to set for future legal battles, and how you support your constituents' interests, needs, and desires.

There seems to be a connection between Channel Law Group, the 24th Street project and related lawsuits, and past council member Terry Maxwell; Maxwell has voiced his strong opposition to hens on his sad radio show, and he was the loudest voice of opposition in 2012 when he was on the city council. On Monday, Feb 1, 2021, he even boasted on his public radio show that this lawsuit and the environmental review will cost the city hundreds of thousands of dollars. **This is civil extortion!**

Of course we can't know who's behind the current lawsuit against the city due to the cowardice of anonymous petitioners', but this whole thing stinks far more than chicken manure!!

If you don't stand up to baseless lawsuits - and the Maxwells of the world - when you have legal precedent to defend it, then you are sending a clear message to whose side you're on - the few anonymous, disgruntled citizens who are abusing environmental law in an attempt to obstruct the democratic process. You will give them the power and control they so desire, and this despicable pattern of behavior will continue!

There is not even a consequence for this party filing suit, given that you'll be agreeing to pay their \$9,100 in attorneys' fees!

Where is the accountability? How will you prevent this from happening in the future? What assurances does the Bakersfield hen community - or ANY Bakersfield city resident supportive of any future initiative - have that they can fairly work through a democratic process, go through all the correct steps, be as thorough as possible, and prevent some anonymous group from filing a meritless lawsuit again and then ultimately winning because you refuse to stand with the community majority who supports the initiative?

We need answers.

Mat Uman

From: [Michelle Harp](#)
To: [City Clerk](#)
Subject: Support of backyard hens
Date: Tuesday, February 2, 2021 5:15:15 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the rescind of the hen ordinance.
Michelle Harp

From: [bakersfield mayor](#)
To: [Michelle Harp](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: Support of hens
Date: Tuesday, February 2, 2021 5:51:52 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good evening, Ms. Harp,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Michelle Harp [mailto:harpomm56@gmail.com]

Sent: Tuesday, February 2, 2021 5:16 PM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: Support of hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the rescind of the hen ordinance.
Michelle Harp

From: [Michelle Harp](#)
To: [City Clerk](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 8:53:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Honorable City Clerk,

I'm madder than a wet hen. Pun intended. I've been working with a great group of 600+ people that set forth in motion to change an ordinance in regards to backyard hens. The group with the help of our city attorney drafted a fair and impartial ordinance. First reading it past we are one step closer, Second reading it passed we are closer yet. Just a 30day waiting period and we will be good to go. Slab poured; coop built with much anticipation. All ready to go. At the 11th hour the rug gets pulled out from under us by an anonymous group. I would think it would be fair to say that most hen owners will be responsible with their birds by keeping them in a safe environment. As far as odor and noise it will be minimal. Hens noise levels are about the same as people conversing. Odor can be kept to a minimum. In the past I had five lovely hens. The only time they made any noise was to announce they had proudly left us breakfast. The year I had the ladies we had no pest problem, no flies, no mosquitos and best of all no roaches with out having to use chemicals which are far more harmful to the environment than anything chickens could leave behind. We as a group are counting on the city council to uphold the ordinance that has been passed.

We are opposed to rescind of the hen ordinance.

Michelle Harp
661-345-8682

From: [bakersfield mayor](#)
To: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: FW: Backyard hens (Michelle Harp -- Email #2)
Date: Tuesday, February 2, 2021 8:59:01 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Sorry – forgot to cc you when I replied to Ms. Harp’s second email.



Karen Goh | Mayor

City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770



From: bakersfield mayor
Sent: Tuesday, February 2, 2021 8:58 PM
To: 'Michelle Harp' <harpomm56@gmail.com>
Subject: RE: Backyard hens (Michelle Harp -- Email #2)

Good evening, Ms. Harp,

Thank you for your second email tonight. By cc to the City Clerk, I’m asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield
email: mayor@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3770



From: Michelle Harp [<mailto:harpomm56@gmail.com>]
Sent: Tuesday, February 2, 2021 8:52 PM
To: bakersfield mayor <mayor@bakersfieldcity.us>
Subject: Backyard hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Honorable Mayor Goh

I'm madder than a wet hen. Pun intended. I've been working with a great group of 600+ people that set forth in motion to change an ordinance in regards to backyard hens. The group with the help of our city attorney drafted a fair and impartial ordinance. First reading it past we are one step closer, Second reading it passed we are closer yet. Just a 30day waiting period and we will be good to go. Slab poured; coop built with much anticipation. All ready to go. At the 11th hour the rug gets pulled out from under us by an anonymous group. I would think it would be fair to say that most hen owners will be responsible with their birds by keeping them in a safe environment. As far as odor and noise it will be minimal. Hens noise levels are about the same as people conversing. Odor can be kept to a minimum. In the past I had five lovely hens. The only time they made any noise was to announce they had proudly left us breakfast. The year I had the ladies we had no pest problem, no flies, no mosquitos and best of all no roaches with out having to use chemicals which are far more harmful to the environment than anything chickens could leave behind. We as a group are counting on the city council to uphold the ordinance that has been passed.

We are opposed to rescind of the hen ordinance.

Michelle Harp

661-345-8682

From: [Michelle Harp](#)
To: [City Council](#)
Subject: Backyard hens
Date: Tuesday, February 2, 2021 8:58:25 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Honorable City Council,

I'm madder than a wet hen. Pun intended. I've been working with a great group of 600+ people that set forth in motion to change an ordinance in regards to backyard hens. The group with the help of our city attorney drafted a fair and impartial ordinance. First reading it past we are one step closer, Second reading it passed we are closer yet. Just a 30day waiting period and we will be good to go. Slab poured; coop built with much anticipation. All ready to go. At the 11th hour the rug gets pulled out from under us by an anonymous group. I would think it would be fair to say that most hen owners will be responsible with their birds by keeping them in a safe environment. As far as odor and noise it will be minimal. Hens noise levels are about the same as people conversing. Odor can be kept to a minimum. In the past I had five lovely hens. The only time they made any noise was to announce they had proudly left us breakfast. The year I had the ladies we had no pest problem, no flies, no mosquitos and best of all no roaches with out having to use chemicals which are far more harmful to the environment than anything chickens could leave behind. We as a group are counting on the city council to uphold the ordinance that has been passed.

We are opposed to rescind of the hen ordinance.

Michelle Harp
661-345-8682

From: [Michelle Harp](#)
To: [City Council](#)
Subject: Support of backyard hens
Date: Tuesday, February 2, 2021 5:15:47 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the rescind of the hen ordinance.
Michelle Harp

From: [Virginia "Ginny" Gennaro](#)
To: [Michael Harp](#)
Cc: [Julie Drimakis](#)
Subject: RE: Support of your hen ordinance
Date: Wednesday, February 3, 2021 8:59:04 AM

Thank you for your email.

By copy to the City Clerk I am asking that she make your email part of the Public Statement record for tonight.

From: Michael Harp <harpoml@yahoo.com>
Sent: Wednesday, February 3, 2021 7:37 AM
To: Virginia "Ginny" Gennaro <vgennaro@bakersfieldcity.us>
Subject: Support of your hen ordinance

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am writing in support of the City of Bakersfield Backyard Hen initiative. Our members have been devastated by ordinance may be revoked by the efforts of a few disgruntled people. One particular one person in question. That is Mr. Terry Maxwell. Mr. Maxwell had always been unhappy with the City Council no matter whether it was the hen ordinance or the 24th Street project. Mr. Maxwell tries to thwart your efforts every step that you do. This is not about backyard hens which was a well written & carefully researched ordinance. It is about politics and about one person's efforts to control the City Council's decisions. There has always been bad-blood between him & the council.

We in our group have been more than willing to compromise on the ordinance & possible amend it? We would even be willing to pay a \$50 dollar a year permit fee & also any inspection that the City deemed necessary. It is also not true that most real estate agents oppose this ordinance. We would also propose that they not be free-range but must be contained in a coop or run. There was absolutely no need for a CEQA study. Other larger cities proved this. People use chicken & beef manure all the time to fertilize their gardens & flower beds.

Many of us have already spent thousands of dollars in coops & concrete slabs when the ordinance was passed. Already there in talk among many of us of seeking our own attorneys under basis of the first amendment or other civil violations. A friend of mine who is a retired local judge has been following these proceedings has suggested that the council may have violated the Brown Act? We really hope this doesn't come to this? Our group has been more than willing to work with the City Council on this ordinance. It was a well written ordinance. We sincerely hope that the City Council seriously consider not cancelling this ordinance.

Thank You,

Michael Harp

From: [Nate Vazquez](#)
To: [City Clerk](#)
Subject: Hen Ordinance
Date: Tuesday, February 2, 2021 5:08:13 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance and believe Bakersfield residents should be able to own and raise their chickens if desired.

Sincerely,
Nate

From: [Nikole Ramirez](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Tuesday, February 2, 2021 5:09:45 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance and believe Bakersfield residents should have the right to raise chickens if so desired.

Best,
Nicole Ramirez

From: [Nikki Tramel](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Wednesday, February 3, 2021 8:21:01 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

From: [Olga See](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Tuesday, February 2, 2021 8:27:55 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I oppose the city council rescinding the hen ordinance.

Olga See

From: [craig duncan](#)
To: [City Clerk](#)
Subject: Backyard Hens
Date: Tuesday, February 2, 2021 8:23:20 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Thank you
Peni Darnell

[Sent from Yahoo Mail for iPhone](#)

From: [Peter P](#)
To: [City Clerk](#)
Subject: Hen ordinance
Date: Wednesday, February 3, 2021 12:57:10 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi

Am writing about the hen ordinance I have no issue with neighbors having hens. They provide eggs, kill bugs and are therapeutic.

Roosters on the other hand can be a nuisance when they sing at 4 am

Thanks
Have a nice day
Peter

From: [Phillip Smith](#)
To: [Christian Clegg](#); [City Clerk](#); [Karen Goh](#)
Cc: [james.webb@dot.gov](#); [bonnie.graves@dot.gov](#); [ccheers@getbus.org](#); [BSnoddy@kerncog.org](#); [kking@getbus.org](#); [tkim@getbus.org](#); [depperson@getbus.org](#); [JStramaglia@kerncog.org](#)
Subject: Public Comment - ADA Issues
Date: Wednesday, February 3, 2021 8:46:23 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mr. Clegg, Mayor Goh, I'm sending a comment for tonight's council meeting. Hope you can help me. For the past 18 months I've had difficulty accessing the GET bus because shopping carts block my access along Mill Creek. In short, the homeless leave shopping carts along the walkway blocking my wheelchair. Some of these carts are heavy and difficult to push or go around. I've submitted close to 40 help ticket on the citysourced app, with photos, often ignored. About a year ago the city told me they were working with the council to adopt a shopping cart ban in the park similar to other cities so carts would not block the walkway. What's the status of this? I haven't heard. Police and code enforcement say they can't do anything until the city passes an ordinance. Fresno and other cities have shopping cart bans in their parks. Can the mayor, manager, and council please address this? If part of my trip is blocked by a shopping cart, I cannot make the entire trip. Thank you.

From: [Rob Graphic Tech](#)
To: [City Clerk](#)
Subject: Regarding... City hen ordinance – OBJECTION to allowing chicken in the city
Date: Tuesday, February 2, 2021 7:33:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

City council meeting 2/3/21

Agenda item #2... Public Statements

Regarding... City hen ordinance – OBJECTION to allowing chicken in the city

I strongly object to allowing chicken in the city of Bakersfield.

This is a major reduction in the quality of life for the city residents. They did not buy a home in an area zoned for chicken or any other farm animal. Allowing chicken in the city zone will lower the property value.

There will be strong odors even with proper coop and yard cleaning. Chicken poop often and indiscriminately. Heat has a major impact on the smell. With our temperatures most of the year, the smell will be strong.

Rodents, insects, snakes, and other predators will be attracted to coops and chicken feed.

Chicken make noise, lots of noise. They cluck - at all times of the day. Every time they lay an egg, they cluck using their very loudest voice. And the rest of the hen will join in.

To enforce rules and regulations, depending on Code enforcement is generally unsuccessful.

From: [Lisa Najera](#)
To: [City Council](#)
Subject: Phone Message: All Councilmembers: Regarding Chicken Ordinance
Date: Tuesday, February 2, 2021 4:59:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Received a Phone Message from Mr. Ron Antongiovanni, who resides at 5812 Diamond Oak Ave, Ward 4.

Contact number is 661-805-5697.

Mr. Antongiovanni, would like to urge the council to uphold the chicken ordinance.

Thank you.



Lisa Najera | Clerk Typist II
City Clerk's Office

City of Bakersfield
email: lnajera@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3508



From: [AltaMont - Sari](#)
To: [City Clerk](#)
Subject: Council meeting today - backyard chicken
Date: Wednesday, February 3, 2021 10:03:15 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please accept my OBJECTION to the proposed backyard chicken ordinance. Farm animals belong to the country side. Please respect city residents zoning as it was when properties were purchased.

--

Sari Potes
Phone: 661 748-1909
Fax: 661 748-1925
sari@altamonthotels.com

ALTAMONT HOTELS, INC.
Professional Hotel Management Services



From: [Sari](#)
To: [City Clerk](#)
Subject: Feb 3, 2021 meeting - hen ordinance
Date: Wednesday, February 3, 2021 9:00:00 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is a NO vote on the backyard chicken. Farm animals do not belong in the city.

From: [Savannah McCoy](#)
To: [City Clerk](#)
Subject: I Support Backyard Hens
Date: Tuesday, February 2, 2021 9:43:08 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Savannah McCoy

From: [Savannah McCoy](#)
To: [City Council](#)
Subject: I Support Backyard Hens
Date: Tuesday, February 2, 2021 9:43:52 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Savannah McCoy

From: [bakersfield_mayor](#)
To: [Savannah McCoy](#)
Cc: [City Clerk](#); [Danielle Mabon](#); [Claudia Heredia-Clarke](#)
Subject: RE: I Support Backyard Hens (Savannah McCoy)
Date: Wednesday, February 3, 2021 12:20:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good afternoon, Ms. McCoy,

Thank you for your email. By cc to the City Clerk, I'm asking that this correspondence be a part of the official comments for the City Council meeting of February, 3, 2021 at 5:15 pm.

Best regards,

Karen



Karen Goh | Mayor

City of Bakersfield

email: mayor@bakersfieldcity.us

web: www.bakersfieldcity.us

phone: 661-326-3770



From: Savannah McCoy [mailto:savannahgmccoy@gmail.com]

Sent: Tuesday, February 2, 2021 9:44 PM

To: bakersfield mayor <mayor@bakersfieldcity.us>

Subject: I Support Backyard Hens

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is my formal opposition to the rescinding of the previously passed Hen Ordinance. The fact that our city representatives are considering caving to a baseless and anonymous lawsuit from a law firm who isn't from our area and has no prior history of fighting for the environment is absolutely ridiculous and so incredibly disheartening. At this point, it has nothing to do with hens and everything to do with standing up for the common people who don't have money to throw away and aren't trying to bully their way into our city government. This is uncalled for and I'm disappointed that it's even being considered. DO NOT CAVE TO THE BULLIES. STAND BEHIND YOUR PREVIOUS DECISION.

Savannah McCoy

From: [Seth Paillet](#)
To: [City Clerk](#)
Subject: Support backyard hens
Date: Wednesday, February 3, 2021 9:26:10 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support backyard hens in Bakersfield, California. It is a great thing being able to have hens and be self sufficient, as long as one cares for them appropriately. Thank you.

Respectfully,
Seth Paillet

5507 Millington Ave,
Bakersfield, Ca 93313
(714) 642-3291

Sent from my iPhone

From: [Sheryce Scott](#)
To: [City Council](#)
Subject: Hens
Date: Wednesday, February 3, 2021 9:14:26 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I am opposed to you rescinding the hen ordinance.

Thank you!
-Sheryce Scott

Sent from my iPhone

From: [Valerie Clark](#)
To: [City Clerk](#)
Subject: Support Backyard Hens
Date: Tuesday, February 2, 2021 8:38:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council Members,

Please support the recent urban hen ordinance. Hens have many advantages, the production of food (a good protein) is definitely one of them. Hens not only produce food for a family, they are also a way for children to learn responsibility and to have a first hand experience at “farming.” I mean, we are in the Central Valley, right?

I understand that there is an environmental concern about noise, smell, and disease. I can assure you that small flocks do not carry these concerns. Hens are mostly quiet, except when they’re laying that delicious breakfast (and that happens pretty quickly). They do not smell, especially in an air open coop, and in 12 years of owning hens, I have never had a problem with disease. It is clear that the “common sense” exemption can be applied to this ordinance.

I’m not sure what this “anonymous” group is worried about, but I can assure you that just because “all” R1 residents CAN have hens does not mean that all residents WILL have hens. The 15+ pigeons living on my roof that I can’t seem to get rid of pose a much higher risk of noise, smell and disease than hens, and there is no CEQA or EIR that can make it illegal for them to take up residence in the most annoying of places.

I understand that you may feel like your hands are tied because of this lawsuit, but please don’t set a precedent by allowing this group to take something away that over 30 cities in California have...none of which have had to go through a full EIR.

If it makes a difference, we would be ok with a maximum of 6 hens, instead of the originally proposed number.

Thank you for taking the time to read these letters and consider our point of view.

Regards,

Valerie Clark

From: [Walter Keenan](#)
To: [City Clerk](#)
Subject: NO on Backyard Hen Ordinance
Date: Wednesday, February 3, 2021 7:36:47 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I urge the council to NOT allow backyard hens.

The pro group paints a rosie picture of the future with backyard hens, but it is unrealistic. Although everyone has a right to own hens, there are ample areas outside of city limits to do so. And these areas are in close proximity to the city.

I am a resident of the city of bakersfield for the past 30 years and plan on living out my life here. My quality of life is at stake and what rights do I have ? I specifically chose to live within the city limits because I did not want to live in close proximity to farm animals. Yes I am a city person. If hens are allowed what other farm animals might be considered? Goats, sheep, cows, horses?

I will not vote again for any council member whose votes in favor of allowing such a travesty.

Sincerely,

Walter Keenan

Sent from my iPad

From: [Eric Butcher](#)
To: [City Clerk](#)
Subject: Public Comment to City Council meeting 2/3/2021-Agenda item 8-F
Date: Wednesday, February 3, 2021 11:02:11 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Clerk,

**Please forward my prepared comment on allowing chickens within residential areas to the City Council for reading at today's meeting.
Statement follows:**

Madame Mayor and Honorable City Council Members:

First, allow me to thank you for the opportunity to speak to you and share my concerns. Before I begin, I would like to simply say, with all due respect, that I am astonished that, at this time, and with all that needs to be addressed in Bakersfield, that this is the topic that garners our city government's attention.

As a resident and property owner of a new home in Southwest Bakersfield, I stand opposed to the idea that livestock, such as chickens, are being considered as being allowed within residential areas of the city limits. Livestock has its place, certainly! I'm a big fan of chickens AND eggs! However, there is plenty of rural space outside the city limits where they can be raised.

Bakersfield city lots, on average, while perhaps larger than many California cities, are still quite small. If any of you have lived near chickens, you already know. They smell. They smell badly. In the Southwest, we already have to smell the water treatment plant down the road and manure from the fields. The last thing I want to do is step out in my backyard to relax or barbecue and have to smell chicken feces from next door.

Chickens are noisy, in a city that is already far too noisy. Additionally, having livestock, such as chickens, in backyards within the city also invites the possibility of wilder predators coming into our residential areas, as well as predatory actions by feral or stray cats and dogs. This is not conducive to safety for our families and pets in these residential areas.

Further, allowing the raising of livestock, such as chickens, within the residential areas of the city limits of Bakersfield will reduce property values and make it exceedingly difficult to sell homes that are unfortunate enough to have chickens being raised next door. Who would want to purchase a \$400,000 home if chickens are being raised potentially next

door? Would any of you make that purchase?

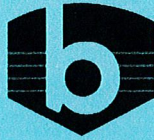
Over the past year, in Southwest Bakersfield, we have already been subjected to weekly, if not nightly explosions of illegal fireworks, improvised explosives, and gunshots. We are subjected to the noise and danger of illegal street racing every night. We have experienced a crime wave of stolen vehicles, break-ins, and package and mail theft. All of these, with seemingly no response, action, or investigation from the Bakersfield Police Department. Now, the city wants to consider introducing even more unchecked noise, filth, and stench into our environment?

We, in Southwest Bakersfield, simply want to live in peace and quiet, receive the safety protection that we pay taxes for, and expect our elected officials to focus on what's important, rather than on frivolous, fringe concerns. If we are to be a relevant city in the 21st century, then perhaps it's time we act like one.

Thank you for your time and consideration.

Sincerely,

William E. Butcher
5805 Ocean Jasper Drive
Bakersfield, CA 93313
661-808-9763



BAKERSFIELD

THE SOUND OF *Something Better*

CITY CLERK'S OFFICE MEMORANDUM

February 4, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JULIE DRIMAKIS, CITY CLERK

**SUBJECT: COUNCIL MEETING OF FEBRUARY 3, 2021
PUBLIC COMMENTS**

Transmitting additional correspondence received after the City Clerk's Office 1pm deadline.

Attachments
lr

From: [Abegail Lontoc](#)
To: [City Council](#)
Subject: Backyard Hens
Date: Wednesday, February 3, 2021 5:52:00 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I support backyard hens. Please do not rescind the Ordinance.

Thank you.

Abegail Lontoc
661 889-6831

From: [Edwin S. Bonilla](#)
To: [City Council](#)
Subject: All Council
Date: Wednesday, February 3, 2021 4:35:31 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Angela Henderson called to voice her opposition to the hen ordinance. She states they are unsanitary and promote pest infestations. You may reach her at 661 588 2260. She has contacted councilmen Weir directly already.



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield
email: ebonilla@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3071



From: Ginny Petersen <ginnypetersen57@gmail.com>

Sent: Wednesday, February 3, 2021 9:42 AM

To: City_Council <City_Council@bakersfieldcity.us>

Subject: Website request

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please do not vote to have a Chick-fil-A in the parking lot on Rosedale in the old Pier One building. It is difficult enough to manage that parking lot and the fast food restaurants that are already there have inadequate space for cars to be in line.

From: [Grace Wilhelm](#)
To: [City Clerk](#)
Subject: Backyard hen initiative
Date: Wednesday, February 3, 2021 6:16:30 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the Feb 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we are exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law.

Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
A concerned Kern County resident

From: amberjuly17@yahoo.com
To: [City Council](#)
Cc: [City Clerk](#)
Subject: Chickens
Date: Wednesday, February 3, 2021 4:06:26 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I believe the city should repeal the chicken ordinance . The CEQA is important to the safety and health of all residents. There are many diseases that chicken droppings can carry, one that can cause severe lung damage, I believe the name is Histoplasmosis.

I live in the city, I have one neighbor who has had a chicken coop illegally up against the fence that separates our lots. The coop is 10 Ft from my dining room window. The city came out and told him to stop. He did for 6 months , then he got more chickens. Now the neighbor across the street has illegally put up a chicken coop.

I followed the law, they have not. They are endangering the health of others to please themselves. The CEQA needs to be done, following the rules. The city council seemed to push this through without regard for following normal procedures and now are getting taken to court about it.

If people want chickens go to the county. Please do not let a group smother the rights and health of people who bought their homes knowing that chickens weren't allowed in the city only to see the city pull the rug off from under them.

Repeal the chicken ordinance and then do it right. Follo CEQA and your own city staff recommendations .

Sincerely,

Janine McKinley

Sent from my iPad

From: [Kalli Beckwith](#)
To: [City Clerk](#); [City Council](#); [bakersfield mayor](#); [AdmMgr](#)
Subject: City Council Code of Conduct
Date: Wednesday, February 3, 2021 1:16:49 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

In regard to my phone call with the City Clerk Julie, she indicated that Bakersfield hen supporters were "artificially inflating" the number of emails and phone calls because in some cases the same signatures were coming from multiple emails and in other cases emails of the same subject matter were being sent to the clerk's office, the Mayor, and the Council Members.

It's interesting that the bias seemed to land against the hen supporters. I'm not sure if this is because those in opposition aren't sending that many letters or making calls, or if there is another reason for her opinion.

What I said to her is that some of the reason this may be happening (from my own personal experience and the experiences of dozens of community members that I know of), is that not all council members have been available or willing to discuss this matter with their constituents.

I would like to thank Mr. Smith, Mr. Arias, and Mr. Gonzales, as well as Mr. Rivera and Ms. Sullivan, for their participation in this fair and transparent democratic process.

Through the process of supporting the ordinance that allows backyard hens, I've been deeply disappointed in the Council Members who refuse to communicate with their constituents, or refuse to keep an open mind on the matter. They seem to hold a personal opinion and are not willing to change that opinion based on community feedback. Mr. Parlier indicated to someone else that because of the realtor's association support against the ordinance, he won't support the ordinance. I can't understand why this has become a political matter.

As a concerned Bakersfield resident, this whole process has led me to inquire as to the Code of Conduct or Code of Ethics regarding the City Council member's roles and responsibilities. Much to my surprise, no code has ever existed.

This is fairly common practice in municipalities throughout the country and it's an expectation of most Boards. In the 464 pages of the Policies and Procedures guide for the Council, the City Clerk indicated I wouldn't find anything about a code of conduct for council members.

Here's one great resource: <https://www.westerncity.com/article/beyond-ethics-establishing-code-conduct-guide-your-council>

I would like to know and understand the process for which council members interact with constituents, vote on measures with regard to their personal opinions and biases, how they fairly represent their wards, what the expectations are for them to represent and communicate with their wards, how their roles and responsibilities are defined, if there is a grievance

process, etc. I ask that a Code of Conduct be developed, specifically with regard to the relations with our community. I look forward to hearing back from you.

Sincerely,

Kalli Beckwith, M.S., BCBA
kallibeckwith@gmail.com
(661) 301-1443

"If better is possible, good is not enough."

From: [Edwin S. Bonilla](#)
To: [City Council](#)
Subject: Bruce Freeman
Date: Thursday, February 4, 2021 8:26:41 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Sabrina Cornelius called to voice her disappointment in the council's decision to remove the hen ordinance. She feels the council is cowering to the demands of Terry Maxwell. She states the issue is actually about our rights and liberties. You can call her back anytime at 661 900 7921.



Edwin S. Bonilla | Clerk-Typist
City Clerk Office

City of Bakersfield
email: ebonilla@bakersfieldcity.us
web: www.bakersfieldcity.us
phone: 661-326-3071



From: [Terry Gonsman](#)
To: [City Council](#)
Subject: hen ordinance
Date: Wednesday, February 3, 2021 9:39:40 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I don't personally own hens, but I think it's despicable that you would vote for it, then 5-6 months later repeal it. Do some research, hens are much less of a nuisance than most people's dogs they leave outside and allow to bark all day and night. What are these people supposed to do with their hens now that you're telling them they can't have them? Absolutely disgusting and ignorant. There are so many other things you elected officials could be focusing your time on...how about dealing with record homicides, crime, or homelessness instead of backyard hens. Thank you to the three of you for voting the right way, anyone that voted to repeal this is weak and uninformed.

Public Statement 2/3/21

5:15

om: *Michael Turnipseed*

Kerntax

From: Christian Clegg <cclegg@bakersfieldcity.us>
Sent: Tuesday, January 26, 2021 5:56 PM
To: Kerntax
Subject: RE: need some info
Attachments: Jan 2021 Council Goals Update.pptx; City Council Goals - Jan 2021 Update Report.pdf; Council Goals Q3 Focus.docx

High level police staffing in the table below for sworn positions. The January 2021 number includes our new academy class. Still waiting on the three year crime trends numbers from Chief based on some additional information I asked him to provide.

Date	Complement	Filled	Vacant
07/01/18	407	400	7
11/07/18	407	397	10
01/08/19	407	398	9
01/09/20	450	427	23
01/04/21	479	441	38

$$\frac{392}{479} = 81\%$$

$$\begin{array}{r} \rightarrow 441 \\ - 49 \\ \hline 392 \\ \hline \end{array}$$

Council goals materials from last week are attached.

I can attend the Feb 18 Zoom board meeting.

I am slammed this week. I have a 10:30-11 tomorrow and 3-3:30 Thursday. Would be good to discuss some mid-year budget allocations we will bring up to the Oversight Committee at an upcoming meeting.

From: Kerntax <Kerntax@kerntaxpayers.org>
Sent: Tuesday, January 26, 2021 1:49 PM
To: Christian Clegg <cclegg@bakersfieldcity.us>
Subject: need some info

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Police Department staffing

The council goals review you presented at last week's council meeting.

Are you available to attend our February 18 board meeting on Zoom for presentation 12:00-12:30?

Can we zoom Tomorrow or Thursday?

Michael Turnipseed

Executive Director
Kern County Taxpayers Association
(O) 661-322-2973

CRIME ANALYSIS UNIT

1601 TRUXTUN AVE. BAKERSFIELD, CA 93301

661-327-7111

SHOOTING STATISTICS BY YEAR / MONTH

2018-2020

YEAR / OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2018	18	15	26	29	28	17	31	17	30	19	15	17	262
AGG ASSAULT	7	3	14	8	6	6	9	9	14	12	7	5	100
HOMICIDE-ALL	5	2	3	5	4	1	6	2	1	0	1	4	34
HOMICIDE-FIREARM	5	1	1	3	3	2	3	1	1	0	0	1	21
WEAPON-FIRING	6	10	9	16	18	10	16	6	15	7	7	8	128
2019	20	27	23	29	25	27	29	21	23	24	26	20	294
AGG ASSAULT	7	6	7	11	9	8	10	7	8	9	15	8	105
HOMICIDE-ALL	3	4	0	4	4	3	6	3	3	2	0	2	34
HOMICIDE-FIREARM	3	1	0	4	3	3	3	2	1	2	0	1	23
WEAPON-FIRING	10	17	16	14	12	16	13	11	12	13	11	10	155
2020	19	18	24	34	38	51	44	49	55	49	37	54	472
AGG ASSAULT	9	8	15	16	13	15	13	16	32	22	16	28	203
HOMICIDE-ALL	1	1	4	1	7	2	5	7	2	6	1	6	43
HOMICIDE-FIREARM	0	1	3	1	4	2	4	6	3	4	2	3	33
WEAPON-FIRING	9	9	5	17	18	34	26	26	21	21	20	20	226

$$\frac{472}{294} \rightarrow 1.60$$

60%

Public Statement 2/3/21
5:15

from: Carl Bryan

PRESENT AT CITY COUNCIL 2/3

Madame Mayor

City Council Members

My name is Carl Bryan. I was born in Bakersfield (at Mercy Hospital) in 1945. Bakersfield has been my place of residence my entire life except for my college years at Carnegie Mellon University in Pittsburgh, Pennsylvania, and three years with the US Army Signal Corps including 19 months in Vietnam.

The years since I began working with my father in the insurance business in 1972, and then as a mathematics instructor and substitute teacher have been filled with my desire to be an active citizen, and I have done so in many

ways: 50 year membership in Kiwanis; one year on the Kern County Grand Jury; twice a member of the Electoral College in California; and an 8-gallon donor at Houchin Blood Bank.

My primary life outside employment has been serving as a sports public address announcer for Bakersfield College football for 34 seasons and track and fields at youth, high school, college, state, national, and world track and field championships for 45 years.

I am a bit uncomfortable asking for your help, but I appreciate being included in the public statements regarding the Hen Ordinance.

The safe and healthy keeping of household hens according to reasonable restrictions has many benefits, including:

Fresh eggs!

And for my family especially a healthy learning experience for school-age children (and younger), including my grandchildren. My frequent conversations with hen owners are a good learning experience for me -- one summer working at Giumarra Grape Packing Warehouse is my only personal connection with agriculture other than gardening. Bakersfield has always been a city that depends on agriculture and farming for its prominent place

in the country. The keeping and caring of pets and other animals is an experience that no one should miss.

Thank you for the chance to be heard. The lack of sporting events to announce recently has kept me uncomfortable.

Public Statements 2/13/21
5:15

Because of the hen ordinance passed by Council in 2015, I excitedly began preparations for being able to own hens. Over the span of about 7 weeks and at the cost of \$1,000, I designed, constructed, and painted our 6'x4' coop and an attached 12' enclosed run. On November 22, we brought our chickens home, only to find out a few day later that a suspension was in place prior to it going into effect.

Now, with this threat rescission, I look at that coop and those hens every day and wonder if I have any recourse to recoup those costs if the ordinance is rescinded because of a questionable lawsuit.

Would I and others in my position have to file a lawsuit on our own behalf? Is that even an option?

Can we apply for a conditional-use permit like people who want to own more than three dogs can do?

I am ONLY in this position because council passed the ordinance in the first place. I never would have built a coop and run and purchased chickens without your legislative action.

Obviously, I am in favor of this ordinance, and the fact that almost three-dozen California cities allow residential hens--nearly twenty of which used the same common-sense waiver that you did--tells me that the legislative precedent exists in order to fight this lawsuit in court.

The majority opinion when this was passed was that residents wanted the ability to use their own property in ways that have little-to-no encroachment on any surrounding homes. The ability to raise hens should absolutely be an approved use.

Why are you willing to allow a lawsuit based on questionable merit to derial the legislative will of the people and the council?

I have looked into CEQA, and in the "Guidelines of Implementation of the California Environmental Quality Act," it plainly states with zero ambiguity that "CEQA applies to government actions" that involve projects "directly undertaking by a governmental agency," projects "financed in whole or in part by a governmental agency," or private projects "which require approval from a governmental agency."

Directly following that information in CEQA, it says, and I quote: "Private action is not subject to CEQA unless the action involves governmental participation, financing, or approval."

Last time I looked, the City of Bakersfield was not offering to help build our coops, provide funding for anything related to residents owning and housing hens, or require any approval from the city in order to have hens.

So I ask the Council, why have you allowed what appears to be such a frivolous lawsuit to cause us to be here today? Our city attorney should be doing everything in her power to show that your passage of the ordinance in September was valid and lawful.

Again, we have numerous cities in California who have done the same as you with no problems or issues, but because we have an anonymous group with a lawyer trying to bully you into rescission or a seemingly unnecessary EIR, those of us in support of this ordinance are forced to once again show reason why it should remain on the books in Bakersfield, wasting everybody's time here tonight.

I implore you to please keep your word to the residents of Bakersfield and to not rescind this ordinance for fear of a questionable lawsuit.



ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Minutes a.

TO: Honorable Mayor and City Council
FROM: Julie Drimakis, City Clerk
DATE: 12/11/2020
WARD:
SUBJECT: Approval of minutes of the January 20, 2021, Regular City Council Meetings.

STAFF RECOMMENDATION:

BACKGROUND:

ATTACHMENTS:

Description	Type
☐ Minutes	Backup Material



BAKERSFIELD CITY COUNCIL MINUTES MEETING OF JANUARY 20, 2021

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

REGULAR MEETING -3:30 PM

1. ROLL CALL

Present: Mayor Goh, Vice-Mayor Weir (seated at 3:33 p.m.),
Councilmembers Arias, Gonzales, Smith (participated by
telephone), Freeman, Gray, Parlier

Absent: None

SPECIAL NOTICE

Public Participation and Accessibility January 20, 2021 Bakersfield City Council Meetings

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

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

1. The meeting scheduled for **January 20, 2021, at 3:30 p.m.** will have limited public access.
2. The meeting scheduled for **January 20, 2021, at 5:15 p.m.** will have limited public access.
3. Consistent with the Executive Order, Councilmembers may elect to attend the meeting telephonically and to participate in the meeting to the same extent as if they were physically present.
4. The public may participate in each meeting and address the City Council as follows:

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

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

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

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

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

2. PUBLIC STATEMENTS

None.

3. WORKSHOPS

None.

4. CLOSED SESSION

- a. Conference with Legal Counsel — Existing Litigation; Closed Session pursuant to Government Code section 54956.9(d)(1)
 - 1. Citizens for the Preservation of R-1 Zones v. City of Bakersfield, et al. Kern County Superior Court Case No. BCV-20-102653
 - 2. Gilberto Fajardo v. City of Bakersfield, et al. USDC Eastern District Case No. 1:16-CV-00699-DAD-JLT
- b. Conference with Legal Counsel — Potential Litigation; Closed Session pursuant to Government Code section 54956.9(d)(4) (One matter).

City Clerk Drimakis announced, at the request of the City Attorney, Closed Session item 4.b. has been removed from the agenda.

4. CLOSED SESSION continued

Motion by Councilmember Parlier to adjourn to Closed Session at 3:36 p.m. Motion passed.

The Closed Session meeting was adjourned at 4:42 p.m.

Meeting reconvened at 4:45 p.m.

5. CLOSED SESSION ACTION

- a. Conference with Legal Counsel — Existing Litigation; Closed Session pursuant to Government Code section 54956.9(d)(1)

1. Citizens for the Preservation of R-1 Zones v. City of Bakersfield, et al. Kern County Superior Court Case No. BCV-20-102653

By a 6-1 vote, the City Attorney was directed to place rescission of the recent hen Ordinance on the next City Council agenda, on February 3rd.

2. Gilberto Fajardo v. City of Bakersfield, et al. USDC Eastern District Case No. 1:16-CV-00699-DAD-JLT

By a unanimous vote, the City Attorney was given direction.

- b. Conference with Legal Counsel — Potential Litigation; Closed Session pursuant to Government Code section 54956.9(d)(4) (One matter).

REMOVED BY STAFF

6. ADJOURNMENT

Mayor Goh adjourned the 3:30 p.m. meeting at 4:47 p.m.

REGULAR MEETING - 5:15 PM

1. ROLL CALL

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

Absent: None

SPECIAL NOTICE
Public Participation and Accessibility
January 20, 2021 Bakersfield City Council Meetings

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

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

1. The meeting scheduled for **January 20, 2021, at 3:30 p.m.** will have limited public access.
2. The meeting scheduled for **January 20, 2021, at 5:15 p.m.** will have limited public access.
3. Consistent with the Executive Order, Councilmembers may elect to attend the meeting telephonically and to participate in the meeting to the same extent as if they were physically present.
4. The public may participate in each meeting and address the City Council as follows:

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

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

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

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

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

2. INVOCATION by Police Chief Terry.

3. PLEDGE OF ALLEGIANCE by Vice-Mayor Weir.

4. PRESENTATIONS

None.

5. PUBLIC STATEMENTS

- a. The following individuals spoke in support of backyard hens in residential areas: MT Merickel (submitted written material); Kirk Boland; Ryan Dembosky; and Michelle Harp.
- b. Teresa Macias (translated by Joanna) expressed concern with the lack of sidewalks and streetlights on Shellmacher Avenue; and submitted written material.

Councilmember Arias requested staff contact Ms. Macias to address her concerns.

- c. Michael Harless expressed concern with the possibility of GET ending night routes; and stated the bus stop on Union Avenue and Brundage Lane is in need of repair.

Councilmember Gonzales requested staff ask GET to provide an update to the Council.

- d. The following individuals left voicemail and emailed comments in support of backyard hens: Jenae Long; Christy Deanna; Jenny Sanchez; Unknown; Stockdale Elementary; Priscilla Russell; Unknown; Plott Wendi; Renee Nelson; Darryl Pope; Amy Robertson; Tammie Fay; Robert Westerfield; Craig Tobin; Becky Pelishek; Alfred Ramirez; Lisa Chatterton; Jayme Gonzaga; Lontec Abegail; Jason Weis; MT Merickel; Alex Dulay; Unknown; Cheyenne Romanini; Brock Snider; Matthew Merickel; Unknown; Tracey Merickel; Kalli Beckwith; Unknown; Michael Harp; Jonathan Cunningham; Christina Frederick; Janie Lugo; Kirk Boland; and Nicole Lewis.
- e. Johanna Coronado submitted emailed comments, on behalf of Teresa Macias, regarding sidewalks and streetlights on Shellmacher Avenue and Planz Road.

6. WORKSHOPS

- a. Council Goals Quarterly Review.
(Staff recommends the City Council receive and file.)

6. WORKSHOPS continued

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

Discussion of City Council goals.

Motion by Vice-Mayor Weir to receive and file. Motion passed.

7. APPOINTMENTS

- a. Appointments to City Council Committees and other special Committees and Boards by Vice Mayor Weir for 2021-23.
(To be determined by Vice Mayor and ratified by Council.)

Vice-Mayor Weir announced his appointments to the committees and made a motion to approve the appointments as follows:

BUDGET AND FINANCE

Gonzales – Chair
Weir
Arias

COMMUNITY SERVICES

Gray – Chair
Arias
Smith

LEGISLATIVE AND LITIGATION

Parlier – Chair
Gonzales
Weir

PERSONNEL

Weir – Chair
Gray
Freeman

PLANNING AND DEVELOPMENT

Freeman – Chair
Smith
Gray

SAFE NEIGHBORHOODS

Arias– Chair
Parlier
Gonzales

WATER RESOURCES

Smith – Chair
Freeman
Parlier

7. APPOINTMENTS continued

ITEM 7.a. CONTINUED

KERN COUNCIL OF GOVERNMENTS

Smith - Appointee

Freeman – Alternate

KERN ECONOMIC DEVELOPMENT CORPORATION

Gonzales – Appointee

KERN RIVER GROUNDWATER SUSTAINABILITY AGENCY

Freeman - Appointee

LAFCO

Parlier – Appointee

Gray – Alternate

PLANNING COMMISSION LIAISON

Gray – Appointee

SOLID WASTE MANAGEMENT ADVISORY COMMITTEE

Weir – Appointee

Arias– Alternate

SAN JOAQUIN VALLEY AIR POLLUTION CONTROL BOARD

SPECIAL CITY SELECTION COMMITTEE

Arias- Appointee

Parlier– Alternate

Motion by Vice-Mayor Weir to approve the appointments. Motion passed.

8. CONSENT CALENDAR

Staff recommends adoption of Consent Calendar items.

Minutes:

- a. Approval of minutes of the January 5, 2021, Special City Council Meeting and January 6, 2021, Regular City Council Meetings.

Payments:

- b. Receive and file department payments from December 23, 2020, to January 7, 2021, in the amount of \$16,777,247.01; Self Insurance payments from December 23, 2020, to January 7, 2021, in the amount of \$403,354.96; totaling \$17,180,601.97.

Ordinances:

- c. First reading of an ordinance amending Title 17 of the Bakersfield Municipal Code related to parking space requirements within the Central District, Old Town Kern, and other mixed-use areas. Notice of Exemption on file.

REMOVED FOR SEPARATE CONSIDERATION

8. CONSENT CALENDAR continued

- d. First reading of an ordinance amending Title 17 of the Bakersfield Municipal Code related to procedures for reasonable accommodation in the City's land use and zoning regulations pursuant to State of California Department of Housing and Community Development guidelines and requirements and fair housing laws. Notice of Exemption on file.

FR ONLY

- e. First reading of the ordinance amending the Official Zoning Map in Title 17 of the Bakersfield Municipal Code by changing the zone district from PCD (Planned Commercial Development) zone to revised PCD zone for a change of use from retail to fast food on approximately 0.75 acres of a larger 52-acre commercial center, generally located at 9030 Rosedale Highway. Notice of Exemption on file.

FR ONLY

- f. Adoption of ordinance amending the Official Zoning Map in Title 17 of the Bakersfield Municipal Code by changing the zone district from a PCD (Planned Commercial Development) zone to a CC (Commercial Center) zone on 1.38 acres located at 1001 Baker Street. (ZC No. 20-0267) **(FR 1/6/2021)**

ORD 5042

Resolutions:

- g. Resolution determining that a Peterbilt 567 3-axle dump truck can most efficiently be obtained through cooperative procurement bidding procedures from Golden State Peterbilt and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$265,000.

RES 006-2021

- h. Sewer connection fee assessment for 2731 California Avenue:

- 1. Resolution confirming assessments for sewer connection fee and authorizing the collection of assessment by the Kern County Tax Collector.

RES 007-2021

- 2. Agreement with Dean Johnson, Wendy Johnson, and Gail Johnson, 2731 California Avenue, to pay the sewer connection fee through the Kern County Tax Collector.

AGR 2021-011

8. CONSENT CALENDAR continued

- i. 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 4-229 (1406 & 1409 Monterey Street) – Ward 2

RES 008-2021

2. Area 4-230 (1213 Columbus Street) – Ward 3

RES 009-2021

3. Area 4-231 (905 E. 18th Street) – Ward 2

RES 010-2021

4. Area 4-234 (4500 Buck Owens Boulevard) – Ward 3

RES 011-2021

- j. 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. 2075 adding Area 5-105 (1401 Brook Street)– Ward 1

ROI 2075

2. ROI No. 2076 adding Area 5-108 (6915 Colony Street)–Ward 7

ROI 2076

- k. Resolution of Intention No. 2074 for the vacation of portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor Freeway.

ROI 2074

Agreements:

- l. Homeless Housing, Assistance, and Prevention Services (HHAP) Grant for the Mission at Kern County: \$960,000; Emergency Shelter Bed Expansion Operating; 816 E 21st St, Bakersfield, CA 93305.

AGR 2021-012, AGR 2021-013

8. CONSENT CALENDAR continued

- m. Community Development Block Grant-Coronavirus (CDBGCV) Agreements with Mission Community Services Corporation (\$87,347) and Access Plus Capital (\$2,160,000) to provide technical and financial assistance to small businesses and microenterprises.

REMOVED FOR SEPARATE CONSIDERATION

- n. CARES Emergency Solutions Grant Round 2 Agreements:
 - 1. Flood Ministries Homeless Outreach Services Agreement for \$253,532 in Emergency Solutions Grant – CARES Round 2 (Citywide)
AGR 2021-016
 - 2. Community Action Partnership of Kern Coordinated Entry System Support Agreement for \$120,000 in Emergency Solutions Grant – CARES Round 2 (Citywide)
AGR 2021-017
 - 3. Kern County Superintendent of Schools Youth Rental Assistance Agreement for \$58,400 in Emergency Solutions Grant – CARES Round 2 (Citywide)
AGR 2021-018
 - 4. Bakersfield Homeless Center Rapid Rehousing Agreement for \$1,500,304 in Emergency Solutions Grant – CARES Round 2 (Citywide)
AGR 2021-019
 - 5. Mercy House COVID Related Operations at Brundage Lane Navigation Center Agreement for \$761,214 in Emergency Solutions Grant – CARES Round 2 (Citywide)
AGR 2021-020
- o. Amendment No. 1 to Agreement No. 14-012 with KG Oilers Corp and AEG Bakersfield Modifying Lease Fee Terms for the use of Mechanics Bank Arena for the 2020-21 American Hockey League Season.
AGR 14-012(1)
- p. Amendment No. 2 to Agreement No. 18-199 with SC Fuels (\$1,250,000; revised not to exceed \$3,500,000 and extend the term one year) for supply of partial/bob-tail fuel deliveries.
AGR 18-199(2)

8. CONSENT CALENDAR continued

- q. Pilot Recycling Program at BARC Recycling Facility:
1. Amendment No. 1 Agreement 2020 - 185 with BARC Inc., (\$40,000; revised not to exceed \$133,333.31 and extend term to April 30, 2021) for leasing of BARC Recycling facility.
 2. Amendment No. 1 Agreement 2020 - 186 with BARC Inc., (\$56,250; revised not to exceed \$171,250 and extend term to April 30, 2021) to provide staffing for sorting of recyclable material at the BARC Recycling Facility.

REMOVED FOR SEPARATE CONSIDERATION

- r. Contract Change Order No. 1 to Agreement No. 2020-109 with Cen-Cal Construction, Inc. (\$73,369.92; revised not to exceed \$264,369.92) for the Pedestrian Improvements Various Locations - Brundage Lane between Myrtle Street and Pine Street; L Street between 17th Street and 22nd Street project.

AGR 2020-109 CCO 1

Bids:

- s. Accept bid from Dell Marketing, L.P. (\$155,000.84) for Dell server replacements for the Technology Services Department.
- t. Accept bid from Wesco Distributing Inc. (\$92,701.45) for decorative street lamps for the General Services Division.

Miscellaneous:

Successor Agency Business:

Public Safety/Vital Services Measure:

- u. Purchase of two CNG roll off trucks:
1. Resolution determining that a roll off truck can most efficiently be obtained through cooperative procurement bidding procedures from Golden State Peterbilt and authorizing the Finance Director to dispense with bidding thereof, not to exceed \$518,000.
- RES 012-2021**
2. Appropriate \$259,000 Equipment Fund balance to the Public Works Operating Budget to fund the purchase cost for a roll off truck for the Solid Waste Division.

8. CONSENT CALENDAR continued

ITEM 8.u. CONTINUED

3. Transfer \$259,000 Public Safety Vital Services (PSVS) Measure funds from the Economic/Community Development Department operating budget to the Public Works Department Equipment Fund operating budget to fund the purchase cost for a roll off truck for the Clean City Initiative Program.

Councilmember Smith announced he would abstain from item 8.c. due to a financial interest in downtown development property.

Councilmember Gonzales requested items 8.c. and 8.m. be removed for separate consideration.

Vice-Mayor Weir requested item 8.q. be removed for separate consideration.

Motion by Vice-Mayor Weir to adopt Consent Calendar items 8.a. through 8.u., with the removal of items 8.c., 8.m., and 8.q. for separate consideration. Motion passed.

- c. First reading of an ordinance amending Title 17 of the Bakersfield Municipal Code related to parking space requirements within the Central District, Old Town Kern, and other mixed-use areas. Notice of Exemption on file.

FR ONLY ABS SMITH

Motion by Councilmember Gonzales to amend section B.3. of the ordinance, to remove the density requirement and just allow one parking space per unit. Motion passed with Councilmember Smith abstaining.

- m. Community Development Block Grant-Coronavirus (CDBGCV) Agreements with Mission Community Services Corporation (\$87,347) and Access Plus Capital (\$2,160,000) to provide technical and financial assistance to small businesses and microenterprises.

AGR 2021-014, AGR 2021-015

Motion by Councilmember Gonzales to adopt Consent Calendar item 8. m. Motion passed.

- q. Pilot Recycling Program at BARC Recycling Facility:

1. Amendment No. 1 Agreement 2020 - 185 with BARC Inc., (\$40,000; revised not to exceed \$133,333.31 and extend term to April 30, 2021) for leasing of BARC Recycling facility.

8. CONSENT CALENDAR continued

ITEM 8.q. CONTINUED

2. Amendment No. 1 Agreement 2020 - 186 with BARC Inc., (\$56,250; revised not to exceed \$171,250 and extend term to April 30, 2021) to provide staffing for sorting of recyclable material at the BARC Recycling Facility.

Motion by Vice-Mayor Weir to pull this matter from the agenda and have the discussion occur with the Budget and Finance Committee. Motion passed.

Mayor Goh recessed the meeting at 6:13 p.m. and reconvened the meeting at 6:18 p.m.

9. CONSENT CALENDAR PUBLIC HEARINGS

(Staff recommends conducting Consent Calendar Public Hearing and approving staff recommendations.)

None.

10. HEARINGS

- a. Public Hearing to consider a resolution ordering the vacation of the north 19.46 feet x 82.50 feet of R Street, located 302.25 feet north of California Avenue.

(Staff recommends approval of the resolution.)

RES 013-2021

Public Works Director Fidler made staff comments.

Hearing item 10.a. opened at 6:20 p.m.

No one spoke.

Hearing item 10.a. closed at 6:21 p.m.

Motion by Councilmember Gonzales to adopt the resolution. Motion passed.

- b. Public Hearing to consider Conditional Use Permit No. 20-0179 (Appeal). Casa Esperanza Transitional Home for Women & Children is proposing a conditional use permit to allow for a 6-bed rooming house to accommodate women and their minor children in the R-1 (One-Family Dwelling Zone) district, located at 1421 Panorama Drive. Kristen and Johnny Urquidez submitted an appeal of the Planning Commission's decision to approve the proposal. Notice of Exemption on file (CUP No. 20-0087).

(Staff recommends upholding the decision of the Planning Commission and approving Conditional Use Permit No. 20-0179.)

RES 014-2021 ABS GONZALES

10. HEARINGS continued
ITEM 10.b. CONTINUED

City Clerk Drimakis announced a staff memorandum was received regarding item 10.b., transmitting correspondence and additional materials.

Councilmember Gonzales announced he would abstain from Hearing item 10.b., due to a perceived conflict of interest, he previously served on the Casa Esperanza Advisory Council; and left the chambers at this time.

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

Hearing item 10.b. opened at 6:27 p.m.

Kristen Urquidez, on behalf of the appellant, and Scott Hair spoke in opposition to the staff recommendation.

Jim Mosher, Secretary of Casa Esperanza, and Julie Cesare, Chairperson of Casa Esperanza, spoke in support of the staff recommendation.

Scott Hair spoke in rebuttal opposition to the staff recommendation.

Jim Mosher and Coleen Peters spoke in rebuttal support of the staff recommendation.

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

Motion by Vice-Mayor Weir to uphold the appeal. Motion passed with Councilmember Gonzales abstaining.

11. REPORTS

None.

12. DEFERRED BUSINESS

None.

13. NEW BUSINESS

None.

14. COUNCIL AND MAYOR STATEMENTS

Councilmember Parlier requested staff explore opportunities to alleviate business license fees for businesses that have not made any money over the last year; potentially through the use of CARES Act funding.

14. COUNCIL AND MAYOR STATEMENTS continued

Councilmember Gonzales requested staff provide a historical analysis of the City and Council's work related to the Mills Act.

Mayor Goh invited the public to participate in the virtual 2021 Bakersfield Prayer Breakfast on January 21st, at 7:28 a.m., at <https://bakersfieldprayerbreakfast.com/>.

15. ADJOURNMENT

Mayor Goh adjourned the meeting at 7:33 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: 2/3/2021

Consent – Payments b.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 1/22/2021

WARD:

SUBJECT: Receive and file department payments from January 8, 2021, to January 21, 2021, in the amount of \$19,264,806.76; Self Insurance payments from January 8, 2021, to January 21, 2021, in the amount of \$336,646.01; totaling \$19,601,452.77.

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 02-03-2021	Backup Material
2-EAP Check Register Admin 02-03-2021	Backup Material

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
717968	10204	ASSOCIATION BKFD POLICE OFFICER FCU	Jan 8, 2021	\$16,202.54
717969	10211	BAKERSFIELD FIREMEN	Jan 8, 2021	\$12,271.21
717970	10200	BAKERSFIELD FIREMEN RELIEF ASS	Jan 8, 2021	\$7,928.22
717971	10203	BAKERSFIELD POLICE BENEFIT	Jan 8, 2021	\$27,245.00
717972	10205	MUTUAL BENEFIT ASSOCIATION	Jan 8, 2021	\$1,897.98
717973	26810	RELIASTAR LIFE INSURANCE CO	Jan 8, 2021	\$2,554.12
717974	22324	SEIU LOCAL 521	Jan 8, 2021	\$16,030.02
717975	19936	KERN COUNTY ENVIRONMENTAL HEALTH	Jan 12, 2021	\$1,090.00
717976	28	A C ELECTRIC COMPANY	Jan 14, 2021	\$16,662.91
717977	497	A T & T	Jan 14, 2021	\$225.00
717978	537	A T & T	Jan 14, 2021	\$19,636.81
717979	18484	A T & T	Jan 14, 2021	\$345.84
717980	25208	ACCESS CONTROLS INC	Jan 14, 2021	\$4,380.00
717981	20576	ACTION GLASS INC	Jan 14, 2021	\$318.30
717982	81	ADVANCED DATA STORAGE INC	Jan 14, 2021	\$147.88
717983	25365	AECOM TECHNICAL SERVICES INC	Jan 14, 2021	\$68,584.09
717984	25074	AEP CALIFORNIA LLC	Jan 14, 2021	\$176,771.61
717985	17100	AEROS ENVIRONMENTAL INC	Jan 14, 2021	\$315.00
717986	29926	AG WELD	Jan 14, 2021	\$3,518.13
717987	28968	ALEMAN III, SATURNINO	Jan 14, 2021	\$3,389.88
717988	19696	ALEMAN, KIMBERLY	Jan 14, 2021	\$86.25
717989	29956	ALLIED NETWORK SOLUTIONS INC	Jan 14, 2021	\$1,586.95
717990	28688	ALLIED UNIVERSAL SECURITY SERVICES	Jan 14, 2021	\$10,567.74
717991	23588	ALUMINUM CHUCK WAGON	Jan 14, 2021	\$3,036.26
717992	29827	AMS LEGAL SUPPORT SERVICES INC	Jan 14, 2021	\$125.00
717993	26983	ARRIETA, SIMON	Jan 14, 2021	\$160.00
717994	31796	AVILA, JORGE	Jan 14, 2021	\$160.00
717995	13028	B & H PHOTO VIDEO INC	Jan 14, 2021	\$369.85
717996	19911	BAKERSFIELD HARLEY DAVIDSON INC	Jan 14, 2021	\$479.50
717997	10320	BAKERSFIELD HOMELESS CENTER	Jan 14, 2021	\$56,474.48
717998	971	BAKERSFIELD PLUMBING CO INC	Jan 14, 2021	\$289.50
717999	857	BAKERSFIELD S P C A	Jan 14, 2021	\$1,561.61
718000	30927	BEESON, RACHELLE	Jan 14, 2021	\$4,869.00
718001	31105	BENCHMARK POLYGRAPH & TRUTH ASSESS	Jan 14, 2021	\$225.00
718002	26571	BERUMEN, JONATHAN	Jan 14, 2021	\$54.00
718003	1069	BETHANY SERVICES	Jan 14, 2021	\$3,815.17
718004	28231	BIG BRAND TIRE & SERVICE	Jan 14, 2021	\$739.44
718005	21172	BLACKHOLE TECHNOLOGIES INC	Jan 14, 2021	\$768.06
718006	22817	BORN AGAIN BODYWORKS	Jan 14, 2021	\$13,786.08
718007	15478	BOWERS, GUY	Jan 14, 2021	\$151.54
718008	28382	BR FROST COMPANY	Jan 14, 2021	\$30,081.57
718009	13750	BRANSON, DARRIN	Jan 14, 2021	\$141.92
718010	19303	BRIGHT HOUSE NETWORKS	Jan 14, 2021	\$304.96
718011	31798	CAGLE, JOHN	Jan 14, 2021	\$140.71
718012	31086	CALIFORNIA FACILITY SPECIALTIES INC	Jan 14, 2021	\$588.25
718013	1694	CALIFORNIA WATER SERVICE	Jan 14, 2021	\$24,076.49
718014	1700	CALIFORNIA WATER SERVICE	Jan 14, 2021	\$14,097.39
718015	31361	CAMACHO, JESUS	Jan 14, 2021	\$160.00
718016	18017	CANNON CORP	Jan 14, 2021	\$32,246.74
718017	31576	CARRILLO, DANIEL G	Jan 14, 2021	\$160.00
718018	26638	CENTER FOR PUBLIC SAFETY INC	Jan 14, 2021	\$7,150.00
718019	22164	CERVANTES, DOMINGO	Jan 14, 2021	\$110.94
718020	21938	CHAMPNESS, DANIEL	Jan 14, 2021	\$1,692.00
718021	1924	CHESTER AVENUE BRAKE & SUPPLY	Jan 14, 2021	\$1,465.69
718022	29161	CLARK, RYAN	Jan 14, 2021	\$54.00

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
718023	21220	CLEAN ENERGY INC	Jan 14, 2021	\$283.50
718024	2050	CLIFFORD & BROWN	Jan 14, 2021	\$20,650.98
718025	801	CLIFFORD & BROWN TRUST	Jan 14, 2021	\$2,433.10
718026	801	CLIFFORD & BROWN TRUST	Jan 14, 2021	\$5,984.20
718027	25259	COMMERCIAL CLEANING SYSTEMS INC	Jan 14, 2021	\$6,958.33
718028	17380	COMPUTERLAND OF SILICON VALLEY	Jan 14, 2021	\$2,307.08
718029	31107	CORNERSTONE COMMUNITCATIONS & PR	Jan 14, 2021	\$5,000.00
718030	70480	CROWN CASTLE	Jan 14, 2021	\$2,679.05
718031	30907	CRUZ, PATRICK	Jan 14, 2021	\$375.00
718032	25337	DAVES FLEET MAINT & TOWING INC	Jan 14, 2021	\$111.00
718033	2442	DELANEY & AHLF DIESEL SERVICE INC	Jan 14, 2021	\$11,504.19
718034	13970	DELL MARKETING L P	Jan 14, 2021	\$10,044.31
718035	11271	DEPARTMENT OF TRANSPORTATION	Jan 14, 2021	\$8,370.61
718036	31705	DEWBERRY ARCHITECTS INC	Jan 14, 2021	\$24,000.00
718037	24854	DEWEY PEST CONTROL INC	Jan 14, 2021	\$885.00
718038	24213	DIAMOND H HAULING	Jan 14, 2021	\$575.00
718039	31407	DL BROWN CONSTRUCTION INC	Jan 14, 2021	\$165,338.00
718040	14723	DONNOE & ASSOCIATES INC	Jan 14, 2021	\$1,790.00
718041	15646	DOUGLAS JR, RAYMOND	Jan 14, 2021	\$113.64
718042	10037	MISCELLANEOUS TRUST VENDOR	Jan 14, 2021	\$400.00
718043	21979	DUCKWORTH, TONY	Jan 14, 2021	\$121.78
718044	13088	E J WARD INCORPORATED	Jan 14, 2021	\$5,857.60
718045	16511	EAN SERVICES LLC	Jan 14, 2021	\$838.72
718046	2769	EL POPULAR INC	Jan 14, 2021	\$330.00
718047	23720	ERNEST PACKING SOLUTIONS INC	Jan 14, 2021	\$3,563.74
718048	22704	ESCARCEGA, BRAULIO	Jan 14, 2021	\$160.00
718049	25972	FERNANDEZ, MARIA	Jan 14, 2021	\$1,415.43
718050	29563	FIERRO, LOUIE	Jan 14, 2021	\$38.32
718051	28511	FIRST ADVANTAGE BACKGROUND	Jan 14, 2021	\$23.24
718052	19657	FIRST CHOICE COFFEE SERVICES INC	Jan 14, 2021	\$32.95
718053	12654	MISC ASSESSMENT DISTRICT VENDR	Jan 14, 2021	\$107.40
718054	29556	FORENSIC STORE	Jan 14, 2021	\$5,990.35
718055	16905	FRANCISCO, BIENVINIDO	Jan 14, 2021	\$140.70
718056	3120	FRED C GILBERT CO	Jan 14, 2021	\$99.96
718057	25786	G S E CONSTRUCTION CO INC	Jan 14, 2021	\$4,624.00
718058	3213	GALLS, LLC	Jan 14, 2021	\$1,947.36
718059	28178	GARCIA, ADAM	Jan 14, 2021	\$54.00
718060	31794	GARCIA, JOSE A	Jan 14, 2021	\$160.00
718061	22329	GARCIA, LUIS	Jan 14, 2021	\$156.95
718062	26885	GARRETT, CHAD	Jan 14, 2021	\$70.00
718063	28064	GENERAL TREE SERVICE INC	Jan 14, 2021	\$11,700.00
718064	17350	GHA TECHNOLOGIES INC	Jan 14, 2021	\$1,615.54
718065	3358	GILLIAM & SONS INC	Jan 14, 2021	\$10,198.63
718066	18722	GLOBALSTAR USA INC	Jan 14, 2021	\$93.44
718067	16839	GONZALES, ROY V	Jan 14, 2021	\$160.00
718068	22857	GREEN, CHRISTOPHER E	Jan 14, 2021	\$160.00
718069	24247	GREGS PETROLEUM SERVICES INC	Jan 14, 2021	\$6,836.75
718070	31797	GUTIERREZ, DAVID	Jan 14, 2021	\$160.00
718071	3569	H & S BODY WORKS & TOWING	Jan 14, 2021	\$74.00
718072	162	HADDAD DODGE	Jan 14, 2021	\$264.73
718073	29964	HALIFAX SECURITY INC	Jan 14, 2021	\$530.97
718074	21505	HANSEN, CURTIS	Jan 14, 2021	\$160.00
718075	29769	HERNANDEZ, CHRISTIAN	Jan 14, 2021	\$54.00
718076	31572	HERNANDEZ, RALPH	Jan 14, 2021	\$160.00
718077	24235	HF & H CONSULTANTS LLC	Jan 14, 2021	\$12,105.90

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
718078	30391	HOME DEPOT PRO	Jan 14, 2021	\$1,805.88
718079	25660	HORIZON WATER & ENVIRONMENT LLC	Jan 14, 2021	\$1,493.45
718080	3942	I I M C	Jan 14, 2021	\$620.00
718081	30591	INDUSTRIAL ELECTRIC CONST & MAINT	Jan 14, 2021	\$8,384.00
718082	28894	JAMAR, TREY	Jan 14, 2021	\$705.00
718083	25838	JCI JONES CHEMICALS INC	Jan 14, 2021	\$4,717.53
718084	147	JIM ALFTER CEMENT CONTRACTOR	Jan 14, 2021	\$25,012.31
718085	26387	JIM BURKE FORD-EQ	Jan 14, 2021	\$37,365.83
718086	19554	K & R TOWING	Jan 14, 2021	\$148.00
718087	22379	KEMIRA WATER SOLUTIONS INC	Jan 14, 2021	\$4,541.62
718088	20829	KEO, ROTH A	Jan 14, 2021	\$154.43
718089	4435	KERN COUNTY CLERKS	Jan 14, 2021	\$50.00
718090	17288	KERN COUNTY ENVIRONMENTAL	Jan 14, 2021	\$221.00
718091	12447	KERN COUNTY PUBLIC SERVICES BLDING	Jan 14, 2021	\$60.91
718092	19570	KERN COUNTY RECORDER	Jan 14, 2021	\$49.00
718093	4573	KERN COUNTY WATER AGENCY	Jan 14, 2021	\$2,926.00
718094	4577	KERN DELTA WATER DIST	Jan 14, 2021	\$59,711.80
718095	4701	KERN SPRINKLER LANDSCAPING INC	Jan 14, 2021	\$4,826.40
718096	23434	KINNEY, STEVEN P	Jan 14, 2021	\$1,070.00
718097	4875	KNIGHTS PUMPING & PORTABLE SVC INC	Jan 14, 2021	\$490.50
718098	10417	KOGA INSTITUTE	Jan 14, 2021	\$5,000.00
718099	26294	KRONOS INCORPORATED	Jan 14, 2021	\$379.92
718100	17229	L C ACTION SUPPLY INC	Jan 14, 2021	\$4,427.43
718101	26753	LAWMENS & SHOOTERS SUPPLY INC	Jan 14, 2021	\$2,562.02
718102	30730	LEAVITT COMMUNICATIONS LLC	Jan 14, 2021	\$3,517.50
718103	22408	LEHR AUTO ELECTRIC	Jan 14, 2021	\$76,145.63
718104	28755	LEVEL 3 COMMUNICATIONS LLC	Jan 14, 2021	\$2,100.71
718105	1030	LEXISNEXIS MATTHEW BENDER	Jan 14, 2021	\$1,633.42
718106	5122	LOG CABIN FLORIST	Jan 14, 2021	\$362.91
718107	19334	MALDONADO, DANIEL R	Jan 14, 2021	\$3,306.00
718108	10037	MISCELLANEOUS TRUST VENDOR	Jan 14, 2021	\$200.00
718109	26124	MARANATHA LANDSCAPE INC	Jan 14, 2021	\$840.00
718110	5328	MCCAIN TRAFFIC SUPPLY	Jan 14, 2021	\$61,955.89
718111	16016	MCINTOSH & ASSOCIATES	Jan 14, 2021	\$3,133.00
718112	21948	MCIRVIN, TIMOTHY	Jan 14, 2021	\$54.00
718113	28760	MEDIWASTE DISPOSAL LLC	Jan 14, 2021	\$111.00
718114	27826	MESA, CHRISTOPHER	Jan 14, 2021	\$2,614.39
718115	14119	METRO RECORD STORAGE INC	Jan 14, 2021	\$114.00
718116	18520	METROPOLITAN RECYCLING LLC	Jan 14, 2021	\$59,329.54
718117	31427	MICCA WILLIAMS	Jan 14, 2021	\$5,000.00
718118	24077	MICHEL AUTO TECH	Jan 14, 2021	\$7,905.59
718119	1316	MICHELIN NORTH AMERICA INC	Jan 14, 2021	\$14,836.59
718120	28768	MKN & ASSOCIATES INC	Jan 14, 2021	\$5,381.01
718121	28444	MONTGOMERY, JAMES	Jan 14, 2021	\$54.00
718122	19305	MOORE IACOFANO GOLTSMAN INC (MIG)	Jan 14, 2021	\$19,343.00
718123	29249	MOTOR VEHICLE NETWORK	Jan 14, 2021	\$812.00
718124	885	MSC INDUSTRIAL SUPPLY CO INC	Jan 14, 2021	\$312.88
718125	30588	MY JOB DEPENDS ON AG MAGAZINE	Jan 14, 2021	\$500.00
718126	5870	NB SALES & SERVICES	Jan 14, 2021	\$1,109.24
718127	12825	NBS GOVERNMENT FINANCE GROUP	Jan 14, 2021	\$11,345.99
718128	18229	NEOGOV INC	Jan 14, 2021	\$58,689.58
718129	22058	NET TRANSCRIPTS, INC.	Jan 14, 2021	\$260.00
718130	19677	NEWMAN, CHRIS	Jan 14, 2021	\$160.00
718131	25752	NISHIKAWA PROPERTY MAINTENANCE INC	Jan 14, 2021	\$9,309.00
718132	3910	O'CONNOR PEST CONTROL	Jan 14, 2021	\$185.00

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718133	28633	OCHOA, ASCENCION	Jan 14, 2021	\$160.00
718134	264	OFFICE DEPOT BUSINESS SERVICES	Jan 14, 2021	\$649.00
718135	14676	OJEDA, DAVID	Jan 14, 2021	\$530.00
718136	30905	OLAGUEZ TRANSPORT	Jan 14, 2021	\$19,600.00
718137	31074	ON THE HORIZON COMMUNICATIONS	Jan 14, 2021	\$2,000.00
718138	10361	OPEN & SHUT ENTERPRISES	Jan 14, 2021	\$445.00
718139	23214	ORKIN PEST CONTROL INC	Jan 14, 2021	\$85.00
718140	17512	PACHECO, URIEL	Jan 14, 2021	\$178.00
718141	583	PACIFIC WEST SOUND	Jan 14, 2021	\$2,159.59
718142	17812	PADDOCK, BRYAN	Jan 14, 2021	\$160.00
718143	15574	PAREGIEN, CHRISTIAN BLAINE	Jan 14, 2021	\$160.00
718144	20828	PARSONS TRANSPORTATION GROUP INC	Jan 14, 2021	\$130,577.22
718145	24029	PAYLESS TOWING	Jan 14, 2021	\$74.00
718146	11272	PEOPLE FACTS LLC	Jan 14, 2021	\$21.67
718147	31795	PEOPLES, KEVIN	Jan 14, 2021	\$138.55
718148	20444	PEREZ, JOSE	Jan 14, 2021	\$160.00
718149	24207	PILAR, JOSE	Jan 14, 2021	\$160.00
718150	29637	PINNACLE PETROLEUM INC	Jan 14, 2021	\$60,686.06
718151	31314	POCKET OUTDOOR MEDIA INC	Jan 14, 2021	\$1,000.00
718152	178	PRAXAIR DISTRIBUTION INC	Jan 14, 2021	\$403.79
718153	20415	PROFORCE LAW ENFORCEMENT INC	Jan 14, 2021	\$2,515.82
718154	26997	PROVOST & PRITCHARD CONSULTING INC	Jan 14, 2021	\$11,586.70
718155	6527	PULLTARPS MFG	Jan 14, 2021	\$1,497.77
718156	30752	QUINTOS, STANLEY	Jan 14, 2021	\$160.00
718157	30722	RAMIREZ, TAYLOR	Jan 14, 2021	\$151.00
718158	20713	RANDY'S TOWING LLC	Jan 14, 2021	\$1,224.50
718159	29632	RANGEL, DANIEL	Jan 14, 2021	\$160.00
718160	3249	RAY GASKIN SERVICE INC	Jan 14, 2021	\$2,587.18
718161	6682	RAYMONDS TROPHY AND AWARDS	Jan 14, 2021	\$12.34
718162	28480	READY REFRESH	Jan 14, 2021	\$497.33
718163	6617	RLH FIRE PROTECTION	Jan 14, 2021	\$2,543.00
718164	14493	RODRIGUES, JOHN	Jan 14, 2021	\$231.00
718165	22633	RODRIGUEZ, LOUIS	Jan 14, 2021	\$54.00
718166	17147	ROMERO, ARMANDO	Jan 14, 2021	\$160.00
718167	18072	SAFETY TEK INDUSTRIES INC	Jan 14, 2021	\$492.33
718168	27362	SANCHEZ, ELIAZAR	Jan 14, 2021	\$160.00
718169	22538	SANTA BARBARA CONTROL SYSTEMS INC	Jan 14, 2021	\$1,804.13
718170	27361	SC FUELS	Jan 14, 2021	\$13,442.23
718171	7189	SCHWEBEL PETROLEUM CO	Jan 14, 2021	\$500.71
718172	21489	SCP DISTRIBUTORS LLC	Jan 14, 2021	\$1,316.01
718173	28955	SEAN BATTLE	Jan 14, 2021	\$440.00
718174	30367	SECURE SYSTEMS	Jan 14, 2021	\$95.00
718175	22839	SECURITY PAVING CO, INC	Jan 14, 2021	\$4,555,195.01
718176	31106	SEE SOURCE LLC	Jan 14, 2021	\$2,848.00
718177	18195	SEHI COMPUTER PRODUCTS INC	Jan 14, 2021	\$2,109.37
718178	31090	SHADE & PARTNERS TECHNOLOGY SOL	Jan 14, 2021	\$19,013.65
718179	31574	SHARMA, HONEY	Jan 14, 2021	\$160.00
718180	25246	SIGLER INC	Jan 14, 2021	\$436.48
718181	18005	SLATER PLUMBING & MECHANICAL	Jan 14, 2021	\$415.00
718182	30185	SLOAN, KENT	Jan 14, 2021	\$160.00
718183	11907	SPARKLETT/SIERRA SPRINGS	Jan 14, 2021	\$570.88
718184	25140	SPECIAL SERVICES GROUP LLC	Jan 14, 2021	\$8,461.40
718185	7586	SPECIALTY TRIM & AWNING INC	Jan 14, 2021	\$220.83
718186	7609	SPRINT	Jan 14, 2021	\$100.00
718187	29986	STANDARD PLUMBING SUPPLY DBA FLOYDS	Jan 14, 2021	\$469.78

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718188	31519	STARSTRUCK ENTERTAINMENT SERVICES	Jan 14, 2021	\$15,000.00
718189	28041	STORMWIND	Jan 14, 2021	\$1,980.00
718190	26024	SUMMIT CAPITAL VENTURES INC	Jan 14, 2021	\$19,368.70
718191	26369	T Y LIN INTERNATIONAL INC	Jan 14, 2021	\$1,334.76
718192	31481	TAE RYONG TAEKWONDO SCHOOL	Jan 14, 2021	\$5,000.00
718193	27973	TEMPEST INTERACTIVE MEDIA LLC	Jan 14, 2021	\$200.00
718194	25338	TEN EIGHT TOW INC	Jan 14, 2021	\$74.00
718195	26279	TENTER, CHRISTI	Jan 14, 2021	\$39.68
718196	17153	TERMINIX INTERNATIONAL INC	Jan 14, 2021	\$302.00
718197	17175	THYSSENKRUPP ELEVATOR INC	Jan 14, 2021	\$5,800.00
718198	24948	TORRES, ABEL JR	Jan 14, 2021	\$160.00
718199	8084	TOTER LLC	Jan 14, 2021	\$34,926.86
718200	23837	TPX COMMUNICATIONS	Jan 14, 2021	\$1,481.01
718201	28514	TRAFFIC MANAGEMENT INC	Jan 14, 2021	\$1,466.47
718202	21369	TRANS-WEST SECURITY INC	Jan 14, 2021	\$13,831.43
718203	70200	TRINITY SAFETY CO	Jan 14, 2021	\$806.47
718204	30723	TRIPP, TERRY	Jan 14, 2021	\$146.14
718205	27440	TUNE, BRAXTON	Jan 14, 2021	\$54.00
718206	20359	TURF STAR INC	Jan 14, 2021	\$1,008.80
718207	29091	TYLER TECHNOLOGIES INC	Jan 14, 2021	\$12,818.30
718208	584	ULINE SHIPPING SUPPLY	Jan 14, 2021	\$1,182.23
718209	10428	UNITED REFRIGERATION INC	Jan 14, 2021	\$4,054.49
718210	13920	UNITED SITE SERVICES OF CA INC	Jan 14, 2021	\$1,080.02
718211	24064	USIQ INC	Jan 14, 2021	\$326.35
718212	27086	VALENTI, MARY	Jan 14, 2021	\$1,600.00
718213	30884	VALLEY AG VOICE LLC	Jan 14, 2021	\$308.00
718214	8520	VALLEY POWER SYSTEMS, INC	Jan 14, 2021	\$491.98
718215	15132	VALLEY PROPANE SERVICE	Jan 14, 2021	\$19,720.44
718216	21334	VANBRUNT, DAVID	Jan 14, 2021	\$120.00
718217	26060	VANGUARD CLEANING SYSTEMS INC	Jan 14, 2021	\$1,236.75
718218	30527	VARGAS, VANESSA	Jan 14, 2021	\$1,364.00
718219	29636	VENTURI ENTERPRISES INC	Jan 14, 2021	\$5,185.00
718220	20601	VERIZON WIRELESS	Jan 14, 2021	\$1,731.20
718221	20601	VERIZON WIRELESS	Jan 14, 2021	\$703.16
718222	20601	VERIZON WIRELESS	Jan 14, 2021	\$25.02
718223	29844	VET NATIONAL INC	Jan 14, 2021	\$4,892.90
718224	8400	VWR SCIENTIFIC	Jan 14, 2021	\$798.69
718225	31027	WARRIOR 1 YOGA SPA LLC	Jan 14, 2021	\$1,008.00
718226	19776	WEST PAYMENT CENTER	Jan 14, 2021	\$4,843.44
718227	17159	WEST, BRIAN	Jan 14, 2021	\$54.00
718228	28739	WESTAIR GASES & EQUIPMENT INC	Jan 14, 2021	\$110.63
718229	15429	WOESSNER, MASON	Jan 14, 2021	\$54.00
718230	30161	WOODS, RYAN ROBERT	Jan 14, 2021	\$160.00
718231	31775	YOLANDA WHITE REAL ESTATE AGENT	Jan 14, 2021	\$5,000.00
718232	28544	ZOLL MEDICAL CORPORATION	Jan 14, 2021	\$54.25
718233	28854	3C PAYMENT (USA) CORP	Jan 14, 2021	\$100.00
718234	18484	A T & T	Jan 14, 2021	\$9,866.26
718236	1049	APPLIED LNG TECHNOLOGIES LLC	Jan 14, 2021	\$36,302.58
718237	30584	ASELA ENVIRONMENTAL INC	Jan 14, 2021	\$5,380.00
718238	30584	ASELA ENVIRONMENTAL INC	Jan 14, 2021	\$5,380.00
718239	10320	BAKERSFIELD HOMELESS CENTER	Jan 14, 2021	\$1,769.04
718240	10320	BAKERSFIELD HOMELESS CENTER	Jan 14, 2021	\$16,647.84
718243	18692	BOUND TREE MEDICAL LLC	Jan 14, 2021	\$18,349.51
718244	10351	BOWMAN ASPHALT	Jan 14, 2021	\$7,007.05
718245	19303	BRIGHT HOUSE NETWORKS	Jan 14, 2021	\$144.98

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718246	18159	C W E A	Jan 14, 2021	\$384.00
718250	1696	CALIFORNIA WATER SERVICE	Jan 14, 2021	\$29,101.50
718251	11937	CITY OF BAKERSFIELD	Jan 14, 2021	\$293.43
718252	2714	EAST NILES COMMUNITY SERVICES	Jan 14, 2021	\$2,066.96
718253	25786	G S E CONSTRUCTION CO INC	Jan 14, 2021	\$6,735.01
718254	29803	GUTIERREZ ASSOCIATES	Jan 14, 2021	\$12,440.00
718257	4577	KERN DELTA WATER DIST	Jan 14, 2021	\$6,681.43
718258	30034	MECHANIC'S BANK	Jan 14, 2021	\$354.47
718259	18230	OILDALE MUTUAL WATER COMPANY	Jan 14, 2021	\$40.47
718268	6114	PACIFIC GAS & ELECTRIC COMPANY	Jan 14, 2021	\$556,114.84
718270	6376	PIONEER PAINT	Jan 14, 2021	\$5,839.38
718271	13860	RUETTIGERS & SCHULER CIVIL ENG	Jan 14, 2021	\$3,200.00
718272	30314	RYMAC GENERAL CONTRACTING & CONST	Jan 14, 2021	\$177,901.75
718274	27361	SC FUELS	Jan 14, 2021	\$41,079.00
718275	7096	SJVAPCD	Jan 14, 2021	\$8,848.00
718276	7103	SJVAPCD	Jan 14, 2021	\$225.00
718277	7509	SOCALGAS	Jan 14, 2021	\$4,040.58
718278	7508	SOUTHERN CALIFORNIA EDISON CO.	Jan 14, 2021	\$510.35
718279	7631	STATE BAR OF CALIFORNIA	Jan 14, 2021	\$1,852.00
718280	7636	STATE WATER RESOURCES CONTROL BOARD	Jan 14, 2021	\$150.00
718281	7637	SWRCB - STORM WATER SECTION	Jan 14, 2021	\$81,212.00
718282	30740	T-MOBILE	Jan 14, 2021	\$34.75
718286	10428	UNITED REFRIGERATION INC	Jan 14, 2021	\$4,476.41
718287	15648	USDA FOREST SERVICE	Jan 14, 2021	\$65.94
718288	30720	VAN PEURSEM, ADAM	Jan 14, 2021	\$160.00
718293	20601	VERIZON WIRELESS	Jan 14, 2021	\$0.00
718299	20601	VERIZON WIRELESS	Jan 14, 2021	\$0.00
718301	14647	WAXIE SANITARY SUPPLY INC	Jan 14, 2021	\$4,777.87
718302	30002	MEDICAL EYE SERVICE COMPANY	Jan 14, 2021	\$3,525.32
718303	26810	RELIASTAR LIFE INSURANCE CO	Jan 14, 2021	\$4,010.02
718304	30027	U S BANK - PARS #6746022400	Jan 14, 2021	\$1,041.24
718305	30029	UNITED CONCORDIA DENTAL PLANS OF CA	Jan 14, 2021	\$56,236.82
718306	30020	UNUM	Jan 14, 2021	\$6,041.61
718307	31839	ACM MECHANICAL CONTRACTORS	Jan 15, 2021	\$5,000.00
718308	15433	ADVANCE MOBILE SECURITY	Jan 15, 2021	\$1,213.26
718309	31854	ADVANCED NEPHROLOGY CONSULTING INC	Jan 15, 2021	\$5,000.00
718310	31811	ALL-PRO AIR INC	Jan 15, 2021	\$5,000.00
718311	31810	AMELIA DIAZ INC	Jan 15, 2021	\$5,000.00
718312	31871	APPROVED AUTOS	Jan 15, 2021	\$5,000.00
718313	31818	B & G RACE LLC	Jan 15, 2021	\$5,000.00
718314	675	BAKERSFIELD CALIFORNIAN	Jan 15, 2021	\$1,108.67
718315	841	BAKERSFIELD RUBBER STAMP CO	Jan 15, 2021	\$72.31
718316	31862	BARRINGTONS JAMAICAN KITCHEN	Jan 15, 2021	\$5,000.00
718317	31866	BBS TRUCKING	Jan 15, 2021	\$5,000.00
718318	31851	BEYOND MARTIAL ARTS LLC	Jan 15, 2021	\$5,000.00
718319	21172	BLACKHOLE TECHNOLOGIES INC	Jan 15, 2021	\$405.96
718320	31870	BLEW SKYE INC	Jan 15, 2021	\$5,000.00
718321	31845	BLISSFUL RETREAT INC	Jan 15, 2021	\$5,000.00
718322	15538	BOLLES NURSERY LANDSCAPE	Jan 15, 2021	\$253.11
718323	1888	CHAMPION HARDWARE	Jan 15, 2021	\$976.47
718324	31813	CONCEPCION VARELA	Jan 15, 2021	\$5,000.00
718325	31840	CUMMINGS VENTURES INV INC	Jan 15, 2021	\$10,000.00
718326	31846	CUSTOMIZE ZONE	Jan 15, 2021	\$5,000.00
718327	31827	DAHC	Jan 15, 2021	\$5,000.00
718328	4140	DAVID JANES COMPANY	Jan 15, 2021	\$53.19

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718329	2442	DELANEY & AHLF DIESEL SERVICE INC	Jan 15, 2021	\$4,582.79
718330	31832	DON PERICO RESTAURANTS	Jan 15, 2021	\$10,000.00
718331	31805	EL CAPITAN MEXICAN GRILL	Jan 15, 2021	\$5,000.00
718332	2752	ELBERT DISTRIBUTING	Jan 15, 2021	\$304.94
718333	31807	ELEMENTS VENUE & BANQUET	Jan 15, 2021	\$5,000.00
718334	31850	ENVIRONMENTAL SERVICES & TESTING IN	Jan 15, 2021	\$5,000.00
718335	31838	ETHOSPHERE STUDIO	Jan 15, 2021	\$5,000.00
718336	2830	EWING IRRIGATION PRODUCTS	Jan 15, 2021	\$493.72
718337	2901	FEDEX	Jan 15, 2021	\$51.74
718338	31817	FELIPE VALDEZ	Jan 15, 2021	\$5,000.00
718339	31829	FIVE STAR CARGO INC	Jan 15, 2021	\$5,000.00
718340	31881	FYRE PLUMBING INC	Jan 15, 2021	\$5,000.00
718341	308	GARDENERS SUPPLY INC	Jan 15, 2021	\$1,063.92
718342	3403	GOLDEN STATE PETERBILT	Jan 15, 2021	\$2,666.94
718343	3452	GRAYBAR ELECTRIC COMPANY	Jan 15, 2021	\$89.27
718344	17779	GREERS BANNER AIR INC	Jan 15, 2021	\$10,000.00
718345	31863	HAIR BY WENDY BARRIOS	Jan 15, 2021	\$5,000.00
718346	31865	HAIR FUSION	Jan 15, 2021	\$15,000.00
718347	3660	HARBOR FREIGHT TOOLS	Jan 15, 2021	\$52.19
718348	18263	HUB CONSTRUCTION SPECIALTIES INC	Jan 15, 2021	\$41.67
718349	31864	INTERIOR ACCENTS	Jan 15, 2021	\$5,000.00
718350	4089	J & E RESTAURANT SUPPLY INC	Jan 15, 2021	\$50.70
718351	31833	JANINE MANNING	Jan 15, 2021	\$5,000.00
718352	31824	JASVIR KAUR	Jan 15, 2021	\$5,000.00
718353	31823	JENNIFER MELLODY	Jan 15, 2021	\$5,000.00
718354	4243	JORGENSEN & CO	Jan 15, 2021	\$73.14
718355	31847	KEN AUSTIN	Jan 15, 2021	\$5,000.00
718356	7492	KERN MACHINERY INC	Jan 15, 2021	\$2,264.92
718357	31821	KG HEALTH INC	Jan 15, 2021	\$5,000.00
718358	31875	KILLER POKE INC	Jan 15, 2021	\$5,000.00
718359	31826	KIM FAMILY RESTAURANTS INC	Jan 15, 2021	\$15,000.00
718360	31812	KNIGHT'S INSURANCE	Jan 15, 2021	\$5,000.00
718361	31808	LA MINA CANTINA	Jan 15, 2021	\$15,000.00
718362	31861	LANDMARK DENTAL DOWNTOWN	Jan 15, 2021	\$10,000.00
718363	31868	LASH AND GLOW	Jan 15, 2021	\$5,000.00
718364	31836	LASHES BY TESSA RIOS	Jan 15, 2021	\$5,000.00
718365	31843	LAURA PORTER DESIGNS	Jan 15, 2021	\$5,000.00
718366	31849	LAW OFFICE OF DAVID LEON INC	Jan 15, 2021	\$5,000.00
718367	31820	LAW OFFICE OF SARAH RICH INC	Jan 15, 2021	\$5,000.00
718368	31876	LAZOS RINGSIDE CLUB	Jan 15, 2021	\$5,000.00
718369	31842	LETICIA HERNANDEZ	Jan 15, 2021	\$5,000.00
718370	31825	LIFE VITALS	Jan 15, 2021	\$5,000.00
718371	31822	LINDSEY SINCLAIR	Jan 15, 2021	\$5,000.00
718372	31809	LYNNA'S NAILS & SPA	Jan 15, 2021	\$5,000.00
718373	31834	MARTIZ ORTIZ INCOME TAX SERVICES	Jan 15, 2021	\$5,000.00
718374	7064	MERCHANTS PRINTING & ENVELOPE	Jan 15, 2021	\$133.00
718375	31815	MESH COWORK	Jan 15, 2021	\$5,000.00
718376	31837	MIKE BRAZZELL AGENCY	Jan 15, 2021	\$5,000.00
718377	31814	MINGHO INC	Jan 15, 2021	\$10,000.00
718378	5547	MINUTEMAN PRESS	Jan 15, 2021	\$72.55
718379	31803	MK ACCOUNTING SOLUTIONS	Jan 15, 2021	\$5,000.00
718380	31859	NAILS TALK	Jan 15, 2021	\$5,000.00
718381	31841	NAZ NUTRITION INC	Jan 15, 2021	\$5,000.00
718382	31855	PATICIA LEAL	Jan 15, 2021	\$5,000.00
718383	30738	PECK COUNSELING SERVICES	Jan 15, 2021	\$5,000.00

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
718384	31852	RAYMOND WORTH	Jan 15, 2021	\$10,000.00
718385	31860	REBECCA BAILEY	Jan 15, 2021	\$5,000.00
718386	31806	RED CARPET JANITORIAL SERVICES	Jan 15, 2021	\$5,000.00
718387	31830	RICARDO CHAVEZ	Jan 15, 2021	\$5,000.00
718388	31858	RJ FILTRATION INC	Jan 15, 2021	\$10,000.00
718389	31819	ROBERT T JONES	Jan 15, 2021	\$5,000.00
718390	31867	RUBEN MUNIZ VALDEZ	Jan 15, 2021	\$5,000.00
718391	31848	SABRINA SCHOENHEIDE	Jan 15, 2021	\$5,000.00
718392	31856	SANDERS BARBER SHOP	Jan 15, 2021	\$5,000.00
718393	31874	SARAH VASQUEZ	Jan 15, 2021	\$5,000.00
718394	31804	SHERWIN LOO CHIROPRACTIC INC	Jan 15, 2021	\$5,000.00
718395	31831	SHUGA SHIM SILK LLC	Jan 15, 2021	\$5,000.00
718396	31880	SNOW MEDIA ENTERTAINMENT	Jan 15, 2021	\$5,000.00
718397	31816	SNS KERATIONS	Jan 15, 2021	\$5,000.00
718398	31844	SOL Y LUNA MEXICAN CUISINE INC	Jan 15, 2021	\$15,000.00
718399	31872	STEVE MORRISON CONSTRUCTION	Jan 15, 2021	\$5,000.00
718400	31853	SUKHMINDER SING	Jan 15, 2021	\$5,000.00
718401	31828	THERMAL TECH LLC INC	Jan 15, 2021	\$5,000.00
718402	31873	TOP HAT ART COLLECTIVE INC	Jan 15, 2021	\$5,000.00
718403	30739	VORTEX AQUATIC STRUCTURES	Jan 15, 2021	\$5,000.00
718404	31857	WHISKEY EMPIRE	Jan 15, 2021	\$5,000.00
718405	31835	WINANS & ASSOCIATES INC	Jan 15, 2021	\$5,000.00
718409	78	ADVANCED DISTRIBUTION CO	Jan 15, 2021	\$13,252.48
718411	160	ALL THAT LETTERING SIGN COMPNY	Jan 15, 2021	\$5,940.00
718412	13049	ARMA COATINGS OF BAKERSFIELD	Jan 15, 2021	\$405.94
718414	22817	BORN AGAIN BODYWORKS	Jan 15, 2021	\$20,511.44
718417	3427	GRAINGER INC, W W	Jan 15, 2021	\$6,972.84
718424	7933	HOME DEPOT	Jan 15, 2021	\$8,583.25
718429	4740	KERN TURF SUPPLY	Jan 15, 2021	\$13,832.34
718432	15624	LOWE'S HOME IMPROVEMENT	Jan 15, 2021	\$5,206.79
718438	20601	VERIZON WIRELESS	Jan 15, 2021	\$43,306.42
718444	20601	VERIZON WIRELESS	Jan 15, 2021	\$44,832.34
718445	31646	PENTAGON RIDES & TRANSPORT LLC	Jan 19, 2021	\$15,000.00
718446	31894	A & J HOME DECOR AND ANTIQUES	Jan 21, 2021	\$5,000.00
718447	31921	A HELPING HAND TYPING SERVICE	Jan 21, 2021	\$5,000.00
718448	31928	A ZANINOVICH ENT LLC	Jan 21, 2021	\$5,000.00
718449	65	ACCO CABLE SPLICING	Jan 21, 2021	\$866.00
718450	15433	ADVANCE MOBILE SECURITY	Jan 21, 2021	\$189.08
718451	81	ADVANCED DATA STORAGE INC	Jan 21, 2021	\$30.19
718452	78	ADVANCED DISTRIBUTION CO	Jan 21, 2021	\$8,109.87
718453	28228	AIR CONTROL SUPPLY	Jan 21, 2021	\$2,873.00
718454	30708	ALANIZ, DANNY	Jan 21, 2021	\$160.00
718455	24130	ALDACO, RODRIGO	Jan 21, 2021	\$160.00
718456	31926	ALI BAKOO	Jan 21, 2021	\$5,000.00
718457	24462	ALIANZA RECYCLING & RECOVERY LLC	Jan 21, 2021	\$26.90
718458	160	ALL THAT LETTERING SIGN COMPNY	Jan 21, 2021	\$141.58
718459	31916	ALLSOUND MUSIC	Jan 21, 2021	\$5,000.00
718460	23588	ALUMINUM CHUCK WAGON	Jan 21, 2021	\$10,323.96
718461	340	AMERIGAS	Jan 21, 2021	\$1,449.19
718462	31920	ANTONIO GUILLEN	Jan 21, 2021	\$5,000.00
718463	13049	ARMA COATINGS OF BAKERSFIELD	Jan 21, 2021	\$1,623.76
718464	30584	ASELA ENVIRONMENTAL INC	Jan 21, 2021	\$10,760.00
718465	31056	ATS LLC	Jan 21, 2021	\$2,432.53
718466	15944	AYALA, JESSIE	Jan 21, 2021	\$160.00
718467	25180	B & R TOOL SUPPLY INC	Jan 21, 2021	\$1,917.06

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718468	28164	BAILEY, NICOLAS	Jan 21, 2021	\$160.00
718469	675	BAKERSFIELD CALIFORNIAN	Jan 21, 2021	\$721.66
718470	31890	BAKERSFIELD CARPET CLEANING	Jan 21, 2021	\$5,000.00
718471	10320	BAKERSFIELD HOMELESS CENTER	Jan 21, 2021	\$4,725.00
718472	30870	BAKERSFIELD KERN REGIONAL HOMELESS	Jan 21, 2021	\$155,500.00
718473	31938	BAKERSFIELD PIZZA CO INC	Jan 21, 2021	\$15,000.00
718474	841	BAKERSFIELD RUBBER STAMP CO	Jan 21, 2021	\$29.17
718475	857	BAKERSFIELD S P C A	Jan 21, 2021	\$85,815.00
718476	875	BAKERSFIELD TRUCK CENTER	Jan 21, 2021	\$234.84
718477	31927	BAKERSFIELD WIRELESS CITY INC	Jan 21, 2021	\$5,000.00
718478	945	BARNETT'S TOWING SERVICE INC	Jan 21, 2021	\$37.00
718479	31902	BARRY, SCOTT	Jan 21, 2021	\$168.00
718480	306	BEARCAT MFG INC	Jan 21, 2021	\$856.64
718481	1069	BETHANY SERVICES	Jan 21, 2021	\$87,491.14
718482	30901	BIDDLE CONSULTING GROUP INC	Jan 21, 2021	\$5,495.00
718483	21172	BLACKHOLE TECHNOLOGIES INC	Jan 21, 2021	\$9,225.82
718484	21678	BLIZZARD, JOHN B	Jan 21, 2021	\$8.97
718485	28341	BOB'S AUTO GLASS INC	Jan 21, 2021	\$559.71
718486	22817	BORN AGAIN BODYWORKS	Jan 21, 2021	\$1,914.31
718487	31900	BRALY ENTERPRISE LLC	Jan 21, 2021	\$5,000.00
718488	19303	BRIGHT HOUSE NETWORKS	Jan 21, 2021	\$116.41
718489	31948	BROOKS CHIROPRACTIC CORP INC	Jan 21, 2021	\$5,000.00
718490	16565	BTE COMMUNICATIONS	Jan 21, 2021	\$205.69
718491	10267	BUDGET BOLT INC	Jan 21, 2021	\$916.61
718492	31802	CAL FURNITURE GALLERY	Jan 21, 2021	\$1,295.75
718493	10037	MISCELLANEOUS TRUST VENDOR	Jan 21, 2021	\$15.00
718494	28063	CALLYO 2009 CORP	Jan 21, 2021	\$2,280.00
718495	18017	CANNON CORP	Jan 21, 2021	\$2,226.00
718496	1888	CHAMPION HARDWARE	Jan 21, 2021	\$904.38
718497	31937	CHARS INCOME TAX ETC	Jan 21, 2021	\$5,000.00
718498	14931	CHEM PRO LABORATORY INC	Jan 21, 2021	\$320.00
718499	18204	CISNEROS, JOE	Jan 21, 2021	\$160.00
718500	2029	CLEROU TIRE INC	Jan 21, 2021	\$15,000.00
718501	2050	CLIFFORD & BROWN	Jan 21, 2021	\$65,627.88
718502	28349	CONVERGINT TECHNOLOGIES	Jan 21, 2021	\$11,145.54
718503	22578	CRITICAL REACH INC	Jan 21, 2021	\$1,450.00
718504	27839	CRITTERS WITHOUT LITTERS	Jan 21, 2021	\$1,160.00
718505	23132	CUEVAS, ADAN	Jan 21, 2021	\$200.00
718506	2253	CULLIGAN WATER CONDITIONING	Jan 21, 2021	\$52.00
718507	27218	CUMMINS PACIFIC LLC	Jan 21, 2021	\$5,501.67
718508	31925	DANIEL BURKE MARRIAGE	Jan 21, 2021	\$5,000.00
718509	31922	DANIEL REYNOLDS	Jan 21, 2021	\$5,000.00
718510	30753	DAVALOS, PEDRO	Jan 21, 2021	\$160.00
718511	25337	DAVES FLEET MAINT & TOWING INC	Jan 21, 2021	\$79.00
718512	31882	DAYVID MARTINEZ	Jan 21, 2021	\$5,000.00
718513	31903	DEAR, ROBERT	Jan 21, 2021	\$95.00
718514	31889	DEBRA K CLINE	Jan 21, 2021	\$5,000.00
718515	2442	DELANEY & AHLF DIESEL SERVICE INC	Jan 21, 2021	\$1,134.00
718516	31912	DON PERICOS RESTAURANT	Jan 21, 2021	\$20,000.00
718517	28574	DR RONALD OSTROM	Jan 21, 2021	\$1,000.00
718518	18544	DUANE MORRIS LLP	Jan 21, 2021	\$82,771.62
718519	13088	E J WARD INCORPORATED	Jan 21, 2021	\$225.00
718520	21215	EAVES, DR RONALD W	Jan 21, 2021	\$25.00
718521	31932	ECOPRINT SOLUTIONS INC	Jan 21, 2021	\$5,000.00
718522	20563	EDMONDS, TOM	Jan 21, 2021	\$25.00

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718523	31151	EINSTEIN VISUALS	Jan 21, 2021	\$640.00
718524	31936	EL PATRON BAR & GRILL INC	Jan 21, 2021	\$15,000.00
718525	31887	ENERA3 INC	Jan 21, 2021	\$5,000.00
718526	29111	ENVIROTEK CORPORATION	Jan 21, 2021	\$2,465.61
718527	23720	ERNEST PACKING SOLUTIONS INC	Jan 21, 2021	\$1,952.72
718528	12943	EVIDENT CRIME SCENE PRODUCTS	Jan 21, 2021	\$891.00
718529	2901	FEDEX	Jan 21, 2021	\$116.65
718530	20844	FERGUSON, PRAET & SHERMAN	Jan 21, 2021	\$4,800.00
718531	19657	FIRST CHOICE COFFEE SERVICES INC	Jan 21, 2021	\$340.35
718532	25339	FLEET SERVICES TOWING INC	Jan 21, 2021	\$37.00
718533	24606	FLOOD BAKERSFIELD MINISTRIES	Jan 21, 2021	\$29,222.38
718534	3067	FOX THEATER FOUNDATION	Jan 21, 2021	\$12,500.00
718535	31884	FROSTY KING EXPRESS	Jan 21, 2021	\$5,000.00
718536	22593	FUENTES, JOE	Jan 21, 2021	\$160.00
718537	70628	FUTURE VALUE CONSTRUCTION INC	Jan 21, 2021	\$1,179.00
718538	308	GARDENERS SUPPLY INC	Jan 21, 2021	\$83.66
718539	21974	GARDNER, REGINALD	Jan 21, 2021	\$50.60
718540	30212	GARY FRIEDMAN	Jan 21, 2021	\$6,885.00
718541	28064	GENERAL TREE SERVICE INC	Jan 21, 2021	\$7,942.00
718542	13174	GEORGE, MIKE	Jan 21, 2021	\$25.00
718543	16838	GIBBS INTERNATIONAL TRUCK CTR. INC	Jan 21, 2021	\$456,695.28
718544	3358	GILLIAM & SONS INC	Jan 21, 2021	\$57,624.92
718545	3403	GOLDEN STATE PETERBILT	Jan 21, 2021	\$3,768.54
718546	26862	GONZALEZ, JOSE G	Jan 21, 2021	\$48.30
718547	3452	GRAYBAR ELECTRIC COMPANY	Jan 21, 2021	\$1,058.73
718548	3466	GREATER BAKERSFIELD CHAMBER OF	Jan 21, 2021	\$39,856.00
718549	22068	GUTIERREZ, RICHARD	Jan 21, 2021	\$151.54
718550	3569	H & S BODY WORKS & TOWING	Jan 21, 2021	\$37.00
718551	162	HADDAD DODGE	Jan 21, 2021	\$340.67
718552	31918	HAIR BY CARIE MCKAY	Jan 21, 2021	\$5,000.00
718553	31915	HOLLYWOOD COSMETICS BY ELY INC	Jan 21, 2021	\$5,000.00
718554	30391	HOME DEPOT PRO	Jan 21, 2021	\$2,712.07
718555	31885	HOPE TREVINO	Jan 21, 2021	\$5,000.00
718556	25660	HORIZON WATER & ENVIRONMENT LLC	Jan 21, 2021	\$3,188.67
718557	18263	HUB CONSTRUCTION SPECIALTIES INC	Jan 21, 2021	\$363.04
718558	19632	INSIGHT ENVIRONMENTAL CONSULTANTS	Jan 21, 2021	\$277.50
718559	31924	IRENE RODRIGUEZ	Jan 21, 2021	\$5,000.00
718560	31896	JAMES WOODWORTH	Jan 21, 2021	\$5,000.00
718561	147	JIM ALFTER CEMENT CONTRACTOR	Jan 21, 2021	\$37,681.38
718562	4243	JORGENSEN & CO	Jan 21, 2021	\$294.84
718563	31899	JOSE PRIETO	Jan 21, 2021	\$5,000.00
718564	19554	K & R TOWING	Jan 21, 2021	\$37.00
718565	31891	KARJOT KAUR	Jan 21, 2021	\$5,000.00
718566	22379	KEMIRA WATER SOLUTIONS INC	Jan 21, 2021	\$18,411.35
718567	10294	KERN BUILDING MATERIAL INC	Jan 21, 2021	\$2,173.27
718568	4435	KERN COUNTY CLERKS	Jan 21, 2021	\$400.00
718569	4500	KERN COUNTY FIRE DEPARTMENT	Jan 21, 2021	\$70,399.60
718570	4529	KERN COUNTY PUBLIC WORKS	Jan 21, 2021	\$195,908.67
718571	19570	KERN COUNTY RECORDER	Jan 21, 2021	\$36.00
718572	4439	KERN COUNTY WASTE MANAGEMENT	Jan 21, 2021	\$206,672.27
718573	4577	KERN DELTA WATER DIST	Jan 21, 2021	\$5,128.67
718574	7492	KERN MACHINERY INC	Jan 21, 2021	\$710.18
718575	4677	KERN REFUSE DISPOSAL, INC	Jan 21, 2021	\$1,566,614.26
718576	4740	KERN TURF SUPPLY	Jan 21, 2021	\$899.89
718577	31888	KEVIN MADDENS CUSTOM FINISHES	Jan 21, 2021	\$5,000.00

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718578	4875	KNIGHTS PUMPING & PORTABLE SVC INC	Jan 21, 2021	\$88.19
718579	10037	MISCELLANEOUS TRUST VENDOR	Jan 21, 2021	\$17.47
718580	26294	KRONOS INCORPORATED	Jan 21, 2021	\$45.00
718581	12552	KURB KUT	Jan 21, 2021	\$150.00
718582	5052	LEWIS, TERRANCE	Jan 21, 2021	\$66.00
718583	31917	LONELINESS VERA	Jan 21, 2021	\$5,000.00
718584	5133	LOOP ELECTRIC INC	Jan 21, 2021	\$29,725.00
718585	18299	LOPEZ, JAVIER P	Jan 21, 2021	\$160.00
718586	31913	LOS PANCHOS RESTAURANT	Jan 21, 2021	\$5,000.00
718587	23327	LUNA, CARLOS	Jan 21, 2021	\$160.00
718588	22497	M & J HANDIMAN HENRY	Jan 21, 2021	\$350.00
718589	18492	M & S SECURITY SERVICES	Jan 21, 2021	\$7,488.00
718590	28310	M-I LLC	Jan 21, 2021	\$27,253.42
718591	31947	MARIA HERRERA	Jan 21, 2021	\$5,000.00
718592	26807	MARTINEZ, ABRAHAM	Jan 21, 2021	\$160.00
718593	16016	MCINTOSH & ASSOCIATES	Jan 21, 2021	\$32,960.00
718594	20156	MEAD & HUNT INC	Jan 21, 2021	\$151.00
718595	28760	MEDIWASTE DISPOSAL LLC	Jan 21, 2021	\$20.00
718596	7064	MERCHANTS PRINTING & ENVELOPE	Jan 21, 2021	\$143.18
718597	14119	METRO RECORD STORAGE INC	Jan 21, 2021	\$44.00
718598	30587	METZLER, DEIDRA DVM	Jan 21, 2021	\$1,265.00
718599	19252	MEYER CIVIL ENGINEERING INC	Jan 21, 2021	\$13,476.50
718600	23165	MGT OF AMERICA LLC	Jan 21, 2021	\$2,250.00
718601	24077	MICHEL AUTO TECH	Jan 21, 2021	\$65.00
718602	1316	MICHELIN NORTH AMERICA INC	Jan 21, 2021	\$10,475.09
718603	28984	MORALES & MORALES GARDENING	Jan 21, 2021	\$600.00
718604	18161	MORALES, IGNACIO	Jan 21, 2021	\$102.35
718605	10037	MISCELLANEOUS TRUST VENDOR	Jan 21, 2021	\$20.00
718606	24309	NAVIGATORS PRINT & DESIGN, INC	Jan 21, 2021	\$530.43
718607	31892	NUESTRO MEXICO RESTAURANT	Jan 21, 2021	\$5,000.00
718608	25953	NVB EQUIPMENT INC	Jan 21, 2021	\$323.74
718609	28687	NV5 INC	Jan 21, 2021	\$16,989.48
718610	3910	O'CONNOR PEST CONTROL	Jan 21, 2021	\$1,180.00
718611	264	OFFICE DEPOT BUSINESS SERVICES	Jan 21, 2021	\$18.39
718612	30905	OLAGUEZ TRANSPORT	Jan 21, 2021	\$39,200.00
718613	31914	OLD RIVER GRILL INC	Jan 21, 2021	\$20,000.00
718614	10495	OWENS, BILLY	Jan 21, 2021	\$72.45
718615	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$349.65
718616	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$7,091.12
718617	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$3,936.47
718618	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$3,932.77
718619	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$4,769.47
718620	29655	P & A ADMINISTRATION SERVICES INC	Jan 21, 2021	\$10,023.18
718621	31930	PAMELA PIXTON DAY CARE	Jan 21, 2021	\$5,000.00
718622	17052	PAQUETTE, DAVID	Jan 21, 2021	\$34.50
718623	24029	PAYLESS TOWING	Jan 21, 2021	\$111.00
718624	25270	PENINSULA MESSENGER INC	Jan 21, 2021	\$522.73
718625	31923	PENNPOINT DANCE ACADEMY	Jan 21, 2021	\$5,000.00
718626	24207	PILAR, JOSE	Jan 21, 2021	\$86.50
718627	984	POWERSTRIDE BATTERY CO INC	Jan 21, 2021	\$99.07
718628	26242	QUALITY FIRE TRUCK PARTS	Jan 21, 2021	\$48.20
718629	6555	QUINN COMPANY INC	Jan 21, 2021	\$80.13
718630	26386	QUINN COMPANY INC - EQ	Jan 21, 2021	\$153,454.30
718631	20713	RANDY'S TOWING LLC	Jan 21, 2021	\$417.00
718632	3249	RAY GASKIN SERVICE INC	Jan 21, 2021	\$1,305.96

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718633	31931	RAYMOND BEASLEY	Jan 21, 2021	\$5,000.00
718634	6682	RAYMONDS TROPHY AND AWARDS	Jan 21, 2021	\$489.40
718635	6727	REFRIGERATION SUPPLIES DIST. INC	Jan 21, 2021	\$321.51
718636	30776	RELEVANT INDUSTRIAL LLC	Jan 21, 2021	\$114.75
718637	30911	REV PARTS LLC	Jan 21, 2021	\$324.15
718638	31919	ROSELAY BEAUTY SALON	Jan 21, 2021	\$5,000.00
718639	31883	ROSIE JAMES CHILD CARE	Jan 21, 2021	\$5,000.00
718640	23176	RR DONNELLEY CO INC	Jan 21, 2021	\$958.56
718641	30889	SAFE RESTRAINTS INC	Jan 21, 2021	\$72.25
718642	12665	SAN JOAQUIN FENCE & SUPPLY	Jan 21, 2021	\$11,123.41
718643	31897	SANDRA FERMAN	Jan 21, 2021	\$5,000.00
718644	27361	SC FUELS	Jan 21, 2021	\$17,761.46
718645	21489	SCP DISTRIBUTORS LLC	Jan 21, 2021	\$300.30
718646	28955	SEAN BATTLE	Jan 21, 2021	\$80.00
718647	30993	SENDAS URGENT CARE	Jan 21, 2021	\$1,685.00
718648	7290	SERVICEMASTER OF BAKERSFIELD	Jan 21, 2021	\$3,590.00
718649	20149	SHELTON, LARRY D	Jan 21, 2021	\$90.00
718650	7413	SIRCHIE FINGER PRINT LABORATORIES	Jan 21, 2021	\$4,676.08
718651	7434	SMART & FINAL IRIS COMPANY	Jan 21, 2021	\$94.01
718652	11907	SPARKLETT/SIERRA SPRINGS	Jan 21, 2021	\$527.18
718653	29986	STANDARD PLUMBING SUPPLY DBA FLOYDS	Jan 21, 2021	\$13.62
718654	28923	STARS AND STRIPES	Jan 21, 2021	\$2,295.00
718655	25704	SUAREZ, GEORGE	Jan 21, 2021	\$218.72
718656	7719	SUBURBAN PROPANE	Jan 21, 2021	\$773.33
718657	31933	SYLVIA WELLS	Jan 21, 2021	\$5,000.00
718658	30360	SYNAGRO WWT INC	Jan 21, 2021	\$25,730.94
718659	29053	TATES JANITORIAL SERVICE	Jan 21, 2021	\$5,240.83
718660	31904	TAVORN COMPUTER CONSULTING	Jan 21, 2021	\$5,000.00
718661	7892	TEN-WEST TOWING INC	Jan 21, 2021	\$4,159.22
718662	851	TENNANT COMPANY	Jan 21, 2021	\$201.14
718663	19961	THE HON COMPANY-C/O STINSONS	Jan 21, 2021	\$23,416.46
718664	70627	THE OH FAMILY	Jan 21, 2021	\$10,000.00
718665	17175	THYSENKRUPP ELEVATOR INC	Jan 21, 2021	\$11,600.00
718666	31929	TOP NOTCH TIRES	Jan 21, 2021	\$5,000.00
718667	22218	TOPETE, LUIS	Jan 21, 2021	\$115.00
718668	31886	TORO FUSION GRILL INC	Jan 21, 2021	\$5,000.00
718669	8084	TOTER LLC	Jan 21, 2021	\$39,654.84
718670	31895	TRACEY ROBINSON REALTOR	Jan 21, 2021	\$5,000.00
718671	17451	TRANE COMMERCIAL SERVICE CO	Jan 21, 2021	\$15,549.03
718672	21369	TRANS-WEST SECURITY INC	Jan 21, 2021	\$14,207.19
718673	20359	TURF STAR INC	Jan 21, 2021	\$1,957.36
718674	31934	TYLER THOMS CONSULTANT	Jan 21, 2021	\$5,000.00
718675	15212	U.S. BEHAVIORAL HEALTH PLAN	Jan 21, 2021	\$2,538.40
718676	584	ULINE SHIPPING SUPPLY	Jan 21, 2021	\$2,838.24
718677	31898	UNITED REAL ESTATE CONSULTANTS INC	Jan 21, 2021	\$5,000.00
718678	10428	UNITED REFRIGERATION INC	Jan 21, 2021	\$1,087.71
718679	27086	VALENTI, MARY	Jan 21, 2021	\$5,400.00
718680	8478	VALLEY DECAL INC	Jan 21, 2021	\$804.08
718681	15132	VALLEY PROPANE SERVICE	Jan 21, 2021	\$15,446.40
718682	26060	VANGUARD CLEANING SYSTEMS INC	Jan 21, 2021	\$1,419.23
718683	31901	VARGAS, RAFAEL	Jan 21, 2021	\$160.00
718684	20601	VERIZON WIRELESS	Jan 21, 2021	\$1,723.72
718685	31939	VIDA VEGAN CO INC	Jan 21, 2021	\$15,000.00
718686	5158	W M LYLES COMPANY	Jan 21, 2021	\$127,794.85
718687	31893	WENDI THOENE	Jan 21, 2021	\$5,000.00

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718688	28739	WESTAIR GASES & EQUIPMENT INC	Jan 21, 2021	\$158.81
718689	10037	MISCELLANEOUS TRUST VENDOR	Jan 21, 2021	\$15.00
718690	31911	WOOLGROWERS INC	Jan 21, 2021	\$20,000.00
718691	31935	ZEAS MULTISERVICES	Jan 21, 2021	\$5,000.00
718692	28544	ZOLL MEDICAL CORPORATION	Jan 21, 2021	\$579.84
718693	31905	4TH STREET MARKET	Jan 21, 2021	\$5,000.00
718694	537	A T & T	Jan 21, 2021	\$2,327.24
718695	6129	A T & T	Jan 21, 2021	\$211.96
718696	537	A T & T	Jan 21, 2021	\$1,223.24
718698	78	ADVANCED DISTRIBUTION CO	Jan 21, 2021	\$13,492.27
718699	30989	AIMS C/O HANNA BROPHY MACLEAN	Jan 21, 2021	\$12,646.50
718700	10199	BAKERSFIELD CITY EMPLOYEE	Jan 21, 2021	\$52.50
718702	21172	BLACKHOLE TECHNOLOGIES INC	Jan 21, 2021	\$23,610.70
718703	10351	BOWMAN ASPHALT	Jan 21, 2021	\$1,006,728.31
718704	10351	BOWMAN ASPHALT	Jan 21, 2021	\$10,000.00
718705	10623	CALIFORNIA DEPARTMENT OF TAX AND	Jan 21, 2021	\$3,193.00
718710	1696	CALIFORNIA WATER SERVICE	Jan 21, 2021	\$48,180.25
718711	11937	CITY OF BAKERSFIELD	Jan 21, 2021	\$715.22
718712	11937	CITY OF BAKERSFIELD	Jan 21, 2021	\$26.88
718713	2050	CLIFFORD & BROWN	Jan 21, 2021	\$18,750.00
718714	13036	FRESNO CITY COLLEGE	Jan 21, 2021	\$230.00
718716	3427	GRAINGER INC, W W	Jan 21, 2021	\$3,172.33
718718	3488	GREENFIELD COUNTY WATER DIST	Jan 21, 2021	\$685.48
718719	70626	GREENLAWN FUNERAL HOMES	Jan 21, 2021	\$1,171.00
718724	7933	HOME DEPOT	Jan 21, 2021	\$6,697.10
718726	30732	KERN COUNTY FORENSIC SERVICES LLC	Jan 21, 2021	\$10,500.00
718727	4573	KERN COUNTY WATER AGENCY	Jan 21, 2021	\$407,176.08
718732	15624	LOWE'S HOME IMPROVEMENT	Jan 21, 2021	\$4,605.72
718733	12627	MARDEROSIAN & COHEN	Jan 21, 2021	\$80,000.00
718734	5838	NFPA	Jan 21, 2021	\$175.00
718735	14088	PACIFIC GAS & ELECTRIC	Jan 21, 2021	\$53.87
718738	6114	PACIFIC GAS & ELECTRIC COMPANY	Jan 21, 2021	\$186,554.41
718740	6376	PIONEER PAINT	Jan 21, 2021	\$10,340.87
718741	22839	SECURITY PAVING CO, INC	Jan 21, 2021	\$350,724.50
718742	7096	SJVAPCD	Jan 21, 2021	\$98.00
718743	7509	SOCALGAS	Jan 21, 2021	\$26.60
718744	7509	SOCALGAS	Jan 21, 2021	\$391.37
718745	15878	SUPERIOR CONSTRUCTION INC	Jan 21, 2021	\$19,869.92
718746	21314	TICOR TITLE COMPANY INC	Jan 21, 2021	\$156,125.40
718747	8611	VAUGHN WATER CO., INC.	Jan 21, 2021	\$5,969.85
718748	20601	VERIZON WIRELESS	Jan 21, 2021	\$284.34
718749	5158	W M LYLES COMPANY	Jan 21, 2021	\$12,921.90
718751	14647	WAXIE SANITARY SUPPLY INC	Jan 21, 2021	\$993.69
718752	30287	WEX BANK	Jan 21, 2021	\$471.29
9995702	10204	ASSOCIATION BKFD POLICE OFFICER FCU	Jan 8, 2021	\$0.00
9995703	10199	BAKERSFIELD CITY EMPLOYEE	Jan 8, 2021	\$186,426.00
9995704	10211	BAKERSFIELD FIREMEN	Jan 8, 2021	\$0.00
9995705	10200	BAKERSFIELD FIREMEN RELIEF ASS	Jan 8, 2021	\$0.00
9995706	10203	BAKERSFIELD POLICE BENEFIT	Jan 8, 2021	\$0.00
9995707	30014	EMPLOYMENT DEVELOPMENT DEPT	Jan 8, 2021	\$251,700.79
9995708	10217	I C M A RETIREMENT TRUST-303749	Jan 8, 2021	\$218,870.32
9995709	30010	IRS	Jan 8, 2021	\$712,464.98
9995710	10205	MUTUAL BENEFIT ASSOCIATION	Jan 8, 2021	\$0.00
9995711	16863	NATIONWIDE RETIREMENT SOLUTIONS	Jan 8, 2021	\$226,134.64
9995712	26810	RELIASTAR LIFE INSURANCE CO	Jan 8, 2021	\$0.00

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
9995713	22324	SEIU LOCAL 521	Jan 8, 2021	\$0.00
9995714	20699	VANTAGEPOINT TRANSFER AGENTS C/O	Jan 8, 2021	\$42,313.96
9995715	30028	BLUE SHIELD OF CALIFORNIA-P	Jan 14, 2021	\$545,471.83
9995716	24821	DEPARTMENT OF THE TREASURY	Jan 14, 2021	\$163.00
9995717	30021	KAISER PERMANENTE	Jan 14, 2021	\$221,742.07
9995718	10206	STATE OF CALIF - PERS	Jan 14, 2021	\$1,122,992.12
9995719	11811	WELLS FARGO BANK	Jan 14, 2021	\$60,078.50
9995721	18560	U S BANK N.A. MINNESOTA	Jan 15, 2021	\$480,250.00
9995722	30025	STATE DISBURSEMENT UNIT	Jan 21, 2021	\$20,423.55
9995724	31877	U S BANK NATIONAL ASSOC	Jan 21, 2021	\$3,000.00
9995726	11811	WELLS FARGO BANK	Jan 21, 2021	\$120,089.92

\$19,256,417.96

E-Payable Number	Vendor Number	Vendor Name	E-Payable Date	E-Payable Amount
20229	64	ADAMSON POLICE SUPPLY	Jan 14, 2021	\$950.44
20230	152	ALL AUTOMATIC TRANSMISSION SER	Jan 14, 2021	\$3,400.00
20231	436	ARGO CHEMICAL INC	Jan 14, 2021	\$2,455.46
20232	575	B C LABORATORIES	Jan 14, 2021	\$294.00
20233	877	BAKERSFIELD WELL & PUMP	Jan 14, 2021	\$1,500.00
20234	18753	BRIDGEPORT TRUCK MANUFACTURING	Jan 14, 2021	\$2,520.21
20235	613	BSK ASSOCIATES	Jan 14, 2021	\$18,020.00
20236	23090	BURTONS FIRE INC	Jan 14, 2021	\$717.80
20237	1477	CAL VALLEY EQUIPMENT INC	Jan 14, 2021	\$145.00
20238	1765	CARNEYS BUSINESS TECHNOLOGY CTR INC	Jan 14, 2021	\$85.00
20239	17239	CENTRAL VALLEY OCCUPATIONAL INC	Jan 14, 2021	\$160.00
20240	16838	GIBBS INTERNATIONAL TRUCK CTR. INC	Jan 14, 2021	\$5,329.63
20241	21739	GOLDEN EMPIRE TOWING INC	Jan 14, 2021	\$956.00
20242	3929	HYDRAULIC CONTROLS INC	Jan 14, 2021	\$1,731.42
20243	28917	JAN-PRO CLEANING SYSTEMS	Jan 14, 2021	\$1,350.00
20244	4171	JERRY & KEITHS INC	Jan 14, 2021	\$2,816.55
20245	4178	JIM BURKE LINCOLN MERCURY	Jan 14, 2021	\$6,379.18
20246	15694	JIMS TOWING INC	Jan 14, 2021	\$2,462.00
20247	2267	L N CURTIS & SONS	Jan 14, 2021	\$13,741.42
20248	24086	MAR-CO EQUIPMENT CORP	Jan 14, 2021	\$3,097.97
20249	453	MUNICIPAL MAINTENANCE EQUIP INC	Jan 14, 2021	\$571.47
20250	6550	QUAD KNOPF INC	Jan 14, 2021	\$18,941.20
20251	1279	QUALITY HEAVY DUTY DIESEL ELEC	Jan 14, 2021	\$788.02
20252	30642	R & S ERECTION OF TRI-COUNTY INC	Jan 14, 2021	\$2,597.29
20253	28837	RICHARDS CRANE SERVICE LLC	Jan 14, 2021	\$900.00
20254	7231	SEAL & PACKING SUPPLY CO	Jan 14, 2021	\$4,974.03
20255	28661	SERVEXO PROTECTIVE SERVICES	Jan 14, 2021	\$7,860.35
20256	19584	SMITH & SON TIRE INC	Jan 14, 2021	\$5,999.02
20257	23456	SORENSEN, VERNON MD INC	Jan 14, 2021	\$4,371.00
20258	25504	STATEWIDE TRAFFIC SAFETY & SIGNS	Jan 14, 2021	\$9,443.00
20259	7685	STINSON STATIONERS	Jan 14, 2021	\$9,544.14
20260	21158	TARGET SPECIALTY PRODUCTS	Jan 14, 2021	\$8,357.66
20261	15868	TEL TEC SECURITY SYSTEM INC	Jan 14, 2021	\$2,757.75
20262	96	TYACK TIRES INC	Jan 14, 2021	\$1,575.94
20263	13646	UNITED ROTARY BRUSH CORPORATION	Jan 14, 2021	\$6,938.40
20264	21212	WHITE CAP CONSTRUCTION SUPPLY	Jan 14, 2021	\$98.63
20265	9010	WILLIAMS CLEANING SYSTEMS INC	Jan 14, 2021	\$1,976.12
20266	57	ABATE A WEED	Jan 15, 2021	\$88.09
20267	29	AFFINITY TRUCK CENTER	Jan 15, 2021	\$6,754.30
20268	26538	ARAMARK UNIFORM & CAREER APPAREL	Jan 15, 2021	\$6,307.24
20269	576	B & B SURPLUS	Jan 15, 2021	\$62.79
20270	611	B S & E COMPANY INC	Jan 15, 2021	\$7,314.61
20271	13424	BARNES WELDING SUPPLY	Jan 15, 2021	\$283.29
20272	1163	BLUEPRINT SERVICE CO	Jan 15, 2021	\$1,014.66
20273	1765	CARNEYS BUSINESS TECHNOLOGY CTR INC	Jan 15, 2021	\$412.43
20274	20747	CENTRAL SANITARY SUPPLY INC	Jan 15, 2021	\$1,455.42
20275	5147	COASTLINE EQUIPMENT	Jan 15, 2021	\$1,426.32
20276	2162	CONSOLIDATED ELECTRICAL DIST INC	Jan 15, 2021	\$3,323.06
20277	2757	ELECTRIC MOTOR WORKS INC	Jan 15, 2021	\$649.91
20278	14055	FAST UNDERCAR LLC	Jan 15, 2021	\$9,780.99
20279	2874	FERGUSON ENTERPRISES INC	Jan 15, 2021	\$1,150.47
20280	16838	GIBBS INTERNATIONAL TRUCK CTR. INC	Jan 15, 2021	\$285.77
20281	3593	HALL LETTER SHOP	Jan 15, 2021	\$119.65
20282	4171	JERRY & KEITHS INC	Jan 15, 2021	\$2,785.91
20283	1390	JIM BURKE FORD	Jan 15, 2021	\$5,321.04
20284	4178	JIM BURKE LINCOLN MERCURY	Jan 15, 2021	\$3,686.95

E-Payable Number	Vendor Number	Vendor Name	E-Payable Date	E-Payable Amount
20285	4581	KERN ELECTRIC DISTRIBUTORS	Jan 15, 2021	\$175.19
20286	4680	KERN RIVER POWER EQUIPMENT INC	Jan 15, 2021	\$1,351.68
20287	4861	KISCO SALES INC	Jan 15, 2021	\$591.57
20288	5687	MOTOR CITY SALES & SERVICE	Jan 15, 2021	\$160.84
20289	24279	O'REILLY AUTO PARTS	Jan 15, 2021	\$1,086.92
20329	29	AFFINITY TRUCK CENTER	Jan 21, 2021	\$1,025.54
20330	26538	ARAMARK UNIFORM & CAREER APPAREL	Jan 21, 2021	\$5,697.34
20331	436	ARGO CHEMICAL INC	Jan 21, 2021	\$2,032.63
20332	576	B & B SURPLUS	Jan 21, 2021	\$267.76
20333	575	B C LABORATORIES	Jan 21, 2021	\$719.00
20334	611	B S & E COMPANY INC	Jan 21, 2021	\$571.33
20335	877	BAKERSFIELD WELL & PUMP	Jan 21, 2021	\$9,048.50
20336	13424	BARNES WELDING SUPPLY	Jan 21, 2021	\$58.09
20337	1163	BLUEPRINT SERVICE CO	Jan 21, 2021	\$65.36
20338	1249	BRANDCO	Jan 21, 2021	\$4,392.78
20339	20747	CENTRAL SANITARY SUPPLY INC	Jan 21, 2021	\$478.55
20340	5147	COASTLINE EQUIPMENT	Jan 21, 2021	\$260.88
20341	2162	CONSOLIDATED ELECTRICAL DIST INC	Jan 21, 2021	\$1,755.55
20342	27459	EVOQUA WATER TECHNOLOGIES	Jan 21, 2021	\$43,027.85
20343	14055	FAST UNDERCAR LLC	Jan 21, 2021	\$757.82
20344	2874	FERGUSON ENTERPRISES INC	Jan 21, 2021	\$7,169.91
20345	30589	FRUIT GROWERS LABORATORY INC	Jan 21, 2021	\$1,357.00
20346	21739	GOLDEN EMPIRE TOWING INC	Jan 21, 2021	\$2,100.00
20347	3593	HALL LETTER SHOP	Jan 21, 2021	\$431.65
20348	3929	HYDRAULIC CONTROLS INC	Jan 21, 2021	\$415.00
20349	4171	JERRY & KEITHS INC	Jan 21, 2021	\$244.15
20350	1390	JIM BURKE FORD	Jan 21, 2021	\$813.80
20351	4178	JIM BURKE LINCOLN MERCURY	Jan 21, 2021	\$1,522.72
20352	15694	JIMS TOWING INC	Jan 21, 2021	\$1,602.00
20353	4581	KERN ELECTRIC DISTRIBUTORS	Jan 21, 2021	\$499.86
20354	4680	KERN RIVER POWER EQUIPMENT INC	Jan 21, 2021	\$14.20
20355	2267	L N CURTIS & SONS	Jan 21, 2021	\$1,132.37
20356	5687	MOTOR CITY SALES & SERVICE	Jan 21, 2021	\$36.51
20357	453	MUNICIPAL MAINTENANCE EQUIP INC	Jan 21, 2021	\$4,716.67
20358	24279	O'REILLY AUTO PARTS	Jan 21, 2021	\$181.65
20359	30642	R & S ERECTION OF TRI-COUNTY INC	Jan 21, 2021	\$14,455.43
20360	28837	RICHARDS CRANE SERVICE LLC	Jan 21, 2021	\$814.43
20361	22473	SOILS ENGINEERING INC	Jan 21, 2021	\$1,200.00
20362	23456	SORENSEN, VERNON MD INC	Jan 21, 2021	\$45.00
20363	14700	SOUTH COAST EMERGENCY VEHICLE SERV.	Jan 21, 2021	\$15,788.18
20364	7685	STINSON STATIONERS	Jan 21, 2021	\$5,629.03
20365	15868	TEL TEC SECURITY SYSTEM INC	Jan 21, 2021	\$1,060.00
20366	96	TYACK TIRES INC	Jan 21, 2021	\$1,983.32
20367	9010	WILLIAMS CLEANING SYSTEMS INC	Jan 21, 2021	\$267.75

 345,034.81

19,601,452.77

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Ordinances c.

TO: Honorable Mayor and City Council

FROM: Christopher Boyle, Development Service Director

DATE: 10/27/2020

WARD:

SUBJECT: Adoption of ordinance amending Title 17 of the Bakersfield Municipal Code related to parking space requirements within the Central District, Old Town Kern, and other mixed-use areas. **(FR 01/20/2021)**

STAFF RECOMMENDATION:

City staff and Planning Commission recommend adoption of the ordinance.

BACKGROUND:

First reading of the ordinance was given on January 20, 2021.

On June 10, 2020, Councilmember Gonzales made a referral to the Planning and Development Committee for staff to review a fifty percent parking reduction for residential uses within the Central District (downtown) and other mixed use areas.

On September 22, 2020, the Planning and Development Committee was presented information on the ability to accommodate parking reductions for residential development projects within the Central District, Old Town Kern, and other mixed-use areas. Following staff's presentation, public comments, and follow-on discussion, the Committee directed City staff to prepare an ordinance update to the parking requirements for residential projects to address tandem parking, guest parking, and reductions based on density of development.

On November 5, 2020, the Planning Commission was presented the first draft of the updated ordinance. At the request of the Commission, consideration of the ordinance was continued to December 3, 2020, at which time the Commission directed City staff to bring the draft updated ordinance to City Council.

On January 20, 2021, the City Council was presented a draft of the updated ordinance. Councilmember Gonzales made additional amendments and the ordinance had first reading.

The attached ordinance is reflective of Council's direction.

ATTACHMENTS:

Description	Type
 Ordinance	Ordinance

ORDINANCE NO. _____
ORDINANCE AMENDING SECTIONS 17.58.100, 17.58.110, AND
17.58.120 OF THE BAKERSFIELD MUNICIPAL CODE RELATING TO
PARKING SPACE REQUIREMENTS WITHIN THE "CENTRAL
DISTRICT," "OLD TOWN KERN," AND OTHER MIXED-USE AREAS.

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

SECTION 1.

Section 17.58.100 of the Bakersfield Municipal Code is hereby amended to read as follows:

17.58.100 On-street parking credit.

Along local streets only and where on-street parking is permitted, on-street parking credit will be given along the street frontage of the project site as follows:

- A. On-street parking credits will be allowed for all nonresidential uses.
- B. For residential uses, only fifty percent of the guest parking that is required by this code will qualify for on-street parking credit, unless otherwise provided by this chapter.
- C. On-street parking for disabled persons that is required by Section 15.58.050(C) shall not be credited unless the space is authorized by the building director in accordance with Title 24 of the aforementioned section, and is approved by the traffic engineer.
- D. Parallel spaces will be credited at one space per twenty-two feet and angled spaces will be credited at one space per fourteen feet of uninterrupted curb along the parcel or site frontage minus driveways, fire hydrant breaks, and other space not permitted for parking by the traffic engineer.
- E. On-street parking credits may be permitted along collector streets at the discretion of the traffic engineer. However, his or her approval will consider such issues that include, but are not limited to, traffic safety, circulation patterns, speed limits, traffic volume, future improvements, and other traffic planning considerations where on-street parking may need to be limited or prohibited.
- F. If on-street parking along a street is restricted or prohibited in the future by the city, the use or building will not be required to make up the lost spaces on site and will be deemed legal nonconforming subject to the provisions of Section 17.58.040(C).

SECTION 2.

Section 17.58.110 of the Bakersfield Municipal Code is hereby amended to read as follows:

17.58.110 Parking space requirements by land use.

A. The minimum number of off-street parking spaces shall be provided and maintained for the following specified uses or facilities identified in the table in subsection E of this section. 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).

B. Tandem parking will not be counted toward the requirement for legal off-street parking, except one tandem parking space will be permitted for a single-family dwelling, and for each unit of a multiple-family dwelling that contains four units or less on a site that is not part of a multiple-family subdivision project, unless otherwise provided by this chapter.

C. Motorcycle parking that is provided and clearly identified for such use may be counted as part of the total number of parking spaces required for a nonresidential use or building. However, this credit shall not exceed twenty-five spaces or five percent of the total parking required, whichever is less.

D. For uses not listed in the parking space requirements table, parking will be determined by the planning director based on the listed use(s) that most closely resembles the proposed use.

E. Parking space requirements by land use table: *(no changes to table)*

SECTION 3.

Section 17.58.120 of the Bakersfield Municipal Code is hereby amended to read as follows:

17.58.120 Parking space requirements within the "Central District," "Old Town Kern," and other mixed-use areas.

The following supplemental off-street parking standards shall be applicable within the "Central District" as defined in Chapter 17.04 of this code, "Old Town Kern" as defined in Chapter 10.08 of this code, C-B zone district, or C-C zone district:

A. Mixed Use Development Parking Incentives. For a mixed use combined residential and retail/office commercial project where the design and development function as an integrated unit, the following incentives shall apply:

1. Off-street parking may be reduced by up to fifty percent (50%) of the minimum requirement assessed under Section 17.58.110.

2. The amount of reduction shall be scaled to the degree the design and development function as an integrated unit. The greater the balance of residential to commercial/office space, the greater the reduction.

3. The exact amount of reduction shall be determined by the planning director on a case by case basis. The decision of the planning director may be appealed to the planning commission.

4. Where the applicable project requires planning commission approval, the exact amount of reduction shall be determined by the planning commission. Any decision of the planning commission may be appealed to the city council.

B. Multiple Family Residential Development Parking Incentives. For exclusively multiple family residential development projects, the following incentives shall apply:

1. On-site guest parking shall not be required.

2. Tandem parking will be permitted for each unit containing 2 or more bedrooms.

3. Only one parking space per unit is required regardless of the number of bedrooms.

C. Any change of use of an existing building in the "Central District" shall not be subject to additional off-street parking requirements set forth in this chapter, provided there is no expansion of the square footage of the building.

D. If not specifically addressed within these supplemental standards, the parking and loading standards of Chapter 17.58 shall apply.

SECTION 4.

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: ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, 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: _____
VIRIDIANA GALLARDO-KING
Deputy City Attorney

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Ordinances d.

TO: Honorable Mayor and City Council

FROM: Christopher Boyle, Development Services Director

DATE: 12/8/2020

WARD:

SUBJECT: Adoption of ordinance amending Title 17 of the Bakersfield Municipal Code related to procedures for reasonable accommodation in the City's land use and zoning regulations pursuant to State of California Department of Housing and Community Development guidelines and requirements and fair housing laws. **(FR 01/20/2021)**

STAFF RECOMMENDATION:

City staff and Planning Commission recommend adoption of the ordinance.

BACKGROUND:

First reading of the ordinance was given on January 20, 2021.

On September 9, 2020, Councilmember Rivera made a referral to the Planning and Development Committee for City staff to prepare a reasonable accommodation ordinance in order to comply with state law. The referral request was made at the direction of the City Attorney.

On November 17, 2020, the Planning and Development Committee was presented information on the reasonable accommodation ordinance. The Committee directed staff to schedule the ordinance amendment for public hearing with the Planning Commission. A copy of the Committee report is attached for the Planning Commission's consideration.

On December 17, 2020, the Planning Commission was presented the first draft of the updated ordinance. The Planning Commission directed City staff to bring the draft updated ordinance to City Council.

On January 20, 2021, the City Council was presented a draft of the updated ordinance and had first reading.

The attached ordinance is reflective of Council's direction and Planning Commission's recommendation.

ATTACHMENTS:

Description	Type
 Ordinance	Ordinance

ORDINANCE NO. _____

**ORDINANCE ADDING CHAPTER 17.73 TO THE BAKERSFIELD
MUNICIPAL CODE TO PROVIDE A PROCEDURE FOR
REASONABLE ACCOMMODATION IN THE CITY'S LAND USE AND
ZONING REGULATIONS PURSUANT TO STATE OF CALIFORNIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
GUIDELINES AND REQUIREMENTS AND FAIR HOUSING LAWS.**

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

SECTION 1.

Chapter 17.73 of the Bakersfield Municipal Code is hereby added to read as follows:

Chapter 17.73
REASONABLE ACCOMMODATION

17.73.010 Purpose.

A. The purpose of this Chapter is to provide a procedure for individuals with disabilities to request reasonable accommodation in seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (hereafter "Acts") in the application of zoning laws and other land use regulations, policies, and procedures.

17.73.020 Applicability.

A. A request for reasonable accommodation may be made by any person with a disability or their representative, when the application of a requirement of this zoning code or other City requirement, policy, or practice acts as a barrier to fair housing opportunities. For the purposes of this chapter, a "person with a disability" is any person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment or anyone who has a record of such impairment. This chapter is intended to apply to those persons who are defined as disabled under the Acts.

B. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

C. A reasonable accommodation is granted only to the household that needs the accommodation and does not apply to successors in interest to the site.

D. A reasonable accommodation may be granted in compliance with this Chapter without the need for the approval of a variance.

17.73.030 Procedures.

A. A request for reasonable accommodation shall be submitted on an application form provided by the Development Services Department or in the form of a letter to the Development Services Director, and shall contain the following information:

1. The applicant's name, address, and telephone number;
2. Address of the property for which the request is being made;
3. The current use of the property;
4. The basis for the claim that the individual is considered disabled under the Acts, including verification of such claim;
5. The zoning code provision, regulation, or policy from which reasonable accommodation is being requested; and
6. Why the reasonable accommodation is necessary to make the specific property accessible to the individual.

B. If the project for which the request for reasonable accommodation is being made requires some other discretionary approval (including use permit, design review, etc.), then the applicant shall file the information required by subsection A of this section for concurrent review with the application for discretionary approval.

C. A request for reasonable accommodation shall be reviewed by the Development Services Director. If no approval is sought other than the request for reasonable accommodation, the Director shall make a written determination within 45 days of the application being deemed complete and either grant, grant with modifications, or deny a request for reasonable accommodation.

D. A request for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the Planning Commission. The written determination on whether to grant or deny the request for reasonable accommodation shall be made by the Planning Commission in compliance with the applicable review procedure for the discretionary review.

17.73.040 Approval Findings.

A. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:

1. Whether the housing in the request will be used by a person with a disability under the Acts;
2. Whether the request for reasonable accommodation is necessary to make specific housing available to a person with a disability under the Acts;
3. Whether the requested reasonable accommodation would impose an undue financial, administrative or enforcement burden on the City;
4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning;
5. Potential impact on surrounding uses;
6. Physical attributes of the property and structures; and
7. Other reasonable accommodations that may provide an equivalent level of benefit.

17.73.050 Conditions of Approval

A. In granting a request for reasonable accommodation, the Development Services Director or his/her designee, or the Planning Commission as the case might be, may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings. The conditions shall also state whether the accommodation granted shall be removed in the event that the person for whom the accommodation was requested no longer resides on the site.

17.73.060 Appeals.

A. Any person dissatisfied with any action of the Development Services Director pertaining to this Chapter may appeal to the Planning Commission within 10 days after written notice of the Director's decision is sent to the applicant by filing a written notice of appeal with the City Clerk and shall specify the reasons for the appeal and the grounds asserted for relief.

B. Any person dissatisfied with any action of the Planning Commission pertaining to this Chapter may appeal to the City Council within 10 days after the rendition of the decision of the Planning Commission by filing a written notice of appeal with the City Clerk and shall specify the reasons for the appeal and the grounds asserted for relief. If any request for a reasonable accommodation is disapproved by the Planning Commission and no appeal is filed, such action by the Planning Commission shall be final and conclusive.

C. The City Council shall, by resolution, adopt and from time to time amend a fee for the filing of appeals. Such fee shall be for the sole purpose of defraying costs incurred for the administration of appeals. The fee for an appeal shall be paid at the time of and with the filing of an appeal. No appeal shall be deemed valid unless the prescribed fee has been paid.

D. If an appeal is not filed within the time or in the manner prescribed in this section, the right to review of the action against which the appeal is made shall be deemed to have been waived.

E. After filing an appeal, the City Council shall conduct a public hearing for the purpose of determining whether the appeal of the decision of the Planning Commission should be granted or denied. Written notice of the time, date and place of hearing shall be given to the appellant, and to any other persons who have filed a written request for notice. Such notices shall be mailed to the appellant and to any other persons who have filed a written request for notice at least ten days prior to the hearing. Any hearing may be continued from time to time. A decision of the City Council shall be final and conclusive.

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:	ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, 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: _____
JOSHUA H. RUDNICK
Deputy City Attorney

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Ordinances e.

TO: Honorable Mayor and City Council

FROM: Christopher Boyle, Development Services Director

DATE: 1/12/2021

WARD: Ward 4

SUBJECT: Adoption of ordinance amending the Official Zoning Map in Title 17 of the Bakersfield Municipal Code by changing the zone district from PCD (Planned Commercial Development) zone to revised PCD zone for a change of use from retail to fast food on approximately 0.75 acres located at 9030 Rosedale Highway. (ZC 20-0343) **(FR 1/20/2021)**

STAFF RECOMMENDATION:

City Staff and Planning Commission recommend adoption of the ordinance.

BACKGROUND:

First reading of the ordinance was given on January 20, 2021.

The project is a request by Chick-fil-A, Inc., on behalf of Northwest Target, LLC, to change the zone district from a PCD (Planned Commercial Development) zone to a revised PCD zone on 0.75 acres of a larger 52-acre commercial center, located 9030 Rosedale Highway.

The request is to facilitate a change of use from retail to fast food with a drive-thru. This type of development is consistent with the surrounding commercial center, which was approved in September, 2000 (Zone Change No. P00-0519). The Zoning Ordinance allows for drive-thru restaurants; however, within the exclusive PCD zone, any change to an existing building or new use requires a Zone Change and Plan Development Review.

CONCLUSION:

The project has been found to be consistent with the General Plan policies and the City Zoning Ordinance requirements. Staff recommends adoption of the ordinance for ZC No. 20-0343.

ATTACHMENTS:

Description	Type
□ Ordinance	Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE BAKERSFIELD CITY COUNCIL
APPROVING AN AMENDMENT TO TITLE 17 OF THE BAKERSFIELD
MUNICIPAL CODE TO CHANGE THE ZONE DISTRICT GENERALLY
LOCATED AT 9030 ROSEDALE HWY (ZC NO. 20-0343).**

WHEREAS, Chick-fil-A, Inc. (applicant), on behalf of Northwest Target, LLC (property owner), filed an application with the City of Bakersfield Development Services Department requesting to change the zone district from a Planned Commercial Development (P.C.D.) zone to a revised P.C.D. zone on approximately 0.75 acres of a larger 52 acre commercial center generally located at 9030 Rosedale Highway as shown in attached Exhibit 2 (the "Project"); and

WHEREAS, the Planning Commission held a public hearing on December 17, 2020, and approved Resolution No. 69-20, which recommended that the City Council approve the Project; and

WHEREAS, the City Council considered all facts, testimony, and evidence concerning the Project, including the staff report, and the Planning Commission's deliberation, and action; and

WHEREAS, the Project is consistent with the *Metropolitan Bakersfield General Plan*.

SECTION 1.

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

1. The recitals above are true and correct and incorporated herein by this reference.
2. The Planning Commission's findings as contained in its Resolution No. 69-20 are hereby adopted.
2. The project is exempt from CEQA.
3. The Project is hereby approved and incorporating the change into the official zoning map as described in Bakersfield Municipal Code Section 17.06.020 located on the map as shown in Exhibit 2 and as specifically described in Exhibit 3, all of which are incorporated herein.

SECTION 2.

This ordinance must be posted in accordance with the Bakersfield Municipal Code and will become effective not less than 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 held on _____, by the following vote:

AYES:	COUNCILMEMBER:	ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, 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: _____
JOSHUA H. RUDNICK
Deputy City Attorney

Exhibits:

1. Conditions of Approval
2. Zone Change Map
3. Legal Description
4. Site Plan

Exhibit A
(Conditions of Approval)



BAKERSFIELD

THE SOUND OF *Something Better*

CONDITIONS AND ORDINANCE COMPLIANCE

- I. All conditions of approval as identified in Ordinance 3984 for P00-0519 are hereby incorporated as conditions of approval, with the following revision to Condition 7:

Condition 7. The Northwest Promenade Phase 2 is approved with a total square footage of 440,306 square feet as shown on attached Exhibit "3" and as summarized below:

8 Major Retail Stores	373,406 square feet
4 Retail Shops	35,500 square feet
6 Freestanding Pads (see Condition # 7.1)	31,400 square feet

- 7.1 The fast food/drive-through, restaurant and retail uses and square footages depicted on the site plan for the freestanding pads may be interchanged among the freestanding pads with final development pads. ~~The total square footage for each type of use, and the cumulative total of 31,400 square feet for all the pads must not be exceeded.~~

Specifically describes the proposed square footage approved for the shopping center. Condition 7.1 allows developer flexibility to market and obtain tenants for the freestanding pads as long as the overall project impacts do not increase or create new significant impacts.

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.

The items listed below will usually need to be shown on the final building plans or completed before a building permit is issued. As part of the building permit submittal, identify the location of your response by using the *APPLICANT'S RESPONSE* line provided directly below the item (example: sheet number, detail, etc.).

**II. A. DEVELOPMENT SERVICES - BUILDING (1715 Chester Avenue)
(Staff contact - Oscar Fuentes; 661-326-3676 or OFuentes@bakersfieldcity.us)**

1. Prior to review of improvement plans by the City, the developer shall submit a grading plan for the proposed site to be reviewed and approved by the City Engineer and Building Official (Bakersfield Municipal Code Section 16.44.010). With the grading plan, if the project is subject

to the provisions of the National Pollutant Discharge Elimination System (NPDES), a Notice of Intent (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (WQ Order No. 99-08-DWQ) must be filed with the State Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.

APPLICANT'S RESPONSE: _____

2. A grading permit is required prior to final plan approval. The developer shall submit four (4) copies of grading plans and two (2) copies of the preliminary soils report to the Building Division. A final soils report shall also be submitted to the Building Division before they can issue a building permit. Please note that grading plans must be consistent with the final building site plans and landscaping plans. Building permits will not be issued until the grading permit is approved by the Building Division, Planning Division (HCP), and Public Works Department.

APPLICANT'S RESPONSE: _____

3. Show on the final building plan pedestrian access from the public way and accessible parking. Private streets are not the public way.

APPLICANT'S RESPONSE: _____

4. 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.

APPLICANT'S RESPONSE: _____

5. 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.

APPLICANT'S RESPONSE: _____

6. The developer shall obtain all required approvals from the Kern County Environmental Health Services Department (2700 "M" Street, Bakersfield, CA., 93301; PH 661-862-8700) for any food handling facility (i.e.: market, delicatessen, café, concession, restaurant) before building permits can be issued.

APPLICANT'S RESPONSE: _____

7. Buildings or structures shall require installation of an automatic fire sprinkler system where required by current California Building Code and City ordinance.

APPLICANT'S RESPONSE: _____

8. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.

APPLICANT'S RESPONSE: _____

9. 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.

APPLICANT'S RESPONSE: _____

10. Prior to granting occupancy, the Building Division will verify that a water meter serving the development is in place. Therefore, it is recommended that the developer contact the applicable water purveyor to inquire about their process for obtaining water service for the development as soon as possible. To determine who the water purveyor for the development is, you may contact the City of Bakersfield Water Resources Department (1000 Buena Vista Road, Bakersfield, CA, phone: 661-326-3715).

APPLICANT'S RESPONSE: _____

11. Show on the final building plan, electric vehicle supply equipment to facilitate future installation as required by the California Green Code.

APPLICANT'S RESPONSE: _____

B. DEVELOPMENT SERVICES - PLANNING (1715 Chester Avenue)
(Staff contact – Kassandra Gale; 661-326-3411 or kgale@bakersfieldcity.us)

1. The minimum parking required for this project has been computed based on use and shall be as follows:

Proposed Use	Parking Ratio	Square Footage	Required Parking
Shopping Center (up to 35,000 ft ²)	1 space/200 ft ²	35,000 ft ²	175 spaces
Shopping Center (excess of 35,000 ft ²)	1 space/250 ft ²	373,406 ft ²	1,494 spaces
Restaurant Freestanding Pads	1 space/75 ft ²	31,400 ft ²	419 spaces
Drive-through Credit	2 spaces/window with 44 ft lane		(8 spaces)
Required Parking:			2,080 spaces

(Note: 2,696 parking spaces are shown on the proposed site plan. By ordinance, compact and tandem spaces cannot be counted towards meeting minimum parking requirements. For commercial development containing a multi-tenant pad, any change in use where 50 percent or more of the pad requires additional parking pursuant to Bakersfield Municipal Section 17.58.110, the Planning Director may require parking commensurate with the new use.)

APPLICANT'S RESPONSE: _____

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.

APPLICANT'S RESPONSE: _____

3. All parking lots, driveways, drive aisles, loading areas, and other vehicular access ways, shall be paved with concrete, asphaltic concrete, or other paved street surfacing material in accordance with the Bakersfield Municipal Code (Sections 15.76.020 and 17.58.060.A.).

APPLICANT'S RESPONSE: _____

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.)

APPLICANT'S RESPONSE: _____

5. Because off-site parking and/or off site access to the project is being proposed, the developer shall file with the Planning Division before any building permits are issued, a copy of a recorded lease, CC&Rs, or other instrument that ensures that the offsite parking and/or legal access proposed for this project is available for its actual lifetime.

APPLICANT'S RESPONSE: _____

6. The developer shall include a copy of a final landscape plan with each set of the final building plans submitted to the Building Division. Building permits will not be issued until the Planning Division has approved the final landscape plan for consistency with approved site plans and minimum ordinance standards. **Please refer to the landscaping requirements in Chapter 17.61.** Landscape plans shall include, but are not limited to, data on: gallon/box size, spacing, species (reference approved parking lot tree list), ratio of deciduous vs. evergreen, shade calculations, ground cover calculations, etc.

(**Note 1:** At the time a final site inspection is conducted, it is expected that plants will match the species identified and be installed in the locations consistent with the approved landscape plan. Changes made without prior approval of the Planning staff may result in the removal and/or relocation of installed plant materials and delays in obtaining building occupancy.)

(**Note 2:** No mature landscaping shall be removed without prior approval by the Planning Director.)

(**Note 3:** Upon approval of the final landscape plan, a digital copy shall be submitted to the Planning staff contact listed above.)

APPLICANT'S RESPONSE: _____

7. Business identification signs are **neither considered nor approved** under this review (e.g. wall, monument, pylon, etc.). 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.

(**Note:** Signs must comply with the Sign Ordinance; Chapter 17.60 of the Bakersfield Municipal Code. Review this Chapter as part of due diligence.)

APPLICANT'S RESPONSE: _____

8. The following conditions are required as part of a grading permit:

- a. Habitat Conservation fees shall be required for this project and will be calculated based on the fee in effect at the time we issue an urban development permit (includes grading plan approvals) as defined in the Implementation/Management Agreement (Section 2.21) for the Metropolitan Bakersfield Habitat Conservation Plan. Upon payment of the fee, the applicant will receive acknowledgment of compliance with Metropolitan Bakersfield Habitat Conservation Plan (Implementation/Management Agreement Section 3.1.4). This fee is currently \$2,145 per gross acres, payable to the City of Bakersfield (submit to the Planning Division). This fee must be paid before any grading or other site disturbance occurs.

Forms and instructions are available at the Planning Division or on the city's web site at https://bakersfieldcity.us/gov/depts/community_development/habitat.htm.

The current MBHCP expires on February 28, 2022. To ensure take of covered species does not occur after the expiration date, fees must be paid no later than August 31, 2021 and all covered activities must be completed by the MBHCP expiration date of February 28, 2022. As determined by the City, only projects ready to be issued an urban development permit, grading plan approval, or building permit will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2022 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the U.S. Fish & Wildlife Service and the California Department of Fish and Wildlife.

- b. Burrowing Owl Notification: The burrowing owl is a migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 C.F.R. Part 10 including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 C.F.R. 21). Sections 3503, 3503.5, and 3800 of the California Fish and Game Code prohibit the taking, possession, or destruction of birds, their nests or eggs. To avoid violation of the provisions of these laws generally requires that project related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (March 1- August 15, annually). Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered "taking" and is potentially punishable by fines and/or imprisonment.

- c. Prior to ground disturbance, the developer shall have a California Department of Fish and Wildlife approved MBHCP biologist survey the location for kit fox, and comply with the provisions of the Metropolitan Bakersfield Habitat Conservation Plan. Survey protocol shall be recommended by the California Department of Fish and Wildlife. Developer shall be subject to the mitigation measures recommended by the biologist. Copies of the survey shall be provided to the Development Services Department, California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service prior to ground disturbance.

APPLICANT'S RESPONSE: _____

9. Rooftop areas of commercial buildings (e.g., office, retail, restaurant, assembly, hotel, hospital, church, school), and industrial buildings adjacent to residentially zoned properties, shall be completely screened by parapets or other finished architectural features constructed to a height of the highest equipment, unfinished structural element or unfinished architectural feature of the building.

APPLICANT'S RESPONSE: _____

10. 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.)

APPLICANT'S RESPONSE: _____

11. 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.

APPLICANT'S RESPONSE: _____

12. The developer shall meet all regulations of the San Joaquin Valley Air Pollution Control District (Regulation VIII) concerning dust suppression during construction of the project. Methods include, but are not limited to; use of water or chemical stabilizer/suppressants to control dust emission from disturbed area, stock piles, and access ways; covering or wetting materials that are transported off-site; limit construction-related speed to 15 mph on all unpaved areas/washing of construction vehicles before they enter public streets to minimize carryout/track out; and cease grading and earth moving during periods of high winds (20 mph or more).

APPLICANT'S RESPONSE: _____

13. Prior to receiving final building or site occupancy, you must contact the Planning Division (staff contact noted above) for final inspection and approval of the landscaping, parking lot, lighting and other related site improvements. Inspections will not be conducted until all required items have been installed. Any deviations from the approved plans without prior approval from the Planning Division may result in reconstruction and delays in obtaining a building or site occupancy.

APPLICANT'S RESPONSE: _____

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 lanes. Any modifications shall be approved by the Fire Department. Fire lane identification signs shall be installed every 100 feet with red curbing when curbing is required. All work shall be completed before occupancy of any building or portion of any building is allowed.
 - b. 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.)
 - c. All fire sprinkler and/or stand pipe systems, fire alarms and commercial hood systems. These suppression systems require review and permits by the Fire Department. The Fire Department will issue guidelines for these various items as they may apply to this project.
 - d. Project address, including suite number if applicable. If the project is within a shopping or business center, note the name and address of the center.
 - e. Name and phone number of the appropriate contact person.

APPLICANT'S RESPONSE: _____

2. The developer must pay required fees to and request an inspection from the Water Resources Department (1000 Buena Vista Road, Bakersfield, CA, phone: 661-326-3715) for any underground sprinkler feeds at least 2 full business days before they are buried. The Prevention

Services Division (2101 H Street, Bakersfield CA, Ph. 661/326-3979) must complete all on-site inspections of fire sprinkler systems and fire alarm systems before any building is occupied.

APPLICANT'S RESPONSE: _____

3. Where fire apparatus access roads or a water supply for fire protection are required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

APPLICANT'S RESPONSE: _____

4. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved fire apparatus access road* with an asphalt, concrete or other driving surface approved by the fire chief. Must be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds and shall be surfaced with the first lift of asphalt as to provide all-weather driving capabilities. All access (Permanent and temporary) to and around any building under construction must be a least 20 feet wide (26 feet wide where building height exceeds 30 feet), with an overhead clearance of 13 feet 6 inches, and contain no obstruction. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

APPLICANT'S RESPONSE: _____

5. Turning Radius: The minimum turning radius shall be thirty-seven feet.

APPLICANT'S RESPONSE: _____

6. 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.

APPLICANT'S RESPONSE: _____

7. All projects must comply with the current California Fire Code and current City of Bakersfield Municipal Code.

APPLICANT'S RESPONSE: _____

D. WATER RESOURCES (1000 Buena Vista Road)

(Staff contact – Ivan C. Rodriguez; 661-326-3715 or ICastaneda@bakersfieldcity.us)

1. If the property requires a dedicated fire water service line, Developer shall submit two (2) sets of utility plans signed by a California Registered Civil Engineer to the Water Resources Department showing all offsite and onsite improvements, including connections to the existing water main and underground fire waterlines and related apparatuses. Include any existing nearby on or off-site hydrants on the plans. Plans shall be submitted along with applicable plan check fees and any other associated fees per the current fee schedule. Plans shall comply with current City Standards and Specifications, California Fire Code, and City of Bakersfield Municipal Code. City Standards and Specifications are available for download from the City's website at www.bakersfieldcity.us/gov/depts./water_resources.

APPLICANT'S RESPONSE: _____

2. Developer shall submit two (2) sets of utility plans signed by a California Registered Civil Engineer to the Water Resources Department showing all offsite and onsite improvements, including connections to the existing water main and underground fire waterlines and related apparatuses. Include any existing nearby on or off-site hydrants on the plans. Plans shall be submitted along with applicable plan check fees and any other associated fees per the current fee schedule. Plans shall comply with current City Standards and Specifications, California Fire Code, and City of Bakersfield Municipal Code. City Standards and Specifications and the current Fee Schedule are available for download from the City's website at www.bakersfieldcity.us/gov/depts/water_resources/fees.htm

APPLICANT'S RESPONSE: _____

3. The Contractor responsible for construction of waterlines and appurtenances within the City's right of way or easement, shall have an active Class "A" or "C-34" License from the State of California.

APPLICANT'S RESPONSE: _____

4. Developer shall complete and submit to the Water Resources Department the *Application for Water Service*. The application is available for download from the City's website at www.bakersfieldcity.us/gov/depts/water_resources.

APPLICANT'S RESPONSE: _____

5. Developer shall submit to the Water Resources Department the Contractor's itemized construct cost for all off-site water improvements within the City's right of way or easement. Inspection fees are calculated as five percent (5%) of the approved Contractor's water construction cost. The construction costs are subject to review and approval by the Water Resources Department.

APPLICANT'S RESPONSE: _____

6. Developer shall pay the required domestic inspection fees and request an inspection from the California Water Company at least two (2) full business days before permanent construction within the City's right of way or easement. The California Water Company may be contacted at 661-837-7200.

APPLICANT'S RESPONSE: _____

7. Developer shall pay the required Water Resources Fire Service Inspection Fees and submit an *Inspection Request Form* for any underground fire waterlines and their apparatuses at least two (2) full business days before permanent construction. The form is available for download from the City's website at www.bakersfieldcity.us/gov/depts/water_resources/fees.htm

APPLICANT'S RESPONSE: _____

E. PUBLIC WORKS - ENGINEERING (1501 Truxtun Avenue)
(Staff contact – Susanna Kormendi; 661-326-3997 or skormendi@bakersfieldcity.us)

1. The developer shall install 1 streetlight along Rosedale Highway. The developer shall be responsible for providing the labor and materials necessary to energize all newly installed streetlights before occupancy of the building or site. These improvements shall be shown on the final building plans submitted to the Building Division before any building permits will be issued. Submit street light location and contact the Public Works Department at (661) 326-3584 for street light number.

APPLICANT'S RESPONSE: _____

2. The developer shall install new connection(s) to the public sewer system. This connection shall be shown on the final building plans submitted to the Building Division before any building permits will be issued.

APPLICANT'S RESPONSE: _____

3. Show on the final building plans all existing connection(s) to the public sewer system.

APPLICANT'S RESPONSE: _____

4. All on-site areas required to be paved (i.e. parking lots, access drives, loading areas, etc.) shall consist of concrete, asphaltic concrete (Type B. A. C.) or other paved street material approved by the City Engineer. Pavement shall be a minimum thickness of 2 inches over 3 inches of approved base material (i.e. Class II A. B.) if concrete is used, it shall be a minimum thickness of 4 inches per Municipal Code Section 17.58.060.A. This paving standard shall be noted on the final building plans submitted to the Building Division before any building permits will be issued.

APPLICANT'S RESPONSE: _____

5. If a grading plan is required by the Building Division, building permits will not be issued until the grading plan is approved by **both** the Public Works Department and the Building Division.

APPLICANT'S RESPONSE: _____

6. All storm water generated on the project site, including the street frontage shall be retained onsite unless otherwise allowed by the Public Works Department (please contact the Public Works Department – Subdivisions at 661-326-3576).

APPLICANT'S RESPONSE: _____

7. Before any building or site can be occupied, the developer must reconstruct or repair substandard off-site street improvements that front the site to adopted city standards as directed by the City Engineer. Please call the Construction Superintendent at 661-326-3049 to schedule a site inspection to find out what improvements may be required prior to submitting a grading plan. Any off-site/frontage improvements or repairs required during the site inspection shall be shown on the grading plan.

APPLICANT'S RESPONSE: _____

8. A street permit from the Public Works Department shall be obtained before any work can be done within the public right-of-way (streets, alleys, easements). Please include a copy of this site plan review decision to the department at the time you apply for this permit.

APPLICANT'S RESPONSE: _____

9. A sewer connection fee shall be paid at the time a building permit is issued. We will base this fee at the rate in effect at the time a building permit is issued.

APPLICANT'S RESPONSE: _____

10. If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (SWRCB Order No. 2009-009-DWQ as amended by Order No. 2010-0014-DWQ and 2012-0006-DWQ) must be filed with the State

Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit required that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.

APPLICANT'S RESPONSE: _____

11. Prior to the issuance of each building permit, or if no building permit is required, the first required City approval prior to construction, the developer/owner shall pay a Transportation Impact Fee (TIF) for regional facilities. This fee will be based on the rate in effect at the time the applicable approval is issued or in accordance with the Subdivision Map Act, as applicable. The Public Works Department will calculate an estimate of the total fee upon submittal of construction plans for the project.

APPLICANT'S RESPONSE: _____

12. The developer shall form a new Maintenance District. Undeveloped parcels within an existing Maintenance District are required to update Maintenance District documents. Updated documents, including Proposition 218 Ballot and Covenant, shall be signed and notarized. If there are questions, contact Louis Rodriguez at 661-326-3571.

(**Note:** If already within a maintenance district, may need to update the maintenance district form.)

APPLICANT'S RESPONSE: _____

13. The developer shall install a full-sized manhole in each sewer line except residential development before it connects to the sewer main. This manhole is to be located within the property being developed and must be easily accessible by City workers.

APPLICANT'S RESPONSE: _____

14. This project may be located within a Planned Sewer Area. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.

APPLICANT'S RESPONSE: _____

15. This project may be located within a Planned Drainage Area. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.

APPLICANT'S RESPONSE: _____

16. This project may be subject to Bridge and Major Thoroughfare fees. Please contact the Public Works Department – Subdivisions at 661-326-3576 to determine what fees may apply.

APPLICANT'S RESPONSE: _____

F. PUBLIC WORKS - TRAFFIC (1501 Truxtun Avenue)

(Staff contact – Susanna Kormendi; 661-326-3997 or skormendi@bakersfieldcity.us)

1. Show the typical parking stall dimension on the final building plans (minimum stall size is 9 feet x 18 feet and shall be designed according to standards established by the Traffic Engineer).

APPLICANT'S RESPONSE: _____

2. Please confirm the sidewalk does not extend out of the city right of way. The developer shall dedicate any sidewalk extending out of the right of way to the City of Bakersfield for the pedestrian way along all arterial streets. This must be conducted with a separate instrument or final map.

APPLICANT'S RESPONSE: _____

G. PUBLIC WORKS - SOLID WASTE (4101 Truxtun Avenue)

(Staff Contact - Jesus Carrera; 661-326-3114 or jcarrera@bakersfieldcity.us)

(Staff Contact - Niarobi Fletcher; 661-326-3114 or nfletcher@bakersfieldcity.us)

(Staff Contact - Luis Aldaco; 661-326-3114 or laldaco@bakersfieldcity.us)

(Staff Contact - Robert Manuel; 661-326-3114 or rmanuel@bakersfieldcity.us)

(Staff Contact - Richard Gutierrez; 661-326-3114 or rmgutierrez@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:

- | | | | |
|-------------------------------------|----------------------------|----|---|
| <input type="checkbox"/> | Cart service | -- | 1 cubic yard/week or less 1 time per week |
| <input checked="" type="checkbox"/> | Front loader bin services | -- | 1 cubic yard/week - 12 cubic yards/day |
| <input type="checkbox"/> | Roll-off compactor service | -- | More than 12 cubic yards/day |

APPLICANT'S RESPONSE: _____

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, the following 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)
☐ _____ 8' deep x 10' wide (2 bins) ☒ One 8' deep x 20' wide (4 bins)
☐ _____ 8' deep x 10' wide; on skids for direct stab only (1-6 yard recycling bin)

(**Note:** All measurements above are curb-to-curb dimensions inside the enclosure. 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.)

APPLICANT'S RESPONSE: _____

3. Examples of enclosure styles can be found on (Detail # ST-32).

APPLICANT'S RESPONSE: _____

4. Facilities that require grease containment must provide a storage location that is separate from the refuse bin location. This shall be shown on the final building plans. If a grease interceptor is to be used instead of a grease containment bin, the plans must still show the location of an adequately sized enclosure should a grease containment bin be required at a future date. The grease containment bin shall not share the same enclosure as the refuse/recyclable/organic bin enclosure.

APPLICANT'S RESPONSE: _____

5. If utilities are incorporated into the enclosure design, they shall not interfere with space provided for refuse bins and must provide sufficient protection measures to guard the utilities from damage.

APPLICANT'S RESPONSE: _____

6. Enclosures shall not be located in an area that would cause refuse trucks to interfere with drive thru traffic flow entering or exiting the site, drive thru lanes, etc.

APPLICANT'S RESPONSE: _____

7. Businesses are required to have sufficient capacity of refuse/recycling/organic material storage to go without service for 1 day (Sunday). At any time refuse/recycling/organic services become an issue, businesses shall construct a second refuse enclosure to meet the demand. The second enclosure shall be approved by the City prior to construction.

APPLICANT'S RESPONSE: _____

ORDINANCE NO. **3984**

AN ORDINANCE AMENDING TITLE SEVENTEEN OF THE BAKERSFIELD MUNICIPAL CODE AND ZONING MAP NO. 102-20 BY CHANGING THE ZONING FROM A C-2 (COMMERCIAL) ZONE TO A PCD (PLANNED COMMERCIAL DEVELOPMENT) ZONE CONSISTING OF A 440,306 SQUARE FOOT COMMERCIAL SHOPPING CENTER ON 52 ACRES GENERALLY LOCATED ON THE NORTHWEST CORNER OF ROSEDALE HIGHWAY AND MAIN PLAZA DRIVE (FILE # P00-0519)

WHEREAS, in accordance with the procedure set forth in the provisions of Title 17 of the Municipal Code of the City of Bakersfield, the Planning Commission held a public hearing on a petition to change the land use zoning of those certain properties in the City of Bakersfield generally located on the northwest corner of Rosedale Highway and Main Plaza Drive; and

WHEREAS, the proposed project, commonly known as "Northwest Promenade Phase 2" is shown on the site plan and elevations attached as Exhibit "B" consists of the following:

8 Major Retail Stores	373,406 square feet
4 Retail Shops	35,500 square feet
6 Freestanding Pads	31,400 square feet
(Includes: 2 restaurant pads; 1 fast food pad; 1 retail store pad; 2 pads with combination of fast food and retail)	
Total Square Feet	440,306 square feet;

and

WHEREAS, by Resolution No. 88-00 on September 7, 2000, the Planning Commission recommended approval and adoption of an ordinance amending Title 17 of the Municipal Code to approve a PCD (Planned Commercial Development) zone as delineated on attached Zoning Map No. 102-20 marked Exhibit "C", by this Council and this Council has fully considered the recommendations made by the Planning Commission as set forth in that Resolution; and

WHEREAS, the Planning Commission, as a result of said hearing, did make several general and specific findings of fact which warranted a negative declaration of environmental impact and changes in zoning of the subject property and the Council has considered said findings and all appear to be true and correct; and

WHEREAS, the law and regulations relating to the preparation and adoption of Negative Declarations, as set forth in CEQA and City of Bakersfield's CEQA Implementation Procedures, have been duly followed by city staff, Planning Commission and this Council; and

WHEREAS, a Negative Declaration was advertised and posted on August 17 and 23, 2000, in accordance with CEQA; and

WHEREAS, the general plan designation for this area allows commercial development; and

WHEREAS, the City Council has considered and hereby makes the following findings:

1. All required public notices have been given.
2. The provisions of CEQA have been followed.
3. Based on an initial study, the proposed Negative Declaration is adequate.
4. The zone change is consistent with the Metropolitan Bakersfield 2010 General Plan and the RiverLakes Ranch Specific Plan.
5. The 52 acre project site to be zoned PCD (Planned Commercial Development) is subject to the site plan and conditions of approval for PCD Zone Change P00-0519.
6. The proposed planned commercial development zone and preliminary development plan are consistent with the general plan and objectives of this ordinance.
7. The proposed planned commercial development will constitute a commercial environment of sustained desirability and stability, and it will compliment and harmonize with the character of the surrounding neighborhood and community.
8. The proposed planned commercial development justifies exception from the normal application of this code in that it integrates such elements as the location of structures, circulation pattern, parking, landscaping and utilities, together with a program for provision, operation, and of all areas, improvements, facilities and services provided on the property.
9. The 52 acre project site to be zoned to a PCD (Planned Commercial Development) zone, subject to conditions of approval as shown in attached Exhibit "A", is adequate in size and configuration to provide a commercial environment of sustained desirability and stability.
10. The project must be granted a "de minimis: exemption with respect to the payment of Fish and Game Section 711 fees. Based on the absence of evidence in the record as required by Section 21082.2 of the State of California Public Resources Code (CEQA) for the purpose of documenting significant effects, it is the conclusion of the Lead Agency that this project will result in impacts that fall below the threshold of significance with regard to wildlife resources and, therefore, must be granted a "de minimis" exemption in accordance with Section 711 of the State of California Fish and Game Code. Additionally, the assumption of adverse effect is rebutted by the above-referenced absence of evidence in the record and the Lead Agency's decision to prepare a Negative Declaration for this project.

SECTION 1.

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

1. All of the foregoing recitals are hereby found to be true and correct.
2. The Negative Declaration is hereby approved and adopted.

3. Section 17.06.020 (Zoning Map) of the Municipal Code of the City of Bakersfield be and the same is hereby amended by changing the land use zoning of that certain property in said City, the boundaries of which property is shown on Zoning Map. No. 102-20 marked Exhibit "C" attached hereto and made a part hereof, and are more specifically described in attached Exhibit "D".

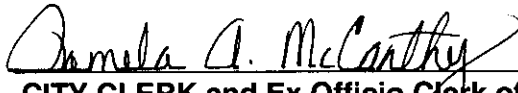
4. Such zone change is hereby made subject to the conditions of approval listed in attached Exhibit "A".

SECTION 2.

This ordinance shall be posted in accordance with the Bakersfield Municipal Code and shall become effective not less than thirty (30) days from and after the date of its passage.

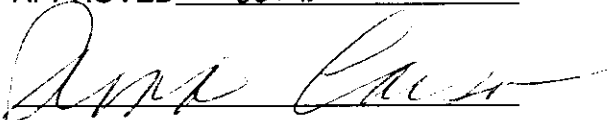
I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on OCT 25 2000, by the following vote:

AYES:	COUNCILMEMBER CARSON, DEMOND, MAGGARD, COUCH, GREEN, SULLIVAN, SALVAGGIO
NOES:	COUNCILMEMBER <u>NONE</u>
ABSTAIN:	COUNCILMEMBER <u>NONE</u>
ABSENT:	COUNCILMEMBER <u>NONE</u>



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

APPROVED OCT 25 2000



Vice Mayor
Irma Carson

APPROVED as to form:
BART THILTGEN
City Attorney

By: 

CARL HERNANDEZ
Deputy City Attorney

List of Exhibits: A: Conditions of Approval
A.1. GET Bus Turnout Design
B: Site Plan and Elevations
C: Zone Map # 102-20
D: Legal Description

EXHIBIT "A"
PCD ZONE CHANGE P00-0519
NORTHWEST PROMENADE PHASE 2
CONDITIONS OF APPROVAL

PUBLIC WORKS (Discretionary Conditions)

- 1 Prior to recordation of the parcel map, the subdivider shall
 - 1.1 submit to the City Engineer for his review and approval a drainage and grading plan with soil report. The soil report is to include R-values and percolation tests for retention basin site.
 - 1.2 submit to the Public Works Department and the Building Department for their review and approval a comprehensive plan for providing sewer service to each proposed use or parcel. Include pipe sizes and slopes.
 - 1.3 provide easements as necessary based upon the approved drainage and sewer plans.
 - 1.4 submit an enforceable, recordable document approved by the City Attorney to be recorded concurrently with the Final Parcel Map which will prohibit occupancy of any lot until all improvements have been completed by the subdivider and accepted by the City.
 - 1.5 submit for the City's Review and approval C.C. & R.'s and Property Owner's Association By-Laws for the use and maintenance of all non-dedicated, shared facilities. Among those non-dedicated, shared facilities will be the on-site sewer main lines and laterals and storm water retention basin(s) and associated storm drain lines and appurtenant facilities.
 - 1.6 ensure that each cable television company provides notice to the City Engineer of its intention to occupy the utility trench.
- 2 On Rosedale Highway,
 - 2.1 The number and location of entrances will be determined and approved by CalTrans
 - 2.2 Dedicate additional right-of-way needed for widening Rosedale Highway to a half width of 67 feet.
 - 2.3 Construct street improvements, including curb & gutter, 5.5 ' wide sidewalk, street lights and street paving to City standards and as approved/required by CalTrans. The improvement plans must be approved by the City Engineer prior to submission to CalTrans.
 - 2.4 The developer may either pay his pro-rata share of the cost of a landscaped median island or he may construct the full width landscaped median island with the City reimbursing him for the south half of the median. Provide a mechanism for payment of maintenance costs. Landscape and irrigation plans must be approved by the Parks Department prior to submission to CalTrans.
- 3 Prior to 50% buildout, provide right-of-way and construct a local road connecting the west side of the project site with Calloway Road, to connect at the existing signal location on Calloway.
- 4 If the subdivider is unable to obtain the required right of way, then he shall pay to the City the up-front costs for eminent domain proceedings and enter into an agreement and post security for the purchase and improvement of said right of way.

- 5 A traffic impact study was prepared by Pinnacle Engineering for a Major Retail project of 440,300 GLFA. Since the development is consistent with the current General Plan designations the project was evaluated for its impacts at full project build out which was considered to occur by 2005. Based upon the study we have the following comments and recommendations:
- 5.1 Opening Day Mitigation. The following improvements are to be constructed with the project. Since both of these are on the Caltrans facility final approval must come from Caltrans.
- 5.1.1 Construction of a traffic signal at the main entrance on Rosedale Highway. However, per CalTrans requirements, the applicant must justify the need for a signal west of Main Plaza. If the signal is justified, the proponent must then evaluate the proposed location of this signal as opposed to placing in at Delbert St.
- 5.1.2 Widen Rosedale Highway to full width along the project frontage with right turn lanes into each entrance. Continuous right turn lanes are not recommended. Striping or barrier curb, acceptable to Caltrans, must be built to satisfactorily delineate the right lanes to avoid potential confusion and conflict.
- 5.1.2.1 A supplemental driveway analysis was performed which showed at 2005 a traffic signal IS NOT expected to be warranted on Main Plaza Drive at the main east-west cross aisle. The aisle lines up with the main cross aisle from Phase I. However, with the combined traffic at this point there is the potential need for a signal at this location.
- Prior to issuance of the first building permit or recording of the first map the developer shall enter into an agreement with the City for the potential future construction of this signal. A cash deposit of \$25,000 will be required with the agreement, with an assurance that, should the City determine that a signal is necessary at this intersection, the developer shall pay the remaining cost to install the signal. At the time it is determined to be needed, the City may utilize the \$25,000 to install a median turn restriction at the intersection instead of installing a traffic signal. The developer shall retain the option of installing a traffic signal at any time and may request a refund of his deposit if a median turn restriction has not yet been constructed. This deposit, if unutilized, could be released within a year of full project build out or some other acceptable threshold subject to review of the need for said signal at that time.
- 5.3 Regional Impact Fee. The project traffic was distributed over the facilities on the fee list and the fee was computed per policy. The fee was computed to be \$1,115,588 which equates to \$2,533.70 per 1,000SF of GLFA. It should be noted per the attached letter that a credit is expected for the portion of Rosedale Highway constructed along the project frontage.
- 6 Concurrently with recordation of the parcel map, the following covenant shall be recorded by the property owner: a covenant containing information with respect to the addition of this subdivision to the consolidated maintenance district. Said covenant shall also contain information pertaining to the maximum anticipated annual cost per single family dwelling for the maintenance of landscaping associated with this tract. Said covenant shall be provided to each new property owner through escrow proceedings.

PLANNING (Discretionary Conditions)

- 7 The Northwest Promenade Phase 2 is approved with a total square footage of 440,306 square feet as shown on attached Exhibit "3" and as summarized below:

8 Major Retail Stores	373,406 square feet
4 Retail Shops	35,500 square feet
6 Freestanding Pads (see Condition # 7.1)	31,400 square feet

- 7.1 The fast food/drive-through, restaurant and retail uses and square footages depicted on the site plan (attached Exhibit "3") for the freestanding pads may be interchanged among the freestanding pads with final development pads. The total square footage for each type of use, and the cumulative total of 31,400 square feet for all the pads must not be exceeded.

Specifically describes the proposed square footage approved for the shopping center. Condition 7.1 allows developer flexibility to market and obtain tenants for the freestanding pads as long as the overall project impacts do not increase or create new significant impacts.

- 8 Final landscape plans shall be submitted with the final development plans and shall incorporate the standards and details presented in the preliminary landscape plan and as described in BMC Section 17.53.060 with the following conditions.

- 8.1 Landscape setback areas along Rosedale Highway and Main Plaza Drive shall be developed with bermed landscaping to provide a visual screen to commercial parking areas as required in the RiverLakes Ranch Specific Plan. Berm cross sections and details shall be included with the final development and landscaping plans. The minimum width for landscaping along Rosedale Highway and Main Plaza Drive is 23 feet wide.
- 8.2 Landscaping shall extend along the west side of Main Plaza Drive along the tower line frontage to the north boundary of the project site to match the landscaping on the east side of Main Plaza Drive.
- 8.3 Final landscape plans shall include the parking areas provide the minimum 30% coverage of tree shading in accordance with Landscaping Ordinance § 17.60.030 M.
- 8.4 A minimum of 30% of the total number of trees in the entire project site shall be evergreen species.
- 8.5 Tree sizes shall be a minimum of 15 gallon, except minimum 24 gallon size trees are required for species shown as 24 gallon size on the preliminary landscape plan (Exhibit "3.")
- 8.6 Final landscape plans shall ensure trees adjacent buildings with main entrances facing parking lots in accordance with Landscaping Ordinance Section 17.61.030 N.
- 8.7 All freestanding pad structures shall include a minimum of two trees adjacent to any elevation facing a parking area or drive aisle.
- 8.8 The minimum height of the California Fan Palms shown on the conceptual landscape plan shall be 15-feet. The required tree height shall be labeled on the final landscape plan.

Ensures consistency with the landscaping standards contained in the City's Zoning Ordinance and the RiverLakes Ranch Specific Plan, and the proposed conceptual landscape plan submitted by the applicant.

- 9 Freestanding building pads which will not be built on immediately after grading shall be hydroseeded or turfed and maintained along with other required landscaping. Pad areas to be turfed shall be labeled as such on final development plans and a perimeter barrier to prevent vehicular access shall be provided.

Assists in reducing dust and weeds on undeveloped areas Because the freestanding pads are closest to Rosedale Highway and Main Plaza Drive, there is increase visibility of the undeveloped pads. Turfing the freestanding pads provides for a more pleasing view of the pad areas adjacent these highly traveled streets until construction of the sites begins.

- 10 Applicant shall provide a perimeter barrier (such as curbing) to prevent vehicular access to all major and in-line shop building areas not immediately constructed. Major and in-line shop buildings which will not be constructed immediately after grading shall be, at the option of the developer, either be a) turfed, b) landscaped, or c) treated and maintained with a dust binder.

Assists in reducing dust and weeds on undeveloped areas and provides for aesthetic enhancement of the vacant areas until construction of the sites begins.

- 11 The applicant shall maintain the area within the tower easement for weed and litter control to reduce fire hazards and nuisance. The method of weed control shall be one that produces minimal dust, such as mowing. Applicant shall install a perimeter barrier along the south boundary of the tower easement to prevent vehicular access into the easement.

Needed for public health, welfare and safety to reduce fire hazard and maintain dust control.

- 12 In accordance with the RiverLakes Ranch Specific Plan, the applicant shall construct a 6-foot high wall along the northern and western parcel boundaries of the project site, including the fire station, concurrently with the issuance of the first building permit for any major tenant or in-line shop building. Wall would not be required if a building permit is issued for only a freestanding pad.

Ensures consistency with the development policies related to walls contained in the RiverLakes Ranch Specific Plan.

- 13 Prior to submitting the final development plan, subdivider shall contact the Kern County Fire Department to inquire whether the Department desires a gate in the wall and driveway access directly from the fire station to the shopping center. If the Department desires such an access, the applicant shall coordinate design of the gate and access with the Department and construct the gate and access concurrently with the block wall required along the western perimeter of the center. Applicant shall submit evidence that the inquiry has been made with the Fire Department.

Police power to provide for the public health, welfare and safety.

- 14 The applicant shall provide a bus shelter and turnout on a concrete pad within the shopping center in the vicinity of the buildings shown as "Major 5" and "Shops B" or in another on-site location mutually agreeable between the applicant and Golden Empire Transit (GET). The bus shelter and turnout and elevation shall be shown on the final development plan. The elevation of the shelter shall be complementary to the center's architecture. Written approval from GET as to location and design shall be submitted with the final development plan. A typical turnout design is attached to these conditions as Exhibit "1.A."

Provides for the public health, welfare and safety.

- 15 Prior to or with submittal of final development plans, the applicant shall submit an application for a Comprehensive Sign Plan. Plan shall include design of the "Primary Community Entry" signage identified in the RiverLakes Ranch Specific Plan as located at the northwest corner of Rosedale Highway and Main Plaza Drive. No signage, except for temporary construction signs, shall be permitted prior to approval of a comprehensive sign plan.

A comprehensive sign plan requirement is consistent with the condition placed on Phase 1 of the Northwest Promenade Shopping Center. Typically, staff recommends a sign plan be approved by the Commission in order to maintain the flavor and aesthetics of the shopping center.

- 16 If during construction activities or ground disturbance, cultural resources are uncovered, the subdivider shall stop work and retain a qualified archeologist for further study. Subdivider shall notify the proper authorities and be subject to any mitigation measures required of the archeologist.

Mitigation measure recommended by the Southern San Joaquin Valley Information Center Archeological Inventory as stated in their letter dated June 21, 2000.

SITE PLAN REVIEW

The following are specific items that the Site Plan Review Committee has noted that you need to resolve before you can obtain a building permit or be allowed occupancy. These items may include changes or additions that need to be shown on the final building plans, alert you to specific fees, and/or are comments that will help you in complying with the City's development standards. Each item will note when it is to be completed and they have been grouped by department so that you know who to contact if you have questions.

17. A. DEVELOPMENT SERVICES - BUILDING (staff contact - Phil Burns 661/326-3718)

1. The applicant shall submit 4 copies of grading plans and 2 copies of the preliminary soils report to the Building Division. You must submit a final soils report to the Building Division before they can issue a building permit.
2. Include with the final site plan documentation, or show changes on the final plan that the project complies with all disability requirements of Title 24 of the State Building Code.

3. The applicant shall obtain all required approvals from the Kern County Environmental Health Services Department (2700 "M" Street, Bakersfield, CA; Ph. 661/862-8700) for any food handling facility, (ie. market, delicatessen, café, concession, restaurant) before building permits can be issued.
4. Structures exceeding 10,000 square feet in area shall require installation of an automatic fire sprinkler system.
5. Business identification signs are **not** considered nor approved under this review. A separate review and sign permit from 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).
6. The Building Division will calculate and collect the appropriate school district impact fee at the time they issue a building permit.

17.B. DEVELOPMENT SERVICES - PLANNING (staff contact - Dave Reizer 661/326- 3673)

1. The minimum parking required for this project shall comply with the requirements of BMC Section 17.58.110 (Parking Ordinance) .
For informational purposes the parking has been computed below based on uses shown on the proposed site plan at the rate shown in BMC § 17.58.110, the project requires a minimum of 1,934 spaces. Note that 2,696 parking spaces are shown on the proposed site plan.

<u>Use</u>	<u>Square Footage</u>	<u>Parking Ratio</u>	<u>Required Parking</u>
Shopping Center			
*Gross floor area up to and including 35,000 sq. ft.	35,000 sq. ft.	1 space/200 sq. ft.	175 spaces
*Gross floor area in excess of 35,000 sq. ft.	390,506 sq. ft.	1 space/250 sq. ft.	1,562 spaces
*Free standing (single user) satellite pads fast food/ restaurants.	14,800 sq. ft.	1 space/ 75 sq. ft.	<u>197 spaces</u>
Total Required:			1,934 spaces

2. The applicant shall submit one (1) copy of the final landscape plan to the Planning Division, and include a copy of this plan with each set of the final building plans. Building permits will not be issued until the Planning Division has approved the final landscape plan for consistency with approved site plans, zone change conditions of approval, and minimum ordinance standards.

3. Approved landscaping, parking, lighting, and other related site improvements shall be installed and inspected by the Planning Division before final occupancy of any building or site. Please schedule final inspections with Dave Reizer (661/326-3673).
4. A solid masonry wall is required to be constructed adjacent to residentially zoned property as indicated by staff on the returned site plan. This wall must be shown on the final building plans and shall be constructed a minimum height of 6 feet as measured from the highest adjacent finished grade. If the parking lot, including drive aisles, delivery areas, loading and unloading areas are within 10 feet of residentially zoned property, a 7-foot wide landscape strip that includes landscaping consistent with Chapter 17.61 shall be installed between the wall and parking/drive areas (this will also be noted on the returned plan).
5. Parking lot lighting is required by the Bakersfield Municipal Code (Section 17.58.060A). Lights shall be designed, arranged, and shielded to reflect light away from adjacent residential properties and streets. All light fixtures shall be between 15' and 40' above grade with illumination evenly distributed across the parking area. Lighting direction and type of light fixture shall be shown on the final site plan or included with the building plans.
6. Addressing for the project shall be designated as shown by staff on the returned site plan. These address numbers will be the only addresses assigned by the city unless you wish to have a different address program. Internal unit addresses will be only by suite number and will be the responsibility of the owner or developer to assign to each tenant.

(It is recommended that you initially assign suite numbers beginning with 100, 200, 300, etc. instead of an alphabetic character. If in the future a tenant space is split, you would then be able to assign a number between these numbers which would keep your suites addressed in numerical order. Keeping an orderly numbering system will make it easier for customers, emergency personnel, mail delivery to find the business.)
7. Habitat Conservation fees shall be required for this project and will be calculated based on the fee in effect at the time we issue an urban development permit (includes grading plan approvals) as defined in the Implementation/Management Agreement (Section 2.21) for the Metropolitan Bakersfield Habitat Conservation Plan. Upon payment of the fee, the applicant will receive acknowledgment of compliance with Metropolitan Bakersfield Habitat Conservation Plan (Implementation/Management Agreement Section 3.1.4). This fee is currently \$1,240 per gross acre, payable to the City of Bakersfield (submit to the Planning Division).
8. Rooftop areas of commercial buildings (eg. office, retail, restaurant, assembly, hotel, hospital, church, school) shall be completely screened by parapets or other finished architectural features constructed to a height of the highest equipment, unfinished structural element or unfinished architectural feature of the building.

9. 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: A taller fence is allowed in commercial and industrial zones. A building permit is only required for fences and walls over 6 feet in height.)*
10. Prior to issuance of a building permit, a common access and parking easement and/or covenant shall be recorded for the shopping center.

17.C. FIRE DEPARTMENT (staff contact - Greg Yates 661/326-3939)

1. Show on the final site plan:
 - a. All fire lanes as indicated on the returned plans, or as they may be modified by the Fire Department. Spacing between each sign identifying the fire lane must also be shown on the final plan that meets minimum city standards. The applicant shall install all required fire lane signs before occupancy of any building or portion of any building is allowed.
 - b. Both offsite (nearest to site) and on-site fire hydrants with required fire flows. New fire hydrants shall be sited and installed in accordance with the latest adopted version of the California Fire Code. Hydrants must be in working order to assure that adequate fire protection is available during construction unless other arrangements for such protection are approved by the Fire Department. Please provide 2 sets of the engineered water plans to Greg Yates. *(Note: All new fire hydrants must be purchased from the Fire Department.)*
 - c. If the project has fire sprinkler or stand pipe systems. The Fire Department will issue guidelines for connection locations (FDC) when automatic sprinkler and stand pipe systems are required.
 - d. Project address, including suite number if applicable. If the project is within a shopping or business center, note the name and address of the center.
 - e. Name and phone number of the appropriate contact person.
2. The applicant must request an inspection of any underground sprinkler feeds at least 24 hours before they are buried. The Fire Safety Control Division (1715 Chester Avenue, Suite 300, Bakersfield, CA; Ph. 661/326-3951) must complete all on-site inspections of fire sprinkler systems and fire alarm systems before any building is occupied.
3. All access (permanent and temporary) to and around any building under construction must be at least 20 feet wide, contain no vehicle obstructions, and be graded to prevent water ponding. Barricades must be in place where ditches and barriers exist in or cross roadways. Emergency vehicle access must always be reliable.

4. The applicant shall obtain all necessary approvals from the Fire Department for fuel tanks or related facilities before they are installed on the site. Please contact the Environmental Services Division at 661/326-3979 for further information.
5. If you handle hazardous materials or hazardous waste on the site, the Environmental Services Division may require a hazardous material management plan before you can begin operations. Please contact them at 661/326-3979 for further information.
6. If you treat hazardous waste on the site, the Environmental Services Division may require a hazardous waste "Tiered" permit before you can begin operations. Please contact them at 661/326-3979 for further information.
7. If you store hazardous materials on the site in either an underground or a permanent aboveground storage tank, a permit from the Environmental Services Division is required to install and operate these tanks. The Environmental Services Division may also require a Spill Prevention Control and Countermeasure Plan before you can begin operations. Please contact them at 661/326-3979 for further information.

17.D. PUBLIC WORKS - ENGINEERING (staff contact - Lauren Dimberg 661/326-3585)

1. The applicant shall construct curbs, gutters, cross gutters, sidewalks, and street paving along Rosedale Highway and Main Plaza Drive according to adopted city standards. These improvements shall be shown on the final site plan submitted to the Building Division before any building permit will be issued. Deceleration lanes shall be constructed at each entrance of Rosedale Highway. Curb and gutter west of the west entrance on Rosedale Highway to the fire station to be constructed at the ultimate location.
2. The applicant shall install 6 street lights along Rosedale Highway and Main Plaza Drive as shown by staff on the returned site plan. The applicant shall be responsible for providing the labor and materials necessary to energize all newly installed street lights before occupancy of the building or site. These improvements shall be shown on the final site plan submitted to the Building Division before any building permit will be issued.
3. The applicant shall construct standard handicap ramps at each entrance on Rosedale Highway and Main Plaza Drive according to adopted city standards. These improvements shall be shown on the final site plan submitted to the Building Division before any building permit will be issued.
4. The applicant shall install new connection(s) to the public sewer system. This connection shall be shown on the final site plan submitted to the Building Division before any building permit will be issued.
5. All driveways, vehicular access and parking areas shall be paved with a minimum of 2" Type B, A.C. over 3" Class II A.B. according to the Bakersfield Municipal Code (Sections 15.76.020 & 17.58.050 N.) and the adopted standards of the City Engineer. This paving standard shall be noted on the final site plan submitted to the Building Division before any building permit will be issued.

6. If a grading plan is required by the Building Division, a building permit will not be issued until the grading plan is approved by both the Public Works Department and Building Division.
7. If the project generates industrial waste, it shall be subject to the requirements of the Industrial Waste Ordinance. You must obtain an industrial waste permit from the Public Works Department before issuance of the building permit. To find out what type of waste is considered industrial, please contact the waste water treatment superintendent at 661/326-3249.
8. Before you can occupy any building or site, you must reconstruct or repair substandard off-site improvements to adopted city standards as directed by the City Engineer. Please call the construction superintendent at 661/326-3049 to schedule a site inspection to find out what improvements may be required.
9. You must obtain a street permit from the Public Works Department and/or Caltrans before any work can be done within the public right-of-way. Please include a copy of this site plan review decision to the department at the time you apply for this permit.
10. Sewer connection fees shall be paid at the time a building permit is issued. We will base these fees at the rate in effect at the time a building permit is issued.
11. If the project is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES), a "Notice of Intent" (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Construction Activity (WQ Order No. 92-08-DWQ) must be filed with the State Water Resources Control Board in Sacramento before the beginning of any construction activity. Compliance with the general permit requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared, continuously carried out, and always be available for public inspection during normal construction hours.
12. A transportation impact fee for local and regional facilities shall be paid at the time a building permit is issued. This fee will be based on the traffic study for this project. The Public Works Department will calculate an estimate of the total fee when you submit construction plans for the project.
13. The developer shall, along the entire frontage of the development within Rosedale Highway, construct a landscaped median island. Landscape plans to be approved by the City Parks Department.
14. The developer shall form a maintenance district for operating and maintaining the traffic signal at the main entrance on Rosedale Highway.

17.E. PUBLIC WORKS - TRAFFIC (staff contact - George Gillburg 661/326-3997)

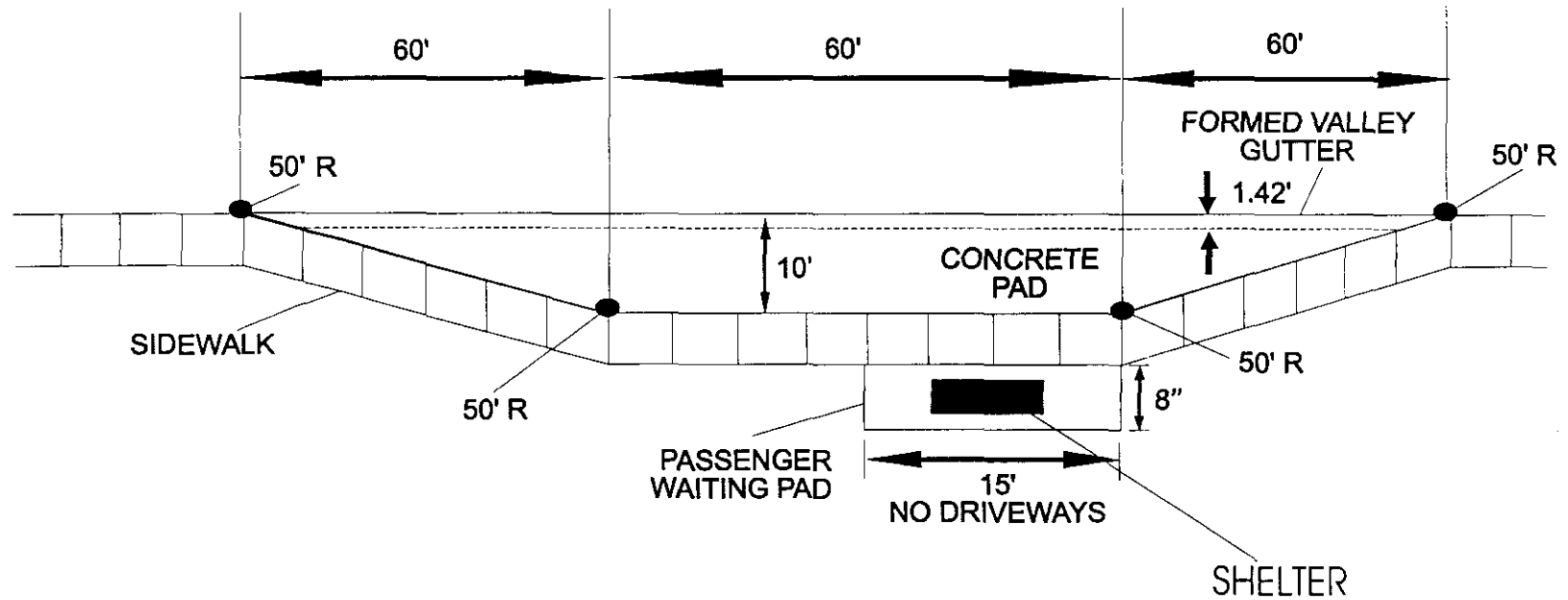
1. Street return type approach(es), if used, shall have 20' minimum radius returns with a 24' minimum throat width.

2. Two-way drive aisles shall be a minimum width of 24 feet. If perpendicular (90°) parking spaces are proposed where a vehicle must back into these aisles, the minimum aisle width shall be 25 feet. All drive aisle widths shall be shown on the final plan.
3. Show the typical parking stall dimensions on the final plan. Minimum parking stall dimensions shall be 9' wide x 18' long. Vehicles may hang over landscape areas, including tree wells, no more than 2½ feet provided required setbacks along street frontages are maintained, and trees and shrubs are protected from vehicles as required by the Planning Division.
4. Proposed Traffic signal on Rosedale Highway at main entrance shall be operational before any part on this phase opens.
5. Construct Rosedale Highway to ultimate width adjacent Freestanding Pad 6.

17.F. PUBLIC WORKS - SOLID WASTE (staff contact - John Wilburn 661/326-3114)

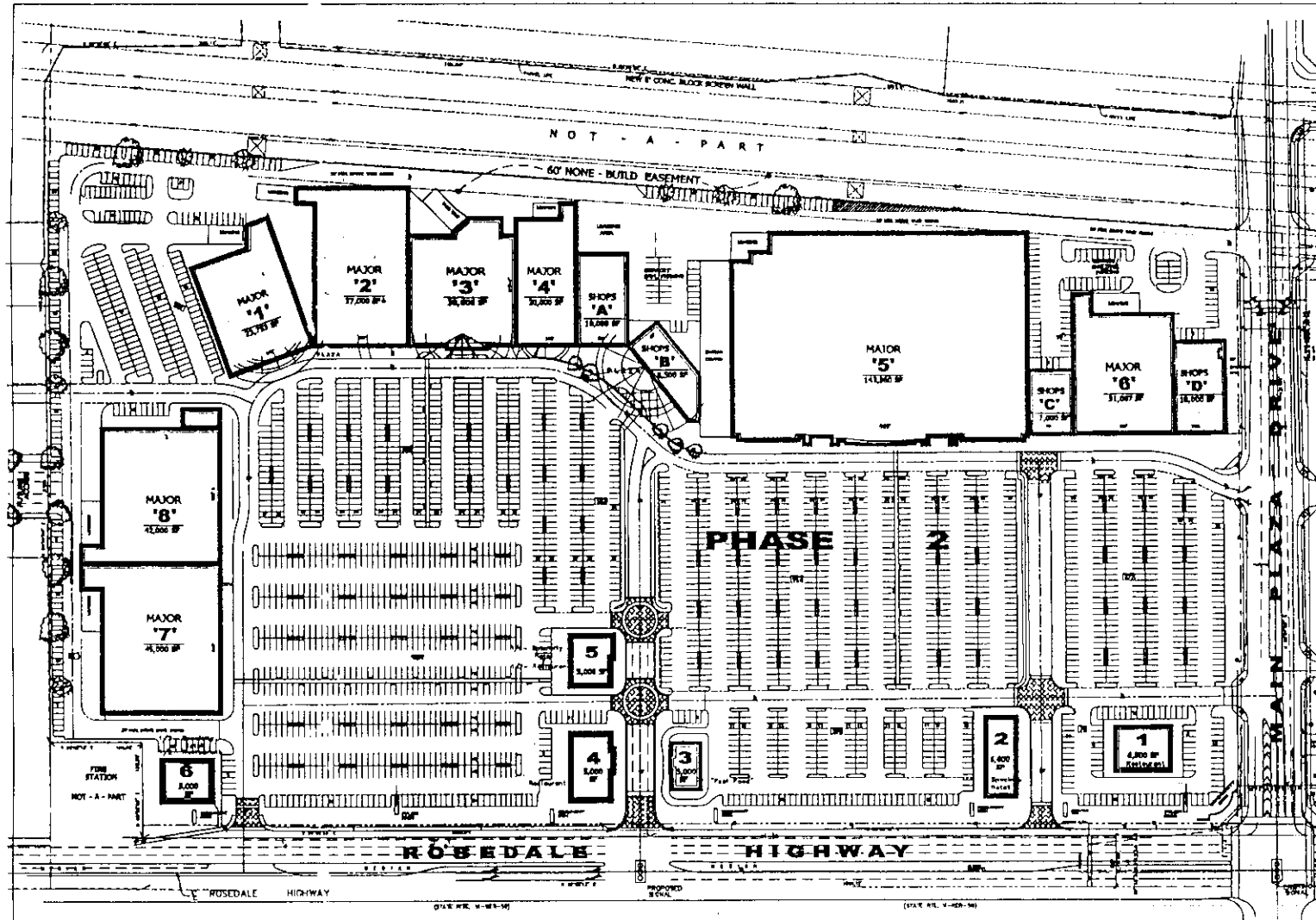
1. Show on the final plan 6, 8' x 10' and 3, 8' x 20' refuse bin enclosures designed according to adopted city standards (Detail #S-43). Before occupancy of the building or site is allowed, 14, 3 cubic yard front loading type refuse bins shall be placed within the required enclosures.
2. Show on the final plan 8 compactor roll-off bin location(s).
3. Before building permits can be issued or work begins on the property, you must contact the staff person noted above to establish the level and type of service necessary for the collection of refuse and/or recycled materials.
4. Facilities that require infectious waste services shall obtain approval for separate infectious waste storage areas from the Kern County Health Department. In no instances shall the refuse bin area be used for infectious waste containment purposes.
5. Facilities that require grease containment must provide a storage location that is separate from the refuse bin location.
6. Facilities that participate in recycling operations must provide a location that is separate from the refuse containment area.
7. The Solid Waste Division will determine appropriate service levels for refuse collection required for a project. These levels of service are based on how often collection occurs as follows:
 - Can or cart service -- 1 cubic yard/week or less
 - Front loader bin service -- 1 cubic yard/week - 12 cubic yards/day
 - Roll-off compactor service -- More than 12 cubic yards/day

EXHIBIT "A.1."



TURNOUT DESIGN
NORTHWEST PROMENADE
PHASE 2

EXHIBIT "B"



PHASE 2 SITE PLAN

PHASE 2 AREA ANALYSIS

SITE AREA : (gross) ± 52.1 ACRES
(net) ± 43.2 ACRES

MAJOR	USE	BUILDING AREA
'1'	(Retail)	23,753 SF
'2'	(Retail)	37,000 SF
'3'	(Retail)	20,000 SF
'4'	(Retail)	30,606 SF
'5'	(Retail)	143,960 SF
'6'	(Retail)	31,087 SF
'7'	(Retail)	45,000 SF
'8'	(Retail)	42,000 SF

SHOPS 'A'	(Retail)	10,000 SF
'B'	(Retail)	8,500 SF
'C'	(Retail)	7,000 SF
'D'	(Retail)	10,000 SF

PAD '1'	(Restaurant)	6,803 SF
'2'	(Specialty Retail)	6,600 SF
'3'	(Fast Food)	3,000 SF
'4'	(Restaurant)	5,000 SF
'5'	(1/2 Fast Food)	5,000 SF
'6'	(1/2 Fast Food)	5,000 SF

TOTAL G.L.A. : 440,306 SF

PARKING PROVIDED : 2,696 CARS

PARKING RATIO : 6.12 / 1000 SF

PARKING REQUIRED : 1,967 CARS

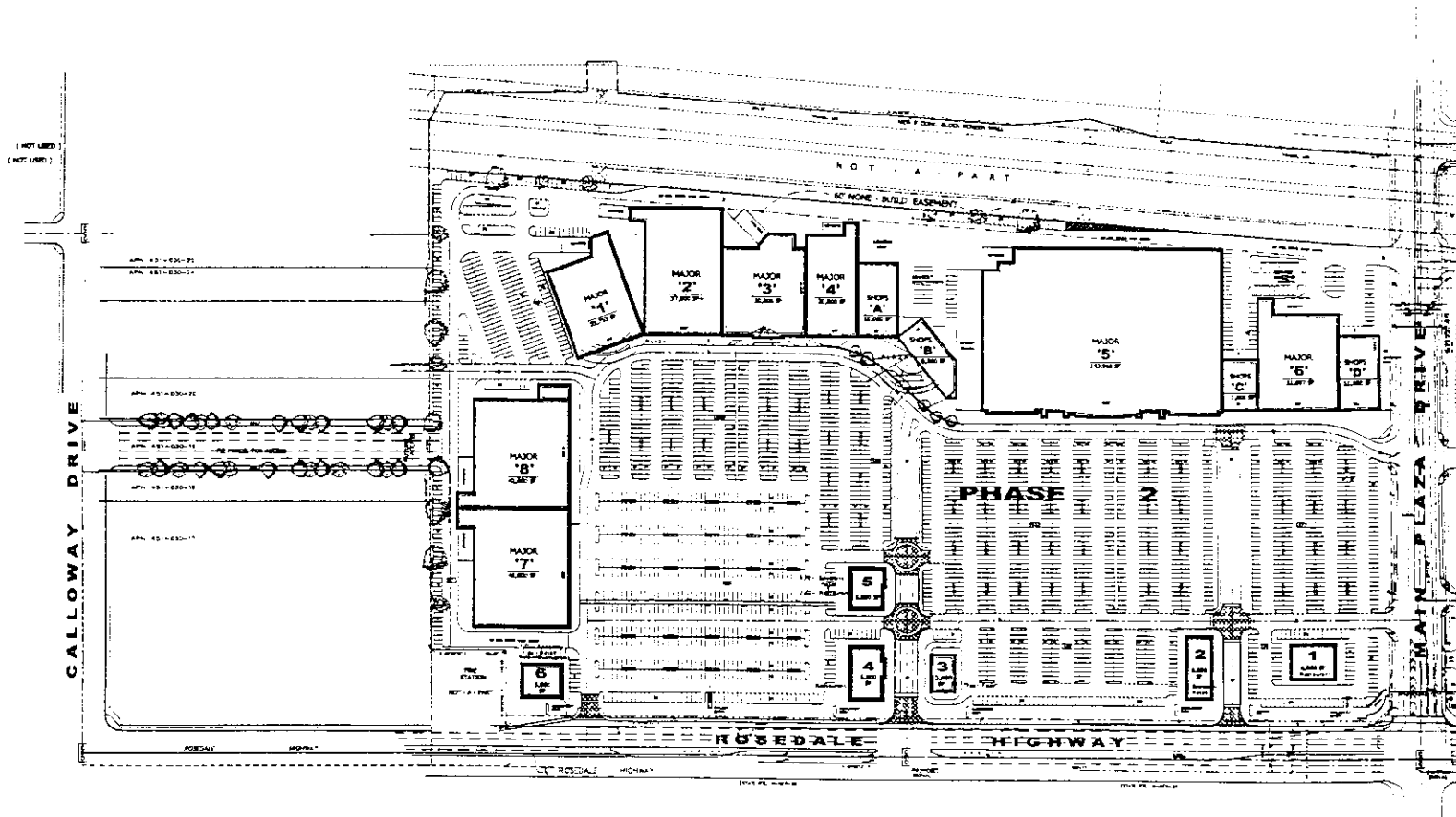
Proposed Project Requirements
 Gross Floor Area: 31,400 SF 299Cars
 Retail Use: 8/1000 SF (11,600 SF) = 88
 Restaurant Use: 12/1000 SF (19,800 SF) = 117.6
 Total: 205.6
 In-Line, Parcel A, Shop: 1st 35,000 SF Retail @ 1/200 SF = 35,000 SF = 175 Cars
 Rest of Retail @ 1/250 SF = 373,906 SF = 1,495 Cars
 TOTAL PARKING REQUIRED : 1,967 Cars

USA 20027
 1" = 60'
 NORTH



MAY 18, 2000
 REV: JUNE 6, 2000
 JUNE 12, 2000
 JUNE 13, 2000
 REV: JUNE 27, 2000
 JULY 21, 2000

EXHIBIT "B"



CONCEPTUAL SITE PLAN

ARCHITECTS
LEIDENFROST/MOROWITZ & ASSOCIATES
 300 VICTORY BOULEVARD
 BAKERSFIELD, CALIFORNIA 93301 (805) 346-6999

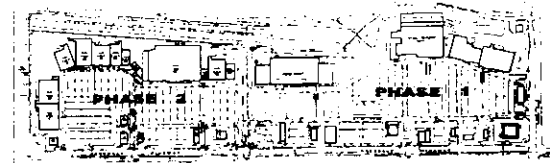
NORTHWEST PROMENADE
 BAKERSFIELD CALIFORNIA

HOPPER PROPE
 2101 STATE ROAD
 BAKERSFIELD, CA 93306
 TEL: (805) 393-7000 FAX: (805) 393-4

EXHIBIT "B"



EXHIBIT "B"



VIGNETTE - 1

KEY PLAN

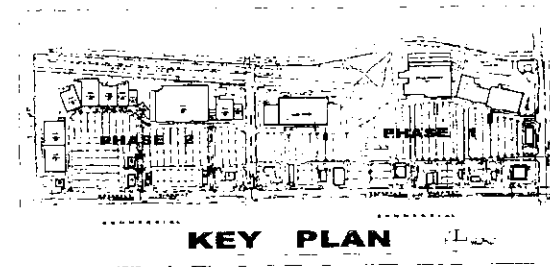
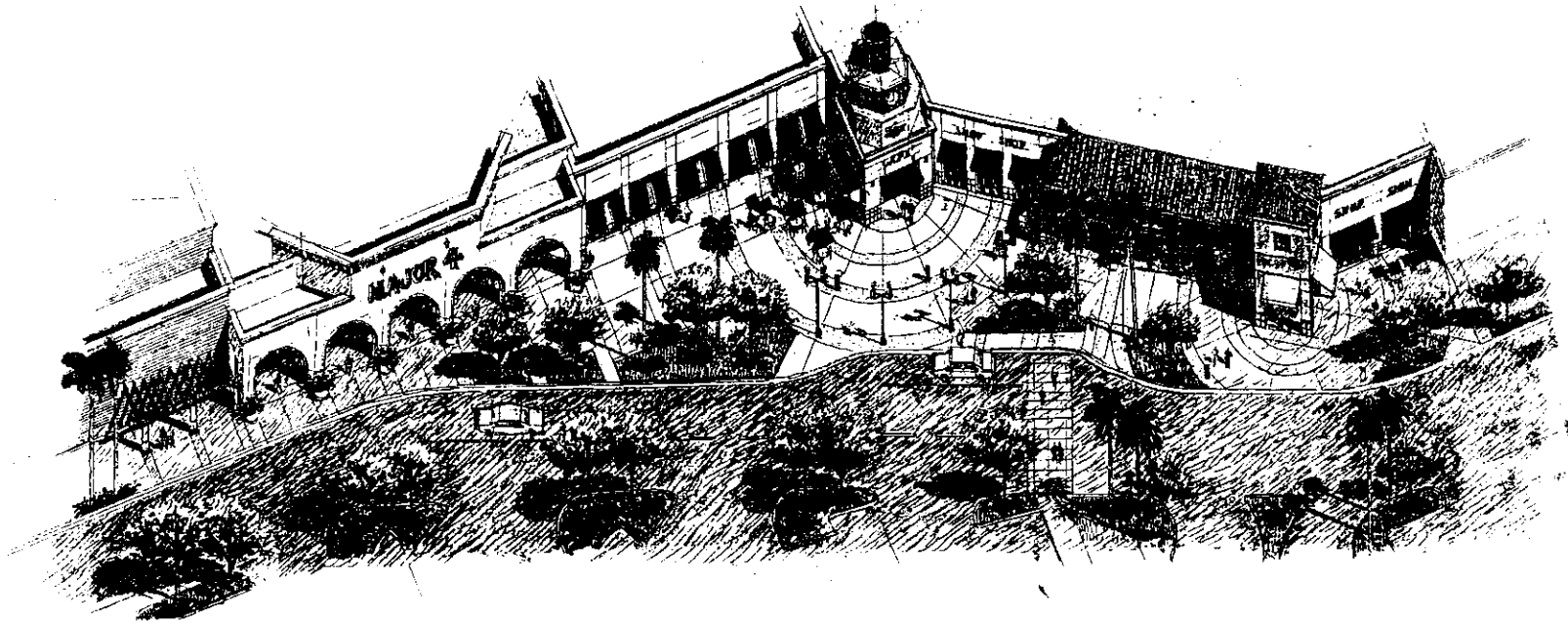
ARCHITECTS
LEIDENFROST/HOROWITZ & ASSOCIATES
GLENDALE CALIFORNIA

NORTHWEST
BAKERSFIELD

PROMENADE
CALIFORNIA

HOPPER PROPERTIES
3101 STATE ROAD
BAKERSFIELD, CA 93308
TEL: (661) 393-7000 FAX: (661) 393-8738

EXHIBIT "B"



VIGNETTE - 2

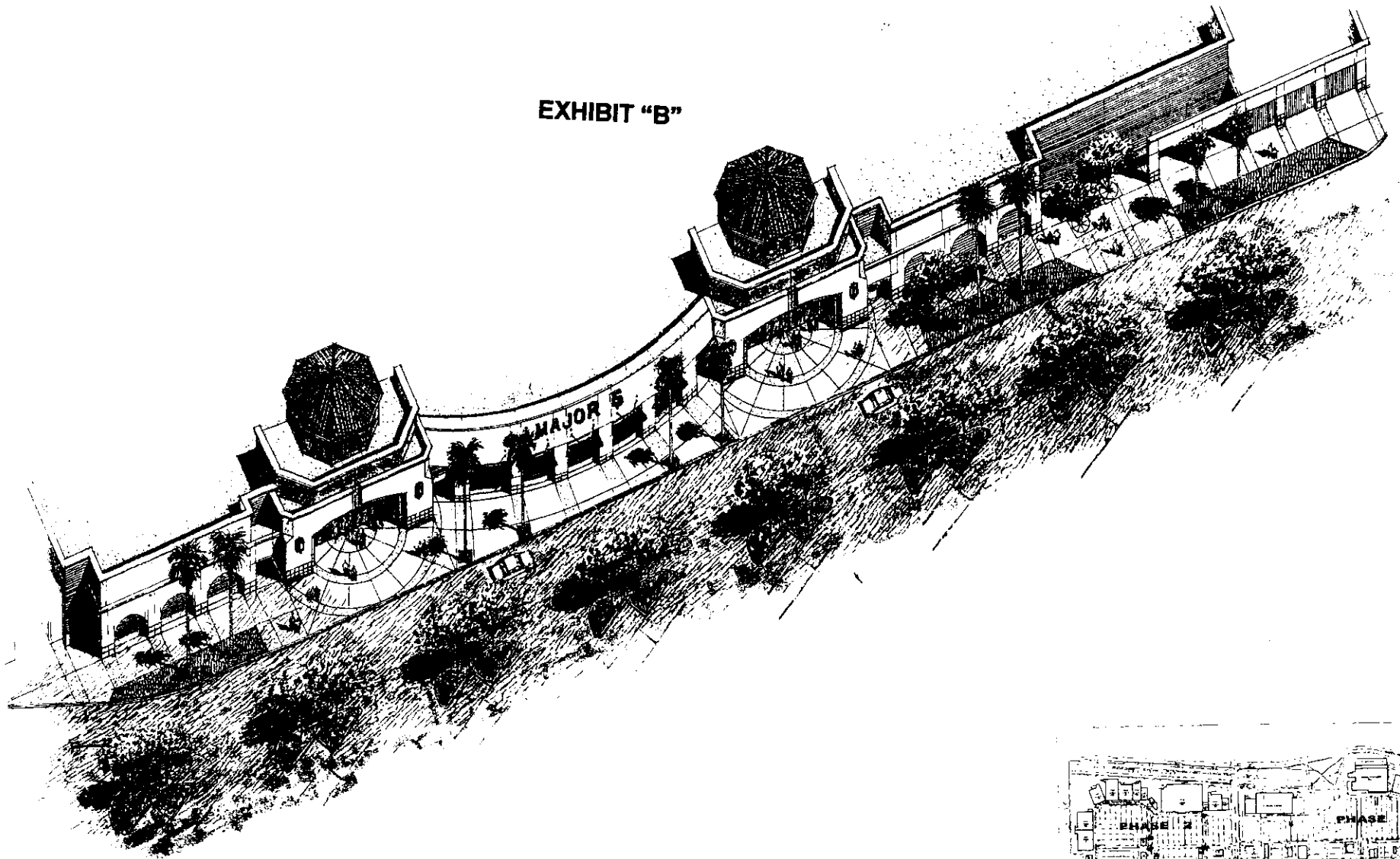
ARCHITECTS
LEIDENFROST/HOROWITZ & ASSOCIATES
GLENDALE CALIFORNIA

NORTHWEST
BAKERSFIELD

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CALIFORNIA

HOPPER PROPERTIES
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BAKERSFIELD, CA 93308
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EXHIBIT "B"



VIGNETTE - 3

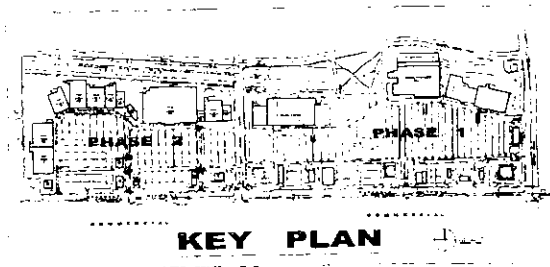
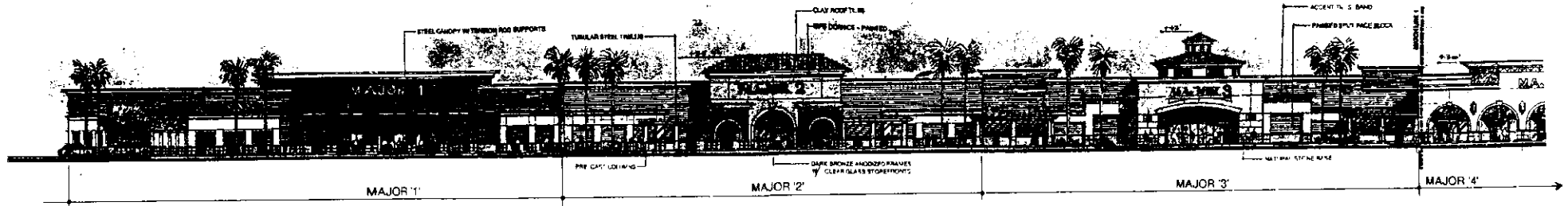
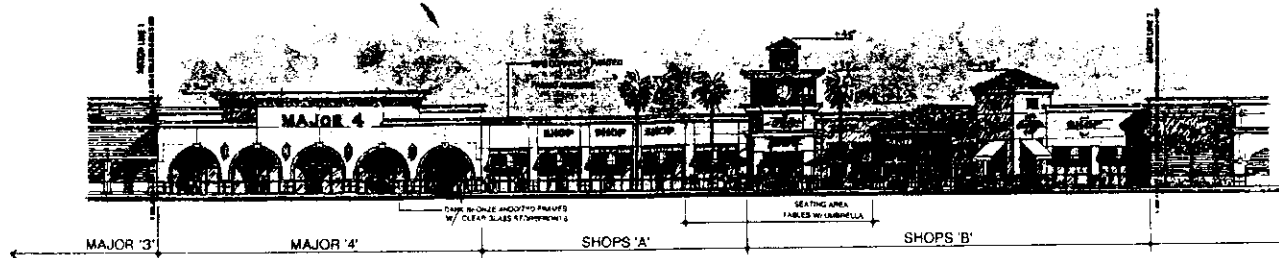


EXHIBIT "B"



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

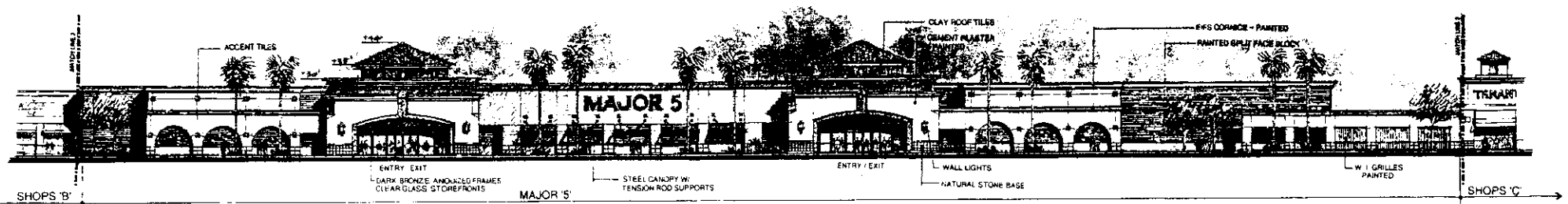
BLDG. ELEVATIONS

ARCHITECTS
LEIDENFROST/HOROWITZ & ASSOCIATES
GLENDALE CALIFORNIA

NORTHWEST PROMENADE
BAKERSFIELD CALIFORNIA

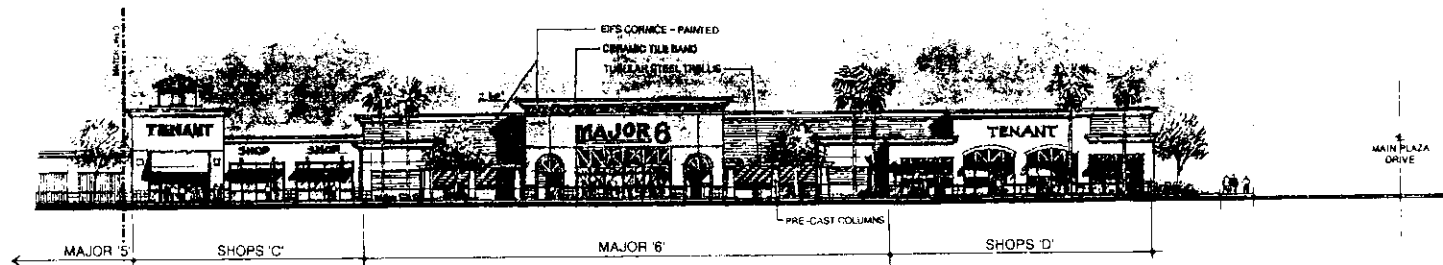
HOPPER PROPERTIES
3101 STATE ROAD
BAKERSFIELD, CA 93308
TEL: (661) 393-7050 FAX: (661) 393-8738

EXHIBIT "B"



SOUTH ELEVATION

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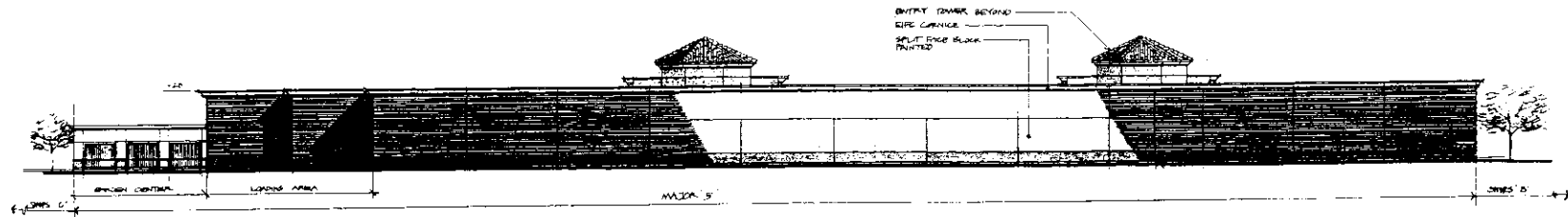


SOUTH ELEVATION

SCALE: 1/16" = 1'-0"

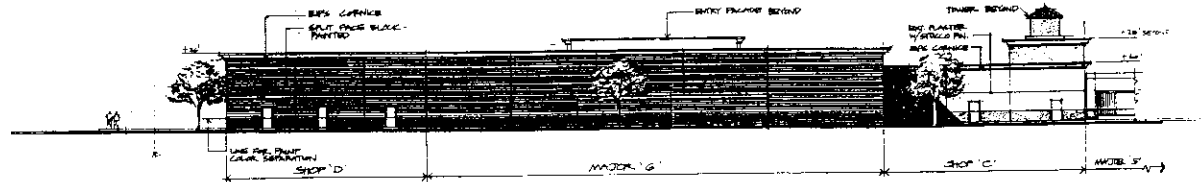
BLDG. ELEVATIONS

EXHIBIT "B"



NORTH ELEVATION

SCALE: 1/16" = 1'-0"



NORTH ELEVATION

SCALE: 1/16" = 1'-0"

BLDG. ELEVATIONS

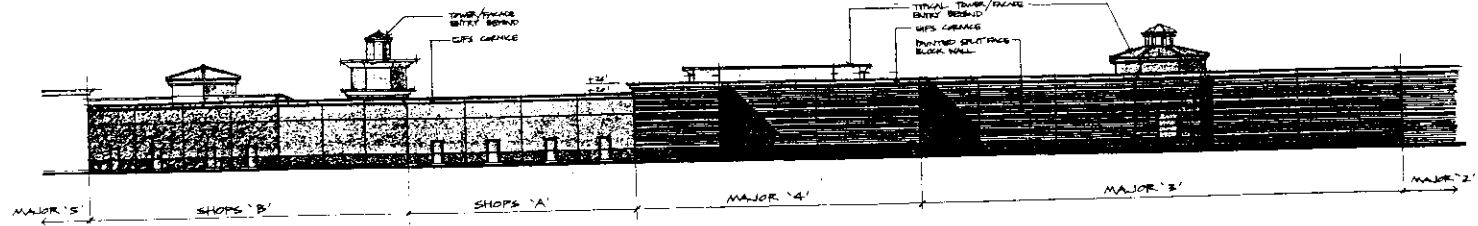
ARCHITECTS
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NORTHWEST
 BAKERSFIELD

PROMENADE
 CALIFORNIA

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 3101 STATE ROAD
 BAKERSFIELD, CA 93306
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EXHIBIT "B"

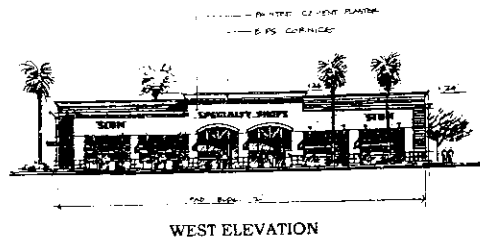


NORTH ELEVATION

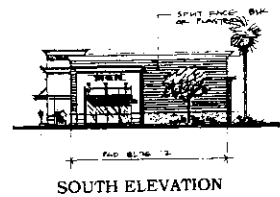
SCALE 1/16" = 1'-0"



NORTH ELEVATION



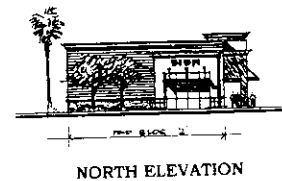
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

BLDG. ELEVATIONS

ARCHITECTS
LEIDENFROST/HOROWITZ & ASSOCIATES
1813 VICTORY BOULEVARD GLENDALE, CALIFORNIA 91201 (818) 246-8007

NORTHWEST
BAKERSFIELD

PROMENADE
CALIFORNIA

HOPPER PROPERTIES
3101 STATE ROAD
BAKERSFIELD, CA 93308
TEL (661) 393-7000 FAX (661) 393-8738

See Map 102-17

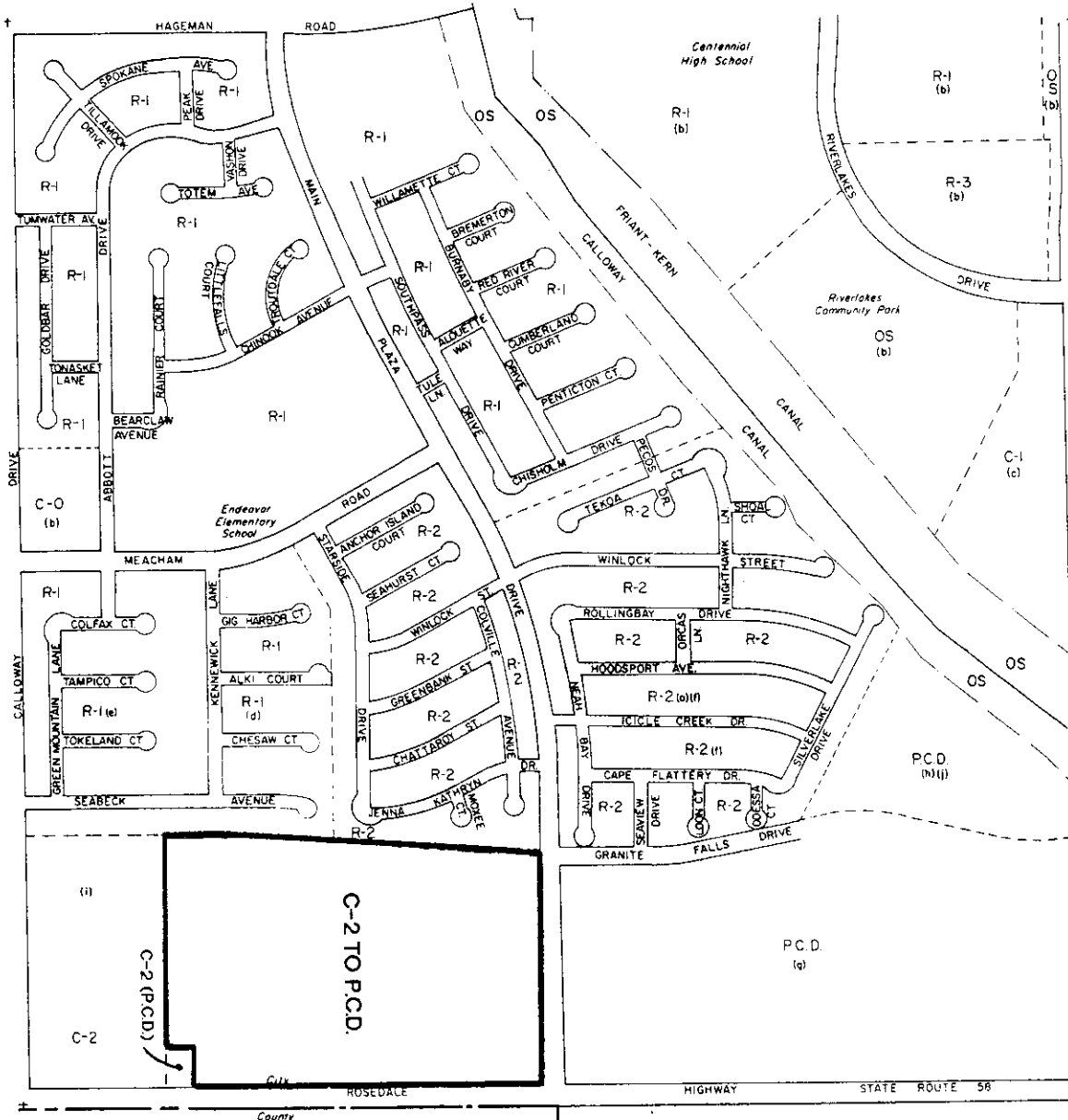
CITY OF BAKERSFIELD
ZONING MAP 102-20
SEC. 20 T. 29s R. 27e

LEGEND

— CITY LIMIT BOUNDARY
- - - ZONE DISTRICT BOUNDARY
▬ SCHOOLS
▬ PUBLIC PARKS

R-5 RESIDENTIAL SUBURBAN ZONE
R-5-1A RESIDENTIAL SUBURBAN (ONE ACRE MINIMUM LOT SIZE) ZONE
R-5-2-5A RESIDENTIAL SUBURBAN (TWO-AND-ONE-HALF ACRE MINIMUM LOT SIZE) ZONE
R-5-5A RESIDENTIAL SUBURBAN (FIVE ACRE MINIMUM LOT SIZE)
R-5-10A RESIDENTIAL SUBURBAN (TEN ACRE MINIMUM LOT SIZE)
R-1 ONE FAMILY DWELLING ZONE
R-2 LIMITED MULTIPLE FAMILY DWELLING ZONE
(1 unit / 2500 sq ft of lot area)
R-3 LIMITED MULTIPLE FAMILY DWELLING ZONE
(1 unit / 1250 sq ft of lot area)
R-4 MULTIPLE FAMILY DWELLING ZONE
(1 unit / 600 sq ft of lot area)
P.U.D. PLANNED UNIT DEVELOPMENT ZONE
RM RESIDENTIAL HOLDING ZONE
C-0 COMMERCIAL AND PROFESSIONAL OFFICE ZONE
C-1 LIMITED COMMERCIAL ZONE
C-2 COMMERCIAL ZONE
C-C CIVIC CENTER ZONE
P.C.D. PLANNED COMMERCIAL DEVELOPMENT ZONE
M-1 LIGHT MANUFACTURING ZONE
M-2 GENERAL MANUFACTURING ZONE
OS OPEN SPACE
RE RECREATION ZONE
A AGRICULTURE ZONE
A-20A AGRICULTURAL (TWENTY ACRE MINIMUM LOT SIZE) ZONE
P AUTOMOBILE PARKING ZONE
CH CHURCH ZONE
HOSP HOSPITAL ZONE
D ARCHITECTURAL DESIGN ZONE
AD ARCHITECTURAL DESIGN ZONE
AA AIRPORT APPROACH ZONE
FP-P FLOODPLAIN PRIMARY ZONE
FP-S FLOODPLAIN SECONDARY ZONE
W OIL WELL ZONE
TT TRAVEL TRAILER PARK ZONE
MH MOBILE HOME ZONE

EXHIBIT "C"
ZONE CHANGE
P00-0519



WE HEREBY CERTIFY THAT THIS ZONING MAP WAS APPROVED AND RECOMMENDED FOR ADOPTION IN REGULAR FORM BY RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AT A REGULAR MEETING HELD ON THE 15TH DAY OF JANUARY, 1999.

John A. ...
CHAIRMAN, PLANNING COMMISSION

Robert ...
SECRETARY, PLANNING DIRECTOR

WE HEREBY CERTIFY THAT THIS ZONING MAP WAS ADOPTED AS A SUBSECTION OF SECTION 17.06.020 OF TITLE 17 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AT A REGULAR MEETING HELD ON THE 15TH DAY OF MARCH, 1999 BY AN ORDINANCE PASSED BY SAID COUNCIL.

Thomas E. ...
MAYOR, CITY OF BAKERSFIELD

Carol ...
CITY CLERK AND EX OFFICIO CLERK OF THE COUNCIL OF THE CITY OF BAKERSFIELD



REVISED 5/2/99, 3/27/99, 7/3/99, 6/20/99, 12/16/99, 6/13/99, 11/16/99, 12/17/99, 8/14/99, 6/14/99
0 300 600 900 1200

AMENDMENTS:

- (a) ORD. 3264 Dated: 11/29/89
- (b) ORD. 3363 Dated: 5/22/91 (ZC 5094)
- (c) ORD. 3398 Dated: 8/28/91 (ZC 5158)
- (d) ORD. 3446 Dated: 1/29/92 (ZC 5265)
- (e) ORD. 3448 Dated: 3/11/92 (ZC 5274)
- (f) ORD. 3573 Dated: 12/15/93 (ZC 5491)
- (g) ORD. 3758 Dated: 4/9/97 (ZC P96-494)
- (h) ORD. 3867 Dated: 10/7/98 (ZC 98-462)
- (i) ORD. 3932 Dated: 11/17/99 (ZC 99-123)
- (j) ORD. 3936 Dated: 11/17/99 (ZC 99-315)

ZONING MAP 102-20

See Map 102-29

EXHIBIT "D"

PCD ZONE CHANGE #P00-0519 NORTHWEST PROMENADE PHASE 2 LEGAL DESCRIPTION

PARCELS 1 AND 2 OF PARCEL MAP 6521, IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, AS PER MAP FILED SEPTEMBER 15, 1983 IN BOOK 30, PAGE 6 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL THAT PORTION OF SAID LAND LYING WITHIN THE SOUTH HALF OF SECTION 20, TOWNSHIP 29 SOUTH, RANGE 27 EAST, M. D. B. M., ALL OIL, GAS AND OTHER MINERALS CONTAINED WITHIN THE PROPERTY HEREINABOVE DESCRIBED WHETHER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED; ALL OIL, GAS AND OTHER MINERAL RIGHTS BELONGING OR APPERTAINING TO SAID PROPERTY; THE EXCLUSIVE RIGHT TO PROSPECT FOR, DRILL FOR, PRODUCE, MINE, EXTRACT AND REMOVE OIL, GAS AND OTHER MINERALS UPON, FROM AND THROUGH SAID PROPERTY; THE EXCLUSIVE RIGHT TO INJECT IN, STORE UNDER AND THEREAFTER Withdraw FROM SAID PROPERTY OIL, GAS AND OTHER MINERALS AND PRODUCTS THEREOF WHETHER PRODUCED FROM SAID PROPERTY OR ELSEWHERE; THE EXCLUSIVE RIGHT TO DRILL AND OPERATE WHATEVER WELLS, CONSTRUCT, INSTALL, OPERATE, MAINTAIN AND REMOVE WHATEVER FACILITIES AND DO WHATEVER ELSE MAY BE REASONABLY NECESSARY ON AND IN SAID PROPERTY FOR THE FULL ENJOYMENT AND EXERCISE OF THE RIGHTS SO EXCEPTED AND RESERVED; AND THE UNRESTRICTED RIGHT OF INGRESS TO AND EGRESS FROM SAID PROPERTY FOR ALL SUCH PURPOSES; BUT GRANTOR AND ITS SUCCESSORS AND ASSIGNS, SHALL COMPENSATE GRANTEE AND ITS SUCCESSORS AND ASSIGNS, UPON DEMAND FOR ANY AND ALL DAMAGES CAUSED TO IMPROVEMENTS AND GROWING CROPS UPON SAID PROPERTY BY THE ENJOYMENT OR EXERCISE OF THE RIGHTS SO EXCEPTED AND RESERVED AS EXCEPTED IN THE DEED FROM KERN COUNTY LAND COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 13, 1969 IN BOOK 4256, PAGE 762 AND RE-RECORDED MARCH 28, 1969 IN BOOK 4261, PAGE 402, BOTH OF OFFICIAL RECORDS.

BY INSTRUMENT RECORDED SEPTEMBER 8, 1983 IN BOOK 5587, PAGE 61 OF OFFICIAL RECORDS, TENNECO WEST, INC. WAIVED THE RIGHT OF SURFACE INGRESS AND EGRESS AND TO A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND; With THE EXCEPTION OF 16 DRILL SITES THEREIN DESCRIBED, AND AS SHOWN ON SAID PARCEL MAP; AND 8 STORM DRAIN SUMP SITES, AS THEREIN DESCRIBED.

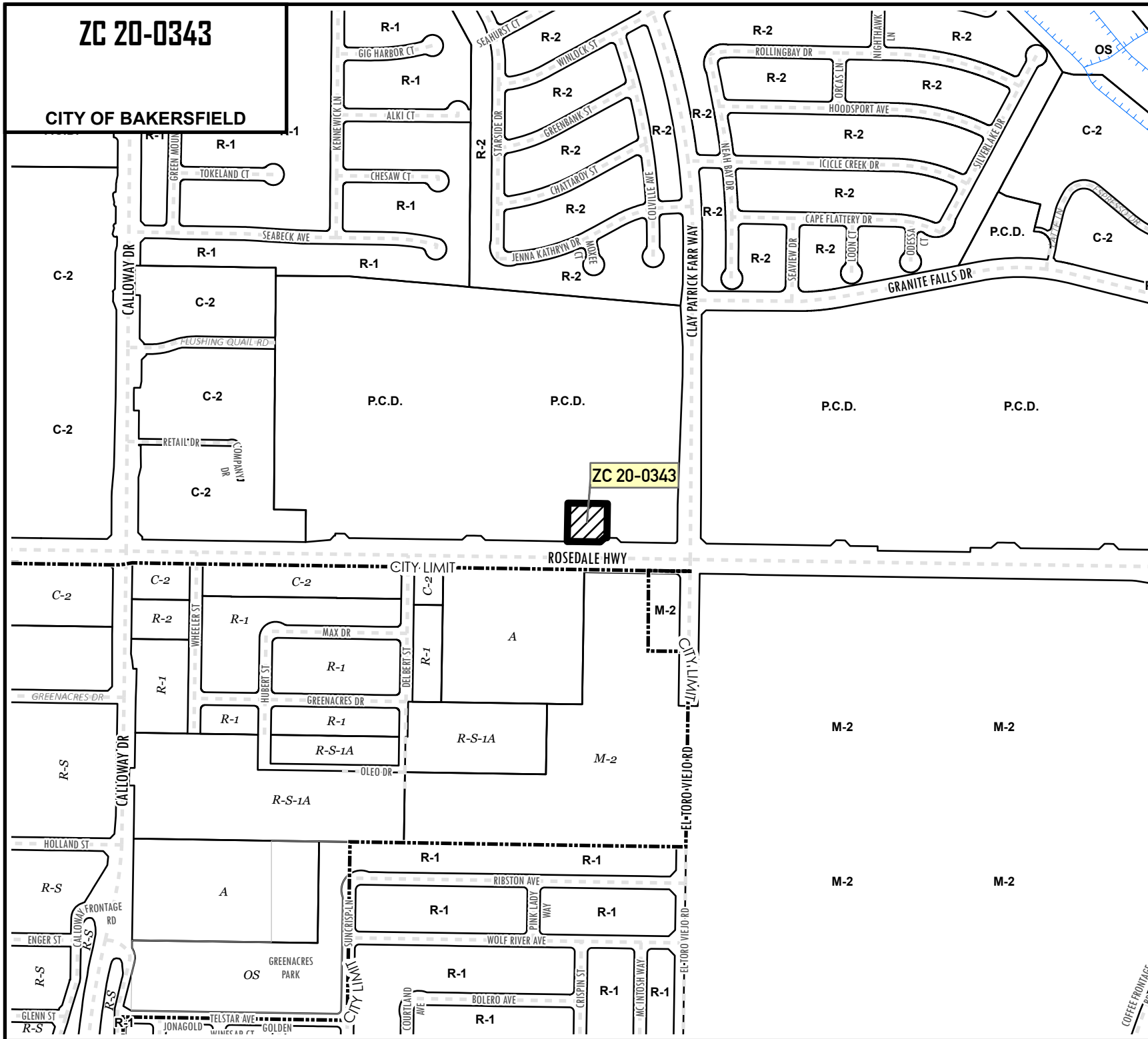
BY INSTRUMENT ENTITLED, "MEMORANDUM OF WAIVER OF SURFACE RIGHTS OF ACCESS AGREEMENT," TENNECO WEST, INC. A DELAWARE CORPORATION, WAIVED ITS SURFACE RIGHTS OF ACCESS TO SAID LAND UPON THE TERMS AND CONDITIONS CONTAINED IN AN UNRECORDED AGREEMENT DATED FEBRUARY 10, 1986, AND FEBRUARY 11, 1986, SAID MEMORANDUM RECORDED OCTOBER 8, 1987 IN BOOK 6055, PAGE 1386 OF OFFICIAL RECORDS.

52.1 ± acres

Exhibit B
(Location Map)

ZC 20-0343

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-1 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



BAKERSFIELD



Feet

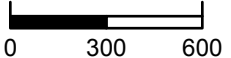
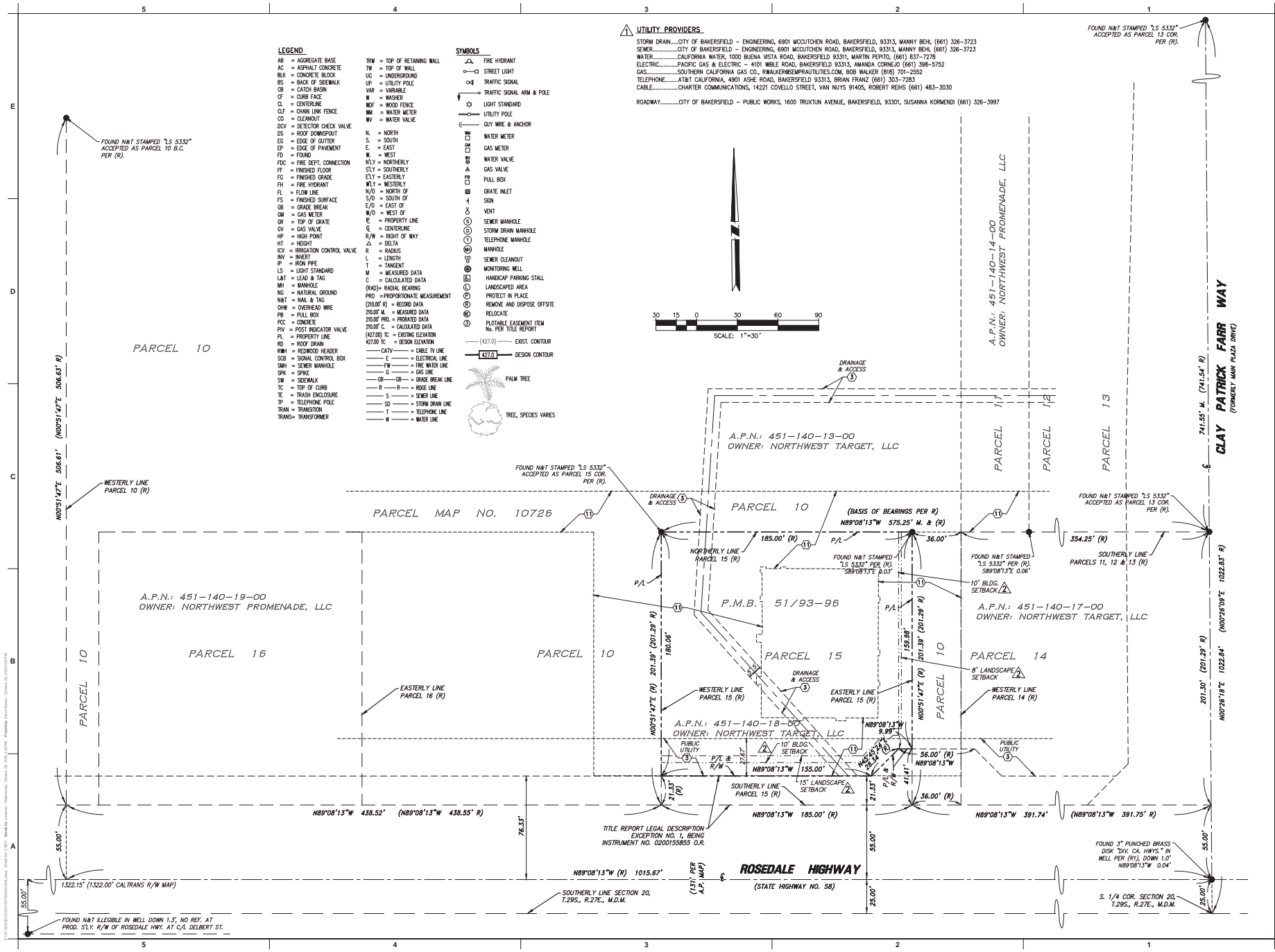


Exhibit C
(Legal Description)



LEGEND

- AB = AGGREGATE BASE
- AC = ASPHALT CONCRETE
- BLK = CONCRETE BLOCK
- BS = BACK OF SIDEWALK
- CB = CATCH BASIN
- CF = CURB FACE
- CL = CENTERLINE
- CO = CHAIN LINK FENCE
- CLF = CLEANT
- DCV = DETECTOR CHECK VALVE
- DS = ROOF DOWNSPOUT
- EG = EDGE OF CUTTING
- EP = EDGE OF PAVEMENT
- FD = FOUND
- FSC = FIRE DEPT. CONNECTION
- FT = FINISHED FLOOR
- FG = FINISHED GRADE
- FH = FIRE HYDRANT
- FL = FLOW LINE
- F3 = FINISHED SURFACE
- GB = GRADE BREAK
- GM = GAS METER
- GR = TOP OF GRATE
- GV = GAS VALVE
- HP = HIGH POINT
- HT = HEIGHT
- ICV = IRRIGATION CONTROL VALVE
- INV = INVERT
- P = IRON PIPE
- LS = LIGHT STANDARD
- LAT = LEAD & TAG
- MH = MANHOLE
- NG = NATURAL GROUND
- NAT = NAIL & TAG
- OWH = OVERHEAD WIRE
- PB = PULL BOX
- PCG = CONCREE
- PV = POST INDICATOR VALVE
- PL = PROPERTY LINE
- RD = ROOF DRAIN
- RHW = REDWOOD HEADER
- SBS = SIGNAL CONTROL BOX
- SMH = SEWER MANHOLE
- SPK = SPIKE
- SW = SIDEWALK
- TS = TOP OF CURB
- TE = TRASH ENCLOSURE
- TP = TELEPHONE POLE
- TRM = TRANSITION
- TRANS = TRANSFORMER

- TRW = TOP OF RETAINING WALL
- TW = TOP OF WALL
- UC = UNDERGROUND
- UP = UTILITY POLE
- VAR = VARIABLE
- W = WISHER
- WOF = WOOD FENCE
- WM = WATER METER
- WV = WATER VALVE
- N = NORTH
- S = SOUTH
- E = EAST
- W = WEST
- NLY = NORTHERLY
- Sly = SOUTHERLY
- Ely = EASTERLY
- Wly = WESTERLY
- N/O = NORTH OF
- S/O = SOUTH OF
- E/O = EAST OF
- W/O = WEST OF
- P = PROPERTY LINE
- C = CENTERLINE
- R/W = RIGHT OF WAY
- Δ = DELTA
- R = RADIUS
- L = LENGTH
- T = TANGENT
- M = MEASURED DATA
- C = CALCULATED DATA
- (RAD) = RADIAL BEARING
- PRO = PROPORTIONATE MEASUREMENT
- (20.00' R) = RECORD DATA
- 20.00' M = MEASURED DATA
- 20.00' PRO = PROPORTIONATE DATA
- 20.00' C = CALCULATED DATA
- (47.00) E = EXISTING ELEVATION
- 47.00 T = DESIGN ELEVATION
- CATV = CABLE TV LINE
- E = ELECTRICAL LINE
- F = FIRE WATER LINE
- G = GAS LINE
- GB = GRADE BREAK LINE
- R = ROSE LINE
- S = SEWER LINE
- SD = STORM DRAIN LINE
- T = TELEPHONE LINE
- W = WATER LINE

SYMBOLS

- FIRE HYDRANT
- STREET LIGHT
- TRAFFIC SIGNAL
- TRAFFIC SIGNAL ARM & POLE
- LIGHT STANDARD
- UTILITY POLE
- GUY WIRE & ANCHOR
- WATER METER
- GAS METER
- WATER VALVE
- GAS VALVE
- PULL BOX
- GRATE INLET
- SIGN
- VENT
- SEWER MANHOLE
- STORM DRAIN MANHOLE
- TELEPHONE MANHOLE
- MANHOLE
- SEWER CLEANOUT
- MONITORING WELL
- HANDICAP PARKING STALL
- LANDSCAPE AREA
- PROTECT IN PLACE
- REMOVE AND DISPOSE OFFSITE
- RELOCATE
- PLOTTABLE EASEMENT ITEM
- NO. PER TITLE REPORT
- (47.0) — EXIST. CONTOUR
- (47.0) — DESIGN CONTOUR
- PALM TREE
- TREE, SPECIES VARIES

UTILITY PROVIDERS

STORM DRAIN.....CITY OF BAKERSFIELD - ENGINEERING, 6901 MCCUTCHEN ROAD, BAKERSFIELD, 93313, MANNY BEHL (661) 326-3723
SEWER.....CITY OF BAKERSFIELD - ENGINEERING, 6901 MCCUTCHEN ROAD, BAKERSFIELD, 93313, MANNY BEHL (661) 326-3723
WATER.....CALIFORNIA WATER, 1000 BUENA VISTA ROAD, BAKERSFIELD 93311, MARTIN PETITO, (661) 837-7278
ELECTRIC.....PACIFIC GAS & ELECTRIC - 4101 WIBLE ROAD, BAKERSFIELD 93313, MANUELA CORNEJO (661) 308-5752
GAS.....SOUTHERN CALIFORNIA GAS CO., 800 WALKER STREET, BAKERSFIELD, 93311, BOB WALKER (818) 701-2552
TELEPHONE.....AT&T CALIFORNIA, 4901 ASH ROAD, BAKERSFIELD 93313, BRIAN FRANZ (661) 303-7283
CABLE.....CHARTER COMMUNICATIONS, 14221 COVELLO STREET, VAN NUYS 91405, ROBERT REHS (661) 483-3030
ROADWAY.....CITY OF BAKERSFIELD - PUBLIC WORKS, 1600 TRUXTON AVENUE, BAKERSFIELD, 93301, SUSANNA KORMENDI (661) 326-3997



Chick-Fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

Prepared by:
JOSEPH C. THILAW & ASSOCIATES, INC.
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CHICK-FIL-A
ROSEDALE HWY & CLAY PATRICK FARR
9030 ROSEDALE HIGHWAY
BAKERSFIELD, CA 93312

FSU# 04799

REVISION SUMMARY

NO.	DATE	DESCRIPTION
1	9/22/20	ADDITIONAL STREET MON. BOY ADJUST.
2	10/28/20	PLOT SETBACKS STATEMENT OF ENCROACHMENTS

ENGINEER'S PROJECT # CHA2003
PRINTED FOR: ENTITLEMENT
DATE: 08/31/20
DRAWN BY: SDS
Information contained on this drawing and all sheets shall constitute a contract when approved by the local authority having jurisdiction. No other contract documents shall be used in conjunction with this drawing.
SHEET ALTANSPLS LAND TITLE SURVEY
SHEET NUMBER

TITLE REPORT

THIS SURVEY AND EASEMENTS SHOWN HEREON ARE BASED ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT PREPARED BY:
FIRST AMERICAN TITLE INSURANCE COMPANY
4380 LA JOLLA VILLAGE DRIVE, SUITE 110
SAN DIEGO, CA 92122
(858) 410-2151
COMMITMENT NUMBER: NCS-1020212-50
COMMITMENT DATE: JULY 06, 2020
TITLE OFFICER: TERRY BROWN / JANICE TRANOR

LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 15 OF PARCEL MAP 10726 IN THE CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA AS PER MAP RECORDED DECEMBER 15, 2000 IN BOOK 51, PAGE 93, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION SAID LAND CONVEYED TO THE STATE OF CALIFORNIA IN DEED RECORDED DECEMBER 6, 2000 AS INSTRUMENT NO. 0200155855 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM FROM ALL THAT PORTION OF SAID LAND LYING WITHIN THE SOUTH HALF OF SECTION 20, TOWNSHIP 29 SOUTH, RANGE 27 EAST, M.D.B.M., ALL OIL, GAS AND OTHER MINERALS CONTAINED WITHIN THE PROPERTY HEREON ABOVE DESCRIBED WHETHER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED; ALL OIL, GAS AND OTHER MINERAL RIGHTS BELONGING OR APPERTAINING TO SAID PROPERTY; THE EXCLUSIVE RIGHT TO PROSPECT FOR, DRILL FOR, PRODUCE, MINE, EXTRACT AND REMOVE OIL, GAS AND OTHER MINERALS UPON, FROM AND THROUGH SAID PROPERTY; THE EXCLUSIVE RIGHT TO INJECT IN, STORE UNDER AND THEREAFTER WITHDRAW FROM SAID PROPERTY OIL, GAS AND OTHER MINERALS AND PRODUCTS THEREOF WHETHER PRODUCED FROM SAID PROPERTY OR ELSEWHERE; THE EXCLUSIVE RIGHT TO DRILL AND OPERATE WHATEVER WELLS, CONSTRUCT, INSTALL, OPERATE, MAINTAIN AND REMOVE WHATEVER OTHER FACILITIES AND DO WHATEVER ELSE MAY BE REASONABLY NECESSARY ON AND IN SAID PROPERTY FOR THE FULL ENJOYMENT AND EXERCISE OF THE RIGHTS SO EXCEPTED AND RESERVED; AND THE UNRESTRICTED RIGHT OF INGRESS TO AND EGRESS FROM SAID PROPERTY FOR ALL SUCH PURPOSES; BUT GRANTOR AND ITS SUCCESSORS AND ASSIGNS, SHALL COMPENSATE GRANTEE AND ITS SUCCESSORS AND ASSIGNS, UPON DEMAND FOR ANY AND ALL DAMAGES CAUSED BY IMPROVEMENTS AND GROWING CROPS UPON SAID PROPERTY BY THE ENJOYMENT OR EXERCISE OF THE RIGHTS SO EXCEPTED AND RESERVED AS EXCEPTED IN THE DEED FROM KERN COUNTY LAND COMPANY, A DELAWARE CORPORATION, RECORDED MARCH 13, 1969 IN BOOK 4256, PAGE 762 AND RE-RECORDED MARCH 28, 1969 IN BOOK 4261, PAGE 402 BOTH OF OFFICIAL RECORDS.

BY INSTRUMENT ENTITLED WAIVER OF SURFACE ACCESS RECORDED OCTOBER 10, 2000 AS INSTRUMENT NO. 020028688 OF OFFICIAL RECORDS, CITY RESOURCES CALIFORNIA LLC WAIVED ITS RIGHT OF SURFACE ACCESS FROM THE SURFACE OF SAID LAND TO A DEPTH OF 500 FEET BELOW THE SURFACE OF SAID LAND.

APN: 451-140-18-00-2

EASEMENTS NOTES

REFER TO TITLE REPORT FOR ADDITIONAL INFORMATION AND DETAILS:

- ITEM THAT DEALS WITH TAXES.
- ITEM THAT DEALS WITH TAXES.
- AN EASEMENT SHOWN OR DEDICATED ON THE MAP OF PARCEL MAP NO. 10726 RECORDED DECEMBER 15, 2000 AND ON FILE IN BOOK 51, PAGE 93-96, OF PARCEL MAPS, FOR: PUBLIC UTILITY, DRAINAGE AND ACCESS AND INCIDENTAL PURPOSES.

4 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT RELATING TO ISSUANCE OF CERTIFICATE OF OCCUPANCY" RECORDED DECEMBER 15, 2000 AS INSTRUMENT NO. 0200160324 OF OFFICIAL RECORDS.

NOTE: SAID DOCUMENT AFFECTS THE SUBJECT PROPERTY IS BLANKET IN NATURE AND IS NOT PLOTTED HEREON.

5 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT RELATING TO REMOVAL OF GROUNDWATER UPON SUBDIVISION" RECORDED DECEMBER 15, 2000 AS INSTRUMENT NO. 0200160325 OF OFFICIAL RECORDS.

NOTE: SAID DOCUMENT AFFECTS THE SUBJECT PROPERTY IS BLANKET IN NATURE AND IS NOT PLOTTED HEREON.

6 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "COVENANT DISCLOSING INCLUSION IN MAINTENANCE DISTRICT" RECORDED DECEMBER 15, 2000 AS INSTRUMENT NO. 0200160326 OF OFFICIAL RECORDS.

NOTE: SAID DOCUMENT AFFECTS THE SUBJECT PROPERTY IS BLANKET IN NATURE AND IS NOT PLOTTED HEREON.

7 THE TERMS, PROVISIONS AND EASEMENT(S) CONTAINED IN THE DOCUMENT ENTITLED "OPERATION AND EASEMENT AGREEMENT" RECORDED JANUARY 12, 2001 AS INSTRUMENT NO. 0201004921 OF OFFICIAL RECORDS.

NOTE: SAID DOCUMENT AMONG OTHER ITEMS, INCLUDES NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, PARKING, UTILITIES, CONSTRUCTION, MAINTENANCE, RECONSTRUCTION, SIGNS AND CITY ACCESS TO COMMON AREAS. SAID EASEMENTS ARE BLANKET IN NATURE AND NOT PLOTTED HEREON. REFER TO SAID DOCUMENT FOR FULL PARTICULARS.

EASEMENTS NOTES

8 THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "RESTRICTIVE COVENANT AND VARIOUS AGREEMENT" RECORDED JANUARY 12, 2001 AS INSTRUMENT NO. 0201004922 OF OFFICIAL RECORDS.

NOTE: SAID DOCUMENT AFFECTS THE SUBJECT PROPERTY AND INCLUDES AMONG OTHER ITEMS BUILDING CONSTRUCTION RESTRICTIONS AND IS NOT PLOTTED HEREON. REFER TO SAID DOCUMENT FOR FULL PARTICULARS.

9 TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED NOVEMBER 10, 2000, BY AND BETWEEN NORTHWEST TARGET, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSOR AND ROSS STORES, INC., A DELAWARE CORPORATION AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF LEASE RECORDED FEBRUARY 06, 2001 AS INSTRUMENT NO. 0201016309 OF OFFICIAL RECORDS.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS ARE NOT SHOWN HEREIN.

AFFECTS: THE LAND AND OTHER PROPERTY.

NOTE: SAID DOCUMENT IS A LEASE AGREEMENT FOR A ROSS STORE AND INCLUDES BLANKET RESTRICTIONS NOT PLOTTED HEREON. AMONG AMONG OTHER ITEMS THE DOCUMENT INCLUDES AN EXHIBIT SHOWING A SHOPPING CENTER ACCESS DRIVE HATCHED AS A "CONTROL AREA". REFER TO SAID DOCUMENT FOR FULL PARTICULARS.

10 TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED FEBRUARY 05, 2001, BY AND BETWEEN NORTHWEST TARGET, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSOR AND AARON BROTHERS, INC., A DELAWARE CORPORATION AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF SHOPPING CENTER LEASE RECORDED FEBRUARY 14, 2001 AS INSTRUMENT NO. 0201019761 OF OFFICIAL RECORDS.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS ARE NOT SHOWN HEREIN.

AFFECTS: THE LAND AND OTHER PROPERTY.

NOTE: SAID DOCUMENT IS NOT A SURVEY ITEM AND IS NOT PLOTTED HEREON.

11 TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED DECEMBER 04, 2001, BY AND BETWEEN NORTHWEST TARGET, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSOR AND PIER 1 IMPORTS (U.S.), INC., A DELAWARE CORPORATION AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF LEASE RECORDED JUNE 11, 2002 AS INSTRUMENT NO. 0202003298 OF OFFICIAL RECORDS.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS ARE NOT SHOWN HEREIN.

NOTE: SAID DOCUMENT INCLUDES AN EXHIBIT FOR A "NO BUILD AREA" FOR THE CURRENT TENANT'S SITE AREA EXCLUDING THE BUILDING. SAID AREA LIMITS IS APPROXIMATELY PLOTTED HEREON. REFER TO SAID DOCUMENT FOR FULL PARTICULARS.

12 TERMS AND PROVISIONS OF AN UNRECORDED LEASE DATED DECEMBER 27, 2019, BY AND BETWEEN NORTHWEST TARGET, LLC, A DELAWARE LIMITED LIABILITY COMPANY AS LESSOR AND ULTA SALON COSMETICS & FRAGRANCE, INC., A DELAWARE CORPORATION AS LESSEE, AS DISCLOSED BY A MEMORANDUM OF LEASE RECORDED JANUARY 22, 2020 AS INSTRUMENT NO. 220008868 OF OFFICIAL RECORDS.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS ARE NOT SHOWN HEREIN.

AFFECTS: THE LAND AND OTHER PROPERTY.

NOTE: SAID DOCUMENT IS NOT A SURVEY ITEM AND IS NOT PLOTTED HEREON.

13 WE FIND NO OUTSTANDING VOLUNTARY LIENS OF RECORD AFFECTING SUBJECT PROPERTY. AN INQUIRY SHOULD BE MADE CONCERNING THE EXISTENCE OF ANY UNRECORDED LIEN OR OTHER INCREDIBLENESS WHICH COULD GIVE RISE TO ANY SECURITY INTEREST IN THE SUBJECT PROPERTY.

14 PRIOR TO CLOSING, THE COMPANY MUST CONFIRM WHETHER THE COUNTY RECORDING OFFICE IN WHICH THE LAND IS LOCATED HAS CHANGED ITS ACCESS POLICIES DUE TO THE COVID-19 OUTBREAK. IF RECORDING HAS BEEN RESTRICTED, SPECIFIC UNDERWRITING APPROVAL IS REQUIRED; AND, ADDITIONAL REQUIREMENTS OR EXCEPTIONS MAY BE MADE.

15 WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

16 RIGHTS OF PARTIES IN POSSESSION.

SITE AREA

THE SUBJECT SITE, PER TITLE REPORT DESCRIPTION CONTAINS APPROXIMATELY:
32,910 SQ. FT. OR 0.756 ACRES

BASIS OF BEARINGS

THE BEARING NORTH 89°08'13" WEST FOR THE NORTHERLY LINES OF PARCELS 15 AND 14 AS SHOWN ON PARCEL MAP NO. 10726, FILED IN BOOK 51, PAGES 93-96 OF PARCEL MAPS, RECORDS OF KERN COUNTY, STATE OF CALIFORNIA, WAS USED AS THE BASIS OF BEARINGS FOR THIS SURVEY.

RECORD DATA

(R) = RECORD DATA PER PARCEL MAP NO. 10726, BOOK 51, PAGES 93-96

(R1) = RECORD DATA PER PARCEL MAP NO. 10456, BOOK 48, PAGES 86-90

BENCHMARK

CITY OF BAKERSFIELD BENCHMARK

ELEVATION = 398.33 FEET

FOUND BRASS DISK, STAMPED "1012" IN MONUMENT WELL ALONG ROSEDALE HIGHWAY EAST OF THE INTERSECTION OF FRUITVALE AVENUE. PER CITY COORDINATES LIST: (STATE PLANE COORDINATES)
233,2327523.85,6241405.28,398.33, MT ROSEDALE & FRUITVALE

FLOOD ZONE

COMMUNITY PANEL NUMBER: 06029C1825E, EFFECTIVE DATE: 09/28/2008

ZONE: X (UNSHADED); PROPERTY NOT IN A SPECIAL FLOOD HAZARD AREA, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. INFORMATION OBTAINED FROM CERTIFIED FLOOD SYSTEMS, INC. ON 8/6/2020

PARKING COUNT

15 PARKING STALLS EXIST WITHIN SUBJECT SITE LEGAL DESCRIPTION. (INCLUDES 2 HANDICAP STALLS)

SITE PLANNING DATA

DISCLAIMER: INFORMATION PROVIDED BY AG DEVELOPMENT AND CONSULTING, INC. IN THE SITE INVESTIGATION REPORT DATED 09/04/2020.

ZONED: PCD (PLANNED COMMERCIAL DEVELOPMENT)

LAND USES CLASSIFIED AS BEING WITHIN A PCD ZONE INCLUDES REGIONAL COMMERCIAL (C-2), DESIGN CRITERIA ARE PER STANDARDS IN THE C-2 ZONE.

FUTURE LAND USE DESIGNATION: METROPOLITAN BAKERSFIELD GENERAL PLAN

MAXIMUM BUILDING HEIGHT: 90 FEET.

SETBACKS

BUILDING:

NORTH = N/A

WEST = N/A

EAST = 10 FEET

SOUTH = 10 FEET

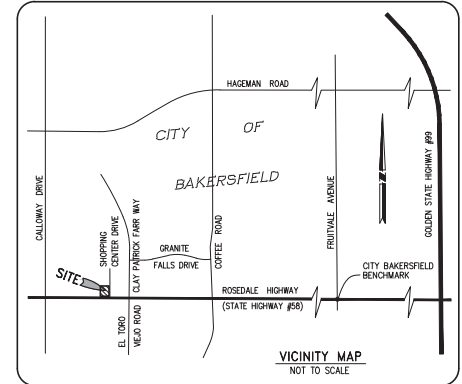
LANDSCAPE:

NORTH = N/A

WEST = N/A

EAST = 8 FEET

SOUTH = 15 FEET



SURVEYOR'S NOTES

- IT IS NOT WITHIN THE PURVIEW OF THIS SURVEYOR TO MAKE DETERMINATIONS OF OWNERSHIP, AS TO "ENCROACHMENTS" SPECIFICALLY, NO INFERENCE TO SUCH DETERMINATION IS INTENDED OR IMPLIED.
- LOCATIONS OF UNDERGROUND UTILITIES / STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES / STRUCTURES MAY EXIST. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES / STRUCTURES. THE LOCATIONS OF UNDERGROUND FEATURES SHOWN HEREON ARE PLOTTED FROM AVAILABLE RECORD INFORMATION AND VISIBLE SURFACE INDICATIONS. BEFORE ANY EXCAVATIONS ARE PERFORMED, UTILITY PURVEYORS SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FIELD LOCATIONS.
- VEHICULAR ACCESS TO THE "SUBJECT SITE" IS CURRENTLY FROM DRIVE ENTRANCES ALONG ROSEDALE HIGHWAY, CLAY PATRICK FARR WAY AND ACROSS ADJACENT PARCELS.
- ALL MATTERS SHOWN ON RECORDED PLATS LISTED IN RECORD DATA HEREON THAT ARE PERTINENT TO THE SURVEY OF THE SUBJECT SITE ARE SHOWN ON THIS ALTA SURVEY HEREON.
- AT THE TIME OF SURVEY NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING, CONSTRUCTION OR ADDITIONS WERE OBSERVED ON THE SUBJECT SITE.
- NO RECENT CHANGES IN STREET RIGHTS-OF-WAY OR STREET CONSTRUCTION OR REPAIRS WERE OBSERVED AT THE TIME OF SURVEY.

SURVEY CERTIFICATION

TO: CHICK-FIL-A, INC. AND FIRST AMERICAN TITLE INSURANCE COMPANY,

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2, 3, 4, 5, 6(a), 7, 8, 9, 11, 13, 16 & 17 OF "STANDARD PRACTICES FOR ALTA/NSPS LAND TITLE SURVEYS". THE FIELD WORK WAS COMPLETED ON AUGUST 11 AND SEPTEMBER 11, 2020.

THIS CERTIFICATION IS SUBMITTED PURSUANT TO SECTION 8770.6 OF THE PROFESSIONAL LAND SURVEYORS ACT, BUSINESS AND PROFESSIONS CODE, STATE OF CALIFORNIA.

STEPHEN M. HAGER
REGISTERED LAND SURVEYOR NO. 6161

10/28/2020

DATE



Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998



JOSEPH C. THIDAW
& ASSOCIATES, INC.
Civil Engineers and
Land Surveyors

1915 W. GRANGERWOOD AVE.
SUITE 101
GRANITE, CA 92608
(714) 935-0265
(714) 935-0106 (FAX)

CHICK-FIL-A
ROSEDALE HWY & CLAY PATRICK FARR
9030 ROSEDALE HIGHWAY
BAKERSFIELD, CA 93312

FSU# 04799

REVISION SCHEDULE
NO. DATE DESCRIPTION
1 9/22/20 ADDITIONAL STREET
WORK, BOY ADJUST.
2 10/28/20 PLOT SETBACKS
STATEMENT OF ENCROACHMENTS

INQUIRY PROJECT # CFA2020E

PRINTED FOR ENTITLEMENT

DATE 08/31/20

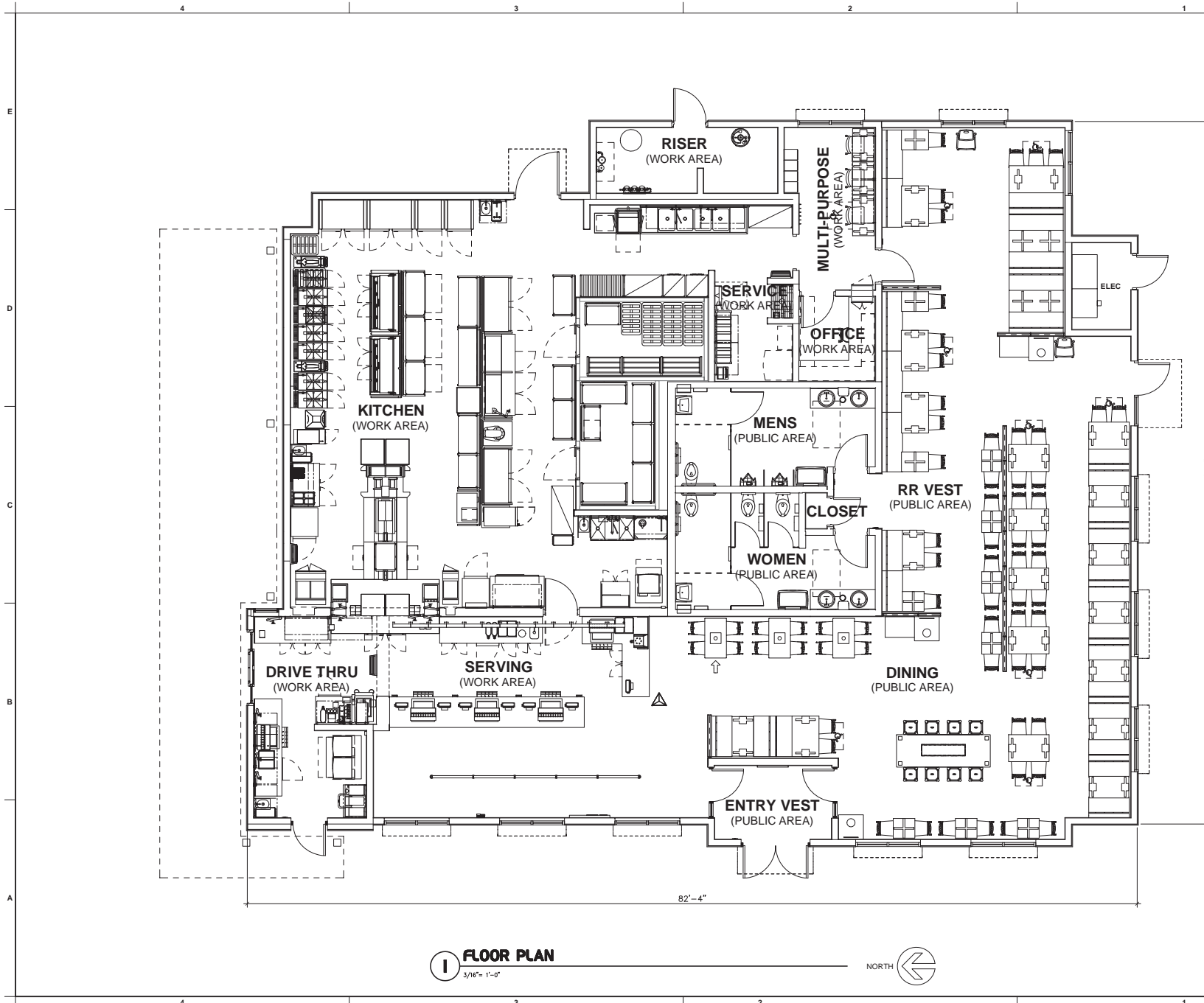
DRAWN BY SCS

SHEET
ALT/NSPS LAND
TITLE SURVEY

SHEET NUMBER

1 of 3

Exhibit D
(Site Plans)

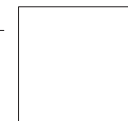


1 FLOOR PLAN
3/16" = 1'-0"



Chick-fil-A
Chick-fil-A
5200 Buffington Road
Atlanta, Georgia
30349-2998

crh
architects
1833 E. 17th Street
3rd Floor - Suite 301
Santa Ana, CA 92705
Phone 714.832.1834



CHICK-FIL-A
ROSEDALE HWY & CLAY PATRICK FARR
9030 ROSEDALE HWY
BAKERSFIELD, CA

FSR# 04799

REVISION SCHEDULE	
NO.	DATE

ARCHITECT'S PROJECT # 20-119
PRINTED FOR Purdy Building Co.
DATE 05-17-20
DRAWN BY BK

SHEET
FLOOR PLAN

SHEET NUMBER

A-110



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



PRELIMINARY ELEVATIONS Bakersfield, CA

File Name: 20-110 Color Elevations

10-26-20

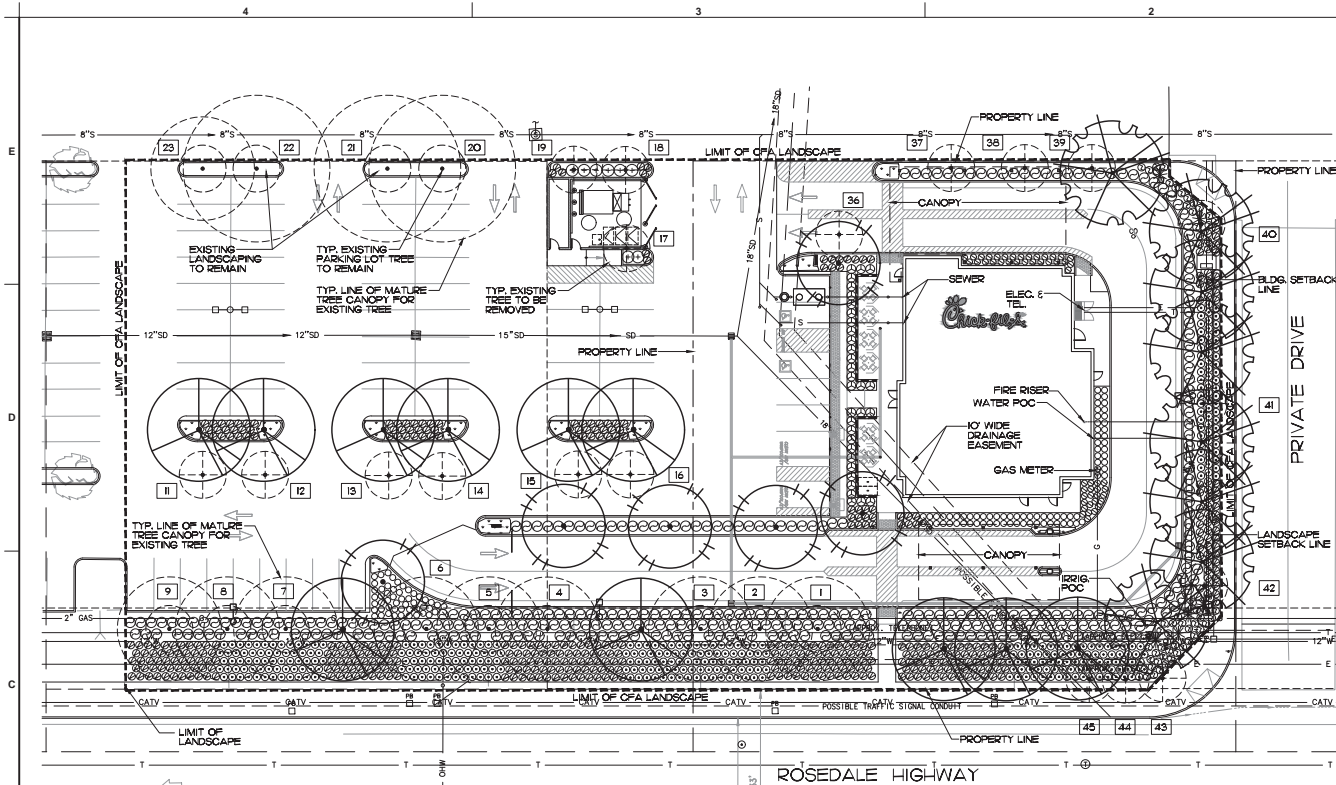
Note:

All roof top mechanical equipment shall be located in equipment well and screened from view by parapet walls.

COLOR AND MATERIAL LEGEND

STC-1	Stucco - Paint Sherwin Williams #SW7566 "Westhighland White"
STC-2	Stucco - Paint Sherwin Williams #SW6172 "Hardware"
STC-3	Stucco - Paint Sherwin Williams CFA Custom "Urban Night"
EC-1	Parapet Wall Coping - Durolast/Exceptional Metals - Dark Bronze (Matte)
A-1	Aluminum Awning - Color: "Dark Bronze"
ST-1	YKK Storefront System - Color: "Dark Bronze"





PRELIMINARY LANDSCAPE PLAN

SCALE: 1" = 20'-0"

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	SIZE AT INSTALL	MATURE SIZE	WUCOLS IV REGION 2
	ARBUTUS UNEDO	STRAWBERRY TREE	24" BOX	6	STANDARD EVERGREEN	9'-0" H X 3'-4" W	25' H X 25' W	L
	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	24" BOX	8	STANDARD EVERGREEN	8'-0" H X 3' W	50' H X 35' W	M
	PYRUS CALLERYANA NEW BRADFORD	CALLERY PEAR	24" BOX	11	STANDARD DECIDUOUS	9'-0" H X 3'-4" W	35' H X 30' W	M
	TYP. EXISTING TREE TO REMAIN (13 TOTAL). SEE LISTING THIS SHEET AND ARBORIST REPORT DATED OCTOBER 5, 2020							
	TYP. EXISTING TREE TO BE REMOVED (9 TOTAL). SEE LISTING THIS SHEET AND ARBORIST REPORT DATED OCTOBER 5, 2020							

REFER TO SHEET L11 WATER CONSERVATION PLAN FOR HYDROZONE PLAN, WATER CALCS, NOTES & PARKING LOT SHADE PLAN.

LANDSCAPE CALCULATIONS

SHRUB AREA:	14,654 SF.
TURF AREA:	0 SQ. FT.
TOTAL LANDSCAPE AREA:	14,654 SF.

PLANTING NOTES

- CONTRACTOR IS TO REVIEW PLANS, VERIFY SITE CONDITIONS AND PLANT QUANTITIES PRIOR TO INSTALLATION. CONFLICTS BETWEEN THE SITE AND THESE PLANS OR WITHIN THESE PLANS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO LANDSCAPE INSTALLATION. ANY DEVIATIONS FROM THE PLANS OR SPECIFICATIONS IS TO HAVE WRITTEN APPROVAL.
- ALL PLANT MATERIAL SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF "AMERICAN NURSERY AND LANDSCAPE ASSOCIATION" STANDARDS. WWW.ANALOBS
- LANDSCAPE ARCHITECT SHALL APPROVE PLANT MATERIAL PLACEMENT BY CONTRACTOR PRIOR TO INSTALLATION.
- CONTRACTOR TO INCLUDE IN HIS BID THE REPAIR OF ANY AND ALL DAMAGE RESULTING FROM INSTALLATION OF PLANTING ITEMS. CONNECT TO EXISTING CONDITIONS.
- PERIMETER OF ALL RAISED PLANTERS TO HAVE A ROOT BARRIER TO REDIRECT ROOT GROWTH PER MANUFACTURER'S SPECIFICATIONS.
- FINISH GRADE TO BE 2" BELOW TOP OF CURB OR SIDEWALK FOR PLANTING AREAS.
- FERTILIZER FOR ALL PLANTING AREAS SHALL BE AS SPECIFIED WITHIN THE SOILS REPORT.
- ALL PLANTING AND IRRIGATION ON THIS PROJECT TO MEET OR EXCEED CITY LANDSCAPE GUIDELINES, STANDARDS AND AGENCY REQUIREMENTS.
- ALL PLANTER AREAS SHALL BE TOP DRESSED WITH 2" MINIMUM MULCH COVER.
- ALL PLANTING AREAS SHALL BE IRRIGATED WITH SUB-GRADE BUBBLERS FOR TREES AND DRIFTLINE OR DRIP IRRIGATION FOR SHRUBS/GRASS COVERS. CONNECTED TO AUTOMATIC REMOTE CONTROL VALVES AND TIED INTO AN AUTOMATIC IRRIGATION "SMART" CONTROLLER.
- THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTED AREAS BY MEANS OF CONTINUOUS WATERING, PRUNING, RAISING TREE BALLS WHICH SETTLE BELOW GRADE, FERTILIZING, APPLICATION OF SPRAYS WHICH ARE NECESSARY TO KEEP THE PLANTINGS FREE OF INSECTS AND DISEASES, WEEDING, AND/OR OTHER OPERATIONS NECESSARY FOR PROPER CARE AND LINES. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AS SPECIFIED ABOVE FOR A PERIOD OF NINETY (90) DAYS.
- ALL PLANTER BEDS TO BE AMENDED WITH SOIL PREPARATION PER SPECIFICATIONS. NO DEVIATIONS ARE ALLOWED.

EXISTING TREE LEGEND

1	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	REMAIN
2	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	REMAIN
3	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	REMAIN
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10	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
11	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
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14	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
15	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
16	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
17	LAGERSTROEMIA INDICA	ORANGE MYRTLE	REMAIN
18	CINNAMOMUM CAMPHORA	CAMPOR TREE	REMAIN
19	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
20	CINNAMOMUM CAMPHORA	CAMPOR TREE	REMAIN
21	CINNAMOMUM CAMPHORA	CAMPOR TREE	REMAIN
22	CINNAMOMUM CAMPHORA	CAMPOR TREE	REMAIN
23	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
24	PYRUS CALLERYANA	CALLERY PEAR	REMAIN
25	NEROLIUM OLEANDER	OLEANDER	REMAIN
26	NEROLIUM OLEANDER	OLEANDER	REMAIN
27	NEROLIUM OLEANDER	OLEANDER	REMAIN
28	NEROLIUM OLEANDER	OLEANDER	REMAIN
29	NEROLIUM OLEANDER	OLEANDER	REMAIN
30	WASHINGTONIA ROBUSTA	MEXICAN PAN PALM	REMAIN
31	WASHINGTONIA ROBUSTA	MEXICAN PAN PALM	REMAIN
32	WASHINGTONIA ROBUSTA	MEXICAN PAN PALM	REMAIN
33	LAGERSTROEMIA INDICA	ORANGE MYRTLE	REMAIN
34	LAGERSTROEMIA INDICA	ORANGE MYRTLE	REMAIN
35	LAGERSTROEMIA INDICA	ORANGE MYRTLE	REMAIN

INFORMATION PER FULL ARBORIST REPORT PREPARED BY JAVIER CABRAL CONSULTING ARBORIST, AND DATED OCTOBER 5, 2020.

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.	REMARKS	WUCOLS IV REGION 2
	AGAVE VILMORINIANA	OCTOPUS AGAVE	5 GAL.	6	AS SHOWN	L
	DIANELLA HYB "CLARITY BLUE"	CLARITY BLUE DIANELLA	5 GAL.	51	2'-0" O.C.	?
	DIETES VEGETA	FORTNIGHT LILY	15 GAL.	343	3'-6" O.C.	L
	HESPERALOE PARVIFLORA "YELLOW"	YELLOW YUCCA	5 GAL.	33	3'-0" O.C.	L
	LEYMUS ARENARIUS "BLUE DUNE"	BLUE DUNE LYME GRASS	5 GAL.	366	2'-6" O.C.	?
	MUHLENBERGIA HYB "PINK FLAMINGO"	PINK FLAMINGO MUHLY	5 GAL.	52	2'-6" O.C.	L
	OLEA EUROPAEA "LITTLE OLIVE"	DWARF OLIVE	15 GAL.	8	4'-0" O.C.	VL
	PENNISETUM "EATON CANYON"	DWARF RED MOUNTAIN GRASS	5 GAL.	456	2'-6" O.C.	L
	PHORMIUM HYB DUET	NEW ZEALAND FLAX	5 GAL.	127	2'-0" O.C.	M
	SENECIO SERPENS	BLUE CHALKSTICKS	1 GAL.	411 SF.	15" O.C.	L

GRAPHIC SCALE



Chick-fil-A
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Atlanta, Georgia
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Atlanta, Georgia
30349-2998

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Ordinances f.

TO: Honorable Mayor and City Council

FROM: Virginia Gennaro, City Attorney

DATE: 1/26/2021

WARD:

SUBJECT: Rescission of the following Ordinances:

1. Rescission of Ordinance No. 5023 amending Section 6.08 of the Bakersfield Municipal Code relating to Fowl and Rescission of Ordinance No. 5032 which created Chapter 6.09 Relating to Hens in the R-1 Zone.
2. Rescission of Ordinances (Clean-ups) amending the Bakersfield Municipal Code as follows:
 - Ordinance No. 5024: Section 6.04.230 of the Bakersfield Municipal Code relating to Keeping of Noisy Animals.
 - Ordinance No. 5025: Section 6.20.010 of the Bakersfield Municipal Code relating to Maiming, Injuring or Killing of Animals.
 - Ordinance No. 5026: Section 15.68.070 of the Bakersfield Municipal Code relating to Dogs, Pets, and Livestock at Mobile Park Homes.
 - Ordinance No. 5027: Section 17.10.020 of the Bakersfield Municipal Code relating to R-1 One-Family Dwelling Zone.
 - Ordinance No. 5028: Section 17.12.010 of the Bakersfield Municipal Code relating to Residential Suburban Zones.
 - Ordinance No. 5029: Section 17.19.020 of the Bakersfield Municipal Code relating to RH (Residential Holding) Zone.
 - Ordinance No. 5030: Section 17.31.020 of the Bakersfield Municipal Code relating to M-3 (Heavy Industrial) Zone.
 - Ordinance No. 5031: Section 17.32.020 of the Bakersfield Municipal Code relating to A Agricultural Zone.

STAFF RECOMMENDATION:

Rescind Chapters 6.08, 6.09 and clean-up ordinances identified above.

BACKGROUND:

At the August 12, 2020 City Council meeting, Council directed staff to draft an easy-to-follow

ordinance that would allow hens in residential zones of the City. Council also directed staff to have the Legislative & Litigation Committee (Committee herein) review and discuss the draft ordinance before the September 23, 2020 City Council meeting.

On September 8, 2020, the Committee held a special meeting and listened to a PowerPoint presentation from the City Attorney's office explaining the new draft ordinance.

At the September 23, 2020 City Council meeting, Council had First Reading of the hen ordinance and chose Option 2 which allowed for:

- 4 hens for a 10 foot setback from offsite residential buildings.
- 6 hens for a 15 foot setback from offsite residential buildings.
- 8 hens for a 20 foot setback from offsite residential buildings.
- 12 hens for a 30 foot setback from offsite residential buildings.

It was further explained that regardless of the option chosen, first reading of some clean-up ordinances would also be needed to make sure the Code was consistent with the inclusion of hens. (listed above under Subject).

At the October 21, 2020 City Council meeting, Council had Second Reading of various hen ordinances, which would become operable in 30 days (November 20, 2020).

On November 2, 2020, City received a letter from Channel Law Group, LLP, representing Citizens for the Preservation of R-1 Zones (Petitioners) indicating their intent to file a Writ of Mandate under the California Environmental Quality Act (CEQA) alleging that the:

- City failed to comply with CEQA when it adopted the ordinance allowing hens within areas of the City zoned as R-1, R-S, R-H and A zones.
- Project is ineligible for both "common sense and the Information collection" exemptions.
- City was required to conduct an environmental analysis prior to adopting the ordinance.

On November 16, 2020, Petitioners filed said CEQA lawsuit.

On November 17, 2020, City received an email Notice of Intent to File a Temporary Restraining Order/Preliminary Injunction (TRO) from the Petitioners. Petitioners requested a stipulation from the City in return for a waiver of costs and fees associated with successful TRO relief.


On November 18, 2020, Council directed the City Attorney to stipulate to the TRO agreeing that the hen ordinances would not go into effect until the matter was resolved.

On January 20, 2021, City and Petitioners participated in a mandated settlement conference. On the same day, during Closed Session, Council was presented with the Petitioners' demands which were the following:

- Rescind the various hen ordinances;
- Conduct an appropriate environmental review without relying on exemption(s) if and when a new ordinance is pursued/adopted by the City; and
- Pay \$9,151.36 in attorneys fees

By a 6-1 vote, Council directed the City Attorney to place rescission of the hen ordinances on today's Council agenda. If approved, the rescission will be immediate and City will enter into a settlement agreement with Petitioners which will include the items above in return for a dismissal of the CEQA lawsuit.

ATTACHMENTS:

Description	Type
 Memorandum transmitting correspondence	Correspondence



CITY CLERK'S OFFICE
MEMORANDUM

January 29, 2021

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JULIE DRIMAKIS, CITY CLERK

**SUBJECT: CONSENT CALENDAR - ORDINANCES ITEM 8.f.
RESCINDING ORDINANCES REGARDING BACKYARD HENS**

This memorandum is to transmit correspondence submitted prior to the publication of the Agenda. The City Clerk's office received 20 emails in opposition of rescinding the Backyard Hen Ordinances and 13 items in support of rescinding said ordinances. Correspondence is enclosed as follows:

From	Position	Subject	Type	Received
Bill Descary	Support	Rescinding Hen Ordinances	email	Friday, January 29, 2021
Brenda Smith	Support	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Brian Taylor	Oppose	Rescinding Hen Ordinances	email	Wednesday, January 27, 2021
E.B. "Jodi" Clark	Support	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Emily Clark	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Erin Sorena	Oppose	Rescinding Hen Ordinances	email	Wednesday, January 27, 2021
Garry Simmons	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021
Gisel	Oppose	Rescinding Hen Ordinances	email	Wednesday, January 27, 2021
Haley Krouse	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Hannah Fortin	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Jair Hernandez	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
John Denvir	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021
Jorge Valdez	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Joseph Kandle	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021
Juan Lopez Lepe	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Julie Denvir	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021
Kalli Beckwith	Oppose	Rescinding Hen Ordinances	email	Wednesday, January 27, 2021
Karen Crawford	Support	Rescinding Hen Ordinances	email	Thursday, January 21, 2021
Kim Jones	Support	Rescinding Hen Ordinances	email	Thursday, January 28, 2021

Kim Ouska	Oppose	Rescinding Hen Ordinances	email	Sunday, January 24, 2021
Larry Rhoades	Support	Rescinding Hen Ordinances	email	Friday, January 22, 2021
Lori Carrillo	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021
Marsha Boland	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Michael Garcia	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Michelle Harp	Oppose	Rescinding Hen Ordinances	email	Wednesday, January 20, 2021
Myra Benitez Virrueta	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Nancy Romero	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Nicole Lewis	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Olina Garcia	Oppose	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Sammy	Oppose	Rescinding Hen Ordinances	email	Tuesday, January 26, 2021
Sean Starr	Oppose	Rescinding Hen Ordinances	email	Friday, January 22, 2021
Terry Maxwell	Support	Rescinding Hen Ordinances	email	Thursday, January 28, 2021
Tim Carrillo	Support	Rescinding Hen Ordinances	letter	Friday, January 29, 2021

Attachments

JD

From: wcdescary@aol.com
To: [City Council](#)
Subject: All Councilmembers
Date: Friday, January 29, 2021 10:34:34 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

COVID-19 health concerns prevent me from being a public speaker.

Councilmembers:

I am in support of the Council's decision to rescind the hen ordinance. The ordinance changed R-1 zoning rules on over 85,000 parcels without a properly noticed public hearing and an environmental impact report. Participation at public meetings continues to be limited by COVID-19 pandemic rules. The hen ordinance never should have been considered under these circumstances.

Regarding hen ordinance advocates being in the majority - a small well organized special interest group is not a majority. There have been no official surveys or public opinion polls to establish any sort of majority status. Calling themselves a majority is ridiculous. Existing R-1 rules are being subjugated for the wishes of a few.

Municipal Code concerning text amendments to zoning rules was ignored. Likewise, such a sweeping change to zoning rules is not exempt from longstanding CEQA requirements. The group effectively lobbied the Council to get four votes and achieve their goal.

Rescinding the hen ordinance will avoid a lengthy and costly CEQA lawsuit. To maintain a satisfactory quality of life for all Bakersfield residents, the City Council and staff need to focus on public safety, housing, economic opportunity and assure Measure N money is spent wisely.

Bill Descary

From: [Brenda Smith](#)
To: [City Council](#)
Cc: [Brenda Smith](#)
Subject: Hens in City Limits
Date: Tuesday, January 26, 2021 5:47:03 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Councilman Smith,

Again, I am imploring you to reconsider your support of residential hens within the city limits. Here are my concerns:

- 1) I walk by a residential neighborhood which is located in the county. There is a sudden change in the "smell" around a home that has hens in their backyard. I know they have them because I can hear them and I see the top of their coop. When I moved here, I knew we would be dealing with "cow smells" periodically depending on the wind, etc. I never expected we might be in a situation to have to deal with chicken smells.
- 2) Another property In the county I walk by periodically throw their hens excrement over their wall onto the dirt behind their property which is along a major thoroughfare. I don't want to have to deal with inconsiderate chicken owners in our city - and we all know there will be some.
- 3) When we moved here 25 years ago, we made the decision to buy a home within the city limits due to the desire to have ordinances that make for more harmonious neighborhoods. We live very close to county neighborhoods; our decision was deliberate to buy in the city.
- 4) Our city employees have enough work to do enforcing current codes. If hens are allowed, I do not believe for one minute that they will have the time to deal with the complaints I am certain they will receive.

City residents should not have to deal with hens in our neighborhoods. There are plenty of county homes people can move to and enjoy their birds, animals and other things that the city won't allow. If some city residences need hens so bad, they have options. One option should not be to push their desire for hens on the rest of us.

Finally, I don't know if this is true or not, but we have heard that you live in a gated community with a HOA. IF that is the case, the likelihood of you having to deal with this issue as a citizen of our city will most likely be eliminated as I have a hard time believing they will allow them. So please, don't push this issue onto those of us who do not have a HOA.

I hope you will listen to my concerns and make the proper decision for our city. Please understand that I am in no way affiliated with any organized group, or even know who they are. I am just a VERY CONCERNED city resident.

Regards,
Brenda Smith
1401 Galliard Ct.

Sent from my iPad

From: [Brian Taylor](#)
To: ken@hawcpas.com; [City Council](#); [Christian Clegg](#); [bakersfield mayor](#); [Virginia "Ginny" Gennaro](#)
Subject: Concerns and Questions Re: Feb. 3 Vote on Backyard Hens Ordinance
Date: Wednesday, January 27, 2021 10:11:13 AM
Attachments: [ChickenCoop Presentation.pdf](#)

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Morning All-

I write to you all on behalf of my family's issues and concerns surrounding the suspension of and the February-third pending threat to re-vote on the backyard-hens ordinance passed on or about 24 September, 2020. I have attached a PDF that includes both a letter and some images and dates of the progression and cost of our preparations for having backyard hens. Please read that letter. If you feel this email is too long, as it has more details than this email along with some background information on a prior experience with backyard chickens.

The short(ish) story is that, because of your passage of the ordinance and our desire to own hens, we jumped on the opportunity to raise six hens for eggs and also for therapy for our teenage son (he's on the Autism Spectrum) and basically as pets for our 7-year-old daughter. Over the span of about a month-and-one-half, I designed and built a coop with an attached enclosed run (see PDF), spending many hours and about \$1,000 overall in the process. We had friends raising chicks for us until the point where we could bring them onto our residential property.

We brought the chickens home on November 22, a day after the ordinance was supposed to go into effect per the ordinance's language. It was not until a few days after that when we learned of the suspension--a suspension put in place less than 48 hours prior to the effective date.

I know that I am not alone in being in this position where many hours and hundreds, if not thousands, of dollars were spent in preparation for the ability to own backyard hens based on the actions of the City Council. And the only reason seems to be the threat of lawsuit; a lawsuit from an anonymous party or parties over an environmental study that is already proven to be irrelevant concerning this particular issue. Many municipalities in California have already established this precedent.

I see the lawsuit as frivolous, and I see the severe lack of notice on the suspension to be irresponsible and problematic for so many of us residents who enthusiastically acted on the benign practice of raising hens on residential properties. The claims and fears in the litigation appear to be unfounded, but all of the support and evidence surrounding the benefits of raising hens is not. I wholeheartedly ask that all of you do what you can to uphold the passed ordinance as it stands, but if you are unwilling (I know that we have two new members of council), I ask that you consider negotiating changes in lieu of completely reneging on the ordinance altogether and ignoring what seems to be the majority voice of the residents.

Please take the time to look at my PDF, as this is not the first time, amazingly, that we have experienced an issue with the dangled carrot of backyard hens, then to have it (potentially) yanked away after a significant investment of time and money. The benefits of raising hens far

outweigh the trumped-up concerns of the anonymous plaintiffs, and in the February 3rd meeting, there will be many of us ready to speak on that truth (probably enough that I would ask for an extension on the time allotted to hear our concerns).

And to be honest, I'm surprised and disappointed that the threat of an anonymous lawsuit was enough to supersede and potentially negate both the majority voice of the residents who care about this issue and the ruling of the City Council. I hope that the Council chooses to stand up for the will of its residents and not give up in the face of litigious anonymity.

Thank you for your time, and please feel free to reach out directly to me if you desire. If not, I will see you on February 3rd.

Sincerely,

Brian Taylor
931.338.4375

THE OTHER SIDE OF THE BACKYARD-HEN DEBATE

City Council Members and Other Included Government Officials:

Our names are Brian and Christina Taylor, and our family has recently returned to Bakersfield after 22 years of living in Germany, Tennessee, and Kentucky due to military service. While living in some of those areas, we were introduced to the idea of backyard chickens. After research and knowing friends who had hens, we decided to take the plunge ourselves for the benefit of fresh eggs and because we saw how our son, who is on the Autism Spectrum, positively reacted to the animals and the chores around taking care of them.

After calling the city in which we lived and being told that this was allowed, we spent about \$600 on supplies and spent many hours building a coop, and we introduced chickens to our backyard only to be told by a government agency that, even though the city in which we lived did not prohibit backyard chickens, we would have to get rid of them because they were choosing to default to county zoning ordinances that prohibited the practice in residential neighborhoods.

This angered and devastated our family, but mostly our son. Fast forward 10 years to late-September, 2020, and we were excited to find out that the Bakersfield City Council had passed an ordinance to allow residential backyard hens; we considered this our second chance.

We jumped on the opportunity, and in mid-October began designing and building a coop with an enclosed

chicken run—5'6" by 12'—for six chickens. We designed it on Google SketchUp and started building it, and over the span of about five weeks of mostly weekend and intermittent evening building, the coop was far enough along that we could move some chickens in on November 22, the day after the ordinance took effect.

Well, that's what we thought.

A couple days after bringing our chickens home, we discovered that the ordinance had been suspended on or about one day before it was to go into effect, leaving very little time for those of us who had put things in motion to even know about the suspension, let alone stop what we were doing or recoup some of the costs.

We now find ourselves teetering on the verge of seeing ±\$1,000 of our hard-earned money and well over 100 hours of effort flushed down the drain because of an anonymous lawsuit concerning an environmental study—a study that has proven itself unnecessary based on the precedent set in many other municipalities here in California.

We understand the desire and need to be good stewards of our tax dollars when it entails threats of litigation, but what happens when council actions cause residents to spend hundreds or thousands of dollars in preparation for things based on the passage of ordinances, just to see our time and money potentially wasted by threat of repeal? What is our recourse, other than to write letters, make phone calls, and show up to meetings? In which party does

the balance of power lie when the deciding factor is either a costly lawsuit or citizens who are out their own money because of eleventh-hour ordinance suspensions? Are we forced to now seek recompense in small claims court, which also has the potential to cost the taxpayers an amount similar to attorney fees?

We ask that you please understand how the positives of backyard chickens heavily outweigh the negatives, and that if noise and sanitation issues are the primary concerns, neighborhood cats and dogs are far worse offenders (as is proven by what we have to avoid on sidewalks during our nightly dog walks).

We ask you all, on behalf of ourselves and others who are in a similar position because of this ordinance suspension and threat of repeal, please do not renege on the ability for us to own backyard hens within city limits. The pros far outweigh the cons, as we're sure has been previously demonstrated, and will most likely be demonstrated again on Feb. 3.

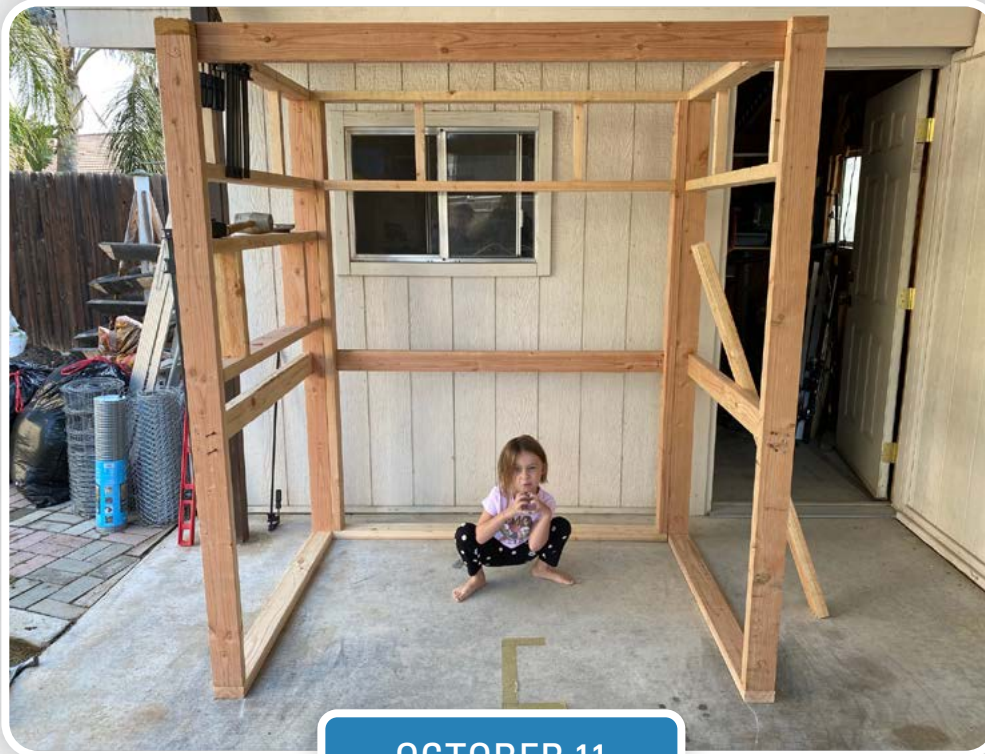
Thank you for your consideration, and we look forward to you reaffirming the vote to allow backyard hens.

Sincerely,

Brian and Christina Taylor
931.338.4375

(Attached are images and dates of the progression of the coop build as well as other notes, to show the amount of work involved and the finished product)

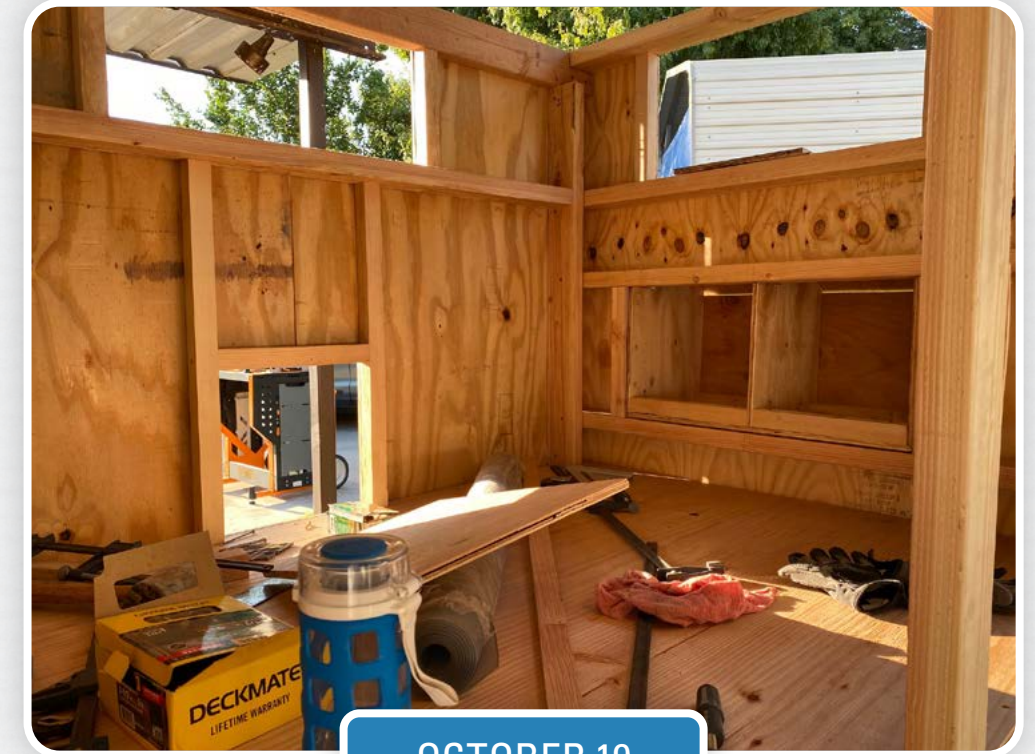
TOTAL PERSONAL INVESTMENT: **±\$1,000** AND **WELL OVER 100 HOURS**



OCTOBER 11



OCTOBER 12



OCTOBER 19



OCTOBER 19

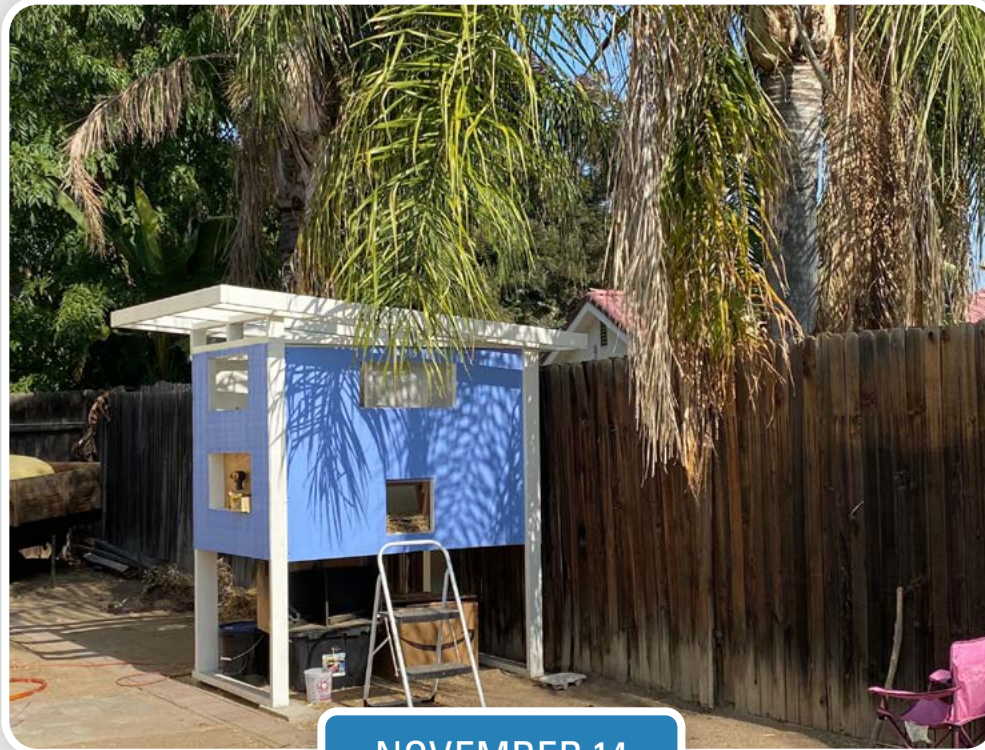


OCTOBER 19



OCTOBER 26

TOTAL PERSONAL INVESTMENT: **±\$1,000** AND **WELL OVER 100 HOURS**



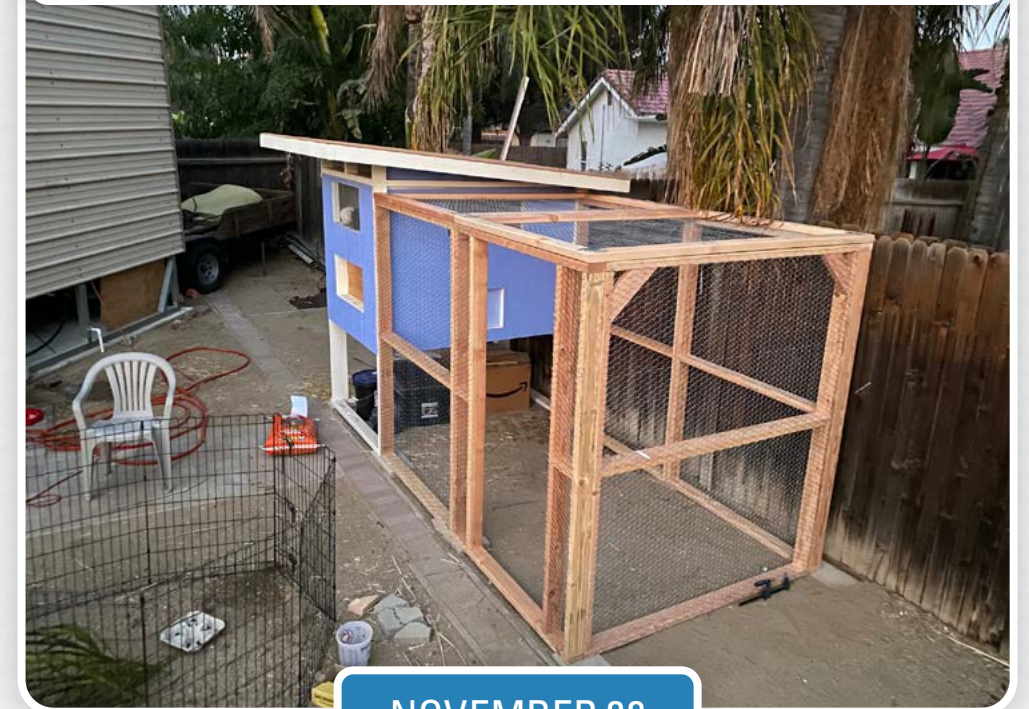
NOVEMBER 14

Apparent date of suspension of related city ordinance in response to lawsuit over environmental study.

While it was apparently noted on local news and social media, we did not discover news of it until after we had brought our chickens home on November 22.

NOVEMBER 19

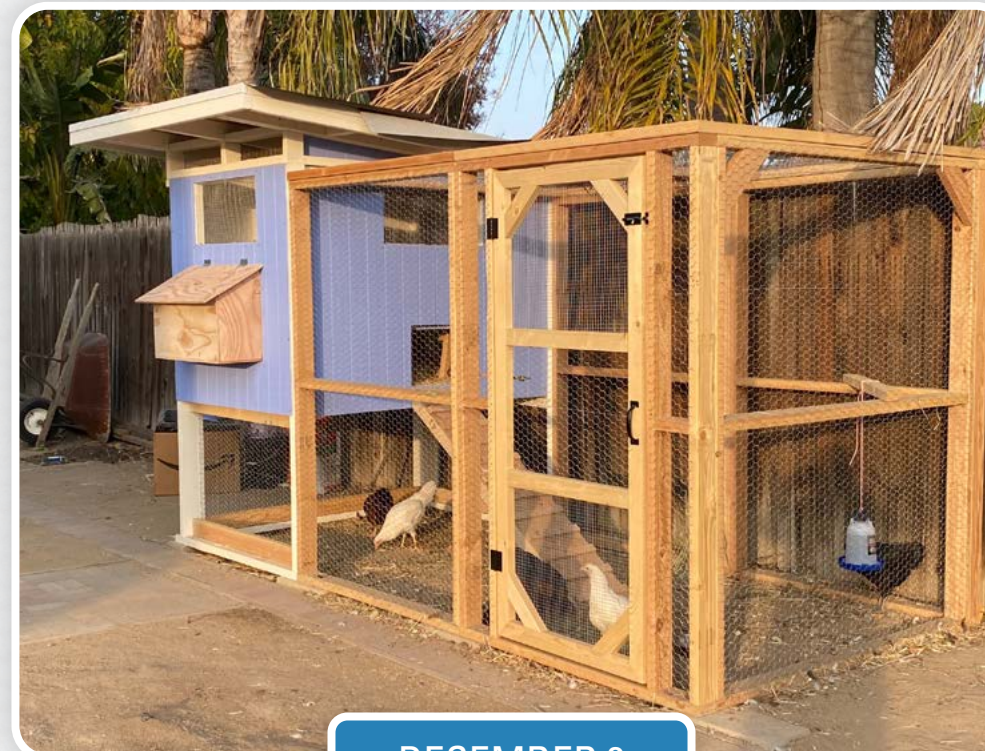
CHICKENS BROUGHT HOME, INTRODUCED TO COOP



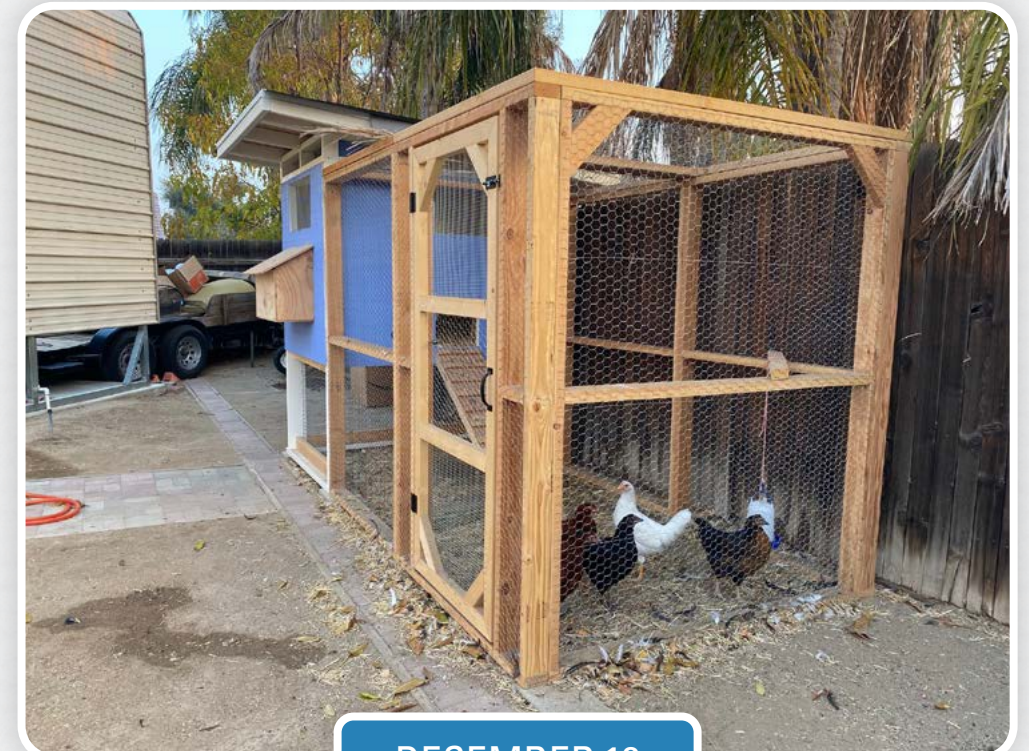
NOVEMBER 22



NOVEMBER 27



DECEMBER 6



DECEMBER 18

From: [Bill Clark](#)
To: [City Council](#)
Subject: All Council Members
Date: Thursday, January 28, 2021 3:30:36 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

All Council Members

Bakersfield City Council

Re: Proposed "Chicken Ordinance"

Dear Sir or Madam:

I and my husband purchased an R-1 home in The Oaks more than 30 years ago. The R-1 zoning did not allow for the keeping or raising of agricultural type animals. The majority of Bakersfield residents who purchased an R-1 home did so with the expectation that the city would enforce the zoning.

Many of us in this city have the misfortune of having developed a chronic disease which requires routine use of medication that suppresses the immune system. This includes those with rheumatoid arthritis, lupus, fibromyalgia and other diseases. This makes your decision on this ordinance even more important to a great number of us.

I realize that many chicken proponents are conscientious and would do their best to keep their property clean and dust free. However, no one can control the winds in this valley. Unfortunately, there are also people in this world who are not sufficiently motivated in the first place to be good neighbors.

If some residents desire to keep animals not allowed on R-1 lots, they are free to move to other areas of this community zoned to accommodate their desire. Those who do not want to live next door to such animals can only opt to move to another city.

You should also consider the distinct possibility of future lawsuits. Taxpayers will not want to pay for the indefensible decision to change the R-1 zoning for **all** city residents for the benefit of a **few** who knew in advance of their home purchase that chickens were not allowed on R-1 lots.

E.B. "Jodi" Clark
2308 Gambel Oak Way
Bakersfield, CA 93311
661-664-7814

From: [Emily Dawson](#)
To: [City Council](#)
Subject: Re: Support for Bakersfield Urban Hens
Date: Tuesday, January 26, 2021 9:49:12 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council,

I've been dismayed to hear that after all the hard work of due process of law, and the passage of the hen ordinance, that rescinding is now under consideration. And in response to a lawsuit that has no precedence in other cities who have successfully adopted similar ordinances? Such a frivolous lawsuit should not have the power to bully the City. If amendments to the ordinance are needed, so be it; there is a large grassroots community who support backyard hens and are willing to continue collaborating to find the best solutions. But you can not just rescind and sweep this under the table!

Best,

Emily Clark
6808 Segura Way
Bakersfield, CA 93309

On Tue, Sep 22, 2020 at 1:20 PM Emily Dawson <edawson@westmont.edu> wrote:

Dear City Council,

I'm writing to you today to affirm my support for the urban hen ordinance. I was born and raised in Bakersfield and am now a new homeowner here, moving back after seven years away. I'm looking forward to raising a family here, and I hope we can add a future chicken coop as part of our new home! Thank you for all you do.

Best,

Emily Clark
6808 Segura Way
Bakersfield, CA 93309

From: [Erin Sorena](#)
To: [City Council](#)
Subject: UPHOLD THE HEN ORDINANCE
Date: Wednesday, January 27, 2021 2:55:46 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

January 25, 2021

21 JAN 29 PM 1: 25

Bakersfield City Council Members,

BAKERSFIELD CITY CLERK

I am in strong support in agreement of the city council's decisions to rescind the hen ordinance.

Rescinding this ordinance provides the citizens of Bakersfield assurance their personal health, personal financial investments in their homes and the harmony of their neighborhoods will be protected by responsible city government and city staff.

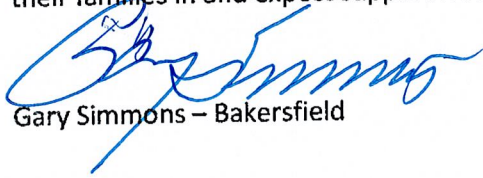
Items of major concern to the opposing backyard hen ordinance:

1. The city council has been provided scientific data educating citizens of the health hazards regarding back yard chicken habitats.
 - a. The number one at risk group in the population are elementary school aged children.
 - b. The number two at risk group in the population are adults 65 and older.
2. The state of California veterinarian provided information to a member of the opposition group regarding the recent 2.5 year chicken epidemic south of the grapevine in the Los Angeles area. 1,100,000 chickens were diseased, died and were euthanized in order to control the epidemic from spreading. This epidemic continued until mid-year of last year.
3. The Kern County fair board discontinued poultry exhibitions because of the epidemic.
4. Hospital administrators, medical professionals and first responders have all provided past letters to the city council in opposition to allowing chickens in the back yard environment especially in the COVID 19 pandemic.
5. The state board of realtors and the local Bakersfield board of realtors provided the city council over 13 pages of documentation with an attempt to educate the city council their opposition position and why. The local association is comprised of over 2,300 members.
6. The builders association with hundreds of members provided a letter of opposition to the city council.
7. The Bakersfield city council was informed by popular local radio talk show staff that they believe the leadership of the proponent intentionally attempted to manipulate the survey.
8. The leadership of the proponent group intentionally broke the law in the past and illegally raised chickens in the backyard.
9. Another proponent member that claims she was a responsible chicken owner intentionally broke the law. The city of Bakersfield instructed her to remove the chicken flock because of the neighborhood complaints regarding rat and rodent infestation.

The proponent is presenting false and misleading information to the city council regarding the comments "majority of the citizens are in favor of backyard chickens". There is no data base provided to the city council to support these false and misleading statements and presentations.

There are over 85,000 R-1 real estate parcels in Bakersfield, California. On line statistics indicate a Bakersfield household has 3.1 residents per household. This adds up to 265,000 people that could be affected by a false and misleading presentation from a very small group of people with no scientific data, no professional expertise and no medical expertise for support.

Thank you again for your outstanding decision to rescind the hen ordinance. It was the right decision for you to make on behalf of all citizens investing and maintaining the individual neighborhoods they raise their families in and expect support from their city council.

A handwritten signature in blue ink, appearing to read "Gary Simmons", with a stylized flourish extending from the end.

Gary Simmons – Bakersfield

From: [Gisel](#)
To: [City Council](#)
Subject: Hens
Date: Wednesday, January 27, 2021 8:29:06 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support Chicken hens.

Sent from [Mail](#) for Windows 10

From: [Haley Krouse](#)
To: [City Council](#)
Subject: Attn Patty Gray
Date: Thursday, January 28, 2021 11:29:09 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello,

I am reaching out to Patty Gray to ask that she please honor the vote of her predecessor RE: backyard hens. Allowing the families of Bakersfield the joy and utility of keeping hens shouldn't even be a question. The lessons that children and adults alike learn when caring for animals can't be matched. I send this as a Democratic voter, and someone who has no backyard hens - I merely wish to see my community represented fairly and accurately.

Thank you,

Haley Krouse Woggn

Sent from my iPhone

From: [Hannah Fortin](#)
To: [City Council](#)
Subject: Council Member Ward 5 -Freeman
Date: Tuesday, January 26, 2021 12:12:37 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Afternoon Councilman Freeman,

I am writing you today in regards to the absurd idea that Bakersfield City Council is considering rescinding the Hen Ordinance that we fairly, politely, and publicly, worked very hard to pass. I fail to see how this unwarranted CEQA lawsuit by an anonymous group is doing anything but bullying city council members into taking back what our democratic process has awarded our beloved city. I urge you and your fellow council members to please consider the true intentions of the lawsuit. Many larger cities, including San Diego, have agreed and set precedent that backyard hens do not violate CEQA and are actually of great benefit to a community. I have been a member of your ward for almost ten years, and I can't wait to share fresh eggs with my neighbors. There's even a few dozen in it for you someday! Please contact me via e-mail or you may call my cell phone.
Have a wonderful day!

Sincerely,
Hannah Fortin
(760)587-5446

From: [Jair Hernandez](#)
To: [City Council](#)
Subject: Hello my name Jair Hernandez I support backyard hen
Date: Tuesday, January 26, 2021 11:56:49 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

This is a student email account managed by Kern High School District. The contents of this email are governed by the laws of the state and the board policies of the school district.

21 JAN 29 PM 1:25

BARBARA GONZALES



January 29, 2021

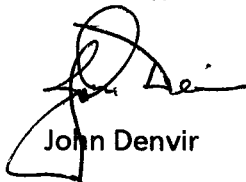
Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



John Denvir

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Jorge Valdez](#)
To: [City Council](#)
Subject: For Backyard Hens
Date: Tuesday, January 26, 2021 11:54:09 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello. I would like to vote for backyard hens in Bakersfield. The reason for that is because there are many families here with animal farms, and since chickens are a popular meat, it would really help them with their business.

This is a student email account managed by Kern High School District. The contents of this email are governed by the laws of the state and the board policies of the school district.

BAKERSFIELD CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 3, 2021
COMMENTS REGARDING REPEAL OF PROPOSED
HEN ORDINANCE
"R-1 BACKYARDS, NOT BARNYARDS"

21 JAN 29 PM 1:25

BAKERSFIELD CITY CLERK

Dear Council Members:

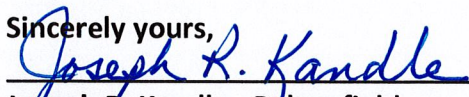
I am aware that on Wednesday, January 20th at your 3:00 Council Meeting that the City Council voted 6 to 1 to rescind the Hen Ordinance based on a legal action by a group noted as "Citizens for the Preservation of R-1 Zones" questioning the City's "Common Sense" exception in enacting the newly modified Ordinances of the long enacted and practiced 50-year old 1971 California Environmental Quality Act (CEQA).

I, personally, 100% agree with the Wednesday, January 20, 2021 vote of Council's 6 to 1 vote to rescind those series of ordinances passed on Wednesday October 21, 2020, and, I am very sure that a majority of those owning +/-85,000-R-1 single family parcels, which by the City's own published demographics of 3.1-persons per parcel constitute 263,000 of the City's citizenship of 378,000 persons or 70% of the population, would agree, if put to a vote.

I sincerely DO NOT believe the environment impacts of (1) impending transmittable disease, (2) odor, and the (3) noise aspects on 85,000 R-1 single family resident parcels were seriously considered environmentally in enacting the October 21 Ordinances in having reviewed the City's data base. The aspect of turning 85,000 backyards into barnyards with up to 12 daily roaming chickens would seem to be planting the seeds for a serious ever-present citywide environmental degradation issue especially regarding human health of the young and old. I am sure homeowners surrounded by multiple parcels with 12 roaming chickens would be greatly environmentally impacted, and, in the event of a desired sale, their property value would be materially reduced or the potential sale ceased once the buyer was informed of the multiple surrounding barnyard conditions.

As has been stated multitudes of times by a multitude of different parties, including your own City Planning Staff, by keeping the current ordinance in force, the Council maintains (1) the longstanding quality of life expected and (2) invested into its R-1 Zones and the City its responsibility to protect the (1) health, (2) welfare and (3) tranquility of its R-1 citizens of Bakersfield, which the existing Ordinance has done well for 103-years since 1918 with no outbreaks or serious problems occurring to the best of my knowledge.

Sincerely yours,



Joseph R. Kandle - Bakersfield

From: [Juan Lopez Lepe](#)
To: [City Council](#)
Subject: Backyard hens
Date: Tuesday, January 26, 2021 10:44:37 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hello, My name is Juan Lopez-Lepe and I support backyard hens. Please follow the wishes of the last city council and the majority of bakersfield residents. Backyard hens are a reasonable pet that also provide food. Thank you.

This is a student email account managed by Kern High School District. The contents of this email are governed by the laws of the state and the board policies of the school district.

21 JAN 29 PM 1:25

BARNSVILLE CITY CLERK



January 29, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,

Julie Denvir

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Kalli Beckwith](#)
To: [City Council](#); [bakersfield mayor](#); [Virginia "Ginny" Gennaro](#)
Cc: smorgen@bakersfield.com
Subject: Uphold the Backyard Hen Ordinance
Date: Wednesday, January 27, 2021 2:43:07 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Members, Mayor Goh, Ms. Gennaro, and Mr. Clegg:

I hope this finds you well. Those of us residents who support the Backyard Hen Initiative are deeply concerned about the consideration to rescind the previously approved ordinance that allowed backyard hens; from what we understand about the recent closed session, a majority were in favor of voting to rescind it at the upcoming meeting on February 3.

The anonymous group who has sued the city with a frivolous environmental lawsuit citing CEQA violations has subverted the democratic process that was fairly and legally completed in 2020.

This group - "Citizens for the Preservation of the R-1 Zones" - has NO history of advocacy for the environment and remains anonymous. Their lawyers in Beverly Hills have zero intention of negotiating. This is a power play. Given the legal team for these "Citizens" has indicated that as long as there are "no hens" there will be "no lawsuit", I believe this is civil extortion. And the Council is about to play their game.

Their legal team has somehow already racked up \$9,000 in legal fees, with the threat of tens of thousands of more dollars the city will pay IF the city defends the lawsuit and loses. But bow to their demands by rescinding the previously approved hen ordinance, and the lawsuit goes away.

The lawyers of this anonymous group allege that there was a CEQA violation due to the "common sense" waiver being used in the hen ordinance. This waiver has been used many times by other cities throughout California. It means that common sense says that backyard hens in the homesteads of city residents who choose to keep them will not have a significant effect on the environment. The fundamental definition of significant effect under CEQA is "a substantial adverse change in physical conditions." We believe that it's impossible for backyard hens in private homes to have a substantial adverse change in the physical environment of the city. Given the information and evidence our group of community supporters has gathered, along with the knowledge that the City has previously defended itself against similar lawsuits, we believe the potential to win is much stronger than the potential to lose. The Council should NOT rescind the hen ordinance and should fight to defend themselves in this lawsuit, as well as uphold the ethical obligation to its constituents and preserve the fair and democratic practice that is at stake here.

If a \$9,000 potential lawyer bill out of the \$543 MILLION dollar operating budget for the City of Bakersfield is that scary, then where does it end? People may start calling up their lawyer friends more often.

Obviously we are extremely disappointed given the overwhelming support demonstrated for backyard hens over the months-long, thorough process that took place to get the ordinance passed, as well as the majority council vote that officially approved the ordinance in November 2020.

The fact that one small group of disgruntled folks has put the city in the position of having to choose between fighting a costly legal battle to uphold a previously approved ordinance or caving to the lawyers and rescinding the ordinance is not only outrageous, but sets a terrible precedent for the future.

Council members are supposed to represent and serve the community. Our elected officials have a responsibility and obligation to work with the majority public. The city of Bakersfield has an obligation to do its due diligence and fight this lawsuit. The cost to the taxpayers is extremely unfortunate, but the opposition has left NO choice given that they are not willing to negotiate at all. A lawsuit from an anonymous party who is not willing to come to an agreement, entertain a conversation, or negotiate in any way seems to be one that is clearly perpetuated for the sole intent of what it's about to achieve: shutting down a policy they disagree with and flexing their muscles for community and political influence.

Please know this: the community members who support backyard hens are willing to negotiate. We are willing to discuss reasonable revisions to the ordinance, particularly those that may be most concerning like allowing hens to free range, or the amount of hens allowed based on square footage. We believe we could all come to an agreement that serves the community, protects food sovereignty, expands on the list of current approved backyard pets, and makes a minimal impact to the city residents.

We are here to hold you accountable. I encourage the newly elected council members to review the many previous meetings that the council held where the community voiced their support, as well as read the record of letters and phone calls surrounding this issue. The workshop process first began in June 2020. The first vote approving the first draft of the ordinance took place in October 2020. At that time, there was no mention of CEQA at all; in November 2020 prior to the second and final vote, one council member became concerned with it moments before voting and did indicate they'd be faced with a lawsuit if they voted to approve it. Although this (partially) new Council may not have heard from us recently (because we believed this ordinance was, although tabled by a lawsuit, at least safe from being rescinded!), we were the majority.

It is egregious to think that our city council would not be willing to defend against this frivolous lawsuit, both for the sake of backyard hen ownership and protecting the democratic process from future muscle-flexers and political influencers.

We implore the Bakersfield City Council to not rescind the ordinance and to continue to work with the community to come to a resolution regarding backyard hens. If it must defend itself in a lawsuit, then it must. Not because backyard hens caused this, but because a few disgruntled people lawyered up and put the pressure on. Don't cave to this bad practice and the bad precedent that will follow.

In closing, I'd like to remind you of the other cities in California that allow backyard hens in homes that are less than 1 acre:
San Diego

Santa Rosa
Long Beach
Oxnard
Murrieta
Citrus Heights
Elk Grove
Stockton
La Mesa
Hanford
San Francisco
Los Angeles
Pasadena
Glendora
Chino
Rancho Cucamonga
Monterey Park
San Marino
Santa Fe Springs
Sacramento
Folsom
Porterville
San Jose
Santa Maria
San Luis Obispo
West Covina
Fullerton
San Clemente
Laguna Niguel
Roseville

I know progress can be a little slower in our big small town, but the opposition to such a simple issue allowing families to raise hens and collect their own eggs is embarrassing.

Sincerely,

Kalli Beckwith

Kalli Beckwith, M.S., BCBA
kallibeckwith@gmail.com
(661) 301-1443

"If better is possible, good is not enough."

From: [Karen Crawford](#)
To: [City Council](#)
Subject: chicken ordinance
Date: Thursday, January 21, 2021 4:21:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please DO NOT approve the "chicken ordinance."

I have lived by chickens in the past and it is horrible. Not only the noise, but the smell and flies.

Please repeal the backyard hen ordinance.

Thank you!

From: [Kim Jones](#)
To: [City Council](#)
Subject: Ward 5
Date: Thursday, January 28, 2021 3:46:05 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Please rescind the chicken ordinance. We have zoning laws for a reason. If people want to live in a zone that accepts farm animals they can move to that zone. I personally have lived in both. Please be a responsible council member and follow our zoning laws or ordinances.

Thank you,
Kim Jones
9715 Gold Dust Drive

Sent from my iPad

From: [Kim Ouska](#)
To: [City Council](#)
Subject: Backyard Hen Ordinance
Date: Sunday, January 24, 2021 8:15:56 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council members,

I am appalled that you would allow yourselves to be bullied into changing the ordinance that was already decided by the majority of residents simply because a lawyer threatened a lawsuit. As our city council members, your jobs are to honor the wishes of the majority, not to give in to people who throw money at something they dislike. What happens next time you make a decision and some small group hires a lawyer because they are unhappy. The precedence this would set is unimaginable.

As a separate part of the issue, many residents trusted the city council at your word and have already spent thousands of dollars building chicken coops and runs, as well as purchasing chicks. While the ordinance's passing was publicized, the 'delay' was not. So how will you address people who have spent a lot of time, money, and energy following the law that you passed? Can we sue the city for our money back? Or for the hardship that would be caused by giving away pets?

Do not give into these bullies. There is no need to rush this decision. Let our local people work with the council to complete the environmental study, or work together to find a compromise. We deserve to use our land in ways that will make our families happy, especially since there is no negative affect on neighbors (no worse than dogs, cats and children already are). We are law abiding citizens asking you to be reasonable and trustworthy.

Please listen to us, and be our true representatives.
- Kimberly Ouska

From: [Kim Ouska](#)
To: [bakersfield mayor](#)
Subject: City Council
Date: Wednesday, January 27, 2021 11:08:42 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Madam Mayor,

I am appalled that the city council are considering rescinding the ordinance law abiding citizens lobbied to have pass. This anonymous group's lawsuit is unfounded, as many many California cities have used the same CEQA exemption to permit backyard hens. (including, but not limited to: Los Angeles, San Diego, Paso Robles, Clovis, Long Beach, San Bernadino, Atascadero, Oceanside, etc.) Rescinding due to the threat of lawsuit sets a dangerous precedent for the council when addressing future issues. Anyone unhappy with a decision will simply find an excuse to sue the city to get what they want - which is exactly what this group is doing (they have no history of environmental advocacy). The city council must have the backbone to stand up to these bullies, and do right by your citizens.

We are reasonably asking for more time to work with this "group" to find compromises - perhaps we can help fund the CEQA study, or provide more limits on the ordinance that would satisfy these people. If we are not given this consideration, it is highly likely that we will be hiring our own lawyer to sue the city as well - many of us have spent thousands of dollars building coops after the ordinance passed, and someone must be held responsible if this money goes to waste. We will not "give up" on passing this ordinance, and you will see many of us at the upcoming council meeting on February 3rd.

-Kim Ouska

From: [Kim Ouska](#)
To: [bakersfield mayor: City Council](#)
Subject: Hen Ordinance and CA Department of Interior statement
Date: Thursday, January 28, 2021 7:22:58 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council and other city officials,

I am writing today because I would like my family's opinion and the research I have found to be read and considered when the council makes their decision about the hen ordinance and the potential lawsuit that might be coming. We ask for more time and more research to be done before deciding a future of the backyard hen ordinance.

I am including a link to a statement from California Interior Health with regards to backyard hens. I will quote the most important line from the document, "Thus, Interior Health neither supports, nor is opposed to, allowing backyard chickens within municipal boundaries, if appropriate protocols are in place and enforced." Based on this statement, our city council would be safe in using the "common sense" exemption from conducting a SEQA study.

<https://www.interiorhealth.ca/YourHealth/HealthyLiving/FoodSecurity/Documents/Food-UrbanHens.pdf>

In addition, in all of my research, I have not found even one California City that has performed an Environmental Impact Report in order to approve backyard hens. Many cities have approved their own backyard hen ordinances using the same exemption the council has already stated. The current precedent stands with the previous decision to approve the ordinance.

I did find one city in Oregon that performed an environmental study. To summarize, their study did approve the backyard hen ordinance with specific stipulations. Here is a quote from page 4 of this study "1.4 RECOMMENDATION After considering the impacts of the three options, the preferred course of action is the Alternative Action Number One. We developed this alternative as a compromise between environmental degradation and important community values. After completing this EIA, we feel that the stipulations of this ordinance mitigate environmental impacts enough that the implementation of Alternative Ordinance Number Two, completely banning chickens, is unnecessary."

From pages 1-2, here is what they stipulated in their recommended ordinance "Alternative Ordinance Number One would entail chicken ownership through a new re-structured ordinance, limiting the number of chickens to twenty per acre, requiring that all chickens remain confined, and banning chickens in city limits that are part of the Lake Whatcom Watershed (Appendix 5.1.3). This 2 ordinance emphasizes proper waste management and acknowledges the Critical Areas Ordinance. Full disclosure of chicken ownership would be ensured by mandated permits, which would be obtained through the Whatcom Humane Society. We developed this ordinance based on the Best Management Practices (BMPs) suggested for small farms by the Whatcom Conservation District (WCD). They developed guidelines for small farmers to best mitigate manure impacts generated by chickens. We feel that the restrictions in this ordinance are an appropriate compromise between community values and environmental stewardship. Twenty chickens per acre (or five chickens per quarter acre, which is the average size of a city lot) will allow families to own enough chickens to meet their egg demand, while limiting the amount of manure produced to an amount that can be managed with BMPs."

https://cedar.wvu.edu/cgi/viewcontent.cgi?article=1055&context=huxley_stupubs&fbclid=IwAR1wDVeb9zkoDHTtd477SXEVSUZuM6oDMnVdTVE15-xt13MfKqDPD_OJmjQ

In summary, these resources demonstrate that there is significant reason to believe that the "common sense" SEQA exemption applies to the ordinance of backyard hens in Bakersfield. We implore you to allow us more time to research and produce facts to support the city council's previous decision.

From: [Larry Rhoades](#)
To: [City Council](#)
Subject: Chickens
Date: Friday, January 22, 2021 7:46:22 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I'm a constituent and I am adamantly opposed to allowing backyard chickens. This entire property value impact was fostered and pushed by a few individuals. There are 250,000 homeowners who will be negatively impacted!!!

Sent from my iPhone

21 JAN 29 PM 1:25

BAKERSFIELD CITY CLERK

January 29, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Lori Carrillo

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

From: [Marsha Boland](#)
To: [City Clerk](#)
Subject: Backyard Chickens
Date: Thursday, January 28, 2021 10:21:01 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I'm very upset over the city council's issues approving Backyard Chickens. My Grandaughter has had difficulty during this COVID, mostly missing playing with friends and getting together with family. 5 year olds need entertainment and play time. My Grandaughter's best friends are her three hens, Blanch, Dorothy and Rose. It would break her heart to lose her best friends especially during the quarantine we are going through. Please keep her in mind when you vote.

Thank you,
Marsha Boland

[Sent from Yahoo Mail for iPad](#)

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 2:11:27 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Gonzales,

First off, I would like to congratulate you on winning your seat on the Bakersfield City Council and for your continued support of our community and our backyard hen initiative.

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 2:05:50 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Arias,

First off, I would like to congratulate you on winning your seat on the Bakersfield City Council and for your continued support of our community and our backyard hen initiative.

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 03:00:45 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Council Member Rivera:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 1:58:49 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Gray,

First off, I would like to congratulate you on winning your seat on the Bakersfield City Council and for your continued support of our community and our backyard hen initiative.

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 02:58:35 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Council Member Sullivan:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 1:52:31 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Smith,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 02:57:01 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Council Member Smith:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 1:49:08 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Freeman,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 02:55:30 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Council Member Freeman:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Friday, January 29, 2021 9:42:05 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council Member Weir,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 03:02:51 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Council Member Weir:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michael Garcia](#)
To: [City Council](#)
Subject: Re: Support on Bakersfield Urban Backyard Hens
Date: Friday, January 29, 2021 9:41:58 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Vice Mayor Parlier

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you
Michael Garcia

On Thursday, July 2, 2020, 03:04:09 PM PDT, Michael Garcia <gigglesmainman@yahoo.com> wrote:

Dear Vice Mayor Parlier:

Please take a moment to visit the Facebook page "City of Bakersfield Backyard Hens" and the web page "Bakersfield Urban Backyard Hens" at: thebubh.wixsite.com/bubh

You will find factual and educational information regarding why so many cities in our nation and state are allowing single resident homes within city limits to own a limited number of backyard hens. Can I count on your support for this movement?

Sincerely,

Michael Garcia

From: [Michelle Harp](#)
To: [City Council](#)
Subject: Backyard Hens
Date: Wednesday, January 20, 2021 11:21:20 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Hi City Council of Bakersfield
I'm in support of backyard hens with in the R1 zone of Bakersfield.
Michelle Harp

From: [Michelle Harp](#)
To: [City Council](#)
Subject: Backyard hens in the R1 zone
Date: Wednesday, January 20, 2021 11:25:04 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I support having backyard hens in the R1 zone,
Michelle Harp
661-345-8682

Sent from [Mail](#) for Windows 10

From: [Michael Harp](#)
To: [City Council](#)
Subject: Support of backyard hens ordinance
Date: Wednesday, January 20, 2021 12:20:45 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear City Council members,

I am writing to you in support of the ordinance which was passed last year allowing backyard hens with restrictions. All of us who had supported this ordinance were devastated by this frivolous lawsuit brought on by a group of anonymous people. This carefully written ordinance will in no way effect the environment. Many more large cities in California have passed their own ordinances allowing backyard hens. Most did studies and found that in no way did it effect the environment. Larger cities like Los Angeles and San Diego came to that conclusion.

We have fought long and hard for this ordinance and it was passed last year. We would hope after the litigation that the city council would honor their original passage of this ordinance?

Thank you for you time,

Michael Harp

From: [Myra Benitez Virrueta](#)
To: [City Council](#)
Subject: harmless backyard chickens
Date: Tuesday, January 26, 2021 9:31:42 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I approve of backyard chickens, they are completely harmless, I will not vote for you if you think otherwise.

This is a student email account managed by Kern High School District. The contents of this email are governed by the laws of the state and the board policies of the school district.

From: [Nancy Romero](#)
To: [City Council](#)
Subject: Support on Bakersfield Urban Backyard Hens
Date: Thursday, January 28, 2021 6:42:28 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation. Thank you
Nancy Jean Romero

From: [Nicole Lewis](#)
To: [City Clerk](#)
Subject: Backyard Hens Here to Stay
Date: Thursday, January 28, 2021 9:57:45 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

I see you are still considering the cowardly option of repealing the ordinance and bowing to bullies. Some of you are the bullies themselves, drumming up all sorts of falsehoods about sickness and noise. The only noisy sickness here is your collective ignorance and astonishing lack of backbone.

It's a disgrace. Your board is a disgrace to this county and this country. Actions have consequences. Please expect that to be reflected next election session. You are dangerously close to failing to common Kern residents. We will not be failed again.

This will not go away. The local news media and grassroots social media will eviscerate your position publicly in protest until either you all get voted out or change your stand up for what is right.

Endorse the waiver for the environmental review, allow citizens to raise the money ourselves for ANY legal and environmental concerns (we'll get millions if that's what it takes. Give us the real number and let us show you how serious quickly we can get this settled. Or is the real reason not money and just dirty, corrupt grandstanding? I wonder) and/or give us what we fought and won legally in this agricultural, food stamp heavy town. There are consequences for both action and inaction.

Act accordingly.

From: [Olinda Garcia](#)
To: [City Council](#)
Subject: Backyard hen ordinance
Date: Thursday, January 28, 2021 1:25:29 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council members,

I would like to voice my support for the backyard hen initiative which will be up for the rescension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Uphold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Olinda Garcia

From: [Olinda Garcia](#)
To: [bakersfield mayor](#)
Subject: Backyard hens
Date: Thursday, January 28, 2021 1:26:59 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Mayor Goh,

I would like to voice my support for the backyard hen initiative which will be up for the recension at the February 3rd meeting. We're asking that the council uphold the ordinance that was fairly and legally passed. Our city has an obligation to uphold the previous vote and defend itself against this frivolous lawsuit. It is clear that there is no basis for this lawsuit, especially since we were exempt from CEQA "common sense" waiver, and this is a gross manipulation of environmental protection law. Up hold the ordinance. Uphold the vote of the council for November 2020 legalizing hens for city residents. Uphold your obligation.

Thank you,
Olinda Garcia

From: [Sammy the strawberry](#)
To: [City Council](#)
Subject: Keep the chickens
Date: Tuesday, January 26, 2021 9:25:04 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good morning Council member,

I'm currently a senior in high school, and would one day be able to eat eggs from home and not store bought. I would appreciate it if you gave me the wonderful options to fulfill my ranch dreams. Those chickens don't only help for food like eggs they are also pets. Many people rely on the chickens, many of us are afraid to go to the store due to the pandemic.

Sent from my iPhone

From: [Sean Starr](#)
To: [City Council](#)
Subject: Ken Weir- Ward 3
Date: Friday, January 22, 2021 8:30:25 AM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Good Morning,

I am a resident of Ward 3 in Bakersfield. I want to show my support for Backyard Hens in Bakersfield. The previously passed ordinance was fair and reasonable. My family and I will not be voting for any council members that vote against the Hen Ordinance. Cowing down to a frivolous lawsuit is undemocratic and against the ideals of Bakersfield. We are an agriculture hub for California and not allowing a small amount of Bakersfield residents the freedom to have hens if they choose goes against the values of our community.

From: [Terry Maxwell](#)
To: [City Clerk](#)
Subject: Chicken Ordinance
Date: Thursday, January 28, 2021 3:48:55 PM

Warning: This email originated from outside the City of Bakersfield. Think before you click!

Dear Council,

I agree with rescinding the new Hen Ordinance. There is no reason to have changed the ordinance that has worked for many years.

Sincerely,

Terry Maxwell

21 JAN 29 PM 1:25

BAKERSFIELD CITY CLERK

January 29, 2021

Dear Councilmember Gonzales,

I wholeheartedly support the City Council decision to rescind the backyard hen ordinance. The ordinance disrupts the existing residential quality of life and negatively impacts property values in R1 zones. The change was done without public notice and the Planning Commission process was omitted. Additionally, the ordinance proceeded during the COVID -19 pandemic when public gatherings were and still are discouraged. The impact of public speakers has been lost.

Without being rescinded a CEQA lawsuit requiring a costly EIR will be required. I do not want any tax money spent on an EIR to satisfy the wishes of a small special interest group advocating for backyard hens.

Please proceed with rescinding the backyard hen ordinance.

Sincerely,



Tim Carrillo

Quailwood, Ward 2

Cc: Councilmembers Arias, Weir, Smith, Freeman, Gray, Parlier

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Resolutions g.

TO: Honorable Mayor and City Council

FROM: Christopher Boyle, Development Services Director

DATE: 1/13/2021

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

STAFF RECOMMENDATION:

Staff recommends adoption of the resolution.

BACKGROUND:

Assessment hearing was held on January 11, 2021, 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
<input type="checkbox"/>	Resolution	Resolution
<input type="checkbox"/>	Declaration	Exhibit
<input type="checkbox"/>	Exhibit A	Exhibit
<input type="checkbox"/>	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 January 11, 2021, 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.

-----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 ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, 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
BILLY OWENS IN SUPPORT THEREOF**

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

I, Billy Owens, 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 October, November and December 2020. 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 December 18, 2020 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 13th day of January 2021, at Bakersfield, California.

Billy Owens
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. 019-192-06-00-4	229 S Brown Street 20-4646	Ramon Hendrix 13310 Michaelangelo Dr Bakersfield, CA 93314	\$6,439	\$618	\$7,057	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. 171-183-03-00-0	4321 Balboa Drive 20-6210	Eduardo Hernandez & Lavie De Soir 27614 Renwick Court Santa Clarita, CA 91350	\$0	\$149	\$149	1
2. 025-162-01-00-5	3800 Fambrough Drive 20-5399	Albert Marrs 527 Niles Street Bakersfield, CA 93305	\$0	\$422	\$422	1
3. 019-111-04-00-7	716 S Haley Street 20-6133	Britton Sherman Chester 720 S Haley Street Bakersfield, CA 93307	\$395	\$891	\$1,286	1
4. 011-192-12-00-5	931 Maitland Drive 20-3658	Michael Gonzales & Susanne Gonzales 4304 Southern Breeze Drive Bakersfield, CA 93313	\$0	\$422	\$422	1
5. 018-300-19-01-1	333 Northrup Street 19-3307	Eber Antonio Villatoro Osorto 2004 Cecil Brunner Drive Bakersfield, CA 93304	\$0	\$891	\$891	1
6. 171-200-06-00-3	1500 Pacheco Road Space 6 20-5403	Mae Reid 1500 Pacheco Road Space 6 Bakersfield, CA 93307	\$325	\$891	\$1,216	1
7. 018-091-14-00-4	1509 Potomac Avenue 20-5404	Philashone Myers 4005 Sorrell Avenue Palmdale, CA 93552	\$499	\$891	\$1,390	1
8. 009-080-22-00-1	1015 T Street 19-5094	Cobra 28 7 LP 4900 Santa Anita Av Ste 2C El Monte, CA 91731	\$0	\$891	\$891	1
9. 170-132-10-00-1	913 Watts Drive 20-4891	Alfonso Frias & Cecilia Frias 5902 Applecreek Court Bakersfield, CA 93313	\$394	\$891	\$1,285	1
10. 010-032-01-00-9	441 1 st Street 20-2999	Martin Lara & Emilce Lopez 441 1 st Street Bakersfield, CA 93304	\$0	\$891	\$891	1
11. 017-490-14-00-6	1660 E California Avenue 20-3219	Rubae Griffin Trust 1695 Mesa Verde Ave Ste 210 Ventura, CA 93003	\$0	\$422	\$422	2
12. 007-031-09-00-2	2825 California Avenue 20-6017	David Smith & Alene Smith 7713 Canfield Court Bakersfield, CA 93308	\$450	\$618	\$1,068	2
13. 007-383-01-00-4	2929 Chester Lane 19-4543	Manuel Figueroa 9412 Hemingway Place Bakersfield, CA 93311	\$0	\$891	\$891	2
14. 016-340-04-00-6	413 Dolores Street 19-1219	Ignacio Marin & Martha Marin 413 Dolores Street Bakersfield, CA 93305	\$0	\$891	\$891	2
15. 332-630-42-00-5	3333 El Encanto Court Apt 22 20-1347	Alfred Goss PO Box 2226 Bakersfield, CA 93306	\$0	\$891	\$891	2
16. 010-150-12-00-2	304 Eye Street 20-2952	Bush BSNS Dev Corp 4217 Newcombe Avenue Bakersfield, CA 93313	\$499	\$1,651	\$2,150	2

APN	PROPERTY ADDRESS	PROPERTY OWNER	COST TO DO WORK	ADMIN COST	TOTAL COST	WARD
17. 009-121-07-00-6	1031 Eye Street 20-566	J M P 8921 Brook Bay Court Las Vegas, NV 89134	\$0	\$422	\$422	2
18. 007-197-14-00-5	1716 Forrest Street 20-5016	James Mc Clure 3305 Juniper Ridge Road Bakersfield, CA 93306	\$60	\$891	\$951	2
19. 007-197-13-00-2	1720 Forrest Street 20-5142	Eduardo Magana & Lizeth Magana 1019 Panorama Drive Bakersfield, CA 93305	\$60	\$891	\$951	2
20. 012-330-02-00-9	315 Jefferson Street 20-5116	Tyler Hair 11402 Indian Hawthorne St Bakersfield, CA 93311	\$0	\$149	\$149	2
21. 015-370-10-00-5	924 Kentucky Street 20-3704	Teresa Matteucci & Rita Evans 329 S Real Road Bakersfield, CA 93309	\$0	\$891	\$891	2
22. 007-194-07-00-4	1920 Maple Avenue 20-5681	Clarice Ann Conard & William Conard 10100 Single Oak Drive Bakersfield, CA 93311	\$300	\$891	\$1,191	2
23. 015-170-08-00-2	1316 Miller Street 19-5114	Andres Luna Gonzalez 1316 Miller Street Bakersfield, CA 93305	\$0	\$891	\$891	2
24. 015-260-12-00-9	1408 Monterey Street 20-5881	David Diaz 1408 Monterey Street Bakersfield, CA 93305	\$0	\$422	\$422	2
25. 003-040-02-00-9	2307 Myrtle Street 19-5976	Justin Adams Revocable Trust 2307 Myrtle Street Bakersfield, CA 93301	\$0	\$149	\$149	2
26. 015-250-03-00-0	1315 Niles Street 20-5343	Luis Solorzano 2300 Niles Street Bakersfield, CA 93306	\$0	\$149	\$149	2
27. 008-182-12-00-8	2209 Palm Street 20-5694	Harolyn Johnson PO Box 9724 Bakersfield, CA 93389	\$499	\$891	\$1,390	2
28. 007-071-04-00-9	2130 Park Way 20-5899	Thomas Gilbreath 2130 Park Way Bakersfield, CA 93304	\$0	\$422	\$422	2
29. 007-043-12-00-7	3006 San Emidio Street 20-4835	Gregory Klis 1401 Cromerton Place Bakersfield, CA 93311	\$0	\$149	\$149	2
30. 006-060-21-00-1	910 18 th Street 19-2546	Samir Mohan & Anu Mohan 11606 Harrington Street Bakersfield, CA 93311	\$0	\$891	\$891	2
31. 021-352-28-00-1	3113 Cornell Street 19-6406	Starlite Mgmt IX LP 4900 Santa Anita Av Ste 2C El Monte, CA 91731	\$0	\$891	\$891	3
32. 146-041-13-00-0	4004 Fulton Avenue 20-3958	Gerald Micheau & G Arlene Micheau 4004 Fulton Avenue Bakersfield, CA 93306	\$0	\$149	\$149	3
33. 119-171-29-00-7	4405 Isla Verde Street 20-4450	Antonio Viramontes & Maria Elena Viramontes PO Box 20425 Bakersfield, CA 93390	\$0	\$422	\$422	3

APN	PROPERTY ADDRESS	PROPERTY OWNER	COST TO DO WORK	ADMIN COST	TOTAL COST	WARD
34. 126-010-22-00-4	2690 Mt Vernon Avenue 20-3889	Sydney Alexander Schneiter 3633 E Broadway Suite 100 Long Beach, CA 90803	\$0	\$149	\$149	3
35. 540-010-01-01-2	Unassigned (SEC Old River Rd & Panama) 20-4953	David P Antongiovanni Trust 2009 Sully Court Bakersfield, CA 93311	\$0	\$422	\$422	5
36. 404-103-02-00-0	3505 Biltmore Lane 19-7740	Bob Doyle & Barbara Doyle 3505 Biltmore Lane Bakersfield, CA 93313	\$674	\$1,651	\$2,325	6
37. 405-193-03-00-7	3712 Canadian Street 20-4601	Elmer Garnand 3712 Canadian Street Bakersfield, CA 93304	\$0	\$422	\$422	7
38. 023-083-28-00-4	2620 Echo Avenue 20-3324	Pete Kimble & Carlene Kimble 2620 Echo Avenue Bakersfield, CA 93304	\$0	\$891	\$891	7
39. 023-364-16-00-7	3121 Hughes Lane 19-6289	Valdez Family Trust 4616 Panorama Drive Bakersfield, CA 93306	\$0	\$891	\$891	7
40. 023-172-05-01-5	2006 Planz Road 20-4985	Davary Group Inc 10905 Craigton Court Bakersfield, CA 93311	\$0	\$422	\$422	7

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Resolutions h.

TO: Honorable Mayor and City Council
FROM: Nick Fidler, Public Works Director
DATE: 1/8/2021
WARD: Ward(s) 1, 7
SUBJECT: 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 5-105 (1401 Brook Street) - Ward 1
2. Area 5-108 (6915 Colony Street) - Ward 7

STAFF RECOMMENDATION:

Staff recommends adoption of the resolutions.

BACKGROUND:

On January 20, 2021 the Council adopted Resolutions of Intention No. 2075, and 2076 respectively, to add the above territories to the Consolidated Maintenance District as required by Section 13.04.021 of the Municipal Code. Inclusion in the Consolidated Maintenance District will provide for the maintenance of parks and/or street landscaping. For an area where a park has been constructed and/or street landscaping has already been installed, the area will be under the park and streetscape zones of benefit and will be assigned appropriate tier levels during the next Annual Update to the consolidated maintenance district. For an area where a park and/or street landscaping has not been installed, the area will be assigned appropriate tier levels when improvements are constructed.

The addition of these territories to the Consolidated Maintenance District is not prohibited by Proposition 218.

The City of Bakersfield has received a letter from the owner(s) of the properties described above which waives the public hearing concerning inclusion in the Consolidated Maintenance District. This allows the City to expedite the maintenance district process to satisfy the subdivision requirement. The owner(s) also have submitted a Proposition 218 ballot indicating their consent to the assessments.

In order to provide future property owners with disclosure regarding the inclusion of land in the Consolidated Maintenance District and the estimated maximum annual cost per equivalent

dwelling unit, a covenant has been drafted and will be recorded for each territory with the Kern County Assessor-Recorder's Office upon approval of these Resolutions.

ATTACHMENTS:

Description	Type
▣ Resolution adding Area 5-105 to the CMD	Resolution
▣ MD 5-105 Exhibit 1	Exhibit
▣ MD 5-105 Exhibit A	Exhibit
▣ MD 5-105 Exhibit B	Exhibit
▣ MD 5-105 Exhibit C	Exhibit
▣ MD 5-105 Exhibit D	Exhibit
▣ MD 5-105 Exhibit E	Exhibit
▣ MD 5-105 Exhibit F	Exhibit
▣ Resolution adding Area 5-108 to the CMD	Resolution
▣ MD 5-108 Exhibit 1	Exhibit
▣ MD 5-108 Exhibit A	Exhibit
▣ MD 5-108 Exhibit B	Exhibit
▣ MD 5-108 Exhibit C	Exhibit
▣ MD 5-108 Exhibit D	Exhibit
▣ MD 5-108 Exhibit E	Exhibit
▣ MD 5-108 Exhibit F	Exhibit

A RESOLUTION ADDING TERRITORY, AREA 5-105 (1401 BROOK STREET) TO THE CONSOLIDATED MAINTENANCE DISTRICT; ADOPTING, CONFIRMING AND APPROVING THE PUBLIC WORKS DIRECTOR'S REPORT, THE BOUNDARIES OF THE ADDITION, THE FAIRNESS OF THE BENEFIT FORMULA, AND THE AMOUNT OF THE ASSESSMENT TO BE LEVIED AGAINST EACH PARCEL. (WARD 1)

WHEREAS, the Public Works Director has filed with the City Clerk the Public Works Director's Report, including a budget, assessment formula, improvements to be maintained by the district, description of property and proposed assessments; and

WHEREAS, Chapter 13.04 of Title 13 of the Municipal Code of the City of Bakersfield provides for a procedure by which the City Council may provide for the payment of the whole or any part of the costs and expenses of maintaining and operating any public improvements which are local in nature, from annual benefit assessments apportioned among the lots or parcels of property within the established Consolidated Maintenance District ("CMD"). The assessments to be placed on parcels within this district area reflect that portion of the cost of maintenance of a public park and public street landscaping ("special benefit") above and beyond the basic cost of maintenance of a public park and public street landscaping throughout the City ("general benefit"); and

WHEREAS, as set forth in the attached Public Works Director's Report (Exhibit 1), the property within this new area reflects that portion of the cost of maintenance of public street landscaping and/or a public park, based on the location of said improvements in or near said area, above and beyond the general benefit of parcels within the City that are not part of the CMD. Each parcel within this area will be assessed its proportionate share of special benefit based on its zoning and size.

WHEREAS, it is the intention of the City Council of the City of Bakersfield to add Area 5-105 (Parcel Map #12387), generally described in Exhibit "A" attached hereto, to the CMD, in order to maintain local improvements including street landscaping and/or a public park; and

WHEREAS, the City Council of the City of Bakersfield, State of California, heretofore by Resolution of Intention No. 2075 declared its intention to add territory to the CMD, preliminarily confirmed and approved the Public Works Director's Report, the boundaries of the proposed additional territory, the fairness of the benefit formula, and the amount of assessment to be levied against each parcel. Said additional territory shall be designated Area 5-105, as shown and designated on that certain map entitled "Map and Assessment Diagram for Addition of Territory, Area 5-105 (1401 Brook Street), to the Consolidated Maintenance District, Bakersfield, California," for this fiscal year on file in the offices of the City Clerk and Public Works Director, City of Bakersfield; and

G:\sub\SHARED\PROJECTS\MAINDIST\Formation Documents\Area 5\MD 5-105\RES EST.docx

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

1. The foregoing recitals are true and correct and are incorporated herein.
2. The Council hereby adds territory, Area 5-105 to the CMD and confirms and adopts the Public Works Director's Report, including the amounts of assessment for each assessed parcel.
3. Exhibits "A" and "B" describe the additional territory.
4. All parcels within this additional territory shall be assessed an amount not to exceed the amount established in Resolution No. 019-05 per equivalent dwelling unit per year. In each subsequent year, annual assessments may increase by the cost of living reflected in the Los Angeles-Riverside-Orange County/All Urban Consumers Consumer Price Index. However, parcels will not be assessed until park and/or street landscape improvements have been installed. When park and/or street landscape improvements have been completed, the appropriate park and street tiers will be assigned, but in no case shall the assessments exceed the amount established in Resolution No. 019-05 as escalated per the above described Consumer Price Index. The benefit formula (Exhibit "C"), budget (Exhibit "D"), assessment roll (Exhibit "E"), and letter from the property owner(s) requesting inclusion in the CMD (Exhibit "F") are attached hereto.
5. The Kern County Tax Collector is hereby authorized to collect such assessments.
6. Beginning in the 2020-2021 fiscal year and each fiscal year thereafter, the Public Works Director is hereby directed to prepare an annual report, as provided in Chapter 13.04 of the Bakersfield Municipal Code, and file it with the City Clerk within the time allowed for placement of assessments on the County tax rolls for the applicable fiscal year. Upon filing of the annual report, the Clerk shall set a hearing before the City Council and give Notice of Hearing in the manner prescribed in Chapter 13.04 of said code.
7. The City Council hereby reserves the right to perform the work of maintenance and operation of the public improvements by City forces or by private contractor. Such determination and election is to be made for each year at the time the budget and assessment is approved for the year in question.

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: COUCILMEMBER ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, PARLIER

NOES: COUCILMEMBER _____

ABSTAIN: COUCILMEMBER _____

ABSENT: COUCILMEMBER _____

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: _____

JOSHUA RUDNICK

Deputy City Attorney

Attachments:

Exhibit "1" Exhibit "D"

Exhibit "A" Exhibit "E"

Exhibit "B" Exhibit "F"

Exhibit "C"

PUBLIC WORKS DIRECTOR'S REPORT

ADDITION OF TERRITORY, AREA 5-105

Fiscal Year 2020-2021

Addition of territory to the Consolidated Maintenance District, as shown in Exhibit "A" is described as 1401 Brook Street and as shown on Map and Assessment Diagram marked Exhibit "B," attached hereto and incorporated herein by reference as though fully set forth, as an area within the City of Bakersfield.

Pursuant to the provisions of Chapter 13.04 of Title 13 of the Municipal Code of the City of Bakersfield, referred to as the Maintenance District Procedure, the Public Works Director makes and files this report and proposed assessment of and upon all parcels of property within the area for the cost of maintaining a public park and public street medians and other public street landscaping. The improvements generally include, but are not limited to, recreation and sports equipment including swings, slides, play structures and storage buildings; picnic facilities including tables, benches, barbecues, trash cans, drinking fountains and restrooms; irrigation system including water mains, sprinklers, fountains, and electrical wires, conduits and timers; plant forms including trees, shrubs, ground cover and turf; and sidewalks and walkways now existing or hereafter to be constructed or planted in and for said area and are of a public nature. The assessment includes the cost of necessary repairs, replacement, water, electricity, care, supervision and any and all other items necessary for the proper maintenance and operation thereof, and all additions and improvements thereto which may hereafter be made.

For many years, public parks, public streets median and other public street landscaping improvements in the City were maintained through traditional tax revenues. After Proposition 13, in 1978, funds available for maintenance and operation of parks, street median and other street landscaping improvements were substantially reduced. At present, the City's budget does not allow for maintenance and operation of park and street landscaping improvements of the type described above. Thus, without funds for maintenance and operating costs from a source other than general tax revenues, the City does not permit new public parks, street median and other street landscaping improvements to be constructed within the City.

Additional territory, as shown in Exhibit "E" is being added to the Consolidated Maintenance District for the maintenance of a park and public street median and other street landscaping. The area will be assigned appropriate park and street tiers in the Consolidated Maintenance District so that each parcel will be assessed the same amount as other parcels receiving a similar benefit.

All parcels within this area shall be assessed an amount not to exceed that established in Resolution No. 019-05 per equivalent dwelling unit (as that term is defined in Exhibit "C") per parcel. In each subsequent year, annual assessments may increase by the cost of living reflected in the Los Angeles-Riverside-Orange County/All Urban Consumers Consumer Price Index. However, parcels will not be assessed until park and/or street landscaping have been

installed. When park and/or street landscape improvements have been completed, the appropriate park and street tier levels will be assigned, but in no case shall the assessments exceed the amount established in Resolution No. 019-05 as escalated per the above described Consumer Price Index.

All parcels as described in the Benefit Formula on file with the City Clerk within the area will be affected. Sensory benefits from installing street landscaping are aesthetic enhancement and open space enjoyment.

A public park will benefit all the residential lots and public median and street landscaping will benefit all the lots or parcels and will be assessed on an Equivalent Dwelling Unit basis throughout the area. The Benefit Formula is set forth herein as Exhibit "C" and attached hereto and incorporated in this resolution as though fully set forth herein.

NOW THEREFORE, I, NICK FIDLER, Director of Public Works of the City of Bakersfield, by virtue of the power vested in me and the order of the Council of said City, hereby submit the Fiscal Year 2020-2021 Budget and Assessment Roll as set forth in Exhibit "D" and Exhibit "E," respectively, attached hereto and incorporated herein as though fully set forth, upon all parcels of property within additional territory subject to be assessed to pay the cost of maintenance and operation in said area.

Dated: _____

NICK FIDLER

Public Works Director
City of Bakersfield

LEGAL DESCRIPTION

Area 5-105

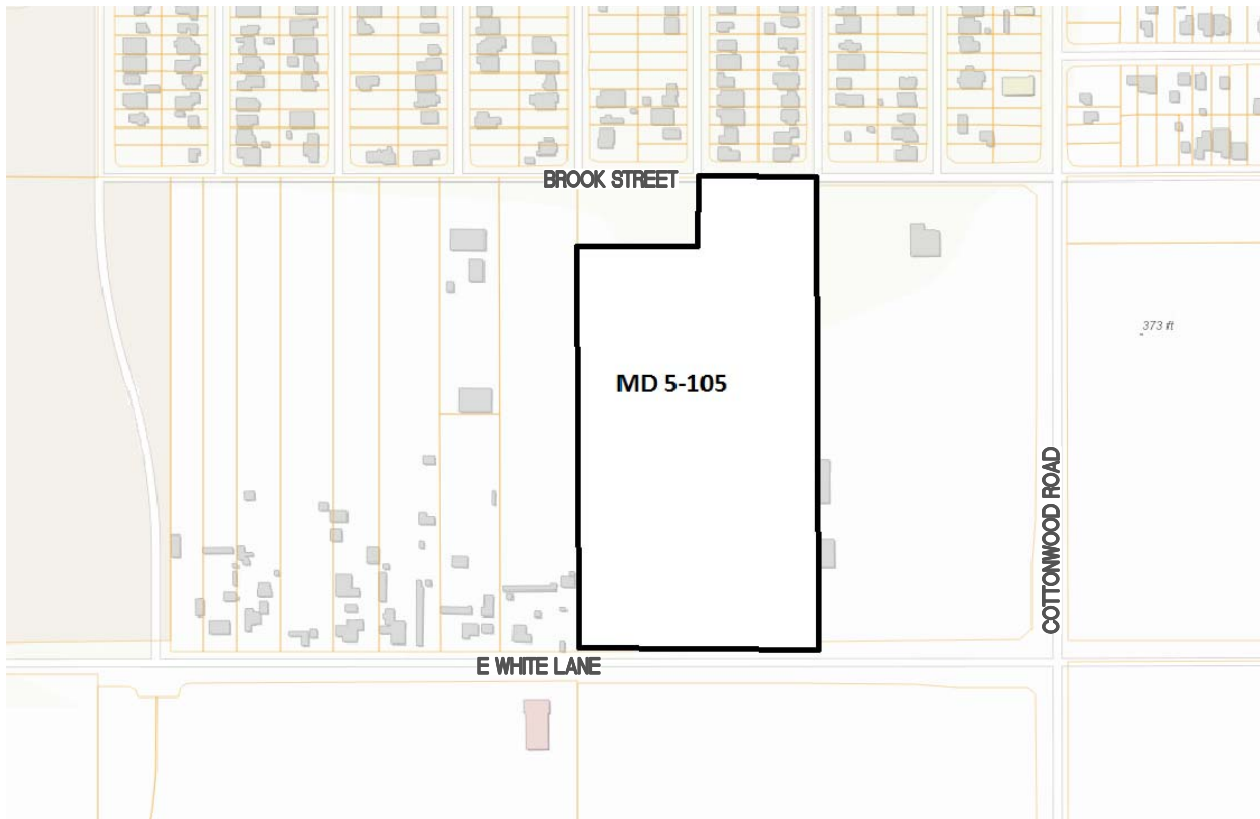
An area located in Section 17, Township 30, Range 28 M.D.B. & M., more particularly described as follows:

PMW 12387

1401 Brook Street Bakersfield California

Containing: 18.02 Acres, more or less.

MAP AND ASSESSMENT DIAGRAM
FOR ADDITION OF TERRITORY
(AREA 5-105) TO THE
CONSOLIDATED MAINTENANCE DISTRICT
BAKERSFIELD, CALIFORNIA



NOT TO SCALE

EXHIBIT "B"

FILE: MD 5-105 SHEET 1 of 1

**CONSOLIDATED MAINTENANCE DISTRICT
CITY OF BAKERSFIELD
BENEFIT FORMULA**

Each parcel joining the Consolidated Maintenance District shall be assessed the amount as defined below:

Rate:

Shall equal the dollar amount shown per the tier level of your zone of the Consolidated Maintenance District on Attachment A "Consolidated Maintenance District Cost per Tier" as approved by City Council Resolution 019-05. As per the Resolution, "Said amounts shall be increased annually by the cost of living increase reflected in the Los Angeles-Riverside-Orange County / All Urban Consumers Consumer Price Index." Tier levels for both Parks and Street Landscaping in the 5 zones of the Consolidated Maintenance District are established by the Recreation and Parks Department through separate policy.

Multiplied by (EDU): The number of Equivalent Dwelling Units (EDU's as defined below) for the parcel.

Multiplied by (Tier): The factor for the tier level, which equals the street or tier number. This tier is assigned by the Recreation and Parks Department for the entire area of the Consolidated Maintenance District.

County Fee(Tier): The County of Kern Assessors Office charges a fee for each parcel added to their tax roll.

Total Assessment \$= ((Park Rate x Park Tier) x EDU) + ((Street Rate x Street Tier) x EDU) + (County Fee)

Note: Since Proposition 218 was passed in November 1996, assessment rates for areas formed prior to Proposition 218 have been frozen at their current rate.

Areas formed between November 1996 and January 12, 2005 shall be assessed by the terms stated on their Proposition 218 ballot.

On January 12, 2005 the city passed Resolution 19-05 which allowed for an escalator on the maximum assessment. Any areas formed after Proposition 218 and which have ballots which include this escalator may be increased according to their ballot terms.

A parcel may be added to the City of Bakersfield Consolidated Maintenance District if any of the below conditions occurs:

1. Bakersfield Municipal code 13.04.021:

"It is the policy of the city to include within a maintenance district all new developments that are subject to the Subdivision Map Act and that benefit from landscaping in the public right-of-way and/or public parks. Nothing shall preclude the city from requesting formation of a maintenance district, or joining a maintenance district, as a condition of a zone change, or general plan amendment, or conditional use permit, or during site plan review where deemed necessary by the city."

2. Bakersfield Municipal Code 13.04.022 (A):

"No final map or certificate of compliance for a parcel map waiver may be recorded absent establishment of a maintenance district to provide for all future maintenance of any landscaping in the public right-of-way and of any public park required as a condition of approval of the development project for the area covered by the final map or parcel map waiver."

3. City staff determines this is necessary as part of: Site Plan Review Conditions, Zone Change, a General Plan Amendment, or a Conditional Use Permit.

Equivalent Dwelling Units (EDU) shall be assigned using the following policy. EDU's may also be adjusted given special conditions or agreements as necessary to adequately reflect the conditions of the site at the time of formation. Developed Parcels will be assessed by their actual units on their site as per their plans, map, or current use.

Single Family Residential Parcels:	1 EDU per Parcel
Mobile Home Parks:	1 EDU per Space / Lot
Multifamily Residential Parcels:	.71 EDU per Unit
(Commercial / Industrial / Mixed Use):	6 EDU per Acre

Undeveloped ground in its natural state will be assigned EDU's based on their zoning at max theoretical density as used by the City of Bakersfield Planning Dept. Those densities are:

Zone EDU's per gross acre

R-1	4
R-2	17.42 (max.)
R-3	34.85 (max.)
R-4	72.6 (max.)
E	4.36
R-S	1.82
R-S-1A	1
R-S-2.5A	0.4
R-S-5A	0.2
R-S-10A	0.1

Commercial / Industrial / Mixed Use: 6 EDU per gross acre
Agricultural: 1 EDU per gross acre

MAINTENANCE DISTRICT AREA 5-105

Said assessment is made in accordance with the benefit formula attached hereto.

2020-2021 BUDGET

Gross Budget Amount Required	\$0.00
(City Staff Services or Contract, Supplies, Materials and Utilities)	
Estimated Beginning Fund Balance(Deficit) **	\$0.00
Less: City Contributions	<u>\$0.00</u>
NET AMOUNT TO BE ASSESSED	\$0.00

** Previous Years Deficits No Longer Carried Forward.

MAINTENANCE DISTRICT AREA 5-105

ASSESSMENT ROLL

FISCAL YEAR 2020-2021

Assessor's Tax No.

Total amount to
be collected for
FY (2020-2021)

172-070-09-02-0

\$0.00

Total

\$0.00

10-02-2020

City of Bakersfield - Public Works Department
Attn: Jim Schroeter 1600 Truxtun Avenue
Bakersfield, California 93301

RE: **Inclusion of** (*choose one of the following*) ☐ Tract Map ☒ Parcel Map ☐ Parcel Map
Waiver No. 12387 **in a Consolidated Maintenance District (CMD)**

Dear Mr. Schroeter:

We, the undersigned, as owners of the property included within (*choose one of the following*)
☐ Tract Map ☒ Parcel Map ☐ Parcel Map Waiver No. 12387 hereby request that
the property be included within the CMD. This request is in accordance with the requirements
of Bakersfield Municipal Code Section 13.04.021. Enclosed is a check for \$ 910.00 as required
by the City to cover the costs of this inclusion into the CMD. If requested, our engineer will
supply you with a computer disk copy of the map for your use.

We understand that under Proposition 218 and Government Code section 53753 ("applicable
law"), a City Council hearing will be held for purposes of including the above property within
the CMD and determining the amount of assessments. We hereby waive our right to have a
hearing within the time parameters set forth in the applicable law. We further understand that
the hearing is scheduled for October 16, 2020 at 5:15 in the Council Chambers
located at 1501 Truxtun Ave., Bakersfield, CA 93301. We hereby waive our right to further
notice of that hearing.

Respectfully,



Federico Macias Gonzalez, & Maria De La Luz Macias
Owners

A RESOLUTION ADDING TERRITORY, AREA 5-108 (6915 COLONY STREET) TO THE CONSOLIDATED MAINTENANCE DISTRICT; ADOPTING, CONFIRMING AND APPROVING THE PUBLIC WORKS DIRECTOR'S REPORT, THE BOUNDARIES OF THE ADDITION, THE FAIRNESS OF THE BENEFIT FORMULA, AND THE AMOUNT OF THE ASSESSMENT TO BE LEVIED AGAINST EACH PARCEL. (WARD 7)

WHEREAS, the Public Works Director has filed with the City Clerk the Public Works Director's Report, including a budget, assessment formula, improvements to be maintained by the district, description of property and proposed assessments; and

WHEREAS, Chapter 13.04 of Title 13 of the Municipal Code of the City of Bakersfield provides for a procedure by which the City Council may provide for the payment of the whole or any part of the costs and expenses of maintaining and operating any public improvements which are local in nature, from annual benefit assessments apportioned among the lots or parcels of property within the established Consolidated Maintenance District ("CMD"). The assessments to be placed on parcels within this district area reflect that portion of the cost of maintenance of a public park and public street landscaping ("special benefit") above and beyond the basic cost of maintenance of a public park and public street landscaping throughout the City ("general benefit"); and

WHEREAS, as set forth in the attached Public Works Director's Report (Exhibit 1), the property within this new area reflects that portion of the cost of maintenance of public street landscaping and/or a public park, based on the location of said improvements in or near said area, above and beyond the general benefit of parcels within the City that are not part of the CMD. Each parcel within this area will be assessed its proportionate share of special benefit based on its zoning and size.

WHEREAS, it is the intention of the City Council of the City of Bakersfield to add Area 5-108 (LLA #06-0929), generally described in Exhibit "A" attached hereto, to the CMD, in order to maintain local improvements including street landscaping and/or a public park; and

WHEREAS, the City Council of the City of Bakersfield, State of California, heretofore by Resolution of Intention No. 2076 declared its intention to add territory to the CMD, preliminarily confirmed and approved the Public Works Director's Report, the boundaries of the proposed additional territory, the fairness of the benefit formula, and the amount of assessment to be levied against each parcel. Said additional territory shall be designated Area 5-108, as shown and designated on that certain map entitled "Map and Assessment Diagram for Addition of Territory, Area 5-108 (6915 Colony Street), to the Consolidated Maintenance District, Bakersfield, California," for this fiscal year on file in the offices of the City Clerk and Public Works Director, City of Bakersfield; and

G:\sub\SHARED\PROJECTS\MAINDIST\Formation Documents\Area 5\MD 5-108\RES EST.docx

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

1. The foregoing recitals are true and correct and are incorporated herein.
2. The Council hereby adds territory, Area 5-108 to the CMD and confirms and adopts the Public Works Director's Report, including the amounts of assessment for each assessed parcel.
3. Exhibits "A" and "B" describe the additional territory.
4. All parcels within this additional territory shall be assessed an amount not to exceed the amount established in Resolution No. 019-05 per equivalent dwelling unit per year. In each subsequent year, annual assessments may increase by the cost of living reflected in the Los Angeles-Riverside-Orange County/All Urban Consumers Consumer Price Index. However, parcels will not be assessed until park and/or street landscape improvements have been installed. When park and/or street landscape improvements have been completed, the appropriate park and street tiers will be assigned, but in no case shall the assessments exceed the amount established in Resolution No. 019-05 as escalated per the above described Consumer Price Index. The benefit formula (Exhibit "C"), budget (Exhibit "D"), assessment roll (Exhibit "E"), and letter from the property owner(s) requesting inclusion in the CMD (Exhibit "F") are attached hereto.
5. The Kern County Tax Collector is hereby authorized to collect such assessments.
6. Beginning in the 2020-2021 fiscal year and each fiscal year thereafter, the Public Works Director is hereby directed to prepare an annual report, as provided in Chapter 13.04 of the Bakersfield Municipal Code, and file it with the City Clerk within the time allowed for placement of assessments on the County tax rolls for the applicable fiscal year. Upon filing of the annual report, the Clerk shall set a hearing before the City Council and give Notice of Hearing in the manner prescribed in Chapter 13.04 of said code.
7. The City Council hereby reserves the right to perform the work of maintenance and operation of the public improvements by City forces or by private contractor. Such determination and election is to be made for each year at the time the budget and assessment is approved for the year in question.

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:	COUCILMEMBER	ARIAS, GONZALES, WEIR, SMITH, FREEMAN, GRAY, PARLIER
NOES:	COUCILMEMBER	_____
ABSTAIN:	COUCILMEMBER	_____
ABSENT:	COUCILMEMBER	_____

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: _____
JOSHUA RUDNICK
Deputy City Attorney

Attachments:

Exhibit "1" Exhibit "D"
Exhibit "A" Exhibit "E"
Exhibit "B" Exhibit "F"
Exhibit "C"

PUBLIC WORKS DIRECTOR'S REPORT

ADDITION OF TERRITORY, AREA 5-108

Fiscal Year 2020-2021

Addition of territory to the Consolidated Maintenance District, as shown in Exhibit "A" is described as 6915 Colony Street and as shown on Map and Assessment Diagram marked Exhibit "B," attached hereto and incorporated herein by reference as though fully set forth, as an area within the City of Bakersfield.

Pursuant to the provisions of Chapter 13.04 of Title 13 of the Municipal Code of the City of Bakersfield, referred to as the Maintenance District Procedure, the Public Works Director makes and files this report and proposed assessment of and upon all parcels of property within the area for the cost of maintaining a public park and public street medians and other public street landscaping. The improvements generally include, but are not limited to, recreation and sports equipment including swings, slides, play structures and storage buildings; picnic facilities including tables, benches, barbecues, trash cans, drinking fountains and restrooms; irrigation system including water mains, sprinklers, fountains, and electrical wires, conduits and timers; plant forms including trees, shrubs, ground cover and turf; and sidewalks and walkways now existing or hereafter to be constructed or planted in and for said area and are of a public nature. The assessment includes the cost of necessary repairs, replacement, water, electricity, care, supervision and any and all other items necessary for the proper maintenance and operation thereof, and all additions and improvements thereto which may hereafter be made.

For many years, public parks, public streets median and other public street landscaping improvements in the City were maintained through traditional tax revenues. After Proposition 13, in 1978, funds available for maintenance and operation of parks, street median and other street landscaping improvements were substantially reduced. At present, the City's budget does not allow for maintenance and operation of park and street landscaping improvements of the type described above. Thus, without funds for maintenance and operating costs from a source other than general tax revenues, the City does not permit new public parks, street median and other street landscaping improvements to be constructed within the City.

Additional territory, as shown in Exhibit "E" is being added to the Consolidated Maintenance District for the maintenance of a park and public street median and other street landscaping. The area will be assigned appropriate park and street tiers in the Consolidated Maintenance District so that each parcel will be assessed the same amount as other parcels receiving a similar benefit.

All parcels within this area shall be assessed an amount not to exceed that established in Resolution No. 019-05 per equivalent dwelling unit (as that term is defined in Exhibit "C") per parcel. In each subsequent year, annual assessments may increase by the cost of living reflected in the Los Angeles-Riverside-Orange County/All Urban Consumers Consumer Price Index. However, parcels will not be assessed until park and/or street landscaping have been

installed. When park and/or street landscape improvements have been completed, the appropriate park and street tier levels will be assigned, but in no case shall the assessments exceed the amount established in Resolution No. 019-05 as escalated per the above described Consumer Price Index.

All parcels as described in the Benefit Formula on file with the City Clerk within the area will be affected. Sensory benefits from installing street landscaping are aesthetic enhancement and open space enjoyment.

A public park will benefit all the residential lots and public median and street landscaping will benefit all the lots or parcels and will be assessed on an Equivalent Dwelling Unit basis throughout the area. The Benefit Formula is set forth herein as Exhibit "C" and attached hereto and incorporated in this resolution as though fully set forth herein.

NOW THEREFORE, I, NICK FIDLER, Director of Public Works of the City of Bakersfield, by virtue of the power vested in me and the order of the Council of said City, hereby submit the Fiscal Year 2020-2021 Budget and Assessment Roll as set forth in Exhibit "D" and Exhibit "E," respectively, attached hereto and incorporated herein as though fully set forth, upon all parcels of property within additional territory subject to be assessed to pay the cost of maintenance and operation in said area.

Dated: _____

NICK FIDLER

Public Works Director
City of Bakersfield

LEGAL DESCRIPTION

Area 5-108

An area located in Section 25, Township 30, Range 27 M.D.B. & M., more particularly described as follows:

SPR 20-0191

6915 Colony Street Bakersfield California

Containing: 7.7 Acres, more or less.

MAP AND ASSESSMENT DIAGRAM
FOR ADDITION OF TERRITORY
(AREA 5-108) TO THE
CONSOLIDATED MAINTENANCE DISTRICT
BAKERSFIELD, CALIFORNIA



NOT TO SCALE

EXHIBIT "B"

FILE: MD 5-108 SHEET 1 of 1

**CONSOLIDATED MAINTENANCE DISTRICT
CITY OF BAKERSFIELD
BENEFIT FORMULA**

Each parcel joining the Consolidated Maintenance District shall be assessed the amount as defined below:

Rate:

Shall equal the dollar amount shown per the tier level of your zone of the Consolidated Maintenance District on Attachment A "Consolidated Maintenance District Cost per Tier" as approved by City Council Resolution 019-05. As per the Resolution, "Said amounts shall be increased annually by the cost of living increase reflected in the Los Angeles-Riverside-Orange County / All Urban Consumers Consumer Price Index." Tier levels for both Parks and Street Landscaping in the 5 zones of the Consolidated Maintenance District are established by the Recreation and Parks Department through separate policy.

Multiplied by (EDU): The number of Equivalent Dwelling Units (EDU's as defined below) for the parcel.

Multiplied by (Tier): The factor for the tier level, which equals the street or tier number. This tier is assigned by the Recreation and Parks Department for the entire area of the Consolidated Maintenance District.

County Fee(Tier): The County of Kern Assessors Office charges a fee for each parcel added to their tax roll.

Total Assessment \$= ((Park Rate x Park Tier) x EDU) + ((Street Rate x Street Tier) x EDU) + (County Fee)

Note: Since Proposition 218 was passed in November 1996, assessment rates for areas formed prior to Proposition 218 have been frozen at their current rate.

Areas formed between November 1996 and January 12, 2005 shall be assessed by the terms stated on their Proposition 218 ballot.

On January 12, 2005 the city passed Resolution 19-05 which allowed for an escalator on the maximum assessment. Any areas formed after Proposition 218 and which have ballots which include this escalator may be increased according to their ballot terms.

A parcel may be added to the City of Bakersfield Consolidated Maintenance District if any of the below conditions occurs:

1. Bakersfield Municipal code 13.04.021:

"It is the policy of the city to include within a maintenance district all new developments that are subject to the Subdivision Map Act and that benefit from landscaping in the public right-of-way and/or public parks. Nothing shall preclude the city from requesting formation of a maintenance district, or joining a maintenance district, as a condition of a zone change, or general plan amendment, or conditional use permit, or during site plan review where deemed necessary by the city."

2. Bakersfield Municipal Code 13.04.022 (A):

"No final map or certificate of compliance for a parcel map waiver may be recorded absent establishment of a maintenance district to provide for all future maintenance of any landscaping in the public right-of-way and of any public park required as a condition of approval of the development project for the area covered by the final map or parcel map waiver."

3. City staff determines this is necessary as part of: Site Plan Review Conditions, Zone Change, a General Plan Amendment, or a Conditional Use Permit.

Equivalent Dwelling Units (EDU) shall be assigned using the following policy. EDU's may also be adjusted given special conditions or agreements as necessary to adequately reflect the conditions of the site at the time of formation. Developed Parcels will be assessed by their actual units on their site as per their plans, map, or current use.

Single Family Residential Parcels:	1 EDU per Parcel
Mobile Home Parks:	1 EDU per Space / Lot
Multifamily Residential Parcels:	.71 EDU per Unit
(Commercial / Industrial / Mixed Use):	6 EDU per Acre

Undeveloped ground in its natural state will be assigned EDU's based on their zoning at max theoretical density as used by the City of Bakersfield Planning Dept. Those densities are:

Zone EDU's per gross acre

R-1	4
R-2	17.42 (max.)
R-3	34.85 (max.)
R-4	72.6 (max.)
E	4.36
R-S	1.82
R-S-1A	1
R-S-2.5A	0.4
R-S-5A	0.2
R-S-10A	0.1

Commercial / Industrial / Mixed Use: 6 EDU per gross acre
Agricultural: 1 EDU per gross acre

MAINTENANCE DISTRICT AREA 5-108

Said assessment is made in accordance with the benefit formula attached hereto.

2020-2021 BUDGET

Gross Budget Amount Required	\$0.00
(City Staff Services or Contract, Supplies, Materials and Utilities)	
Estimated Beginning Fund Balance(Deficit) **	\$0.00
Less: City Contributions	<u>\$0.00</u>
NET AMOUNT TO BE ASSESSED	\$0.00

** Previous Years Deficits No Longer Carried Forward.

MAINTENANCE DISTRICT AREA 5-108

ASSESSMENT ROLL

FISCAL YEAR 2020-2021

Assessor's Tax No.		Total amount to be collected for FY (2020-2021)
515-010-36-00-1		\$0.00
	0	\$0.00
	0	\$0.00
Total		\$0.00

PANAMA MU, LLC
29350 Pacific Coast Highway
Suite 12, Malibu California 90265
(424) 234-5555

December 7, 2020

City of Bakersfield - Public Works Department
Attn: Jim Schroeter
1600 Truxtun Avenue
Bakersfield, California 93301

Dear Mr. Schroeter:

RE: Inclusion of Lot 1 of Lot Line Adjustment No. 06-0929
In a Consolidated Maintenance District (CMD)

We, the undersigned, as owner of Lot 1 of Lot Line Adjustment No. 06-0929 (6915 Colony Street) hereby request that the property be included within the CMD. This request is in accordance with the requirements of Bakersfield Municipal Code Section 13.04.021. Enclosed is a check for \$910.00 as required by the City to cover the costs of this inclusion into the CMD. If requested, our engineer will supply you with a computer disk copy of the map for your use.

We understand that under Proposition 218 and Government Code section 53753 ("applicable law"), a City Council hearing will be held for purposes of including the above property within the CMD and determining the amount of assessments. We hereby waive our right to have a hearing within the time parameters set forth in the applicable law. We further understand that the hearing is scheduled for January 20, 2021 at 5:15 in the Council Chambers located at 1501 Truxtun Ave., Bakersfield, CA 93301.

We hereby waive our right to further notice of that hearing.

Respectfully,

PANAMA MU, LLC, a California limited liability company

By: 

Paul Owahdi, Manager

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements i.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/21/2021
WARD: Ward 2
SUBJECT: Agreement with Dennis Campos and Monica Campos (\$1.00) whose address is 4204 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the purchase and sale agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4204 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 332 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

	Description	Type
D	Purchase and Sale Agreement-Campos	Agreement

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 1 of 6

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Dennis Campos and Monica Campos, ("Purchaser").

Recitals

A. City owns the real property commonly known as: 020-482-11 & 12 Remnants and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Dennis Campos and Monica Campos

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 2 of 6

any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City' elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal of effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Dennis Campos and Monica Campos, 4204 La Mirada Avenue, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Dennis Campos and Monica Campos, husband and wife as joint tenants

- ☐ as Husband and Wife
- ☐ A Single Man/Woman
- ☐ A Married Man/Woman as his/her sole and separate property
- ☒ as Joint Tenants
- ☐ as Tenants in Common
- ☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

Dennis Campos and Monica Campos, "Purchaser"

By: _____
Karen Goh, Mayor

Dennis A. Campos
Dennis Campos

Approved as to Form:

By: Virginia Gonnaro
Virginia Gonnaro, City Attorney

Monica Campos
Monica Campos

Approved as to Content:

By: Nick Fidler
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-11 and 12

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 11 AND LOT 12, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 12, OF TRACT NO. 3334 (BOOK 18 OF MAPS, PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY) SAID POINT, LYING ON THE EASTERLY LINE OF SAID LOT 12, TRACT NO. 3486;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 19°42'46" EAST 66.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 12, TRACT NO. 3334;

THENCE, ALONG THE SOUTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 12, TRACT NO. 3334, SOUTH 79°45'34" WEST 5.00 FEET;

THENCE, NORTH 19°42'36" WEST 65.95 FEET;

THENCE, ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 12, TRACT NO. 3334, NORTH 70°19'58" EAST 5.00 FEET TO THE POINT OF BEGINNING.

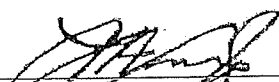
CONTAINING 332 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:


LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

10/14/2020
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

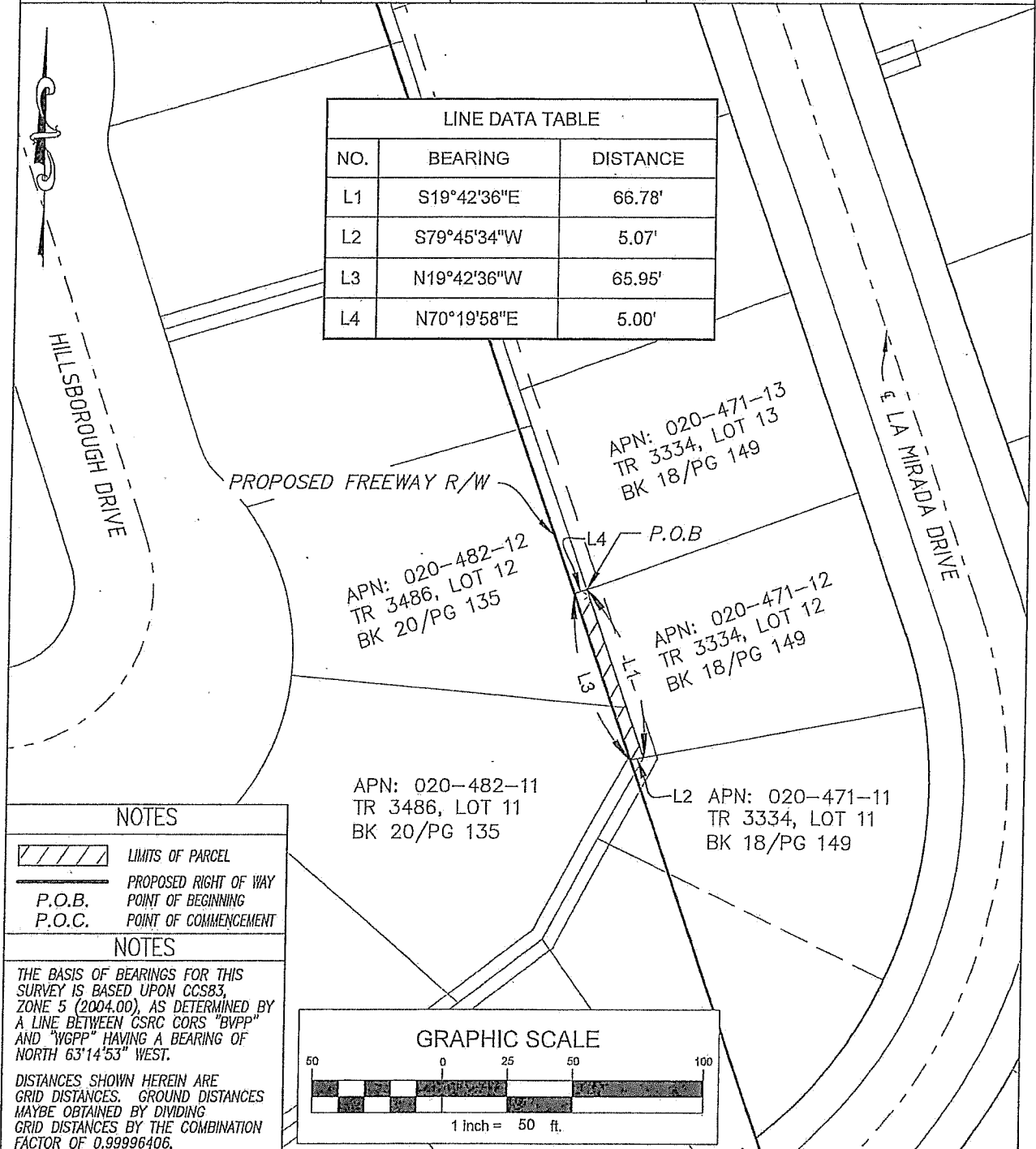
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EXHIBIT A2

PARCEL #	TITLE	AREA	APN
	FEE	332 SF	020-482-11 & 020-482-12

LINE DATA TABLE		
NO.	BEARING	DISTANCE
L1	S19°42'36"E	66.78'
L2	S79°45'34"W	5.07'
L3	N19°42'36"W	65.95'
L4	N70°19'58"E	5.00'

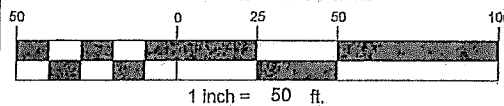
**NOTES**

- LIMITS OF PARCEL
 PROPOSED RIGHT OF WAY
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCEMENT

NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC CORNERS "BVPP" AND "WGPP" HAVING A BEARING OF NORTH 63°14'53" WEST.

DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAYBE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

GRAPHIC SCALE

PREPARED BY:



OPC, LLC
 4200 Truxtun Ave, Suite 100
 Bakersfield, CA 93309
 Ph: 661-381-2440

DATE: 8-18-2020

REV.: 02

EA: 48460

DISTRICT	COUNTY	ROUTE	PREPARED BY	SHEET NO.	TOTAL SHEETS
6	KERN	58	WJK	1	1

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements j.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Peyton Mills (\$1.00) whose address is 4200 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4200 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 400 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description

Type

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 1 of 6

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Peyton Mills, ("Purchaser").

Recitals

A. City owns the real property commonly known as: 020-482-12 & 13 Remnants and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Peyton Mills

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City's elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal of effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 3 of 6

Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Peyton Mills, 4200 La Mirada Avenue, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Peyton Mills, a single individual

☐ as Husband and Wife

☒ A Single Man/Woman

☐ A Married Man/Woman as his/her sole and separate property

☐ as Joint Tenants

☐ as Tenants in Common

☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

Peyton Mills, "Purchaser"

By: _____
Karen Goh, Mayor

Peyton Mills

Approved as to Form:

By: _____
Virginia Gennaro, City Attorney

Approved as to Content:

By: _____
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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**EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION**

APN 020-482-12 and 13

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 12 AND LOT 13, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 13, OF TRACT NO. 3334 (BOOK 18 OF MAPS, PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY) SAID POINT LYING ON THE EASTERLY LINE OF SAID LOT 13, TRACT NO. 3486;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 19°42'46" EAST 80.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 13, TRACT NO. 3334;

THENCE, ALONG THE SOUTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 13, TRACT NO. 3334, SOUTH 70°19'58" WEST 5.00 FEET;

THENCE, NORTH 19°42'36" WEST 80.09 FEET;

THENCE, ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 13, TRACT NO. 3334, NORTH 70°17'48" EAST 5.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 400 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

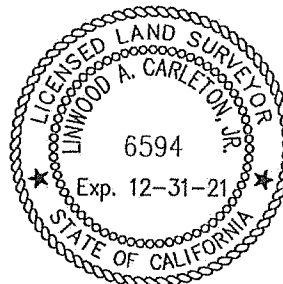
SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

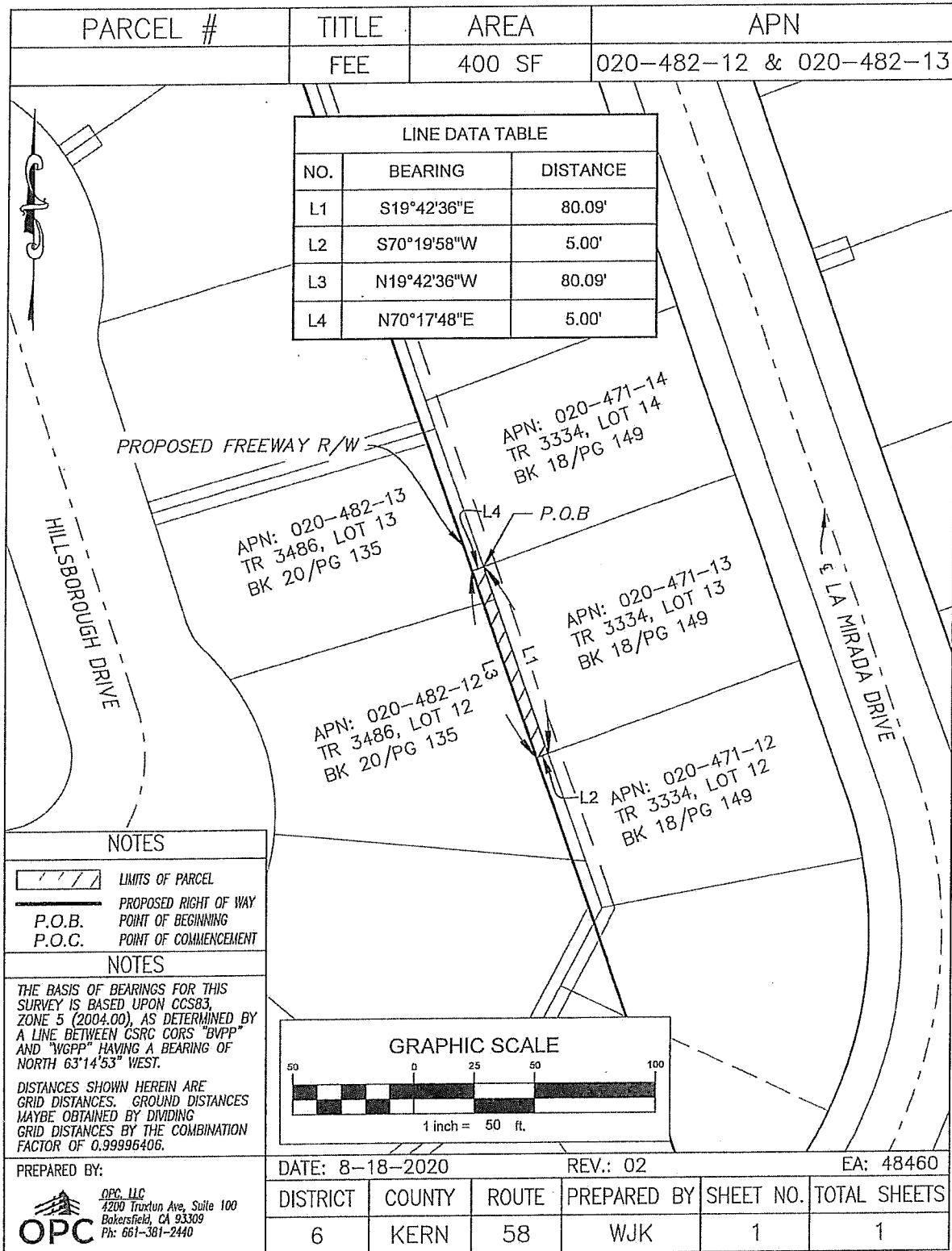
10/14/20
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT A2

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements k.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Flora J. Gonzalez (\$1.00) whose address is 4112 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4112 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 360 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description

Type

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Flora J. Gonzalez, ("Purchaser").

Recitals

A. City owns the real property commonly known as: 020-482-13 & 14 Remnants and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Flora J. Gonzalez

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City's elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal of effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Flora J. Gonzalez, 4112 La Mirada Avenue, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Flora J. Gonzalez, a married woman as her sole and separate property

☐ as Husband and Wife

☐ A Single Man/Woman

☒ A Married Man/Woman as his/her sole and separate property

☐ as Joint Tenants

☐ as Tenants in Common

☐ Other (specify) _____

Section 28. Additional Terms & Conditions

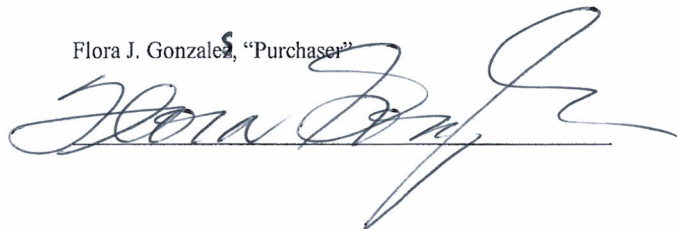
Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

Flora J. Gonzalez, "Purchaser"

By _____
Karen Goh, Mayor



Approved as to Form:

By: 
Virginia Genaro, City Attorney

Approved as to Content:

By: 
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-13 and 14

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 13 AND LOT 14, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 14, OF TRACT NO. 3334 (BOOK 18 OF MAPS, PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY) SAID POINT LYING ON THE EASTERLY LINE OF SAID LOT 14, TRACT NO. 3486;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 19°42'46" EAST 72.08 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14, TRACT NO. 3334;

THENCE, ALONG THE SOUTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 14, TRACT NO. 3334, SOUTH 70°17'48" WEST 5.00 FEET;

THENCE, NORTH 19°42'36" WEST 72.08 FEET;

THENCE, ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 14, TRACT NO. 3334, NORTH 70°15'52" EAST 5.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 360 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

10/14/2020

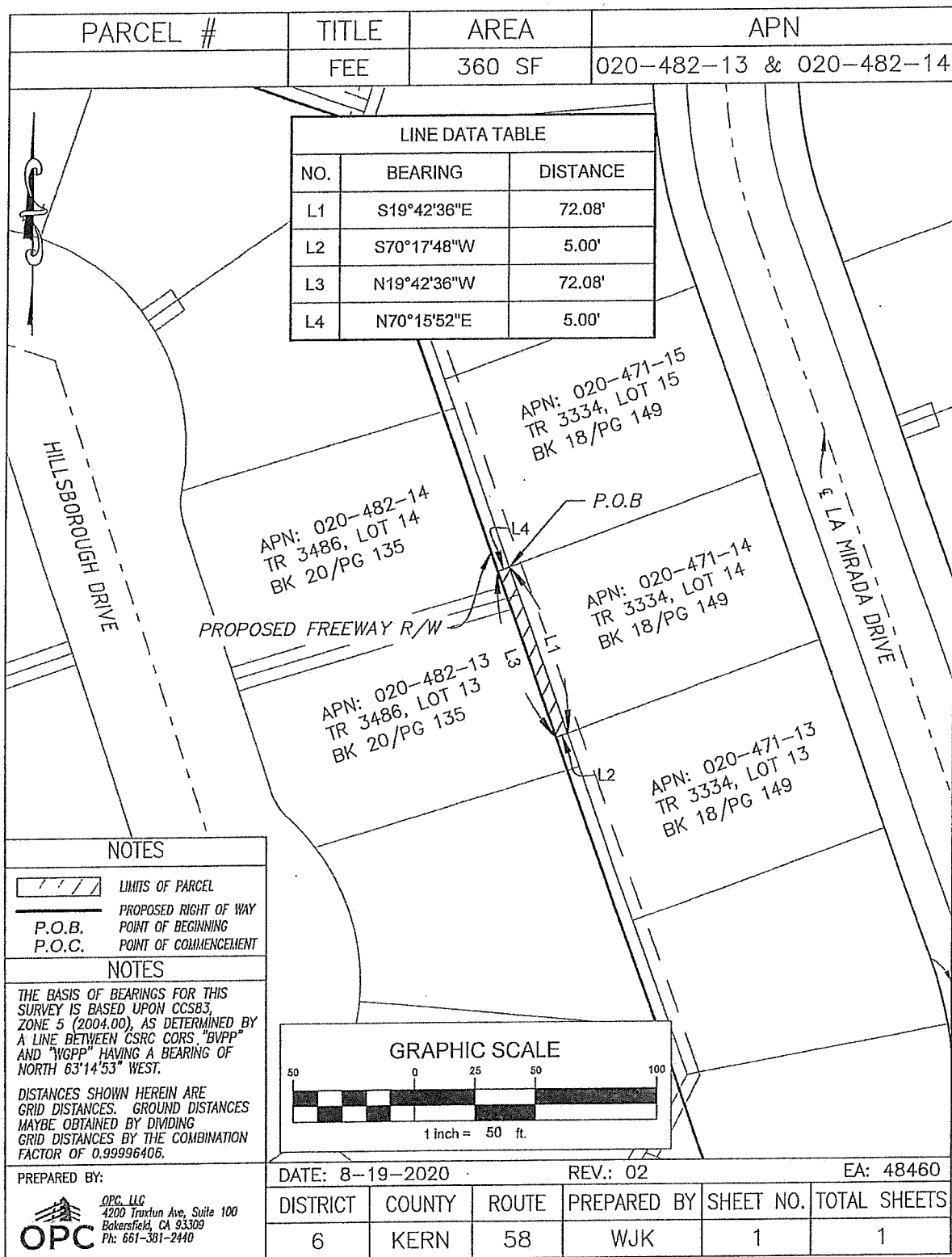
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT A2

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements I.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Daniel Gonzalez and Kimberly Gonzalez (\$1.00) whose address is 4108 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4108 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 400 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description	Type
📄 Purchase and Sale Agreement Gonzalez	Agreement

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Page 1 of 6

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Daniel Gonzalez and Kimberly Gonzalez, ("Purchaser").

Recitals

A. City owns the real property commonly known as: 020-482-14 & 15 Remnants and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Daniel Gonzalez and Kimberly Gonzalez

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 2 of 6

any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City's elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal or effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 3 of 6

Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Daniel Gonzalez and Kimberly Gonzalez, 4108 La Mirada Avenue, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Daniel Gonzalez and Kimberly Gonzalez, husband and wife as joint tenants

- ☐ as Husband and Wife
- ☐ A Single Man/Woman
- ☐ A Married Man/Woman as his/her sole and separate property
- ☒ as Joint Tenants
- ☐ as Tenants in Common
- ☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

By _____
Karen Goh, Mayor

Approved as to Form:

By: 
Virginia Gerardo, City Attorney

Approved as to Content:

By: 
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

Daniel Gonzalez and Kimberly Gonzalez, "Purchaser"


Daniel Gonzalez


Kimberly Gonzalez

PURCHASE AND SALE AGREEMENT- DIRECT SALE
RW 16-5 (NEW 10/20/16)

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EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-14 and 15

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 14 AND LOT 15, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 15, OF TRACT NO. 3334 (BOOK 18 OF MAPS, PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY) SAID POINT LYING ON THE EASTERLY LINE OF SAID LOT 15, TRACT NO. 3486;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 19°42'46" EAST 80.09 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15, TRACT NO. 3334;

THENCE, ALONG THE SOUTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 15, TRACT NO. 3334, SOUTH 70°15'52" WEST 5.00 FEET;

THENCE, NORTH 19°42'36" WEST 80.09 FEET;

THENCE, ALONG THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF SAID LOT 15, TRACT NO. 3334, NORTH 70°13'43" EAST 5.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 400 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

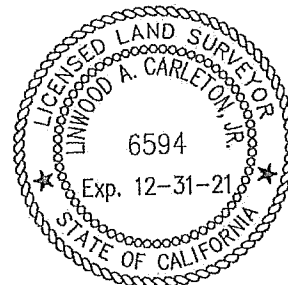
SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

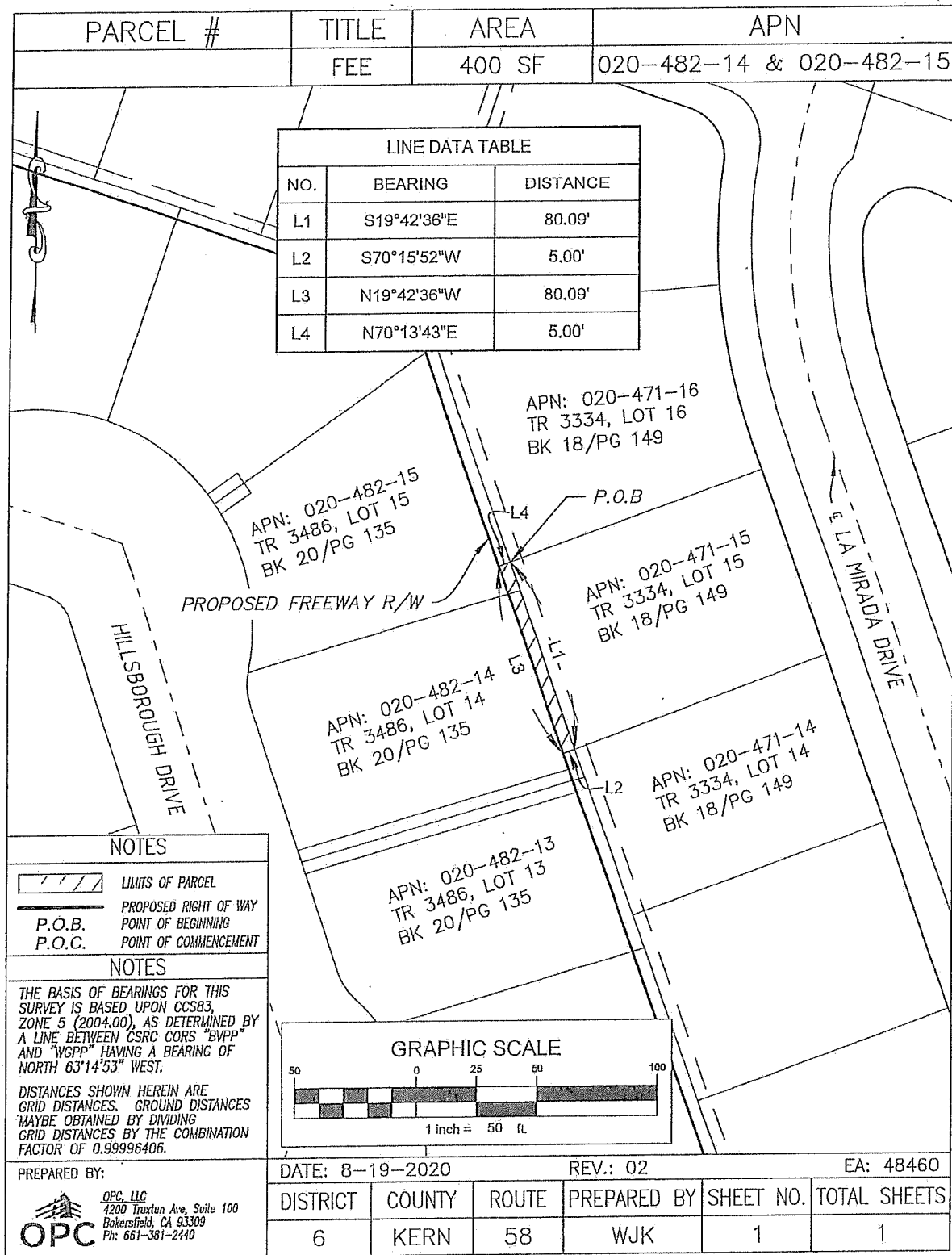
10/14/2020
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT A2

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements m.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Reyna Guerra (\$1.00) whose address is 4301 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4301 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 394 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description

Type

▣ Purchase and sale agreement-Guerra

Agreement

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Page 1 of 6

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Reyna Guerra, ("Purchaser").

Recital

A. City owns the real property commonly known as: 020-482-16 and 17 Remnants and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Reyna Guerra

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City's elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal of effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Page 3 of 6

Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Reyna Guerra, 4301 Marella Way, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Reyna Guerra, an unmarried woman

☐ as Husband and Wife

☒ A Single Man/Woman

☐ A Married Man/Woman as his/her sole and separate property

☐ as Joint Tenants

☐ as Tenants in Common

☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

Reyna Guerra, "Purchaser"

By _____
Karen Goh, Mayor

Reyna Guerra

Approved as to Form:

By: Virginia Gennaro
Virginia Gennaro, City Attorney

Approved as to Content:

By: Nick Fidler
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-16

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 16, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 30, OF SAID TRACT NO. 3486, SAID POINT LYING ON THE NORTHERLY LINE OF SAID LOT 16, TRACT 3486;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH 71°00'49" EAST 74.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 30;

THENCE, ALONG THE NORTHEASTERLY LINE OF SAID LOT 16, SOUTH 18°59'46" WEST 7.38 FEET;

THENCE, SOUTH 85°33'12" WEST 5.18 FEET;

THENCE, NORTH 19°42'36" WEST 5.69 FEET;

THENCE, NORTH 71°00'49" WEST 65.69 FEET;

THENCE, ALONG THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID LOT 30, NORTH 18°59'42" EAST 5.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 394 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:


LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

10/14/2020

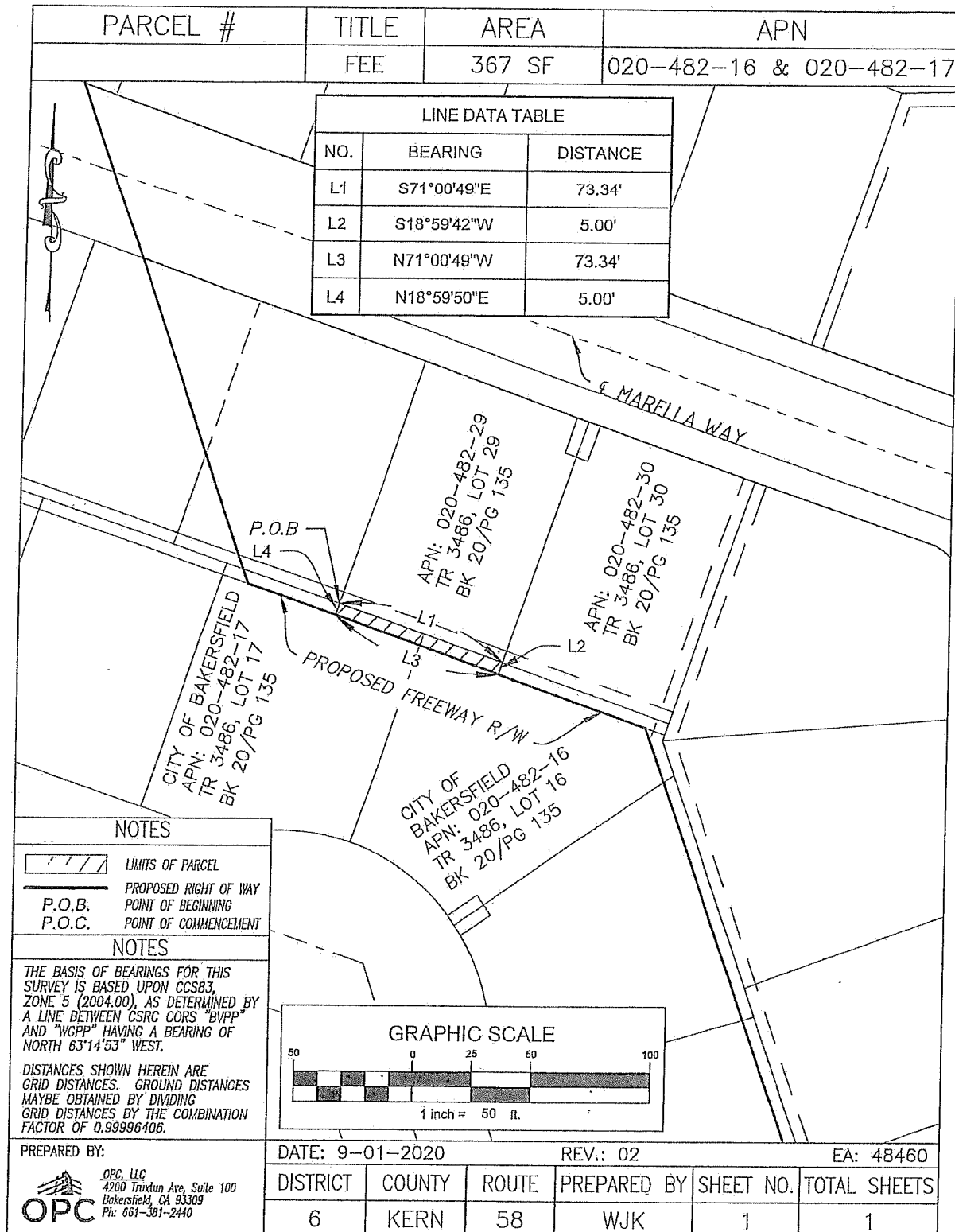
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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EXHIBIT A2

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements n.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Hendrick Hinse and Martha C. Hinse (\$1.00) whose address is 4104 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4104 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 569 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description	Type
▢ Purchase and Sale Agreement Hinse	Agreement

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

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THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Hendrick Hinse and Martha C. Hinse ("Purchaser").

Recitals

A. City owns the real property commonly known as: 020-482-15 Remnant and more particularly described as set forth in Exhibit A1 and depicted on Exhibit "A2" attached hereto.

B. Purchaser is Hendrick Hinse and Martha C. Hinse

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

Section 1. Purchase and Sale

City shall sell the Property to Purchaser and Purchaser shall purchase the Property from City on the terms and conditions stated in this Agreement.

Section 2. Purchase Price

The purchase price for the Property shall be \$ 1.00 The Purchase Price shall be paid by Purchaser as set forth below.

Section 3. Closing and City Council Approval

Purchaser understands and agrees that this sale is subject to the approval by the Bakersfield City Council. In the event the Bakersfield City Council fails to approve the sale, all monies paid by the Purchaser will be refunded without interest. City makes no representations or warranty concerning the Bakersfield City Council's approval of this sale.

Section 4. Close of Escrow

City will maintain an internal escrow at no charge to Purchaser. Purchaser may open an external escrow at Purchaser's expense but selection of the escrow company is subject to City's approval, which City may withhold for any reason within its discretion. Should Purchaser elect to open an escrow, Purchaser agrees to pay any and all fees associated with the escrow, and any and all recording fees, documentary transfer taxes or any other real estate transaction fees involved in the transaction.

Section 5. Closing Costs and Prorations

Purchaser shall pay all recording fees and the premium, if any, for the title insurance policy referred to herein. Prorations of real property taxes and assessments, rents, interest, and other expenses of the Property shall be prorated as of the date of recordation of the deed.

Section 6. Title

The Property is believed to be free of any liens, court judgments, loans, Deeds of Trust, and delinquent or unpaid property taxes. The sale of the Property is subject to all matters of public record and any easements, or reservations not of record or that which is reserved by the City. City does not assume any liability for any possible encumbrances on the Property.

Purchaser understands and agrees that the right, title, and interest in the Property to be conveyed shall not exceed that vested in the City, and that City will furnish no policy of title insurance. If a policy of title insurance is desired, Purchaser may obtain one at Purchaser's sole expense. The Property is being conveyed subject to any special assessments, restrictions, reservations or easements of record and subject to any reservations contained in the deed. Purchaser may examine any information City has relative to these matters. Purchaser has been given the opportunity to request and inspect all documents, if any, within City possession regarding the condition of the property.

Section 7. Condition of Property

Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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any representations, warranties, promises, covenants, agreements or guarantees of any kind or character whatsoever, whether express, implied, oral or written, past, present or future, of, as to, concerning or with respect to the condition of the property.

City makes no representation regarding the potential for development, subdivision, zoning, or re-zoning of the Property. Purchaser shall be responsible for compliance with any and all local codes and ordinances for permitted land uses of any kind.

Section 8. No Assignment

Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

Section 9. Disclaimers

The Property and the fixtures and personal property contained therein, if any, are not new, and have been subject to normal wear and tear. Purchaser understands that City makes no express or implied warranty with respect to the condition of any of the Property, fixtures or personal property. City makes no oral or written representation regarding the age of improvements, the size and square footage of the parcel or building, or the location of property lines. Apparent boundary line indicators such as driveways, fences, hedges, walls, or other barriers may not represent the true boundary lines which may only be determined by a surveyor. If any of these issues are important to Purchaser's decision to purchase, then Purchaser should investigate the Property independently. Purchaser acknowledges that it has not relied upon any representations by City with respect to the condition of the Property, the status of permits, zoning, or code compliance. Purchaser is to satisfy itself concerning these issues.

Section 10. Indemnification

Purchaser shall defend, indemnify, and hold City and City' elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

When used in this Agreement, "Hazardous Substance" shall mean any substance whose nature and/or quantity of existence, use, manufacture, disposal of effect, render it subject to federal, state, or local regulation, investigation, remediation or removal as potentially injurious to public health or welfare, including the Comprehensive Environmental Response Compensation and Liability Act or Resource Conservation and Recovery Act as now in effect.

When used in this agreement, "Hazardous Substance Condition" shall mean the existence on or under Property of a hazardous substance that requires remediation and/or removal and/or to be otherwise mitigated pursuant to applicable law.

Section 11. Destruction of Improvements

If the improvements of the Property are destroyed, materially damaged, or found to be materially defective as a result of such damage prior to Close of Escrow or approval by the Bakersfield City Council, Purchaser may terminate the transaction by written notice delivered to City, and all Deposits shall be returned to Purchaser.

Section 12. Commissions

Each party represents and warrants to the other party that no broker or finder or other real estate agent is entitled to any commission, finder's fee or other compensation resulting from any action on its part. Purchaser and City each agree to indemnify the other and defend and hold harmless the other party from and against any loss, cost, or expense, including attorney's fees, incurred by such party, and against any claims, causes of action or the like brought by any broker, finder or similar agent for a commission or fee on account of this Agreement. This section does not prohibit a Purchaser from obtaining a broker at their own expense.

Section 13. Effective Headings

The subject headings of the paragraphs and subparagraphs of this Agreement are included for convenience only and shall not affect the construction or interpretation of any of its provisions.

Section 14. Entire Agreement

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior and contemporaneous agreements, representations and understandings of the parties. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all the parties.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Section 15. Counterparts

This Agreement may be executed simultaneously in one (1) or more counterparts, each of which shall be deemed an original, but all of which shall constitute one (1) and the same instrument.

Section 16. Binding on Successors and Assigns

This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective legal representatives, successors, and assigns.

Section 17. Attorney's Fees

If any legal action, arbitration or other proceeding is brought involving a dispute between the parties or arising out of the execution of this Agreement or sale of the Property, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees incurred in such action or proceeding, in addition to any other relief to which such party may be entitled.

Section 18. Agreement to Perform Necessary Acts

Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

Section 19. No Third-party Beneficiaries

This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

Section 20. Notices

All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Hendrick Hinse and Martha C. Hinse, 4104 La Mirada Avenue, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all the other provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties.

Section 23. Survival of Representations and Warranties

All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

Section 24. Time is of the Essence

Time is of the essence and performance of this Agreement in respect to all provisions of this Agreement that specify a time for performance, and failure to comply with this provision shall be a material breach of this Agreement.

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Hendrick Hinse and Martha C. Hinse, husband and wife as joint tenants

- ☐ as Husband and Wife
- ☐ A Single Man/Woman
- ☐ A Married Man/Woman as his/her sole and separate property
- ☒ as Joint Tenants
- ☐ as Tenants in Common
- ☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

By _____
Karen Goh, Mayor

Approved as to Form:

By: Virginia Gennaro
Virginia Gennaro, City Attorney

Approved as to Content:

By: Nick Fidler
Nick Fidler, Public Works Director

Hendrick Hinse and Martha C. Hinse, "Purchaser"

Hendrick Hinse
Hendrick Hinse

Martha C. Hinse
Martha C. Hinse

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-15 and 16

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 15 AND LOT 16, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 16, OF TRACT NO. 3334 (BOOK 18 OF MAPS, PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY) SAID POINT LYING ON THE EASTERLY LINE OF SAID LOT 16, TRACT NO. 3486;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 19°42'36" EAST 108.18 FEET TO THE SOUTHWEST CORNER OF SAID LOT 16, TRACT NO. 3334;

THENCE, ALONG THE SOUTHWESTERLY PROLONGATION OF THE SOUTHERLY LINE OF SAID LOT 16, TRACT NO. 3334, SOUTH 70°13'43" WEST 5.00 FEET;

THENCE, NORTH 19°42'36" WEST 115.24 FEET;

THENCE, SOUTH 71°00'59" EAST 8.32 FEET TO THE WESTERLY LINE OF LOT 17, TRACT NO. 3334;

THENCE, ALONG THE WESTERLY LINE OF SAID LOT 17, TRACT NO. 3334, SOUTH 18°59'46" WEST 2.38 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 569 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

10/14/2020

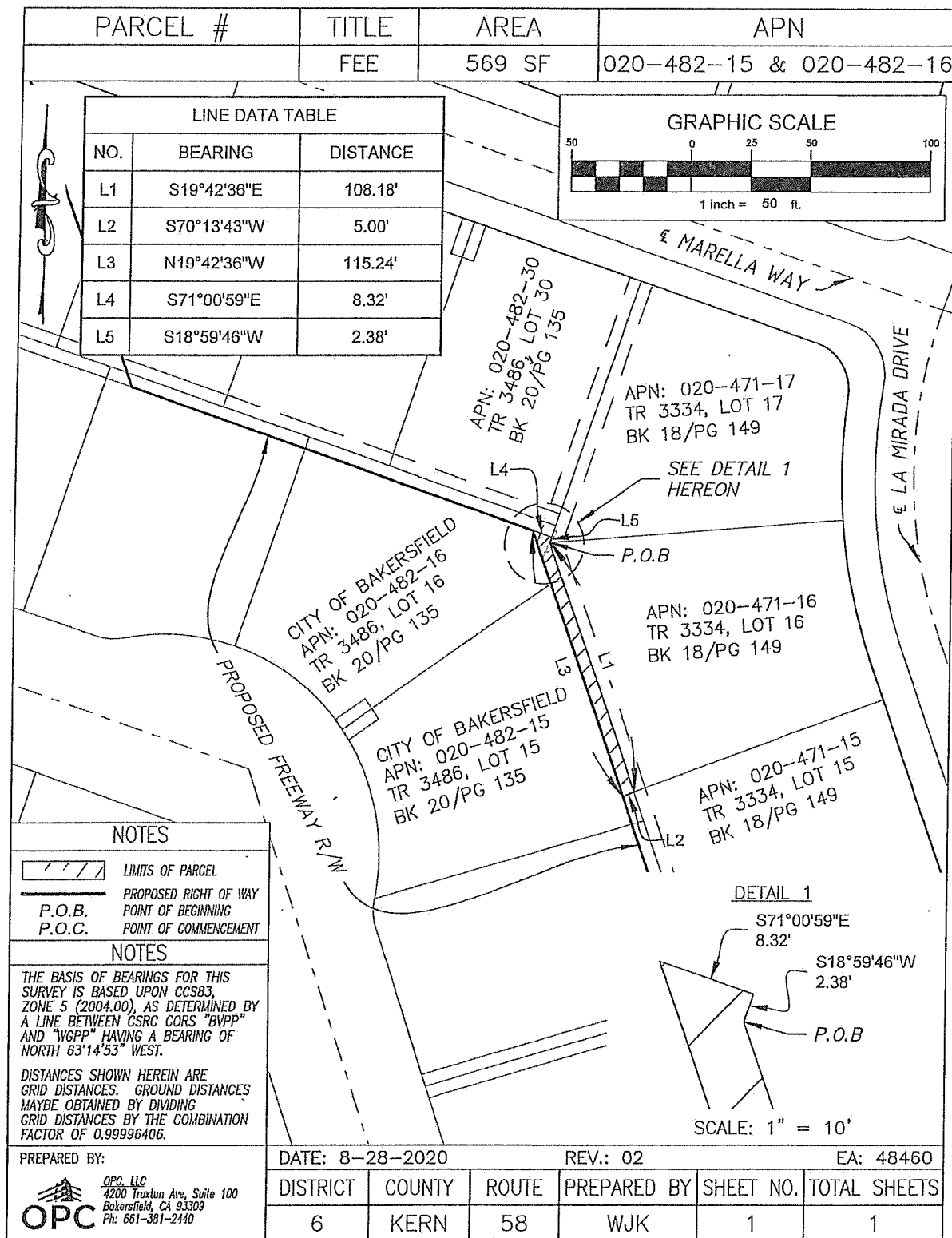
DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

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EXHIBIT A2

NOTES

LIMITS OF PARCEL

PROPOSED RIGHT OF WAY

P.O.B. POINT OF BEGINNING

P.O.C. POINT OF COMMENCEMENT

NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC COR'S "BVPP" AND "VGPP" HAVING A BEARING OF NORTH 63°14'53" WEST.

DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAYBE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

OPC LLC
4200 Truxtun Ave, Suite 100
Bakersfield, CA 93309
Ph: 661-381-2440

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements o.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD: Ward 2
SUBJECT: Agreement with Nicole M. McCoy (\$1.00) whose address is 4205 La Mirada Avenue for the Direct sale of "Exempt Surplus" real property located between their property and the Centennial Corridor Sound wall.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

As part of the Thomas Road Improvement Program (TRIP), the City of Bakersfield acquired 422 properties ranging from full parcels to partial portions of properties to construct the Centennial Corridor Project. The Centennial Corridor will connect the existing State Route 58 at South Real Road and State Route 99 to the Westside Parkway north of Truxtun Avenue.

Construction of the project is well underway, with portions of the sound wall and some segments of the new local roads complete. The completion of these improvements created a small remnant parcel landlocked between the adjacent property (4205 La Mirada Avenue) and the Centennial Corridor sound wall. Said remnant is approximately 394 square feet in size and is additionally encumbered by a foundation easement for the adjacent sound wall.

Due to the size and location of this remnant it is not feasible for the City to maintain this parcel without gaining entry through the adjacent owners' property. Additionally, since the property is landlocked the only parcel to benefit from this parcel is the contiguous land owner. Therefore, on December 16, 2020 Council adopted resolution 195-2020 declaring the remnant property "Exempt Surplus" pursuant to Government Code Section 54221(f)(1)(B)(i) and authorized staff to proceed with the disposal of the surplus property.

Caltrans has approved the disposal process and has assisted in the determination of the fair market value for the parcel. The City now desires to enter into an agreement with the contiguous property owner for the sale of the "Exempt Surplus" real property for \$1.00.

ATTACHMENTS:

Description

Type

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 1 of 6

THIS PURCHASE AND SALE AGREEMENT (this "Agreement") is entered into as of _____ by and between the City of Bakersfield ("City") and Nicole M. McCoy, ("Purchaser").

Recitals

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B. Purchaser is Nicole M. McCoy

C. The parties wish to provide terms and conditions for Purchaser's purchase of the Property from City.

NOW THEREFORE, the parties agree as follows:

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Purchaser waives any further right to inspect the Property and conduct tests thereon. The Property is sold "AS IS" in its present physical condition as of the date of this Agreement. Purchaser acknowledges and agrees that they are acquiring the property in its present state and condition as of the date of this Agreement, with all defects, both patent and latent, and with all faults of the property whether known or unknown, presently existing or that may hereafter arise, including, without limitation, all existing conditions, if any, of lead paint, mold or other environmental health hazards. Purchaser acknowledges and agrees that the City has not made, does not make and specifically negates and disclaims

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Purchaser shall not assign all or any part of the Purchaser's interest in this Agreement without first having obtained the written consent of City. Any total or partial assignment shall not relieve Purchaser of Purchaser's obligation to this Agreement.

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Purchaser shall defend, indemnify, and hold City and City's elected and appointed officers, agents, and employees free and harmless from and against any and all liabilities, damages, claims, costs, and expenses (including and without limitation to attorney's fees, legal expenses and costs, and consultant's fees, and investigation and remediation costs) arising in whole or in part from the existence of Hazardous Substances or Hazardous Substance Conditions. This indemnity is intended to address that liability for which City may be responsible solely out of its mere ownership of said Property. This provision shall survive transfer of title to said Property and any rescission of said transfer.

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Each party agrees to perform any further acts and execute and deliver any documents that may be reasonably necessary to carry out the provisions in this Agreement.

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This Agreement is for the sole benefit of the parties hereto. There are no third-party beneficiaries, intended or otherwise.

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All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the person to whom notice is to be given or, on the second (2nd) day after mailing if mailed to the party to whom notice is to be given, by First Class Mail, registered or certified, return receipt requested, postage prepaid and properly addressed as follows:

To City at: Renee Williams, City of Bakersfield, 1600 Truxtun Avenue, Bakersfield, CA 93301

To Purchaser at: Nicole M. McCoy, 4205 Marella Way, Bakersfield, CA 93309

Any party may change its address for purposes of this paragraph by giving the other party written notice of the new address to the other party contained herein.

Section 21. Governing Law

This Agreement has been negotiated and entered into in the State of California and shall be governed by, construed and enforced in accordance with the laws of the State of California and according to its fair meaning, and not in favor of or against any party.

Section 22. Severability

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All covenants, representations, warranties, and other agreements under this Agreement shall survive the Close of Escrow.

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Section 25. Saturdays, Sundays, and Holidays

If any date by which an election or a notice must be given falls on a Saturday, Sunday or holiday, then the date by which an election or notice must be given is extended to 5:00 p.m. on the next business day following such Saturday, Sunday or holiday.

Section 26. Waiver

No breach of any provision of this Agreement can be waived unless in writing. Waiver of any one breach of a provision hereof shall not be deemed to be a waiver of any other breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.

Section 27. Vesting

Title shall be vested as follows: Nicole M. McCoy, a single woman

☐ as Husband and Wife

☒ A Single Man/Woman

☐ A Married Man/Woman as his/her sole and separate property

☐ as Joint Tenants

☐ as Tenants in Common

☐ Other (specify) _____

Section 28. Additional Terms & Conditions

Additional Terms & Conditions ☐ are/ ☒ are not attached.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

City of Bakersfield "City"

Nicole M. McCoy, "Purchaser"

By _____
Karen Goh, Mayor

 _____

Approved as to Form:

By:  _____
Virginia Gennaro, City Attorney

Approved as to Content:

By:  _____
Nick Fidler, Public Works Director

Countersigned:

By: _____
Randy McKeegan, Finance Director

PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

Page 5 of 6

EXHIBIT "A1"
REMNANT PARCEL
LEGAL DESCRIPTION

APN 020-482-16

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LOT 16, AS THE SAME IS SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 30, OF SAID TRACT NO. 3486, SAID POINT LYING ON THE NORTHERLY LINE OF SAID LOT 16, TRACT 3486;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH 71°00'49" EAST 74.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 30;

THENCE, ALONG THE NORTHEASTERLY LINE OF SAID LOT 16, SOUTH 18°59'46" WEST 7.38 FEET;

THENCE, SOUTH 85°33'12" WEST 5.18 FEET;

THENCE, NORTH 19°42'36" WEST 5.69 FEET;

THENCE, NORTH 71°00'49" WEST 65.69 FEET;

THENCE, ALONG THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID LOT 30, NORTH 18°59'42" EAST 5.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 394 SQUARE FEET, MORE OR LESS.

Reserving unto Grantor and its' successors and assigns an easement for sound wall foundation and maintenance purposes. There shall be no abutter's rights, including rights of access, appurtenant to the above described real property in and to the adjacent State freeway.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-21

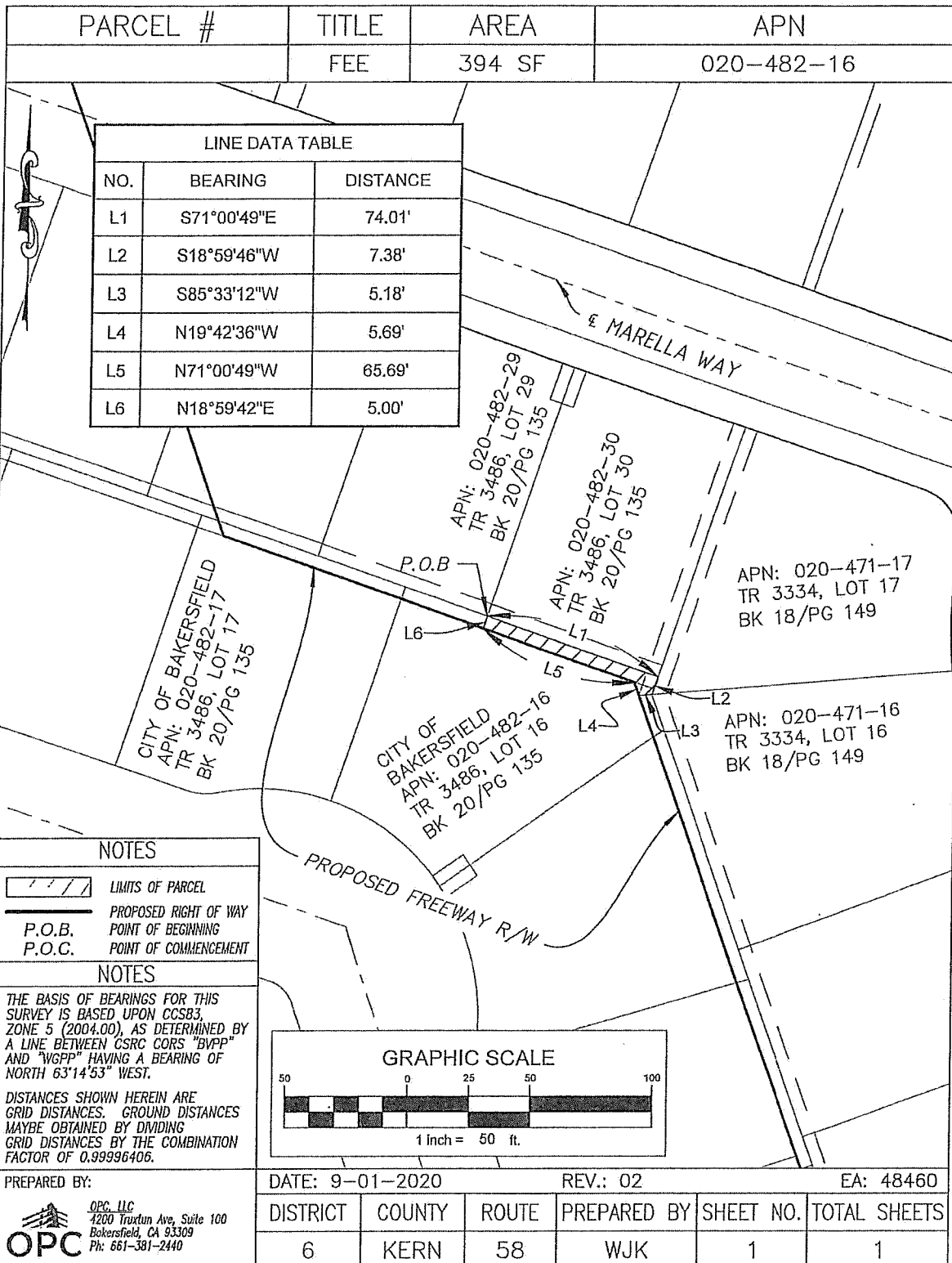
10/14/2020

DATE



PURCHASE AND SALE AGREEMENT- DIRECT SALE

RW 16-5 (NEW 10/20/16)

EXHIBIT A2

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements p.

TO: Honorable Mayor and City Council
FROM: Gregory Pronovost, Technology Services Director
DATE: 1/19/2021
WARD:
SUBJECT: Agreement with SC Communications (\$57,812.64) for the repair of portable Public Safety radios.

STAFF RECOMMENDATION:

Staff recommends approval of the agreement.

BACKGROUND:

The City of Bakersfield's Police Department utilizes portable (handheld) radios for communications to and from the officers in the field. The attached agreement with SC Communications provides for maintenance and support services for radios that are no longer covered by the manufacturer warranty. This includes repairs or replacement of the radios due to damage to certain components and the radio unit housings. This service greatly increases staff's ability to ensure radio equipment is in an operable condition of the Police Department's personnel. The amount of the agreement is for \$57,812.64 and covers 688 portable radios through Dec 31, 2021.

This agreement is funded through the Equipment Maintenance Fund.

ATTACHMENTS:

Description	Type
☐ Agreement	Agreement

AGREEMENT NO. _____

INDEPENDENT CONTRACTOR'S AGREEMENT

[Over \$40,000]

This **INDEPENDENT CONTRACTOR'S AGREEMENT** ("Agreement") is made and entered into on _____, by and between the **CITY OF BAKERSFIELD**, a municipal corporation, ("CITY") and **SC Communications** ("CONTRACTOR").

RECITALS

WHEREAS, CITY is in need of Motorola handheld radio repairs for out of warranty devices; and

WHEREAS, CONTRACTOR offers specialized experience in repair of out of warranty Motorola handheld radios; and

WHEREAS, CONTRACTOR represents that CONTRACTOR is experienced, well qualified and a specialist in the field of Motorola handheld radio maintenance and repair; and

WHEREAS, CITY has limited in house resources to repair Motorola handheld radios; and

WHEREAS, CITY desires that CONTRACTOR repair out of warranty Motorola handheld radios; and

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and CONTRACTOR mutually agree as follows:

1. **SCOPE OF WORK.** In exchange for the Compensation (defined below), CONTRACTOR shall perform the following: Provide repair to out of warranty Motorola XTS2500 & XTS5000 portable radios as detailed in **EXHIBIT A** ("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.
2. **COMPENSATION/PAYMENT PROCEDURE.** Subject to the conditions of this

section, CITY will pay CONTRACTOR as follows for performing the Scope of Work ("Compensation"):

- A total payment of Fifty-Seven Thousand Eight Hundred Twelve Dollars and Sixty-Four cents (\$57,812.64) which shall be paid 50% (\$28,906.32 in February 2021)
- upon approval of the agreement by City Council and the remaining 50% (\$28,906.32 in August 2021) six months thereafter, subject to **EXHIBIT B** which is attached hereto and incorporated by reference herein as follows:

CITY will pay CONTRACTOR within 30 days after CONTRACTOR submits an itemized invoice for the portions of the Scope of Work completed and that invoice is approved by CITY. The Compensation will be the total amount paid to CONTRACTOR for performing the Scope of Work and includes, but is not limited to, all out-of-pocket costs and taxes. CITY will pay no other compensation to CONTRACTOR. In no case will CITY compensate CONTRACTOR more than \$57,812.64 for performing the Scope of Work.

3. **TERM.** Unless terminated sooner, as set forth herein, this Agreement shall terminate on December 31, 2021.
4. **TERMINATION.** Either party may terminate this Agreement after giving the other party written notice, as provided herein, ten days before the termination is effective.
5. **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.
6. **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.

7. **DIRECTION.** CONTRACTOR retains the right to control or direct the manner in which the services described herein are performed.
8. **EQUIPMENT.** CONTRACTOR will supply all equipment, tools, materials and supplies necessary to perform the services under this Agreement.
9. **STARTING WORK.** CONTRACTOR shall not begin work until authorized to do so in writing by CITY. No work will be authorized before the date first written above.
10. **KEY PERSONNEL.** CONTRACTOR shall name all key personnel to be assigned to perform the Scope of Work. All key personnel shall be properly licensed and have the experience to perform the work called for under this Agreement. CONTRACTOR shall provide background for each of the key personnel including, without limitation, resumes and work experience performing work similar to the Scope of Work. CITY reserves the right to approve key personnel. Once the key personnel are approved, CONTRACTOR shall not change such personnel without CITY's written approval.
11. **INCLUDED DOCUMENTS.** Any bid documents, including, without limitation, special provisions and standard specifications and any Request for Proposals, Request for Qualifications and responses thereto relating to this Agreement are incorporated by reference as though fully set forth herein.
12. **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 licenses or professional degrees.
13. **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.
14. **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.

15. **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.

16. **INSURANCE.**

- 16.1 **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").

- 16.1.1 **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.

- 16.1.2 **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:

- 16.1.2.1 Provide contractual liability coverage for the terms of this Agreement;

- 16.1.2.2 Provide products and completed operations coverage;

16.1.2.3 Provide premises, operations, and mobile equipment coverage; and

16.1.2.4 Contain an additional insured endorsement in favor of CITY and its mayor, council, officers, agents, employees, and designated volunteers.

16.1.3 **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.

16.2 General Provisions Applying to All Insurance Types.

16.2.1 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.

- 16.2.2** 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.
- 16.2.3** 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.
- 16.2.4** 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.
- 16.2.5** 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.
- 16.2.6** 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.
- 16.2.7** 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.

17. **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.
18. **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.
19. **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.
20. **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.
21. **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.
22. **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.

23. **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.
24. **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.
25. **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.
26. **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.
27. **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.
28. **INTERPRETATION.** Whenever the context so requires, the masculine gender includes the feminine and neuter, and the singular number includes the plural.
29. **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 by the City Council and signed by all the parties.
30. **NON-INTEREST.** No CITY officer or employee shall hold any interest in this Agreement (California Government Code section 1090).
31. **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: SC Communications, Inc.
5303 Woodmere Court
Bakersfield, CA 93313**

32. **RESOURCE ALLOCATION.** All CITY obligations under the terms of this Agreement are subject to the appropriation and allocation of resources by the City Council.
33. **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.
34. **TAX NUMBERS.**

CONTRACTOR's Federal Tax ID Number 77-0546784
CONTRACTOR is a corporation? Yes X No
(Please check one.)

[Signatures on Following Page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date first written above.

"CITY"
CITY OF BAKERSFIELD

"CONTRACTOR"

By: _____
KAREN GOH
Mayor

By:  _____
ANDREA OSUNA
General Manager

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
CHRISTINA J. OLESON
Deputy City Attorney
Insurance: _____

APPROVED AS TO CONTENT:
TECHNOLOGY SERVICES DEPARTMENT

By: _____
GREGORY PRONOVOST
Technology Services Director

COUNTERSIGNED:

By: _____
RANDY MCKEEGAN
Finance Director

Attachment: Exhibit A – SOW
Exhibit B – Quote

Statement of Work

Service From The Start (SFS)

SFS Comprehensive

1.0 Description

Service From The Start (SFS) Comprehensive provides all-component level service for the Equipment that is specifically named in the applicable agreement to which this Statement of Work (SOW) is attached or any of the agreement's subsequent revisions. Services are performed at the Sunny Communications Radio Repair Center.

SFS Comprehensive is only applicable on XTS®, XTL™, APX™, and some MOTOTRBO™ model radios. A radio model may be added to an SFS Comprehensive service agreement while it is currently being manufactured by Motorola, or for up to one (1) year after manufacturer cancellation date of said model. SFS Comprehensive includes:

- Repair and or replacement of cracked housings, frames, covers, crushed components, shields, missing components, circuit boards, warped circuit boards
- Damage to LCD screens (cracks to screen, or any damage that does not pass Motorola test parameters)
- Damaged foils/traces/lands
- Electrical damage
- Water/chemical corrosion
- Contaminants visible which cannot be cleaned up reliably

The customer will incur additional charges at the prevailing rates for any of the following activities, which are NOT covered under SFS Comprehensive:

- Replacement of consumable parts or accessories, as defined by product, such as batteries, antennas, and other similar items
- Internal and external component damage or destruction from force majeure events, including but not limited to natural or man-made disasters, such as fire, theft, and floods. Notwithstanding, if in the normal course of an emergency responder's duty, the product is taken into a fire, damage to the product will be covered.
- Non-remedial work, such as but not limited to firmware or protocol upgrades, reprogramming, and product configuration
- Repair of non-covered products
- Damages caused by using the device outside of the product's operational and environmental specifications
- Damages caused as a result of the device being modified or repaired by a third party

SC Communications Inc reserves the right to monitor the customer's repair history under this SFS Comprehensive service agreement. SC Communications Inc may take appropriate action if the customer's repair history under this SFS Comprehensive service appears to be in violation of this Statement of Work.

MOTOTRBO, XTS, XTL and APX model radios that are presently on a standard service agreement may be transferred to an SFS Comprehensive service agreement. These transferred units must either be models that are currently being manufactured by Motorola or models where manufacturing by Motorola was canceled within the prior 364 days.

Customers who wish to add MOTOTRBO, XTS, XTL and APX model radios that are currently being manufactured by Motorola that are not presently on a standard service agreement must be operating in accordance with Motorola specifications, and are not damaged. If Customer attempts to add radios to the SFS Service Agreement that are not operating in accordance with Sunny Communications specifications or are damaged, Sunny Communications may either terminate the Service Agreement, as provided in the Service Terms and Conditions, or in its sole discretion, Sunny Communications may terminate just those services covered by this SFS Comprehensive Statement of Work. Sunny Communications recommends a Preventative Maintenance check be completed on radios that are not currently under an SFS service agreement so the customer can confirm radios are operational and aligned with Sunny Communications specifications, and are not damaged.

Exhibit A

In addition to Equipment specifically named in the applicable agreement to which this Statement of Work is attached, Service From the Start Comprehensive includes single mobile control heads provided that they are required for normal operation of the Equipment and are included at the point of manufacture.

SFS Comprehensive excludes repairs to: optional accessories; standard mobile palm microphones; non-standard mobile microphones; iDEN mobile microphones; portable remote speaker microphones; optional or additional control heads; mobile external speakers; mobile power and antenna cables; and power supplies. Engraving service is not covered under SFS Comprehensive.

SFS Comprehensive is non-cancelable and non-refundable. If Equipment is added to the agreement subsequent to the Start Date, these units are also non-cancelable and non-refundable for the agreement duration. All added Equipment must be in "good working order" on the Start Date or when additional Equipment is added to the agreement. To ensure "good working order", added equipment will incur a time and material (T&M) repair fee if a repair is requested on that equipment within 30 days after being added to the agreement. Equipment may only be added to the agreement, via a customer signed or emailed Sunny Communications Inventory Adjustment Form (IAF). Complete and accurate serial numbers and model descriptions must be supplied or the added unit will not be included under the agreement and will incur a T&M repair fee.

All inventory adjustment requests for add-on subscriber units received prior to the 15th of the month will be effective the 1st of the following month. Equipment add-on requests received after the 15th of the month will be effective the 1st of the next succeeding month.

Equipment deletions from the agreement may only be deleted under the following limited conditions:

- a) Equipment was stolen and proof of theft is provided to Motorola; or
- b) Sunny Communications determines Equipment is damaged beyond repair; or
- c) Sunny Communications determines Equipment is no longer supportable or is obsolete; or
- d) Equipment had already been under a previous contract for at least the twelve month requirement.

Equipment deletions, where applicable, will be effective at the end of the month in which the request was received.

2.0 Sunny Communications has the following responsibilities:

2.1 Test and Restore the Equipment to Motorola factory specifications, including Factory Mutual (FM), and Mine Hazard Safety Association (MHSA).

2.2 Reprogram Equipment to original operating parameters based on the Customer template, if retrievable, or from a Customer supplied backup. If the Customer template is not usable, a generic template or code plug utilizing the latest Radio Service Software (RSS) or Customer Programming Software (CPS) version for that Equipment will be used. The Equipment will require additional programming by the Customer to restore the original template. All Firmware is upgraded to the latest release for each individual product line.

2.3 Clean external housing of the Equipment. External components of unit will only be replaced when functionality has been diminished.

2.4 Replace currently manufactured Equipment if it is determined that the Equipment is unrepairable. Motorola will contact the customer to inform them if Equipment needs to be replaced and that the cycle time may be increased because of the replacement. If unrepairable Equipment is no longer manufactured, the Customer will have the option of having the radio returned unrepared to them.

2.5 Pay the outbound freight charges. Sunny Communications will pay the inbound freight charges if the Customer uses the Sunny Communications designated delivery service.

2.6 Provide Customer with the Sunny Communications repair request form and Inventory Adjustment Form (IAF).

2.7 Perform covered services as requested by Customer on the Sunny Communications repair request form.

2.8 Process inventory adjustment requests received by email or fax from Customer. If the request is received by email, Sunny Communications will email an acknowledgement to the sender.

2.9 If applicable, notify Customer of changes in Sunny Communications designated inventory adjustment email address or fax number.

3.0 Customer has the following Responsibilities:

3.1 Supply Sunny Communications complete and accurate serial numbers and model description.

3.2 Utilize the Sunny Communications designated delivery service program to obtain Motorola payment for inbound shipping

Exhibit A

3.3 Access the Sunny Communications repair request form and Inventory Adjustment Form (IAF)

3.4 Initiate service request via SC Communications Inc repair request form with contract number referenced, and submit it with each unit of Equipment sent in for service. Mobile control heads or palm microphones sent in must reference the serial number of the main unit.

3.5 If desired, supply Sunny Communications with a backup Software template or programming in order to assist in returning the Equipment to original operating parameters. This step must be completed for Equipment that will not power up. If applicable, record the current flashcode for each radio.

3.6 If Sunny Communications must utilize a generic template or code plug to Restore Equipment to operating condition, Customer is responsible for any programming required to Restore Equipment to desired parameters.

3.7 Provide a signed or emailed Sunny Communications Inventory Adjustment Form (IAF) for all Equipment additions



5303 Woodmere Drive
Bakersfield, CA 93313
(661) 831-0191

Estimate

Date	Estimate #
7/1/2020	9642

Name / Address
City Of Bakersfield 1600 Truxtun Ave. Bakersfield, Ca. 93301

Rep	Project
ANO	

Description	Qty	Rate	Total
PREFERRED CUSTOMER SERVICE AGREEMENT MOTOROLA XTS2500 PORTABLE RADIOS FOR SFS COMPREHENSIVE SERVICE PLAN	500	84.03	42,015.00
PREFERRED CUSTOMER SERVICE AGREEMENT MOTOROLA XTS5000 PORTABLE RADIOS FOR SFS COMPREHENSIVE SERVICE PLAN	188	84.03	15,797.64
Contract 1/1/2021 thru 12/31/2021			

THIS QUOTE IS BASED ON THE FOLLOWING:

This quotation is provided to you for information purposes only and is not intended to be an offer or a binding proposal.

If you wish to purchase the quoted products, SC Communications, Inc. will be pleased to provide you with our standard terms and conditions of sale (which will include the capitalized provisions below), or alternatively, receive your purchase order which will be acknowledged. Thank you for your consideration of Motorola products. Quotes are exclusive of all installation and programming charges (unless expressly stated) and all applicable taxes. Purchaser will be responsible for shipping costs, which will be added to the invoice.

Prices quoted are valid for sixty (60) days from the date of this quote. Unless otherwise stated, payment will be due within thirty days after invoice. Invoicing will occur concurrently with shipping.

Subtotal \$57,812.64

Sales Tax (7.5%) \$0.00

Total \$57,812.64

Signature _____

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements q.

TO: Honorable Mayor and City Council
FROM: Nick Fidler, Public Works Director
DATE: 12/14/2020
WARD: Ward 4
SUBJECT: Amendment No. 1 to Agreement No. 2020-023 with Mark Thomas & Company, Inc. (\$34,460; revised not to exceed \$176,540), for the Rosedale Highway Widening Project between Calloway Drive and Verdugo Lane.

STAFF RECOMMENDATION:

Staff recommends approval of the amendment.

BACKGROUND:

In July, 2012, Mark Thomas & Company was awarded the contract to design the Rosedale Highway Widening Project. The design was completed in March, 2014, and although the project was originally intended to be done as a single project, the construction of the project was split into four segments. Due to higher than anticipated construction costs, only Segments 3 and 4 were constructed and completed in December, 2016. During construction Mark Thomas & Company also provided construction support services.

Currently funds have become available to build Segment 2, Rosedale Highway between Calloway Drive and Verdugo Lane and the City wishes to bid the project this fiscal year. In order to meet this schedule, the existing plans and specifications need to be revised in order to accurately reflect the Segment 2 work. Since the Engineer of Record for this design is Mark Thomas & Company, contracting with this firm would be the most beneficial to the City as well as meet the schedule.

Amendment No. 1 with Mark Thomas & Company is for revising the scope of work to include designing ADA and accessibility improvements to the pedestrian facilities and also to improve the flow line profile within the Project limits. The revised scope will result in additional plan sheets and revisions to the design from what was initially proposed. The cost as proposed for Amendment No. 1 is \$34,460.

Sufficient local funds have been budgeted to cover this agreement, and there is no General Fund impact.

ATTACHMENTS:

Description	Type
📎 2020-023(1)	Agreement
📎 Scope and Fee- Backup	Backup Material

AGREEMENT NO. 2020-023 (1)

AMENDMENT NO. 1 TO AGREEMENT NO. 2020-023

This **AMENDMENT NO. 1 TO AGREEMENT NO. 2020-023** is made and entered into on _____ ("Effective Date"), by and between the **CITY OF BAKERSFIELD**, a municipal corporation ("CITY"), and **Mark Thomas and Company, Inc.**, a California Corporation ("CONSULTANT").

R E C I T A L S

WHEREAS, on February 19, 2020, CITY and CONSULTANT entered into Agreement No. 2020-023 ("AGREEMENT" herein), wherein CONSULTANT would provide Design Services for the Rosedale Highway Widening Project – Segment 2 Project ("PROJECT" herein) for an amount not to exceed **One Hundred Forty-Two Thousand Eighty Dollars (\$142,080.00)**; and

WHEREAS, the parties now desire to enter into the Amendment No. 1 to the AGREEMENT to be able to provide additional design service which in turn extends the Scope of Work as outlined in **Exhibit A-1**, attached hereto and incorporated herein by this reference; and

WHEREAS, the Compensation/Payment Procedure will also need to be increased by a not to exceed amount of **\$34,460** for a total amount not to exceed \$176,540, as a result of additional work to be paid as outlined in **Exhibit B-1**, attached here to and incorporated herein by this reference; and

WHEREAS, the termination date for the AGREEMENT will lapse prior to completion of the new Scope of Work in which the date will be extended as well.

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and CONSULTANT mutually agree as follows:

1. **Section 1 of the AGREEMENT entitled "SCOPE OF WORK" is hereby amended to read as follows:**

1. SCOPE OF WORK. In exchange for the Compensation (defined below), CONSULTANT must competently and thoroughly design and engineer Segment 2 of PROJECT as specifically described in CONSULTANT's scope of

work, as provided in **Exhibit "A"** and **Exhibit "A-1"**, and incorporated herein by this reference. CONSULTANT's services shall include all the procedures necessary to properly complete the Scope of Work, whether specifically included in the Scope of Work or not.

2. Section 2 of the AGREEMENT entitled "COMPENSATION/PAYMENTPROCEDURE" is hereby amended to read as follows:

2. COMPENSATION/PAYMENT PROCEDURE. In exchange for performing the Scope of Work, CITY will pay CONSULTANT as provided in **Exhibit "B"** and **Exhibit "B-1"** and as follows ("Compensation"):

2.1. Actual Costs. CITY will reimburse CONSULTANT's actual costs (including labor costs, employee benefits, overhead, and other direct costs) in an amount not to exceed **\$176,540.00** exclusive of any fixed fee. Actual costs shall not exceed the estimated wage rates and other costs set forth in CONSULTANT's cost proposal.

CITY will pay CONSULTANT within 30 days after CONSULTANT submits an itemized invoice for the portions of the Scope of Work completed and that invoice is approved by CITY. The Compensation will be the total amount paid to CONSULATNAT for performing the Scope of Work and includes, but is not limited to, all out-of-pocket costs and taxes. CITY will pay no other compensation to CONSULTANT. In no case will CITY compensate CONSULTANT more than **\$176,540.00** for performing the Scope of Work.

3. Section 3 of the AGREEMENT entitled "TERM" is hereby amended to read as follows:

3. TERM. Unless terminated sooner as set forth herein, this AGREEMENT shall terminate on **February 28, 2022**.

4. Section 6 of the AGREEMENT entitled "TIME FOR COMPLETION" is hereby amended to read as follows:

6. TIME FOR COMPLETION. CONSULTANT must complete the Scope of Work by **March 22, 2021**.

5. Except as amended herein, all other provisions of Agreement No. 2020-023 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to the Agreement No. 2020-023 to be executed, the day and year first-above written.

“CITY”

CITY OF BAKERSFIELD

By: _____
KAREN GOH, Mayor

APPROVED AS TO CONTENT:
PUBLIC WORKS DEPARTMENT

By: _____
NICK FIDLER
Public Works Director

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
JOSHUA RUDNICK
Deputy City Attorney II

Insurance: _____

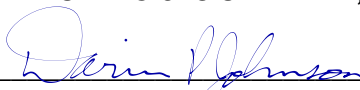
C O U N T E R S I G N E D:

By: _____
RANDY MCKEEGAN
Finance Director

Exhibits: **Exhibits A-1 and Exhibit B-1**

“C O N S U L T A N T”

MARK THOMAS & COMPANY, INC.

By: 
Type or Print Name: Darin Johnson

Title: Associate Principal

EXHIBIT A-1



December 17, 2020

Ravi Pudipeddi
City of Bakersfield
1600 Truxtun Avenue, 3rd Floor
Bakersfield, CA 93301

RE: Rosedale Highway Widening Project (Verdugo Lane to Calloway Drive) PS&E - Amendment 1

Dear Ravi,

Thank you for allowing Mark Thomas to continue to provide engineering services to the City of Bakersfield for the subject project.

We understand that the City would like to modify the current scope to include full ADA upgrades within the project limits, In order to subsequent construction and disruption to the public using the facility. The original scope shall be amended as follows to include the additional design scope:

REVISED SCOPE OF WORK (Modifications to Scope of Work are identified in Blue):

Task 2. Plans

Mark Thomas shall update and make any additions to the plans as requested and resubmit the 95% plans. After the City review comments are addressed, Mark Thomas will submit the 100% Plans and after final changes are made, the final signed plans will be submitted.

Mark Thomas shall review the existing pedestrian paths, identify all non-ADA compliant curb ramps, driveway and design and include the upgraded ramps and driveways to the existing set of plans. The additional plans are identified below.

- a. Title (1 sheets) - Updates to plans and list of sheets.
- b. Key Map (1 sheet) - update
- c. Typical Sections (2 sheets) - Updates to the pavement design to match existing cross slope to avoid constructability issues previously encountered.



- d. Layouts (1 sheet) – updates to layout plans per Right-of-Way agreements with private property owners.
- e. Pavement Design Details (6 sheets) - Update pavement design elevation per revised roadway cross slope design.
- f. Intersection Details (3 sheets) + (4 additional Sheets) – update based on pavement design changes.
- g. Driveway Details (1 Sheet) + (1 additional sheet) – Update per Right of–way agreements.
- h. Private Property Restoration Details (6 sheets) - Update based on new Field conditions and field walk. Add all business signs to be moved by contractor.
- i. Drainage plans and Profile, and Details (3 sheets) + (2 Detail Sheets) – update based on new pavement design and addition of one drainage inlet construction and additional drainage details to address review comments.
- j. Utility Plan (3 sheets) - Update based on new utility notifications and relocation design.
- k. Construction Area Signs (1 sheet) - update with new limits of construction.
- l. Stage Construction (9 sheets) - ~~Update to match existing condition at tie in the staging design is good.~~ Update to match revised design and pavement reconstruction limits.
- m. Signing and Striping (1 Sheet) – Update with revised shoulder striping.
- n. Electrical and Signal Plans (Rosedale and Verdugo) (3 sheets) - updates to the electrical design plans based on updated elevation and horizontal design.
- o. Irrigation and Planting plans (4 Sheets) – Updates based on current field conditions and ROW agreement requirements.
- p. Quantity sheet (2 sheets) - Add quantity take off sheets, similar to Caltrans sheet for the roadway and traffic items.

Exclusions and Assumptions:

Mark Thomas exclusions and assumptions for this scope of work are listed below:

- 1. ~~The current Horizontal Geometry (roadway geometry) will remain as designed in the current 95% plans, with exception of minor sidewalk and curb modifications to fit current conditions.~~
- 2. No utility relocation design is not anticipated or included in the scope. Only utility relocation coordination is included in this scope of work.
- 3. No median planting and irrigation is anticipated or included in this scope of work.



 December 17, 2020

4. It is assumed the new signal at Calloway Rd and Rosedale Hwy has already been installed and no traffic signal modifications are necessary at this intersection, with the exception of loop replacement or modifications.

FEE:

The anticipated additional fee estimate for the additional scope of work herein is \$34,460
See attached Fee Estimate Breakdown.

If you have any questions regarding this amendment, please do not hesitate to contact me at avivar@markthomas.com or 714-348-6344.

Sincerely,
MARK THOMAS



Arturo Vivar, PE
Sr. Project Manager




(949) 477-9000
2121 ALTON PARKWAY SUITE 210
IRVINE, CA 92606

MARKTHOMAS.COM

EXHIBIT B-1

COST PROPOSAL FOR PROJECT SCOPE: ROSEDALE HWY WIDENING - SEGMENT 2 -AMENDMENT 1

<div> MARK THOMAS</div>									
		Additional Sheets	Sr. Project Manager \$250.00	Project Engineer \$153.00	Design Engineer II \$134.00	Design Engineer I \$108.00	Sr. Technician \$131.00	Total Hours	Total MT Cost
2.0 UTILITY COORDINATION									
2.1	Title Sheet, Key Map and Control						0	\$0	
2.2	Typical Section						0	\$0	
2.3	Roadway Layout		8		40	20	68	\$8,940	
2.4	Pavement Design						0	\$0	
2.5	Construction Details	5	8		120	40	168	\$20,200	
2.6	Private Property Details						0	\$0	
2.7	Drainage Plan, Profiles, and Details	2	4		40		44	\$5,320	
2.8	Utility Plans						0	\$0	
2.9	Stage Construction and Const. Area Signs						0	\$0	
2.10	Signing and Striping						0	\$0	
2.11	Electrical and Signal plans						0	\$0	
2.12	Irrigation and Planting						0	\$0	
2.13	Quantity Sheets								
Subtotal Phase 2		7	20	0	0	200	60	280	\$34,460
TOTAL HOURS			20	0	0	200	60	280	
OTHER DIRECT COSTS									\$0
TOTAL COST			\$5,000	\$0	\$0	\$21,600	\$7,860		\$34,460



December 17, 2020

Ravi Pudipeddi
City of Bakersfield
1600 Truxtun Avenue, 3rd Floor
Bakersfield, CA 93301

RE: Rosedale Highway Widening Project (Verdugo Lane to Calloway Drive) PS&E - Amendment 1

Dear Ravi,

Thank you for allowing Mark Thomas to continue to provide engineering services to the City of Bakersfield for the subject project.

We understand that the City would like to modify the current scope to include full ADA upgrades within the project limits, In order to subsequent construction and disruption to the public using the facility. The original scope shall be amended as follows to include the additional design scope:

REVISED SCOPE OF WORK (Modifications to Scope of Work are identified in Blue):

Task 2. Plans

Mark Thomas shall update and make any additions to the plans as requested and resubmit the 95% plans. After the City review comments are addressed, Mark Thomas will submit the 100% Plans and after final changes are made, the final signed plans will be submitted.

Mark Thomas shall review the existing pedestrian paths, identify all non-ADA compliant curb ramps, driveway and design and include the upgraded ramps and driveways to the existing set of plans. The additional plans are identified below.

- a. Title (1 sheets) - Updates to plans and list of sheets.
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- f. Intersection Details (3 sheets) [+ \(4 additional Sheets\)](#) – update based on pavement design changes.
- g. Driveway Details (1 Sheet) [+ \(1 additional sheet\)](#) – Update per Right of–way agreements.
- h. Private Property Restoration Details (6 sheets) - Update based on new Field conditions and field walk. Add all business signs to be moved by contractor.
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- j. Utility Plan (3 sheets) - Update based on new utility notifications and relocation design.
- k. Construction Area Signs (1 sheet) - update with new limits of construction.
- l. Stage Construction (9 sheets) - ~~Update to match existing condition at tie in the staging design is good.~~ [Update to match revised design and pavement reconstruction limits.](#)
- m. Signing and Striping (1 Sheet) – Update with revised shoulder striping.
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- o. Irrigation and Planting plans (4 Sheets) – Updates based on current field conditions and ROW agreement requirements.
- p. Quantity sheet (2 sheets) - Add quantity take off sheets, similar to Caltrans sheet for the roadway and traffic items.

Exclusions and Assumptions:

Mark Thomas exclusions and assumptions for this scope of work are listed below:

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- 2. No utility relocation design is not anticipated or included in the scope. Only utility relocation coordination is included in this scope of work.
- 3. No median planting and irrigation is anticipated or included in this scope of work.



 December 17, 2020

4. It is assumed the new signal at Calloway Rd and Rosedale Hwy has already been installed and no traffic signal modifications are necessary at this intersection, with the exception of loop replacement or modifications.

FEE:

The anticipated additional fee estimate for the additional scope of work herein is \$34,460
See attached Fee Estimate Breakdown.

If you have any questions regarding this amendment, please do not hesitate to contact me at avivar@markthomas.com or 714-348-6344.


Sincerely,
MARK THOMAS



Arturo Vivar, PE
Sr. Project Manager



COST PROPOSAL FOR PROJECT SCOPE: ROSEDALE HWY WIDENING - SEGMENT 2 -AMENDMENT 1

<div> MARK THOMAS</div>									
		Additional Sheets	Sr. Project Manager \$250.00	Project Engineer \$153.00	Design Engineer II \$134.00	Design Engineer I \$108.00	Sr. Technician \$131.00	Total Hours	Total MT Cost
2.0 UTILITY COORDINATION									
2.1	Title Sheet, Key Map and Control						0	\$0	
2.2	Typical Section						0	\$0	
2.3	Roadway Layout		8		40	20	68	\$8,940	
2.4	Pavement Design						0	\$0	
2.5	Construction Details	5	8		120	40	168	\$20,200	
2.6	Private Property Details						0	\$0	
2.7	Drainage Plan, Profiles, and Details	2	4		40		44	\$5,320	
2.8	Utility Plans						0	\$0	
2.9	Stage Construction and Const. Area Signs						0	\$0	
2.10	Signing and Striping						0	\$0	
2.11	Electrical and Signal plans						0	\$0	
2.12	Irrigation and Planting						0	\$0	
2.13	Quantity Sheets								
Subtotal Phase 2		7	20	0	0	200	60	280	\$34,460
TOTAL HOURS			20	0	0	200	60	280	
OTHER DIRECT COSTS									\$0
TOTAL COST			\$5,000	\$0	\$0	\$21,600	\$7,860		\$34,460

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements r.

TO: Honorable Mayor and City Council
FROM: Nick Fidler, Public Works Director
DATE: 12/14/2020
WARD: Ward 2
SUBJECT: Amendment No. 2 to Agreement No. 18-155 with NV5, Inc, (\$109,022.36; revised not to exceed \$3,794,115.22), for additional construction management services for the 24th Street Improvement Project.

STAFF RECOMMENDATION:

Staff recommends approval of the amendment.

BACKGROUND:

The 24th Street Improvement Project consists generally of expanding the 24th Street/Oak Street intersection to provide four lanes in both directions for 24th Street, and allowing for additional turn lanes for Oak Street. The Project also consists of widening 24th Street from four lanes to six lanes from Elm Street to C Street, and reconstructing and restriping the 23rd Street/24th Street one-way couplet roadway segments from D Street to 0.2 mile east of M Street to provide for four lanes in both directions.

Amendment No. 2 with NV5, Inc., is for additional construction management (CM) services including construction observation, biological monitoring, critical path model analysis, contract administration and project closeout. Throughout the construction of the project several design changes have occurred which in turn have extended the project duration. This, in turn, requires the extension of the CM services contract with NV5. Staff concurs with the increased amount and recommends approval of Amendment No. 2 to Agreement 18-155 for these services in the amount of \$109,022.36.

Adequate local funds have been previously budgeted to cover these additional costs. There is no General Fund impact associated with these amendments.

ATTACHMENTS:

Description	Type
▣ 18-155(2)	Agreement

AGREEMENT NO. 18-155 (2)

AMENDMENT NO. 2 TO AGREEMENT NO. 18-155

This **AMENDMENT NO. 2 TO AGREEMENT NO. 18-155** is made and entered into on _____, by and between the **CITY OF BAKERSFIELD**, a chartered City and municipal corporation ("CITY" herein), and **NV5, Inc.**, a Corporation, ("MANAGER" herein).

R E C I T A L S

WHEREAS, on September 19, 2018, CITY and MANAGER entered into Agreement No. 18-155 ("AGREEMENT" herein), wherein MANAGER would provide Construction Management Services for the 24th Street Improvement Project ("PROJECT" herein) for an amount not to exceed \$2,988,883.74; and

WHEREAS, on May 6, 2020, CITY and MANAGER amended the Agreement No. 18-155 to provide for additional construction management services for a not-to-exceed amount of \$696,209.12; and

WHEREAS, the parties now desire to enter into this Amendment No. 2 to the AGREEMENT to be able to finish the field work, compile as-builts, and complete the project closeout; and

WHEREAS, the Compensation will also need to be increased by a not-to-exceed amount of **\$109,022.36** as a result of this additional work, to be paid as outlined in **Attachment C-2**, attached hereto and incorporated herein by this reference.

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and MANAGER mutually agree as follows:

1. **Section 2 of the AGREEMENT entitled "COMPENSATION/PAYMENT PROCEDURE" is hereby amended to read as follows:**

2. COMPENSATION/PAYMENT PROCEDURE. In exchange for performing the Scope of Work and subject to the terms of this section, CITY will pay MANAGER as follows ("Compensation"):

- 2.1 **Actual Costs.** CITY will reimburse MANAGER's actual costs (including labor costs, employee benefits, overhead, and other direct costs) in an amount not to exceed **\$3,551,886.81** exclusive of any fixed fee. Actual costs shall not exceed the estimated wage rates and other costs set forth in the approved MANAGER's Cost Proposal, unless additional reimbursement is provided for by contract amendment.
- 2.2 **Fixed Fee.** CITY will pay MANAGER's a total fixed fee of **\$242,228.41** based upon the percentage of the Scope of Work completed. This fixed fee will not be altered unless there is a significant alteration in the scope, complexity, or character of the Scope of Work.

CITY will pay MANAGER within 30 days after MANAGER submits an itemized invoice for the portions of the Scope of Work completed and that invoice is approved by CITY. The Compensation will be the total amount paid to MANAGER for performing the Scope of Work and includes, but is not limited to, all out-of-pocket costs and taxes. CITY will pay no other compensation to MANAGER. In no case will CITY compensate MANAGER more than **\$3,794,115.22** for performing the Scope of Work.

2. Except as amended herein, all other provisions of AGREEMENT shall remain in full force and effect.

Signatures on the following page

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

"CITY"

CITY OF BAKERSFIELD

By: _____
KAREN GOH, Mayor

APPROVED AS TO CONTENT:
PUBLIC WORKS DEPARTMENT

By: _____
NICK FIDLER
Public Works Director

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
JOSHUA RUDNICK
Deputy City Attorney II

Insurance: _____

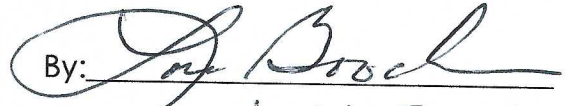
COUNTERSIGNED:

By: _____
RANDY MCKEEGAN
Finance Director

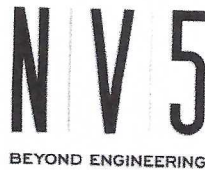
Attachments: **Attachment C-2**

"MANAGER"

NV5, Inc.

By: 
Type or Print Name: LORI Goodwin
Title: Vice President

ATTACHMENT C-2



ATTACHMENT C-2

SCOPE OF CONSULTANT SERVICES

AMENDMENT 2 TO AGREEMENT 18-155 FOR 24TH STREET OPERATIONAL IMPROVEMENTS PROJECT CONSTRUCTION MANAGEMENT

DESCRIPTION OF PROJECT

NV5 shall be bound by the requirements and scope of work included in Agreement 18-155.

Amendment 2 provides additional construction management services including construction observation, biological monitoring, CPM analysis, contract administration, and project closeout for the 24th Street Operational Improvements Project

COMPLETIONS SCHEDULE

The fee estimate is directly dependent on the contractor's work schedule and ability to execute the construction work. The fee estimate is based on the following assumptions:

- Construction and punch list completion by December 31, 2020
- Project closeout complete by January 31, 2021

In the event that the City Project Manager requires additional Construction Management services above the value established in the attached fee estimate or the Construction Contract duration extends beyond the above stated assumptions, NV5 will remain onsite and provide continuous Construction Management services. However, these services shall be considered as additional services, are above and beyond the scope and fee estimate of this contract, and shall be paid on a cost plus fixed fee basis as set forth by the appropriate hourly wages, mark-up, and profit shown in the contract. In addition, should the City request additional services not included in the contract, NV5 can provide those services. They shall also be considered as additional services, to be paid on a cost plus fixed fee basis.

FEE SCHEDULE

Compensation to provide Construction Management services required for the construction observation and administration for the subject construction project as detailed in this Agreement, for the time periods discussed in the previous section throughout the duration of the contract, shall be on a time and materials basis for the necessary personnel and reimburseables at the rates included in Agreement 18-155.

ATTACHMENT C-2

CITY OF BAKERSFIELD (TRIP) - 24th Street Improvement Project CONSTRUCTION MANAGEMENT AMENDMENT NO. 2 FEE ESTIMATE

MONTH #	Construction (12/1/2020 - 12/31/2020)										Post Construction / Project Closeout (1/1/2021 - 1/31/2021)										TOTAL JOB		TOTALS										
	TOTAL HOURS		WAGE		MARKED-UP		RATE		TOTAL		#1	#2	#3	TOTAL HOURS	TOTAL WAGE																		
Assignment	#1	#2	#3	RATE	RATE	RATE	RATE	RATE	RATE	RATE																							
Construction Manager*	20	NA	NA	105.80	230.52						0	0	0	20	105.80	230.52						40	9,220.68										
Assistant Construction Manager	168	NA	NA	76.94	167.64						0	0	0	168	76.94	167.64						336	55,325.99										
Office Engineer**	100	NA	NA	35.00	76.26						0	0	0	100	35.00	76.26						200	20,437.14										
Inspectors	0	NA	NA	65.00	141.62						0	0	0	0	65.00	141.62						0	0.00										
Phil, Harman, Ryan																																	
										Total Const Labor										\$40,399.14		Total Post Construction Labor										\$45,564.88	
																						OVERTIME											
																						PROFIT (9.0%)											

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements s.

TO: Honorable Mayor and City Council
FROM: Nick Fidler, Public Works Director
DATE: 1/13/2021
WARD: Ward 2
SUBJECT: Amendment No. 2 to Agreement 18-148 with NV5, Inc. (\$314,655.34; revised not to exceed \$4,868,254.40), for the Belle Terrace Operational Improvement Project.

STAFF RECOMMENDATION:

Staff recommends approval of the amendment.

BACKGROUND:

The Belle Terrace Project includes improvements on State Route (SR) 99 and Belle Terrace. The improvements on SR-99 include the addition of a northbound auxiliary lane from Ming Avenue on-ramp to the northbound SR-99/eastbound SR-58 connector over Wible Road. The local road improvements include realigning Wible Road and Alamo Street as well as raising Belle Terrace to match the reconstruction of the Belle Terrace overcrossing.

Amendment No. 2 with NV5, Inc. is for additional construction management (CM) services, including construction observation, material testing, biological monitoring, critical path model analysis, contract administration, and project closeout. Throughout the construction of the project, several design changes and revisions have occurred which resulted in extending the construction duration. This, in turn, results in an increase to the CM services required and the resulting scope of work for NV5, Inc. Staff concurs with the increased amount and recommends approval of Amendment No. 2 to Agreement 18-148 for these services in the amount of \$314,655.34.

Adequate local funds have been budgeted to cover these additional costs. There is no General Fund impact associated with this amendment.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Amendment	Agreement
<input type="checkbox"/> Cost proposal	Backup Material
<input type="checkbox"/> Scope of Work	Backup Material

AGREEMENT NO. 18-148 (2)

AMENDMENT NO. 2 TO AGREEMENT NO. 18-148

This **AMENDMENT NO. 2 TO AGREEMENT NO. 18-148** is made and entered into on _____, by and between the **CITY OF BAKERSFIELD**, a chartered City and municipal corporation ("CITY" herein), and **NV5, Inc.**, a Corporation, ("MANAGER" herein).

R E C I T A L S

WHEREAS, on September 19, 2018, CITY and MANAGER entered into Agreement No. 18-148 ("AGREEMENT" herein), wherein MANAGER would provide Construction Management Services for the Belle Terrace Operational Improvements Project ("PROJECT" herein) for an amount not to exceed **\$3,778,549.06**; and

WHEREAS, on June 24, 2020, CITY and MANAGER entered into Amendment No. 1 to Agreement 18-148 to provide additional construction management services and increased the cost by **\$775,050.00** for a total compensation not to exceed **\$4,553,599.06**; and

WHEREAS, the parties now desire to enter into this Amendment No. 2 to the Agreement to allow for additional construction management services for the project closeout as outlined in **Attachment D-1**, attached hereto and incorporated herein by this reference; and

WHEREAS, the Compensation will also need to be increased by **\$314,655.34** for a total compensation not to exceed **\$4,868,254.40** as a result of additional work, to be paid as outlined in **Attachment E-1**, attached hereto and incorporated herein by this reference; and

NOW, THEREFORE, incorporating the foregoing recitals herein, CITY and MANAGER mutually agree as follows:

1. **Section 2 of the AGREEMENT entitled "ALLOWABLE COSTS AND PAYMENT PROCEDURE" is hereby amended to read as follows:**

2. ALLOWABLE COSTS AND PAYMENT PROCEDURE. The method of payment for this Agreement will be based on actual cost plus a fixed fee. CITY will reimburse MANAGER for actual costs (including labor costs, employee benefits, travel, equipment rental costs, overhead, and other direct costs) incurred by MANAGER in performance of the work. MANAGER will not be reimbursed for actual costs that exceed the estimated wage rates, employee benefits, travel, equipment rental, overhead, and other estimated costs set forth in the approved MANGER'S Cost Proposal, attached hereto and incorporated herein as **Exhibit E-1**, unless additional reimbursement is provided for by amendment of the Agreement. In no event will MANAGER be reimbursed for overhead costs at a rate that exceeds CITY's approved overhead rate set forth in the Cost Proposal. In the event the CITY determines that a change to the work from that specified in the Cost Proposal and Agreement is required, the time to perform the obligations of this Agreement or actual costs reimbursable by CITY shall be adjusted by amendment of the Agreement to accommodate the changed work. Notwithstanding anything contrary herein, the total paid for **actual costs** herein may not exceed **\$4,565,855.38**.

- 2.1 In addition to the allowable incurred costs, CITY will pay MANAGER a fixed fee of **\$302,399.02**. The fixed fee is nonadjustable for the term of the Agreement, except in the event of a significant change in the Scope of Work and such adjustment is made by amendment of the Agreement.
- 2.2 The total amount payable by CITY for performing the Scope of Work, inclusive of actual costs and the fixed fee, shall not exceed **\$4,868,254.40 ("Compensation")**.
- 2.3 Reimbursement for transportation and subsistence costs shall not exceed the rates specified in the approved Cost Proposal.
- 2.4 When milestone cost estimates are included in the approved Cost Proposal, MANAGER must obtain prior written approval for a revised milestone cost estimate from the Contract Administrator before exceeding such cost estimate.
- 2.5 No payment will be made prior to approval of any work, nor for any work performed prior to approval of this Agreement.
- 2.6 Progress payments will be made monthly in arrears based on services provided and allowable incurred costs, upon receipt by and

approval of CITY's Contract Administrator of itemized invoices in triplicate. A pro rata portion of MANAGER's fixed fee will be included in the monthly progress payments. Invoices shall be submitted no later than 45 calendar days after the performance of work for which MANAGER is billing. Invoices shall detail the work performed on each milestone and each project as applicable. Invoices shall follow the format stipulated for the approved Cost Proposal and shall reference this Agreement number and project title. CITY will withhold a portion of MANAGER's payment when required by the City of Bakersfield Municipal Code for the time period and purposes set forth therein. If applicable, CITY shall have the right to delay payment or terminate this Agreement in accordance with the provisions herein if MANAGER fails to submit the required deliverable items according to the Scope of Work. Invoices shall be mailed to CITY's Contract Administrator at the following address:

City of Bakersfield
1600 Truxtun Avenue, 3rd floor
Bakersfield, California 93301

- 2.7** The final invoice must contain the final cost and all credits due to CITY including any equipment purchased under the provisions herein. MANAGER may submit to CITY a final invoice only when all of the following items have occurred: (1) Caltrans approves or rejects the original or revised independent CPA-audited ICR; (2) all work under this Agreement has been completed to CITY's satisfaction; and, (3) Caltrans has issued its final ICR review letter. MANAGER MUST SUBMIT ITS FINAL INVOICE TO CITY no later than 60 days after occurrence of the last of these items.
- 2.8** Salary increases will be reimbursable if the new salary is within the salary range identified in the approved Cost Proposal and is approved by CITY's Contract Administrator. For personnel subject to prevailing wage rates as described in the California Labor Code, all salary increases, which are the direct result of changes in the prevailing wage rates are reimbursable.
- 2.9** MANAGER agrees and understands that CITY is relying on reimbursement of a majority of the Compensation from various state and federal programs. If at any time during the duration of this Agreement, such reimbursement ceases to be available due to no fault of CITY, CITY reserves the right to terminate this Agreement.

- 2.10** CITY reserves the right to reject any work that is inadequate or incomplete without being charged for any extra time or compensation by MANAGER.
 - 2.11** MANAGER must notify CITY when the Scope of Work is 75% complete or when 75% of the budget for the Scope of Work has been expended.
- 2.** Except as amended herein, all other provisions of AGREEMENT No. 18-148 shall remain in full force and effect.

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

APPROVED AS TO CONTENT:
PUBLIC WORKS DEPARTMENT

By: _____
NICK FIDLER
Public Works Director

APPROVED AS TO FORM:
VIRGINIA GENNARO
City Attorney

By: _____
JOSHUA RUDNICK
Deputy City Attorney

Insurance: _____

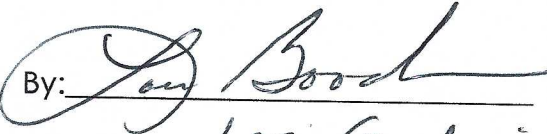
COUNTERSIGNED:

By: _____
RANDY MCKEEGAN
Finance Director

Attachments: **Attachments D-1 and E-1**

"MANAGER"

NV5, Inc.

By: 

Type or Print Name: Lori Goodwin

Title: Vice President

ATTACHMENT D-1

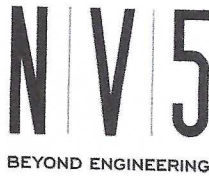


EXHIBIT D-1

SCOPE OF CONSULTANT SERVICES

AMENDMENT 2 TO AGREEMENT 18-148 FOR BELLE TERRACE OPERATIONAL IMPROVEMENTS PROJECT CONSTRUCTION MANAGEMENT

DESCRIPTION OF PROJECT

NV5 shall be bound by the requirements and scope of work included in Agreement 18-148.

Amendment 2 provides additional construction management services including construction observation, materials testing, biological monitoring, CPM analysis, contract administration, and project closeout for the Belle Terrace Operational Improvements Project

COMPLETIONS SCHEDULE

The fee estimate is directly dependent on the contractor's work schedule and ability to execute the construction work. The fee estimate is based on the following assumptions:

- Construction and punch list completion by February 28, 2021
- Project closeout complete by June 30, 2021

In the event that the City Project Manager requires additional Construction Management services above the value established in the attached fee estimate or the Construction Contract duration extends beyond the above stated assumptions, NV5 will remain onsite and provide continuous Construction Management services. However, these services shall be considered as additional services, are above and beyond the scope and fee estimate of this contract, and shall be paid on a cost plus fixed fee basis as set forth by the appropriate hourly wages, mark-up, and profit shown in the contract. In addition, should the City request additional services not included in the contract, NV5 can provide those services. They shall also be considered as additional services, to be paid on a cost plus fixed fee basis.

FEE SCHEDULE

Compensation to provide Construction Management services required for the construction observation and administration for the subject construction project as detailed in this Agreement, for the time periods discussed in the previous section throughout the duration of the contract, shall be on a time and materials basis for the necessary personnel and reimbursable at the rates included in Agreement 18-148.

ATTACHMENT E-1

CITY OF BAKERSFIELD (TRIP) - Belle Terrace Operational Improvement Project
CONSTRUCTION MANAGEMENT FEE ESTIMATE[illegible]

Notes

- Subcontractor rates = 1.5 X Cost
- Other Expenses including Purchased Services and Materials = 1.0 X Cost
- Actual Hourly Rates Invoiced may Vary. Hourly rates listed are for the purpose of determining a "Not to Exceed" Contract Value
- Assumes substantial project completion in January, 2021, and project close-out in early March, 2021.
- Except Employee, peak straight-time for all hours worked.
- Office Engineer, Administrative and Office Assistant positions are office positions not subject to Prevailing Wage

1/25/2021

NOLTE ASSOCIATES, INC.

C:\Users\Courtney_Goodwin\AppData\Local\Microsoft\Office\down\slides\slides\Content Outlook (9,927,680).pptx

EXHIBIT B

CITY OF BAKERSFIELD (TRIP) - Belle Terrace Operational Improvement Project
CONSTRUCTION MANAGEMENT FEE ESTIMATE

	NV5 FY 2020/2021 Construction									NV5 FY 2020/2021 Post-Construction						TOTAL JOB		TOTALS			
MONTH #	Dec	Jan	Feb		TOTAL	WAGE	MARKED-UP	MARK-UP	TOTAL	Mar	Apr		TOTAL	WAGE	MARKED-UP	MARK-UP	TOTAL			TOTAL	TOTAL
Assignment	22	19	18		HOURS	RATE	RATE	%		22	22		HOURS	RATE	RATE	%				HOURS	WAGE
	176	152	144		2020					176	176		2021								
Construction Manager*	8	8	8		24	106.84	238.15	223%	\$5,715.61	8	8		16.00	106.84	238.15	223%	\$3,810.41	40	9,526.02	\$ 9,526.02 Construction Manager	
Resident Engineer	40	76	36		152	74.28	165.58	223%	\$25,167.88	44	44		88.00	74.28	165.58	223%	\$14,570.88	240	39,738.75	\$ 39,738.75 Assistant Construction Manager*	
Office Engineer**	40	152	144		336	50.26	112.04	223%	\$37,644.92	176	44		220.00	50.26	112.04	223%	\$24,648.46	556	62,293.38	\$ 62,293.38 Office Engineer	
Structure Rep*	40	76	36		152	88.43	197.10	223%	\$29,959.27	44	44		88.00	88.43	197.10	223%	\$17,344.84	240	47,304.11	\$ 47,304.11 Structure Rep	
Inspector	100	152	144		396	70.25	156.58	223%	\$62,005.02	0	0		0.00	70.25	156.58	223%	\$0.00	396	62,005.02	\$ 62,005.02 Inspector	

SUBTOTAL LABOR	\$	220,867.29	
	\$	-	OVERTIME (Note 3)
	\$	19,878.06	PROFIT (9.0%)
SUBTOTAL	\$	240,745.34	
	\$	-	
	\$	-	DHS (DBE)
	\$	50,000.00	Materials Testing and Source Inspection
	\$	-	Surveying
	\$	-	
	\$	-	Mark-up

Notes

- 1
- Subconsultants costs = 1.0 X Cost
- 2
- Other Expenses including Purchased Services and Materials = 1.0 X Cost
- 3
- Actual Hourly Rates invoiced may vary. Hourly rates listed are for the purposes of determining a "Not to Exceed" Contract Value.
- 4
- Assumes substantial project completion in January, 2021, and project close-out in early March, 2021.
- *
- Exempt Employee, paid straight time for all hours worked.
- **
- Office Engineer, Administrative and Office Assistant positions are office positions not subject to Prevailing Wage

TOTAL LABOR + SUBCONTRACTS

\$ 290,745.34

\$	900.00	Employee lodging
\$	16,500.00	RE Office
\$	4,500.00	Vehicles (Lease, Maintenance, Insurance, Gas)
\$	810.00	Cell Phones
\$	1,200.00	Other Direct Costs (office supplies, field supplies, etc)
\$	23,910.00	Subtotal

GRAND TOTAL

\$ 314,655.34



EXHIBIT D-1

SCOPE OF CONSULTANT SERVICES

AMENDMENT 2 TO AGREEMENT 18-148 FOR BELLE TERRACE OPERATIONAL IMPROVEMENTS PROJECT CONSTRUCTION MANAGEMENT

DESCRIPTION OF PROJECT

NV5 shall be bound by the requirements and scope of work included in Agreement 18-148.

Amendment 2 provides additional construction management services including construction observation, materials testing, biological monitoring, CPM analysis, contract administration, and project closeout for the Belle Terrace Operational Improvements Project

COMPLETIONS SCHEDULE

The fee estimate is directly dependent on the contractor's work schedule and ability to execute the construction work. The fee estimate is based on the following assumptions:

- Construction and punch list completion by April 30, 2021
- Project closeout complete by December 31, 2021

In the event that the City Project Manager requires additional Construction Management services above the value established in the attached fee estimate or the Construction Contract duration extends beyond the above stated assumptions, NV5 will remain onsite and provide continuous Construction Management services. However, these services shall be considered as additional services, are above and beyond the scope and fee estimate of this contract, and shall be paid on a cost plus fixed fee basis as set forth by the appropriate hourly wages, mark-up, and profit shown in the contract. In addition, should the City request additional services not included in the contract, NV5 can provide those services. They shall also be considered as additional services, to be paid on a cost plus fixed fee basis.

FEE SCHEDULE

Compensation to provide Construction Management services required for the construction observation and administration for the subject construction project as detailed in this Agreement, for the time periods discussed in the previous section throughout the duration of the contract, shall be on a time and materials basis for the necessary personnel and reimbursable at the rates included in Agreement 18-148.

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Agreements t.

TO: Honorable Mayor and City Council

FROM: Gregory Pronovost, Technology Services Director

DATE: 1/22/2021

WARD:

SUBJECT: Contract Change Order to Agreement No. 2020-242 with Pacific West Sound, Inc. (\$18,171.93, not to exceed unchanged at \$700,000) for addition Audio Video switching equipment for the Council Chambers A/V and Broadcast upgrade project.

STAFF RECOMMENDATION:

Staff recommends approval of the contract change order.

BACKGROUND:

The Council Chambers A/V and Broadcast project will replace the current analog equipment with a high definition digital audio/visual solution, greatly improving the broadcast quality of all recorded meetings within the Council Chambers and significantly improve the ability for staff to produce video for live television and internet streams. Replacing the system is in line with other modernization improvements made to the Council Chambers in the last few years. In addition, this project will make several technology enhancements for those viewing the meeting within the Council Chambers, including additional monitors within the audience area to view presentations, as well as more visible digital nameplates.

The contract change order consists of deleting the originally quoted 32-input/output audio video switcher and replacing it with a 64-input/output audio video switcher and the associated cables, parts, and installation. This change allows for future expansion or modification of the new broadcast system as the current equipment utilizes all available connections. The contractor has agreed to do the above-mentioned change for the lump sum price of \$18,171.93. The original total for the quote on Agreement 202-242 is \$648,954.00, with this change order the new total is \$667,125.93. This change order does not modify the original agreement not to exceed amount of \$700,000.

ATTACHMENTS:

Description	Type
 Change Order	Agreement



BAKERSFIELD

THE SOUND OF *Something Better*

City of Bakersfield
Technology Services Department

Agreement NO. 2020-242 Change Order NO. 1 P.O. NO. 212059

Project: City Council A/V Broadcast upgrade
1501 Truxtun Ave
Bakersfield, CA 93301

Contractor: Pacific West Sound, Inc.
Address: 521 East 21st Street
Bakersfield, CA 93305

YOU ARE HERBY DIRECTED TO MAKE THE HEREIN DESCRIBED CHANGES FROM THE PLANS AND SPECIFICATIONS OR DO THE FOLLOWING WORK DESCRIBED NOT INCLUDED IN THE PLANS AND SPECIFICATIONS ON THIS AGREEMENT.

NOTE: This change order is not effective until approved by the City Council

Description of the work to be done, estimate of quantities, and prices to be paid.

CHANGE REQUESTED BY: Aaron Kennedy

SUBMITTED BY: Aaron Kennedy DATE: 01/12/2021

Technology Services
1600 Truxtun Avenue, Bakersfield, CA 93301
661-326-3016 FAX: 661-852-2064

EXTRA WORK AT AGREED LUMP SUM PRICE

- | | | |
|-----------------|---------------------------|-----------------------------|
| ACCOUNT NO (\$) | <u>511-1711-834-80.62</u> | |
| | <u>POB003</u> | INCREASE <u>\$18,171.93</u> |
| | | DECREASE _____ |

CITY OF BAKERSFIELD

Pacific West Sound, Inc.

Print Name: BIZENI MIZITU

APPROVED AS TO FORM:

City Attorney

CHRISTINA J. OLESON

Deputy City Attorney

APPROVED AS TO CONTENT:

TECHNOLOGY SERVICES DEPARTMENT

By: _____

GREGORY PRONOVOST

Technology Services Director

COUNTERSIGNED:

By: _____

RANDY MCKEEGAN

Finance Director

Attachment: Exhibit A

EXHIBIT A

**PACIFIC WEST SOUND**

521 East 21st Street
Bakersfield, CA 93305

Estimate

Date	Estimate #
1/12/2021	16386

Name / Address

City of Bakersfield.
1600 Truxton Avenue
Bakersfield Ca 93301

Rep

P.O. No.

SMG

Description	Quantity	Rate	Total
ADDITIONAL COSTS FOR FUTURE EXPANSION FOR MATRIX SWITCHER EXISTING FRAME 32x32 PROPOSED FRAME 64x64 (includes power injectors)			
*****EXISTING BUILD CREDIT*****			
1x 60-1546-012700 XTP System	1.00	-40,500.00	-40,500.00T
Extron XTP Receivers Scailing	9.00	-938.25	-8,444.25T
60-1524-01 XTP SR HD 4K XTP Scaling Receiver for HDMI			
Extron 60-1524-12 XTP T HD 4K XTP Transmitter for HDMI	6.00	-803.25	-4,819.50T
*****PROPOSED CHANGES*****			
		Subtotal	
		Sales Tax (8.25%)	
		Total	

Phone #

Fax #

E-mail

(661) 395-1448

(661) 395-3148

BrentM@PacificWestSound.com



PACIFIC WEST SOUND

521 East 21st Street
Bakersfield, CA 93305

Estimate

Date	Estimate #
1/12/2021	16386

Name / Address

City of Bakersfield.
1600 Truxton Avenue
Bakersfield Ca 93301

Rep

P.O. No.

SMG

Description	Quantity	Rate	Total
1x 60-1386-006852XTP SystemCustom 1x 60-1386-01XTP II CrossPoint 6400 FrameModular Digital Matrix Switchers from 4x4 to 64x64 with SpeedSwitch Technology, North America NEMA L6-20 Power Plug 4x 70-1112-01XTP II CP 4i HD 4K PLUSFour Input Board, 4K/60 HDMI with Stereo Audio 2x 70-940-31XTP CP 4i 4KFour Input Board, XTP 4K with IR/RS-232 Insertion - 26W Remote Power Capable 3x 70-1171-01XTP CP 4i 12G-SDIFour Input Board, 12G-SDI with SDI and HDMI Local Outputs 2x 70-1113-01XTP II CP 4o HD 4K PLUSFour Output Board, HDMI 4K/60 with Stereo Audio 5x 70-943-31XTP CP 4o 4KFour Output Board, XTP 4K with IR/RS-232 Insertion - 26W Remote Power Capable 16x 70-939-01XTP Matrix Blank PlateBlank Plate for XTP Matrix	1.00	54,143.75	54,143.75T
60-1524-12 XTP T HD 4K XTP Transmitter for HDMI	8.00	803.25	6,426.00T
60-1524-01 XTP SR HD 4K XTP Scaling Receiver for HDMI	8.00	938.25	7,506.00T
60-1298-01 XTP PI 400 Four Port Power Injector	5.00	495.00	2,475.00T
		Subtotal	\$16,787.00
		Sales Tax (8.25%)	\$1,384.93
		Total	\$18,171.93

Phone #

Fax #

E-mail

(661) 395-1448

(661) 395-3148

BrentM@PacificWestSound.com

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Miscellaneous u.

TO: Honorable Mayor and City Council

FROM: Anthony Galagaza, Fire Chief

DATE: 2/3/2021

WARD:

SUBJECT: Appropriate \$20,000 Cal Water Firefighter Grant Program Revenue to the Fire Department Operating budget within the General Fund for the purchase of a Polaris Ranger Utility Terrain Vehicle.

STAFF RECOMMENDATION:

Staff recommends approval of the appropriation.

BACKGROUND:

The Bakersfield Fire Department (BFD) was awarded a \$20,000 grant from California Water Service for the purchase of a Polaris Ranger Utility Terrain Vehicle (UTV). California Water Service established the Cal Water Firefighter Grant Program to support and recognize local Fire Departments within areas serviced by Cal Water. Grant funds can be used for purchases of personal protective gear, firefighting or communication equipment, training and education materials that support fire protection efforts.

The Polaris Ranger UTV is a six-passenger all-terrain vehicle, which will be an integral component of the BFD Regional Task Force. The Regional Task Force (RTF) which is designed to deliver heavy-rescue capabilities that are light, fast, and mobile, while being completely self-sustainable for the first 24-hours of an emergency incident and provide advanced medical, heavy rigging, technical-search capability and structural assessment component to an emergency incident. In addition, RTF resources are available for California State Master Mutual Aid responses and routinely respond to emergencies outside of the City's geographical response area. The UTV will be stationed in northeast Bakersfield to allow for fast, safe, and efficient access to off road vehicle accidents and rescues.

The Bakersfield Fire Department received a \$20,000 grant from the Cal Water Firefighter Grant Program for the purchase of Polaris Ranger Utility Terrain Vehicle.

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Miscellaneous v.

TO: Honorable Mayor and City Council

FROM: Nick Fidler, Public Works Director

DATE: 1/19/2021

WARD:

SUBJECT: Acceptance of FY 2019-20 Transportation Development Act Funds Audit Reports:

1. Independent Auditor's Report, Fund Financial Statements, and Supplementary Information for the fiscal year ended June 30, 2020.
2. Auditor Communication with Those Charged with Governance (SAS 114 Letter) for fiscal year ended June 30, 2020.

STAFF RECOMMENDATION:

Staff recommends acceptance of audit reports.

BACKGROUND:

Kern Council of Governments (Kern COG) administers Transportation Development Act (TDA) funds, which is a funding source for the following City funds:

- State Transportation Article 3 Fund accounts for projects dedicated to bicycle and pedestrian facilities and safety.
- Amtrak Operating Fund accounts for maintenance costs of the Bakersfield Amtrak Station.
- Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund accounts for Americans with Disabilities Act (ADA) improvements at various Golden Empire Transit (GET) bus stops.
- State Transportation Article 4 Fund accounts for ADA improvements at various GET bus stops.

Statutes governing the use of TDA funds require annual audits. These statutes include Kern COG's rules and regulations, Section 99245 of the California Public Utilities Code, and Section 6664 of the California Code of Regulations. Kern COG contracted with Brown Armstrong Accountancy Corporation to perform audits of member agencies. The City bears no part of the audit costs.

The audit report includes the opinion from the independent auditors and the associated TDA

financial statements as of June 30, 2020. The current year audit opinion issued by the outside auditors indicates that the City complied, in all material respects, with accounting principles generally accepted in the United States of America.

There were no findings to report for the Bakersfield TDA in fiscal year 2019-20, therefore, there is no agreed upon conditions report for this item.

Staff recommends acceptance of the audit.

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Independent Auditor's Report	Backup Material
<input type="checkbox"/> SAS Letter	Backup Material

**CITY OF BAKERSFIELD
TRANSPORTATION DEVELOPMENT ACT FUNDS**

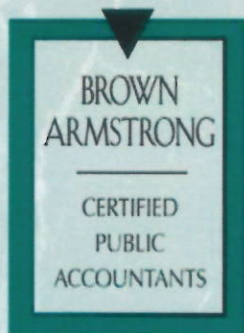
**FISCAL AND COMPLIANCE AUDIT
PURSUANT TO SECTION 99245 OF THE
PUBLIC UTILITIES CODE**

**FINANCIAL STATEMENTS AND
INDEPENDENT AUDITOR'S REPORTS
FOR THE FISCAL YEAR ENDED
JUNE 30, 2020**

**CITY OF BAKERSFIELD
TRANSPORTATION DEVELOPMENT ACT FUNDS
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
Kern Council of Governments
Bakersfield, California

To the City Council
City of Bakersfield
Bakersfield, California

BAKERSFIELD OFFICE (MAIN OFFICE)

4200 TRUXTON AVENUE
SUITE 300
BAKERSFIELD, CA 93309
TEL 661.324.4971
FAX 661.324.4997
EMAIL info@bacpas.com

FRESNO OFFICE

10 RIVER PARK PLACE EAST
SUITE 208
FRESNO, CA 93720
TEL 559.476.3592

STOCKTON OFFICE

1919 GRAND CANAL BLVD
SUITE C6
STOCKTON, CA 95207
TEL 888.565.1040

WWW.BACPAS.COM

Report on the Financial Statements

We have audited the accompanying financial statements of the Bikeway and Pedestrian Fund; the Amtrak Operations Fund; the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund; and the State Transportation Fund (collectively, the Transportation Development Act (TDA) Funds) of the City of Bakersfield, California (City), as of and for the fiscal year ended June 30, 2020, and the related notes to the financial statements, as listed in the table of contents. The June 30, 2019, summarized comparative information has been derived from the 2019 financial statements and is included for additional analysis only.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control relating to the TDA Funds. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the TDA Funds of the City as of June 30, 2020, and the respective changes in their financial position for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, these financial statements present only the TDA Funds of the City pursuant to Section 99245 of the Public Utilities Code and do not purport to, and do not, present fairly the financial position of the City as of June 30, 2020, or the changes in its financial position for the year then ended, in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the budgetary comparison information on pages 15 through 19 be presented to supplement the financial statements. Such information, although not a part of the financial statements, is required by the Governmental Accounting Standards Board (GASB), who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the financial statements, and other knowledge we obtained during our audit of the financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted management's discussion and analysis (MD&A) that accounting principles generally accepted in the United States of America require to be presented to supplement the financial statements. Such missing information, although not a part of the financial statements, is required by GASB who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. Our opinion on the financial statements is not affected by this missing MD&A.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated December 31, 2020, on our consideration of the City's internal control over financial reporting relating to the TDA Funds and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance relating to the TDA Funds.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 31, 2020

**CITY OF BAKERSFIELD
BIKEWAY AND PEDESTRIAN FUND
BALANCE SHEET
JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
ASSETS		
Current assets:		
Due from other governments	\$ 529	\$ 129,148
Total current assets	<u>\$ 529</u>	<u>\$ 129,148</u>
LIABILITIES AND FUND BALANCE		
Current liabilities:		
Cash overdraft	\$ 529	\$ 129,148
Total current liabilities	<u>529</u>	<u>129,148</u>
Fund balance	<u>-</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 529</u>	<u>\$ 129,148</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
BIKEWAY AND PEDESTRIAN FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
REVENUES		
Local Transportation Fund	<u>\$ 127,451</u>	<u>\$ 134,400</u>
EXPENDITURES		
Bikeway and pedestrian	<u>127,451</u>	<u>134,400</u>
Change in fund balance	-	-
Fund balance, beginning	<u>-</u>	<u>-</u>
Fund balance, ending	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
AMTRAK OPERATIONS FUND
BALANCE SHEET
JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
ASSETS		
Current assets:		
Cash and cash equivalents	\$ 151,580	\$ 243,263
Due from other governments	5,868	-
Accrued interest receivable	<u>347</u>	<u>1,168</u>
Total current assets	<u>\$ 157,795</u>	<u>\$ 244,431</u>
LIABILITIES AND FUND BALANCE		
Current liabilities:		
Accounts payable	\$ 40,169	\$ 38,000
Unearned revenue	<u>117,626</u>	<u>206,431</u>
Total current liabilities	<u>157,795</u>	<u>244,431</u>
Fund balance	<u>-</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 157,795</u>	<u>\$ 244,431</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
AMTRAK OPERATIONS FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
REVENUES		
Local Transportation Fund	\$ 465,169	\$ 521,968
Total revenues	<u>465,169</u>	<u>521,968</u>
EXPENDITURES		
Public works	453,621	510,701
Recreation and parks	<u>15,649</u>	<u>19,700</u>
Total expenditures	<u>469,270</u>	<u>530,401</u>
Deficiency of revenues under expenditures	<u>(4,101)</u>	<u>(8,433)</u>
OTHER FINANCING SOURCES		
Interest	<u>4,101</u>	<u>8,433</u>
Total other financing sources	<u>4,101</u>	<u>8,433</u>
Change in fund balance	-	-
Fund balance, beginning	<u>-</u>	<u>-</u>
Fund balance, ending	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT,
AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA) FUND
BALANCE SHEET
JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
ASSETS		
Current assets:		
Due from other governments	\$ 46,264	\$ 68,609
Total current assets	<u>\$ 46,264</u>	<u>\$ 68,609</u>
LIABILITIES AND FUND BALANCE		
Current liabilities:		
Cash overdraft	\$ 12,951	\$ 50,876
Accounts payable	<u>33,313</u>	<u>17,733</u>
Total current liabilities	<u>46,264</u>	<u>68,609</u>
Fund balance	<u>-</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 46,264</u>	<u>\$ 68,609</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
PTMISEA FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
REVENUES		
PTMISEA	<u>\$ 46,264</u>	<u>\$ 485,702</u>
EXPENDITURES		
PTMISEA	<u>46,264</u>	<u>485,702</u>
Change in fund balance	-	-
Fund balance, beginning	<u>-</u>	<u>-</u>
Fund balance, ending	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
STATE TRANSPORTATION FUND
BALANCE SHEET
JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
ASSETS		
Current assets:		
Accounts receivables/general receivables	\$ 331	\$ -
Due from other governments	<u>3,777</u>	<u>32,237</u>
Total current assets	<u>\$ 4,108</u>	<u>\$ 32,237</u>
LIABILITIES AND FUND BALANCE		
Current liabilities:		
Cash overdraft	\$ 334	\$ -
Accounts payable	<u>3,774</u>	<u>32,237</u>
Total current liabilities	<u>4,108</u>	<u>32,237</u>
Fund balance	<u>-</u>	<u>-</u>
Total liabilities and fund balance	<u>\$ 4,108</u>	<u>\$ 32,237</u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
STATE TRANSPORTATION FUND
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020
WITH COMPARATIVE TOTALS**

	<u>2020</u>	<u>2019</u>
REVENUES		
Local Transportation Fund	<u>\$ 78,714</u>	<u>\$ 32,237</u>
Total revenues	<u>78,714</u>	<u>32,237</u>
EXPENDITURES		
Capital outlay	<u>78,714</u>	<u>32,237</u>
Total expenditures	<u>78,714</u>	<u>32,237</u>
Change in fund balance	-	-
Fund balance, beginning	<u>-</u>	<u>-</u>
Fund balance, ending	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

The accompanying notes are an integral part of these financial statements.

**CITY OF BAKERSFIELD
TRANSPORTATION DEVELOPMENT ACT FUNDS
NOTES TO THE FUND FINANCIAL STATEMENTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2020
WITH COMPARATIVE TOTALS**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Bikeway and Pedestrian Fund; the Amtrak Operations Fund; the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund; and the State Transportation Fund (collectively, the Transportation Development Act (TDA) Funds) of the City of Bakersfield (City) have been prepared in conformity with accounting principles generally accepted in the United States of America as applied to governmental units pursuant to Section 99245 of the Public Utilities Code. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant of the City's accounting policies are described below.

A. Reporting Entity

The TDA provides funding of public transportation through regional planning and programming agencies. Funds are allocated to the City through the county transportation planning agency, Kern Council of Governments. The TDA Funds account for the City's share of the TDA allocations, which are legally restricted for specific purposes as detailed in applicable sections of the Public Utilities Code. The TDA Funds of the City are the Streets and Roads Fund (no activity in recent years), the Amtrak Operations Fund, the Bikeway and Pedestrian Fund, the PTMISEA Fund, and the State Transportation Fund and are included in the financial statements of the City. The TDA Funds are presented combined as a nonmajor governmental fund (State (TDA) Transportation Fund) in the City's financial statements.

The accompanying financial statements present only the TDA Funds of the City and are not intended to present fairly the financial position or changes in financial position of the City in conformity with accounting principles generally accepted in the United States of America.

B. Fund Accounting

The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures or expenses as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

The TDA Funds are specifically categorized as governmental funds which are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

C. Measurement Focus and Basis of Accounting

The TDA Funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when they become measurable and available. Local Transportation Fund (LTF) revenue is recognized when all eligibility requirements imposed by the provider have been met. Revenues are accrued when their receipt occurs within sixty days after the accounting period so as to be both measurable and available. Expenditures are generally recorded when a liability is incurred, as under the accrual basis of accounting. Revenues that are susceptible to accrual include LTF allocations and interest income.

No new accounting policies were adopted and the application of existing policies was not changed during the year.

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Cash and Cash Equivalents

All City monies are invested in a cash and investments pool, whereby funds can spend cash at any time without prior notice or penalty.

E. Fund Balance

The TDA Funds' financial statements utilize a fund balance presentation. Fund balance is categorized as follows:

Restricted fund balance – amounts with constraints placed on the use of the resource that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

F. Unearned Revenue

The Amtrak Operations Fund reports unearned revenue on its balance sheet. Unearned revenue for this fund arises when potential revenue does not meet both the "measurable" and "available" criteria for recognition in the current period and when funds have been received prior to eligibility requirements being met. In subsequent periods, when both revenue recognition criteria are met, or when the City has a legal claim to the resources, the liability for unearned revenue is removed from the balance sheet and revenue is recognized.

G. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

H. Contingencies

The City receives funding for specific purposes that are subject to review and audit by the granting agencies funding source. Such audits could result in a request for reimbursement for expenditures disallowed under terms and conditions of the contracts. Management is of the opinion that no material liabilities will result from such potential audits.

The City is party to claims and lawsuits arising in the ordinary course of business. The City's management and legal counsel are of the opinion that the ultimate liability, if any, arising from these claims will not have a material adverse impact on the financial position of the funds.

NOTE 2 – CASH AND CASH EQUIVALENTS

Cash balances of the TDA Funds are pooled with those of other funds of the City. Investment income resulting from this pooling is allocated among the funds based upon each respective fund's average cash balance in relation to the aggregate investment balance. Further information regarding the City's cash and investment pool may be found in the City's basic financial statements.

NOTE 3 – UNEARNED REVENUE

The LTF and State Transit Assistance (STA) are administered by the Kern Council of Governments, which allocates funds to the City to fund its TDA operations. The TDA requires that any funds not used be returned to their source. LTF and STA allocations are considered earned when they are properly spent for eligible projects. Allocations received but not earned are recorded as unearned revenue. As of June 30, 2020 and 2019, the Amtrak Operations Fund had unearned revenue of \$117,626 and \$206,431, respectively.

NOTE 4 – PROPOSITION 1B PTMISEA

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Of the \$19.925 billion of State general obligation bonds authorized, \$4 billion was set aside by the State as instructed by statute as the PTMISEA. These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacements.

During the fiscal year ended June 30, 2020, the City received \$46,264 in funds. The City expended \$46,264 of the funds during the current year. PTMISEA funds are as follows:

Schedule of PTMISEA Proposition 1B Funds For the Fiscal Year Ended June 30, 2020	
Description	Amount
Balance - beginning of the year	\$ -
Receipts:	
Allocations received	46,264
Interest accrued 7/1/2019 through 6/30/2020	-
Expenses:	
PTMISEA related expenses	46,264
Balance - end of year	\$ -

NOTE 4 – PROPOSITION 1B PTMISEA (Continued)

During the fiscal year ended June 30, 2019, the City received \$485,702 in funds. The City expended \$485,702 of the funds during the current year. PTMISEA funds are as follows:

Schedule of PTMISEA Proposition 1B Funds For the Fiscal Year Ended June 30, 2019	
Description	Amount
Balance - beginning of the year	\$ -
Receipts:	
Allocations received	485,702
Interest accrued 7/1/2018 through 6/30/2019	-
Expenses:	
PTMISEA related expenses	485,702
Balance - end of year	\$ -

NOTE 5 – SUBSEQUENT EVENTS

The date to which events occurring after June 30, 2020, have been evaluated for possible adjustments to the financial statements or disclosures is December 31, 2020, which is the date that the financial statements were available to be issued. There were no other events brought to our attention that were deemed to be reportable at that time.

As a result of the spread of the COVID-19 coronavirus, economic uncertainties have arisen that are likely to negatively impact course-related income; however, the related financial impact and duration cannot be reasonably estimated at this time.

REQUIRED SUPPLEMENTARY INFORMATION

**CITY OF BAKERSFIELD
BIKEWAY AND PEDESTRIAN FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget</u>
REVENUES			
Local Transportation Fund	<u>\$ 1,003,730</u>	<u>\$ 127,451</u>	<u>\$ (876,279)</u>
EXPENDITURES			
Bikeway and pedestrian	<u>1,003,730</u>	<u>127,451</u>	<u>876,279</u>
Change in fund balance	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>
Fund balance, beginning		<u>-</u>	
Fund balance, ending		<u>\$ -</u>	

See note to required supplementary information.

**CITY OF BAKERSFIELD
AMTRAK OPERATIONS FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	Final Budget	Actual	Variance With Final Budget
REVENUES			
Local Transportation Fund	\$ 558,489	\$ 465,169	\$ (93,320)
Total revenues	<u>558,489</u>	<u>465,169</u>	<u>(93,320)</u>
EXPENDITURES			
Public Works	529,089	453,621	75,468
Recreation and parks	<u>32,400</u>	<u>15,649</u>	<u>16,751</u>
Total expenditures	<u>561,489</u>	<u>469,270</u>	<u>92,219</u>
OTHER FINANCING SOURCES			
Interest	<u>3,000</u>	<u>4,101</u>	<u>(1,101)</u>
Total other financing sources	<u>3,000</u>	<u>4,101</u>	<u>(1,101)</u>
Change in fund balance	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>
Fund balance, beginning		<u>-</u>	
Fund balance, ending		<u>\$ -</u>	

See note to required supplementary information.

**CITY OF BAKERSFIELD
PTMISEA FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget</u>
REVENUES			
PTMISEA	<u>\$ 63,394</u>	<u>\$ 46,264</u>	<u>\$ (17,130)</u>
EXPENDITURES			
PTMISEA	<u>63,394</u>	<u>46,264</u>	<u>17,130</u>
Total expenditures	<u>63,394</u>	<u>46,264</u>	<u>17,130</u>
Change in fund balance	<u><u>\$ -</u></u>	<u><u>-</u></u>	<u><u>\$ -</u></u>
Fund balance, beginning		<u>-</u>	
Fund balance, ending		<u><u>\$ -</u></u>	

See note to required supplementary information.

**CITY OF BAKERSFIELD
STATE TRANSPORTATION FUND
BUDGETARY COMPARISON SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget</u>
REVENUES			
Local Transportation Fund	<u>\$ 467,763</u>	<u>\$ 78,714</u>	<u>\$ (389,049)</u>
Total revenues	<u>467,763</u>	<u>78,714</u>	<u>(389,049)</u>
EXPENDITURES			
Capital outlay	<u>467,763</u>	<u>78,714</u>	<u>389,049</u>
Total expenditures	<u>467,763</u>	<u>78,714</u>	<u>389,049</u>
Change in fund balance	<u>\$ -</u>	<u>-</u>	<u>\$ -</u>
Fund balance, beginning		<u>-</u>	
Fund balance, ending		<u>\$ -</u>	

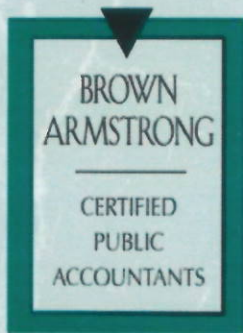
See note to required supplementary information.

**CITY OF BAKERSFIELD
TRANSPORTATION DEVELOPMENT ACT FUNDS
NOTE TO REQUIRED SUPPLEMENTARY INFORMATION
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

NOTE 1 – BUDGETARY INFORMATION

Annual budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America for the Bikeway and Pedestrian Fund, the Amtrak Operations Fund, the PTMISEA Fund, and the State Transportation Fund. The City Manager is authorized to transfer budgeted amounts between departments within any fund and approve reductions of budgeted amounts. Since expenditures may not exceed budgeted appropriations at the fund level, any decisions that alter the total appropriations of any fund are to be approved by the City Council. Projects budgeted within the fiscal year but not yet completed can be reappropriated the following fiscal year with City Manager approval. All other unencumbered appropriations lapse at year-end. Encumbered amounts are reappropriated in the ensuing fiscal year budget.

OTHER REPORTS



BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

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To the Board of Directors
Kern Council of Governments
Bakersfield, California

To the City Council
City of Bakersfield
Bakersfield, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Bikeway and Pedestrian Fund; the Amtrak Operations Fund; the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund; and the State Transportation Fund (collectively, the Transportation Development Act (TDA) Funds) of the City of Bakersfield, California (City), as of and for the fiscal year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the TDA Funds' basic financial statements, and have issued our report thereon dated December 31, 2020.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the City's internal control over financial reporting (internal control) as it relates to the TDA Funds as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting relating to the TDA Funds. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over financial reporting relating to the TDA Funds.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and therefore, material weakness or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify a finding, described in the accompanying schedule of findings, which we consider to be a significant deficiency (2020-1).

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the TDA Funds' financial statements are free of material misstatement, we performed tests of the City's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

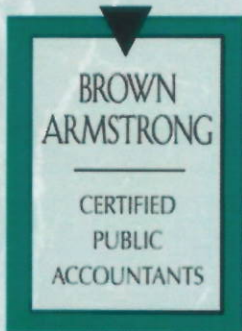
Purpose of this Report

This purpose of this report is solely to describe the scope of our testing of internal control and compliance relating to the TDA Funds and the result of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance relating to the TDA Funds. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance relating to the TDA Funds. Accordingly, this communication is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 31, 2020



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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT ON STATE COMPLIANCE

To the Board of Directors
Kern Council of Governments
Bakersfield, California

To the City Council
City of Bakersfield
Bakersfield, California

Report on Compliance with Transportation Development Act Requirements

We have audited the City of Bakersfield, California's (City) compliance with Transportation Development Act (TDA) requirements that funds allocated to and received by the City were expended in conformance with applicable statutes, rules, and regulations of the TDA and the allocation instructions and resolutions of the Kern Council of Governments as required by Sections 6666 and 6667 of Title 21, Division 3, Chapter 2, Article 5.5 of the California Code of Regulations during the fiscal year ended June 30, 2020.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to the applicable statutes, rules, and regulations of the TDA.

Auditor's Responsibility

Our responsibility is to express an opinion on each of the City's compliance requirements referred to above. We have conducted our audit of compliance in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on the Bikeway and Pedestrian Fund; the Amtrak Operations Fund; the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund; and the State Transportation Fund, allocated for transit and/or non-transit purposes, occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

Opinion on Transportation Development Act Compliance

In our opinion, the City complied, in all material respects, with the compliance requirements referred to above that are applicable to the City for the fiscal year ended June 30, 2020.

Report on Public Transportation Modernization, Improvement, and Service Enhancement Account

Also, as part of our audit, we performed tests of compliance to determine whether certain state funds were received and expended in accordance with the applicable bond act and state accounting requirements.

In November 2006, California voters passed a bond measure enacting the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B). Of the \$19.925 billion of state general obligation bonds authorized, \$4 billion was set aside by the State as instructed by the statute as the PTMISEA. These funds are available to the California Department of Transportation for intercity rail projects and to transit operators in California for rehabilitation, safety, or modernization improvements; capital service enhancements or expansions; new capital projects; bus rapid transit improvements; or for rolling stock procurement, rehabilitation, or replacement.

As of June 30, 2020, all Proposition 1B funds received and expended were verified in the course of our current audit as follows:

Schedule of PTMISEA Proposition 1B Funds For the Fiscal Year Ended June 30, 2020	
Description	Amount
Balance - beginning of the year	\$ -
Receipts:	
Allocations received	46,264
Interest accrued 7/1/2019 through 6/30/2020	-
Expenses:	
PTMISEA related expenses	46,264
Balance - end of year	\$ -

Purpose of this Report

The purpose of this report on compliance is solely to describe the scope of our testing of compliance and the results of that testing. Accordingly, this report is not suitable for any other purpose.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 31, 2020

**CITY OF BAKERSFIELD
TRANSPORTATION DEVELOPMENT ACT FUNDS
SCHEDULE OF FINDINGS
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

2020-1 – Unrecorded Liabilities

Condition:

During our testing of unrecorded liabilities, we noted that there were two unrecorded payables as of fiscal year-end.

Criteria:

The City of Bakersfield (the City) shall record expenditures and the obligation to pay those expenditures when they are incurred.

Cause of Condition:

We determined that this condition was due to error as we had not noted unrecorded liabilities in prior years.

Effect of Condition:

Understatement of expenditures and payables as of fiscal year-end.

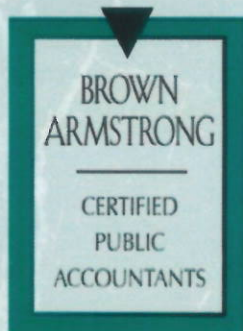
Recommendation:

We recommend that all expenditures incurred near year-end be reviewed to determine in which accounting period the expenditures and corresponding payable should be recorded.

Management Response:

The invoice from Granite for \$3,739.47 was not accrued because it was received after the accrual deadline (check run date of July 10) and did not meet the \$5,000 threshold for late accruals.

The invoice from V3 for \$5,686.12 was not accrued due to staff oversight because the invoice date was July 1 and the service dates were in June.



BROWN ARMSTRONG

Certified Public Accountants

To the Board of Directors of the
Kern Council of Governments and

To the City Council of the
City of Bakersfield

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We have audited the financial statements of the Bikeway and Pedestrian Fund; the Amtrak Operations Fund; the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Fund; and the State Transportation Fund (collectively, the Transportation Development Act (TDA) Funds) of the City of Bakersfield (the City) for the fiscal year ended June 30, 2020. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated September 18, 2020. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2020. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There were no sensitive estimates.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements was:

The disclosure of Unearned Revenue in Note 3 to the financial statements.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. The attached schedule summarizes such misstatements.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 31, 2020.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Budgetary Comparison Schedules for the TDA Funds, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This information is intended solely for the information and use of the Board of Directors and management of Kern Council of Governments and the City Council and management of the City and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 31, 2020

City of Bakersfield KCOG TDA
Journal Entries Report
June 30, 2020

Account	Description	Debit	Credit
Adjusting Journal Entries JE # 1			
To accrue expenditures that occurred in FY20			
143-4031-822.80-41	Non - Structural Improvements	3,774.00	
145-4051-552.40-32	Contracted Maintenance	5,868.00	
143-201.10-00	Accounts Payable/General Payable		3,774.00
145-201.10-00	Accounts Payable/General Payable		5,868.00
Total		9,642.00	9,642.00
Adjusting Journal Entries JE # 2			
To record revenue reimbursement for expenses incurred in FY20 but were not booked			
143-125.20-00	Due From Other Govt/Due From State Agencies	3,774.00	
145-000-125.40-00	Due From Other Govt/Due From State Agencies	5,868.00	
143-0000-334.25-00	TDA - Article 4		3,774.00
145-0000-337.12-00	Amtrak Operator Reimbursement		5,868.00
Total		9,642.00	9,642.00
Total Adjusting Journal Entries		19,284.00	19,284.00
Total All Journal Entries		19,284.00	19,284.00

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent – Miscellaneous w.

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director

DATE: 1/20/2021

WARD:

SUBJECT: Audit Reports to be Referred to Budget and Finance Committee:

1. Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2020.
2. Agreed Upon Conditions Report for the fiscal year ended June 30, 2020.
3. Auditor Communication with Those Charged with Governance (SAS 114 Letter) for fiscal year ended June 30, 2020.
4. Independent Auditors Report – Compliance with Contractual Requirements relative to the Bakersfield Subregional Wastewater Management Plan for the year ended June 30, 2020.
5. Independent Auditors Report on Appropriations Limit Worksheet (GANN Limit) of the City of Bakersfield for the fiscal year ended June 30, 2020.
6. Independent Auditors Report – Mechanics Bank Arena, Theater, Convention Center, Dignity Health Amphitheatre, and Valley Children's Ice Center for the fiscal year ended June 30, 2020.
7. Agreed Upon Procedures Report (Public Safety and Vital Services) for the fiscal year ended June 30, 2020.

STAFF RECOMMENDATION:

Staff recommends referral to the Budget and Finance Committee.

BACKGROUND:

The City's Comprehensive Annual Financial Report (CAFR), commonly referred to as the Annual Audit Report, for the fiscal year ended June 30, 2020 will be provided to the City Council as part of the packet prior to this meeting. A copy of the report will also be on file in the City Clerk's office for public review. The CAFR represents the City's financial statements as of June 30, 2020, which are audited by the accounting firm of Brown Armstrong Accountancy Corporation. The current year audit opinion issued by the outside auditors was "unqualified," which indicates that the City complied, in all material respects, with accounting principles generally accepted in the United States of America.

2. The Agreed Upon Conditions Report is designed to increase efficiency, internal controls and/or financial reporting and includes any reportable conditions noted during the Audit. A summary of reported conditions are included in the report. The report also addresses conditions identified in the prior year which have all been resolved to the auditors' satisfaction.

3. The SAS 114 Letter provides information about our auditors' responsibilities under auditing standards generally accepted in the United States of America, Government Auditing Standards, and the Uniform Guidance, as well as certain information related to the planned scope and timing of the audit.

4. Contract requirements contained in City of Bakersfield Agreement 76-153 as amended by Agreements 76-153(5), 76-153(4), 77-44, 85-197 and 92-106 apply to operations of the Bakersfield Subregional Wastewater Management Plan. The City's compliance with contract requirements is audited on an annual basis. The current compliance report, issued by the outside auditors, is attached for your review and indicates that there were no audit findings.

5. Attached is a letter from the City's independent auditors Brown Armstrong Accountancy Corporation indicating they have completed their annual review of the Appropriations Limit Worksheet prepared by the City in accordance with Section 1.5 of Article XIIIB of the California Constitution (GANN Limit). This annual review is performed by the auditors as part of their contract to provide auditing services to the City of Bakersfield. The agreed upon review procedures are substantially less in scope than an audit and therefore no audit opinion is expressed regarding the calculation.

6. Attached is the independent audit report for the Mechanics Bank Arena, Theater, Convention Center, Dignity Health Amphitheatre, and Valley Children's Ice Center, for the fiscal year ended June 30, 2020. This audit report presents the financial statements for this operational unit as of June 30, 2020. The management company (AEG) is required to submit an independent audit report of their operations to the City after the end of each fiscal year. This audit report was prepared by the accounting firm of Barbich, Hooper, King, Dill & Hoffman.

7. The Agreed Upon Procedures Report for the Public Safety and Vital Services measure is designed to increase efficiency, internal controls and/or financial reporting and includes any reportable conditions noted during the Audit. This report is a requirement per the guidelines stated in the Resolution No. 089-18 regarding the Public Safety and Vital Services measure. A summary of reported conditions is included in the report.

Staff is recommending these reports be received and referred to the Budget and Finance Committee for review and discussion. The reports will come back to the full Council for acceptance at a future meeting after the Committee review process is completed.

ATTACHMENTS:

Description

Type

- ▣ Blue Memo
- ▣ CAFR Final 2020
- ▣ AUC Report Final
- ▣ SAS 114 Letter Final
- ▣ Arena Financials

- Cover Memo
- Backup Material
- Backup Material
- Backup Material
- Backup Material



BAKERSFIELD

THE SOUND OF *Something Better*

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Randy McKeegan, Finance Director / *RM*

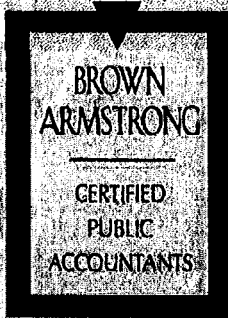
DATE: February 2, 2021

SUBJECT: Agenda Item 8.w. – Missing Documents

This agenda item is requesting Council to refer the annual audit and financial reports completed by our outside audit firm to the Budget and Finance committee for review. Three of the seven documents included were not available to be included with the administrative report when originally submitted. Those missing reports have been completed and are attached, including items:

4. Independent Auditors Report – Compliance with Contractual Requirements relative to the Bakersfield Subregional Wastewater Management Plan for the year ended June 30, 2020.
5. Independent Auditors Report on Appropriations Limit Worksheet (GANN Limit) of the City of Bakersfield for the fiscal year ended June 30, 2020.
7. Agreed Upon Procedures Report (Public Safety and Vital Services) for the fiscal year ended June 30, 2020.

cc: Christian Clegg – City Manager
Virginia Gennaro – City Attorney



BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

To the Technical Advisory Committee of the
Bakersfield Subregional Wastewater Management Plan,
the City of Bakersfield, California,
the Kern Sanitation Authority,
and the East Niles Community Services District

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We have performed the procedures enumerated below to determine the City of Bakersfield's (the City) compliance with certain provisions of contractual requirements as specified in Agreement 76-153, as amended by Agreements 76-153(6), 76-153(5), 76-153(4), 77-44, 85-197, and 92-106, regarding the Bakersfield Subregional Wastewater Management Plan as of and for the fiscal year ended June 30, 2020. The City's management is responsible for the Bakersfield Subregional Wastewater Management Plan and compliance with the aforementioned requirements. The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of the Bakersfield Subregional Wastewater Management Plan's compliance requirements. Additionally, the Technical Advisory Committee (TAC) of the Bakersfield Subregional Wastewater Management Plan has agreed to and acknowledged that the procedures performed are appropriate for their purposes. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

We reviewed and tested the City's compliance with certain provisions of contractual requirements as specified in Agreement 76-153, as amended by Agreements 76-153(6), 76-153(5), 76-153(4), 77-44, 85-197, and 92-106. These procedures resulted in no current year findings.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not, conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the City's compliance with certain provisions of contractual requirements as specified in Agreement 76-153, as amended by Agreements 76-153(6), 76-153(5), 76-153(4), 77-44, 85-197, and 92-106, regarding the Bakersfield Subregional Wastewater Management Plan. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

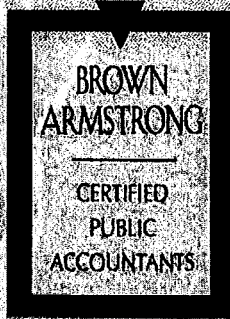
We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended for the information of the Technical Advisory Committee of the Bakersfield Subregional Wastewater Management Plan, the Kern Sanitation Authority, the East Niles Community Services District, the City's management, appropriate regulatory agencies, and the City Council and is not intended to be used, and should not be used, by anyone other than those specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 21, 2020



BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

To the Honorable Mayor and Members of the City Council
City of Bakersfield, California

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We have performed the procedures enumerated below to the accompanying Appropriations Limit – Worksheet Six of the City of Bakersfield, California, (the City) for the fiscal year ended June 30, 2020. The City's Management is responsible for compliance with the requirements of Section 1.5 of Article XIII-B of the California Constitution. The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of the City meeting the requirements of Section 1.5 of Article XIII-B of the California Constitution. Additionally, the League of California Cities, has suggested these procedures and presented these in Article XIII-B Appropriations Limitation Uniform Guidelines as being appropriate for their purposes. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures performed and our findings were as follows:

1. We obtained the City's accompanying appropriations limit worksheet required and determined that the City calculated its 2020 appropriations limit at \$429,959,287 and correct annual adjustment factors were adopted by resolution of the City Council.

No exceptions were found as a result of applying the procedure.

2. For the accompanying Appropriations Limit – Worksheet Six, we added line A, last year's limit, to line E, total adjustments, and agreed the resulting amount to line F, this year's limit.

No exceptions were found as a result of applying the procedure.

3. We agreed the current year information presented in the accompanying Appropriations Limit – Worksheet Six to the other worksheet described in 1 above.

No exceptions were found as a result of applying the procedure.

4. We agreed the prior year appropriations limit presented in the accompanying Appropriations Limit – Worksheet Six to the prior year appropriations limit as adopted by the City Council during the prior year.

No exceptions were found as a result of applying the procedure.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not, conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively on the Appropriations Limit – Worksheet Six. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City of Bakersfield and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of management, the Mayor, and the City Council and is not intended to be, and should not be, used by anyone other than these specified parties. However, this restriction is not intended to limit the distribution of this report, which is a matter of public record.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 21, 2020

**CITY OF BAKERSFIELD
APPROPRIATIONS LIMIT – WORKSHEET SIX
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

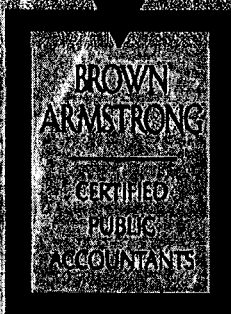
A. Last year's limit		<u>\$ 408,504,776</u>
B. Adjustment factors:		
1. Population %	101.11%	
2. Inflation %	<u>103.85%</u>	
Total adjustment %	<u>5.002735%</u>	
C. Annual adjustment		20,436,411
D. Other adjustments:		
Booking fees		379,000
Property tax administration fees		<u>639,100</u>
E. Total adjustments		<u>21,454,511</u>
F. This year's limit		<u><u>\$ 429,959,287</u></u>

**CITY OF BAKERSFIELD
MEASURE N
AGREED-UPON PROCEDURES
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

**CITY OF BAKERSFIELD
MEASURE N
AGREED-UPON PROCEDURES
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

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BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

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Bakersfield, California

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Certified Public Accountants

We have performed the procedures enumerated in the attached Schedule of Procedures and Results, related to the City of Bakersfield's (City) compliance with the guidelines stated in Resolution No. 089-18 regarding Measure N for the fiscal year ended June 30, 2020. The City's management is responsible for its compliance with those specified requirements. The City has agreed to and acknowledged that the procedures performed are appropriate to meet the intended purpose of the Measure N compliance requirements as stated in the Resolution No. 089-18. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes.

The procedures and associated results are summarized in the attached Schedule of Procedures and Results.

We were engaged by the City to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to, and did not, conduct an examination or review, the objective of which would be the expression of an opinion or conclusion, respectively, on the City's compliance with the specified requirements in Resolution No. 089-18 regarding the Measure N. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the City and is not intended to be, and should not be, used by anyone other than this specified party.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
December 21, 2020

CITY OF BAKERSFIELD
MEASURE N
SCHEDULE OF PROCEDURES AND RESULTS
FOR THE FISCAL YEAR ENDED JUNE 30, 2020

1. Obtain a general understanding and perform a walk-through over the Measure N/Public Safety and Vital Services (PSVS) revenue collection and expenditure disbursement process.

Result: We performed a walk-through over the Measure N/Public Safety and Vital Services (PSVS) revenue collection and disbursement process by interviewing staff and documenting the process. We found no exceptions as a result of the procedures performed.

2. Identify the Measure N/PSVS tax revenue sub-fund under the general fund, including fund name, account code, etc.

Result: The City utilizes three funds under the General Fund for the recording of the Measure N funds. We identified sub-fund 014, which tracks the Measure N one (1) percentage increase of sales tax revenue. We found no exceptions as a result of the procedures performed.

3. Obtain each Quarterly Statement of Tax Distribution for the fiscal year ended June 30, 2020 for the Measure N/PSVS revenue and reconcile to the revenue reported in the general ledger. In addition, verify that the revenue was recorded in the correct sub-fund.

Result: We obtained each Quarterly Statement of Tax Distribution for the fiscal year ended June 30, 2020 for the Measure N/PSVS revenue and reconciled it to the revenue reported in the general ledger. In addition, we were able to verify that the revenue was recorded in the correct sub-fund. We found no exceptions as a result of the procedures performed.

4. Obtain the Measure N/PSVS expenditure report under the sub-fund and select samples of disbursements for testing.

Result: We obtained the expenditures report under the sub-fund 312 that is used to record Measure N/PSVS expenditures and selected a sample of 40 expenditures.

5. Test sampled Measure N/PSVS expenditure items to make sure they are in compliance with Measure N requirements.

Result: We tested the 40 expenditures selected as noted in procedure 4 and tested to ensure they were in compliance with the Measure N requirements. We found no exceptions as a result of the procedures performed.



City of Bakersfield, California

BAKERSFIELD

THE SOUND OF *Something Better*

Comprehensive Annual Financial Report
For the Fiscal Year Ended June 30, 2020



CITY OF BAKERSFIELD
CALIFORNIA

COMPREHENSIVE ANNUAL FINANCIAL REPORT

For the Fiscal Year Ended June 30, 2020



Prepared by the Department of Finance
Randy McKeegan, Finance Director

On the Cover
Pedestrian Bridge
The Park at Riverwalk
Photo by Gilbert Vega

CITY OF BAKERSFIELD

Comprehensive Annual Financial Report
Year Ended June 30, 2020

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CITY OF BAKERSFIELD

Comprehensive Annual Financial Report
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CITY OF BAKERSFIELD

Comprehensive Annual Financial Report
Year Ended June 30, 2020

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BAKERSFIELD

THE SOUND OF *Something Better*

January 25, 2021

Honorable Mayor, City Council, City Manager and Citizens of Bakersfield:

I am pleased to submit the City of Bakersfield's (the "City") Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2020 in accordance with the requirements of our Municipal Code which states that a complete financial statement and report be prepared at the end of each fiscal year (Section 2.08.020F). This report was prepared by the City's Finance Department, which assumes responsibility for both the accuracy of the data and the completeness and fairness of the presentation, including all disclosures. Because the cost of internal control should not exceed anticipated benefits the objective is to provide reasonable, rather than absolute assurance that the financial statements are free of any material misstatements. To the best my knowledge and belief, the enclosed data is accurate in all material aspects and is reported in a manner that presents fairly the financial position and results of operations of the City.

The accompanying financial statements of the City have been prepared in conformity with U.S. generally accepted accounting principles (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB).

Brown Armstrong, a firm of licensed certified public accountants, performed the annual independent audit. The goal of the audit was to provide reasonable assurance that the basic financial statements of the City are free of material misstatement. The independent auditor concluded, based upon the audit, that the City's financial statements for the fiscal year ended June 30, 2020, are fairly stated in conformity with GAAP.

The independent audit of the financial statements of the City was part of a broader, federally mandated "Single Audit" designed to meet the special needs of federal grantor agencies. The standards governing Single Audit engagements require the independent auditor to report not only on the fair representation of the financial statements, but also on the audited government's internal controls and compliance with legal requirements, with special emphasis on internal controls and legal requirements involving the administration of federal awards. These reports are available in the City's separately issued Single Audit Report and may be obtained from the City's website.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. The City of Bakersfield's MD&A can be found immediately following the report of the independent auditors, beginning on page 3 of the financial section.

GENERAL BACKGROUND

The City is located approximately one hundred miles north of Los Angeles in the southern San Joaquin Valley. The City is the County seat for the County of Kern and maintains an incorporated area of 151 square miles with an estimated population of 392,756 as of January 1, 2020. Bakersfield operates under the Council-Manager form of government. Policymaking and legislative authority are vested in the City Council, which consists of a Mayor and a seven-member Council. The City Council is responsible for passing the ordinances and operating resolutions, passing the annual budget, appointing commissions and committees, and hiring the City Manager, and City Attorney, as well as many other related duties.

The City of Bakersfield is a Charter City founded in 1898 that offers a full range of services including:

- Fire and Police Protection
- Streets and Infrastructure Maintenance
- Planning and Building Services
- Economic and Community Development Services
- Parks and Recreation Services
- River & Agricultural Water and Domestic Water Services
- Municipal Airpark - General Aviation
- Refuse Collection
- Wastewater Treatment

This report includes the financial activities of the City and the Bakersfield Successor Agency. A more detailed discussion of the reporting entity is provided in the notes to the financial statements.

MAJOR INITIATIVES

The Thomas Roads Improvement Program (TRIP) continues to progress through the various phases of environmental, design, land acquisition and construction. The TRIP program uses a combination of local funds, Transportation Impact Fees, and State and Federal road grants, which includes approximately \$570 million of Federal earmark funds approved by Congress in 2005. The City had three major TRIP projects under construction during the fiscal year including the Centennial Corridor Mainline Freeway (\$188 Million Budget), the Centennial Corridor Belle Terrace Bridge reconstruction (\$4.5 Million Budget), the Centennial Corridor Freeway Connector (\$4.8 Million Budget), the 24th Street Widening (\$4.4 Million Budget), and the Beltway Operational improvements to State Routes 58 & 99 (\$4.7 Million Budget). Supplemental grant awards at both the State and Federal level have resulted in the remaining projects planned to be constructed in the TRIP program to be fully funded, requiring no additional financing or borrowing.

The City recognized the negative impact of homelessness in the community and undertook a number of programs and projects designed to address the issues it creates. These endeavors included establishing rapid response teams in both the Development Services and Recreations and Parks departments to clean up homeless encampments and other negative impacts caused by that population. Also, funding private clean-up services in the Downtown and Old Town Kern areas of the City. The landmark homeless project undertaken this fiscal year was the purchase of a building that once renovated will become of the Brundage Lane Navigation Center. This facility will provide bridge housing to the homeless in the area and once completed could house up to 450 individuals. The total budget set aside for these homeless projects totaled over \$11.5 Million.

FACTORS AFFECTING FINANCIAL CONDITION

Local Economy and Local Budget Issues – At the start of the fiscal year, the local economy for the City of Bakersfield continued to show signs of growth and recovery in various industries, including oil & gas production and agriculture. The 2019-20 budget was established with this positive outlook in mind and

projections through the third quarter (ending in March 2020) were at or above revenue estimates. That positive outlook changed with the COVID-19 pandemic that has affected the global economy since the Spring of 2020. As of October 2020, the State unemployment rate is over 9% and the Kern County rate was at 12%. According to a recent report from the California Legislative Analyst's Office on the State's budgetary outlook (November 2020), "A host of unknowns cloud the state's economic outlook. Will virus cases worsen further over the fall and winter? How soon will effective treatments or vaccines be widely available? Can businesses continue to withstand diminished revenues in the face of rising debts? Will the federal government take additional actions to support the economy?...These unknowns create an unprecedented degree of uncertainty about the economic outlook." It goes on to emphasize there is little agreement among economists on where the economy will go in the future. We can examine the results of the fiscal year 2019-20 with that backdrop of the economic uncertainty going forward.

Property tax revenues grew by 2.5% in fiscal year 2019-20 and are estimated to increase by an additional 4.0% in fiscal year 2020-21. These revenues are not expected to be adversely affected by the COVID-19 pandemic in the near-term but a prolonged epidemic could reduce property taxes significantly beyond 2020-21. The City initiated a local sales tax measure to increase the City rate by 1 percent to provide additional revenue for a myriad of projects and needs that the City Council and management saw were not being addressed. The district add-on tax, called the *Public Safety and Vital Services (PSVS)* measure, was approved in November 2018 and went into effect April 1, 2019. This tax effectively doubled the sales tax revenue received by the City when compared to prior years. Fiscal year 2019-20 was the first full year for collections of this new tax. The PSVS funds are budgeted and accounted for separately within a sub-fund of the General Fund and have a special oversight committee made up of nine City residents. The funds are to be used to meet thirteen specific priorities (as identified in the ballot measure) to address top community priorities including enhancing public safety, reducing homelessness and bolstering economic development activities. The uncertainty in the State and National economy due to COVID-19 resulted in a budgeted reduction of 5.5% (approximately \$7.5 Million) in sales tax revenue going into 2020-21 but current quarterly figures show the decreases are not as significant as expected. It should be noted that the PSVS revenue stream is primarily earmarked for the fulfilling the thirteen established priorities mentioned previously but the City Council can use portions of that sales tax revenue to address economic instability.

To that end, The City Council adopted Resolution 91-19 on June 28, 2019 to create a more substantial reserve to help mitigate potential financial downturns as well as create potential avenues to address the increasing concern regarding the growing unfunded pension liabilities. This resolution created a five-year plan that would increase the General Fund reserve equal to two months of operational costs and begin to fund a Section 115 Pension Rate Stabilization Fund. This plan is subject to the availability of funds and does not lock the City into any contributions that would be detrimental to the operations necessary to serve the needs of the residents of Bakersfield. Based on the approved plan, the Council approved an increase to the City's cash basis reserve by \$8 million using the PSVS funds for a total reserve of \$34.3 million. Those reserves, along with a \$4.6 million facilities reserve fund, provide an added level of protection for the City. The Council continued to fund the City's Other Post-Employment Benefits (OPEB) costs for retiree medical benefits, maintaining the City of Bakersfield's position as one of the few entities in California that are making serious progress toward fully funding this long-term obligation.

Retirement costs will continue to escalate for all employee groups and over the next several years are expected to increase by 21% (\$14 million) by fiscal year 2025-26. This dramatic rise is a result of California Public Employees' Retirement System's (CalPERS) changes to its actuarial methodology and their lower than projected earnings in previous years. These methodology changes and resulting rate increases will have a significant impact on retirement costs for the City. Actual CalPERS earnings over the past five years have been 0.6%, 11.2%, 8.6%, 6.7%, and 4.7% respectively. The effects of annual investment increases or decreases are smoothed over a 30-year period so even more significant increases in costs are expected, but not necessarily in the near-term. CalPERS estimates the impact of the changes and returns will increase our annual retirement benefit costs by approximately \$3.0 million to \$5.0 million per year for the next five years.

Long-Term Financial Planning - The City of Bakersfield continues to look forward in meeting our long-term financial and operating needs. The increasing costs of retirement are of particular concern and continue to be closely examined by the City. As the City grows both in population and in geographic area, there will be a continued need to evaluate opportunities to become more efficient and effective in our efforts to serve our community. The City recently entered into consulting contract which will result in a financial model that will provide an integral tool for planning and budgeting going into the 2021-22 fiscal year and well beyond.

Accounting System and Internal Controls - The City's accounting system is organized and operated on a fund basis with each fund treated as a distinct self-balancing accounting entity. Various funds utilized by the City of Bakersfield are fully described in Note 1 of Notes to the Basic Financial Statements. The City's accounting records for general governmental operations are maintained on a modified accrual basis of accounting, whereby revenues are recognized when measurable and available and expenditures are recognized when materials and services are received. Accounting records for the enterprise and internal service funds are recorded on an accrual basis of accounting, whereby revenues are recognized when earned and expenses are recognized when incurred.

In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls. Internal accounting controls are designed to provide reasonable, but not absolute, assurance regarding: (1) the safeguarding of assets against loss from unauthorized use or disposition and (2) the reliability of financial records for preparing financial statements and maintaining accountability for assets. The concept of reasonable assurance recognizes that: (a) the cost of a control should not exceed the benefits likely to be derived and (b) the evaluation of costs and benefits requires estimates and judgments by management.

All internal control evaluations occur within the framework described previously. The City Finance department believes that these internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions. However, the City recognizes that even sound internal controls have inherent limitations. Internal controls must be reviewed to ensure that the City's operating policies and procedures are being adhered to and that the controls are adequate to assure accurate and reliable financial reporting and to safeguard the City's assets.

Budgetary Controls - The objective of these budgetary controls is to ensure compliance with legal provisions embodied in the annual appropriated budget approved by the City Council. Project length financial plans are adopted for the capital projects funds. The level of budgetary control is established at the fund level. The City also maintains an encumbrance accounting system as one technique of accomplishing budgetary control. Unencumbered amounts lapse at year-end. However, encumbrances and certain capital projects are re-appropriated as part of the following year's budget. The 2019-20 City of Bakersfield appropriation limit established as required by state statute was \$429,959,287.

Cash Management - The City maintains a cash and investment pool that is available for use by all funds, except the Fire Pension Trust Fund. Each fund type's portion of this pool is displayed on the combined balance sheet as cash and short-term investments. The deposits and investments of the Fire Pension Trust Fund are held separately from other City funds.

The City Council has adopted an investment policy in accordance with California Government Code Sections 53607 and 53646, with a goal to minimize credit and market risks while maintaining a competitive yield on its portfolio. The City is also governed by State statutes authorizing the City to invest in bonds or other evidences of indebtedness of the U.S. Government or any of its agencies and instrumentalities, repurchase agreements and bankers' acceptances. The pension trust investments are administered separately under Municipal Code Section 2.92, which is within state guidelines.

OTHER INFORMATION

Independent Audit - The City Charter requires an annual audit by independent certified public accountants. The City Council also adopted a policy regarding auditor rotation that encourages competitive bidding on a five-year cycle. The accounting firm of Brown Armstrong Accountancy Corporation was selected by the City Council in 2017 to perform the annual audit for the 2016-17 fiscal year. This audit year (2019-20) is the fourth year of the five-year agreement with this firm.

Awards - The Government Finance Officers Association of the United States and Canada (GFOA) awarded a *Certificate of Achievement for Excellence in Financial Reporting* to the City of Bakersfield for its Comprehensive Annual Financial Report for the fiscal year ended June 30, 2019, marking the thirty-ninth consecutive year Bakersfield has received the GFOA certificate. The Certificate of Achievement is a national award recognizing conformance with the highest standards for preparation of state and local government financial reports.

A Certificate of Achievement is valid for a period of one year only. We believe our current report continues to conform to Certificate of Achievement Program requirements and we are submitting it to GFOA to determine its eligibility for another certificate.

Additionally, the City received the *Distinguished Budget Presentation Award* for the fiscal year beginning July 1, 2019 from the GFOA. The Distinguished Budget Presentation Award judges a government's budget document for compliance with the guidelines established by the National Advisory Council on State and Local Budgeting and best practices of the GFOA.

Acknowledgments - The preparation of this report in a timely manner could not be accomplished without excellent work performed by the entire staff of the Finance Department. I should like to express my gratitude to all members of the Department who assisted and contributed to its preparation. I should also thank the Mayor, City Council and the City Manager for their steadfast support in planning and conducting the financial operations of the City in a professional and progressive manner.

Respectfully,

A handwritten signature in black ink, appearing to read 'Randy McKeegan', with a stylized, flowing script.

Randy McKeegan
Finance Director



Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**City of Bakersfield
California**

For its Comprehensive Annual
Financial Report
For the Fiscal Year Ended

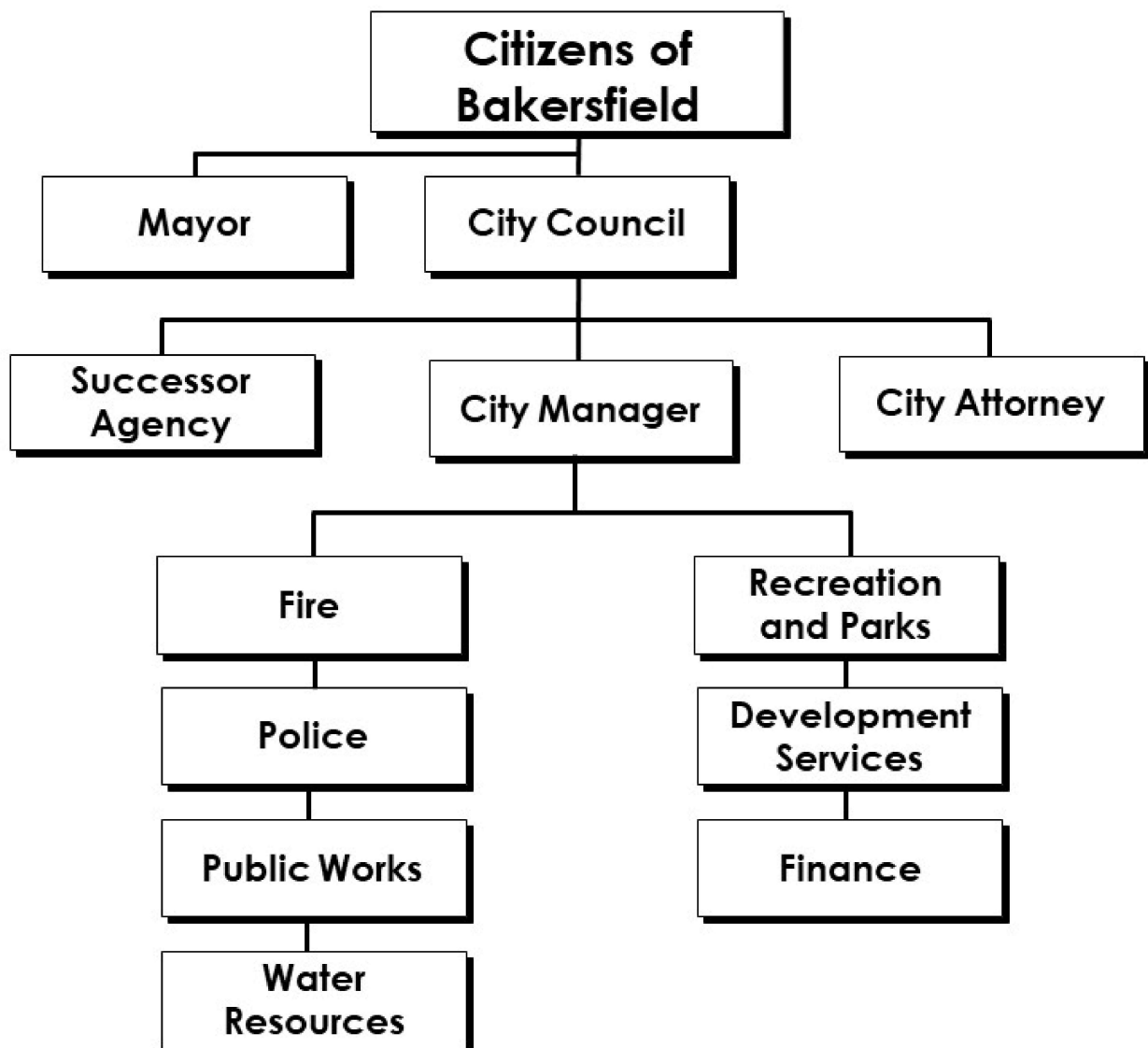
June 30, 2019

Christopher P. Morill

Executive Director/CEO

CITY OF BAKERSFIELD

Organizational Chart



CITY OF BAKERSFIELD

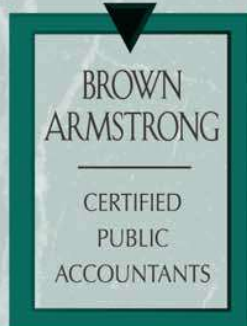
June 30, 2020

City Council

Karen K. Goh	Mayor
Willie Rivera	Member/Ward 1
Andrae Gonzales	Member/Ward 2
Ken Weir	Member/Ward 3
Bob Smith	Vice Mayor/Ward 4
Bruce Freeman	Member/Ward 5
Jacquie Sullivan	Member/Ward 6
Chris Parlier	Member/Ward 7

Administrative Personnel

Christian Clegg.....	City Manager
Virginia Gennaro	City Attorney
Christopher Boyle.....	Development Services Director
Randy McKeegan	Finance Director
Anthony Galagaza.....	Fire Chief
Greg Terry	Police Chief
Nick Fidler	Public Works Director
Dianne Hoover	Director Recreation & Parks
Art Chianello	Water Resources Manager



BROWN ARMSTRONG

Certified Public Accountants

INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Members of the City Council of the
City of Bakersfield
Bakersfield, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Bakersfield, California, (the City) as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of June 30, 2020, and the respective changes in financial position and, where applicable, cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 19 and 106 through 108, the City's Retirement Plans' Schedules of Changes in the Net Pension Liability and Related Ratios and the Schedules of Pension Contributions on pages 109 through 111, and the Other Postemployment Benefits (OPEB) Plan Schedule of Changes in the City's Net OPEB Liability and Related Ratios as well as its Schedule of OPEB Contributions on pages 112 and 113 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining and individual major and nonmajor fund financial statements and schedules, schedules of long-term debt recorded in private purpose trust fund on pages 118 through 149, and statistical section are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual major and nonmajor fund financial statements and schedules as well as schedules of long-term debt recorded in private purpose trust fund on pages 118 through 149 are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual major and nonmajor fund financial statements and schedules as well as schedules of long-term debt recorded in private purpose trust fund on pages 118 through 149 are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory and statistical sections have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated January 25, 2021, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
January 25, 2021

CITY OF BAKERSFIELD

Management's Discussion and Analysis

This discussion and analysis of the City of Bakersfield's (City) financial performance provides an overview of the City's financial activities for the fiscal year ended June 30, 2020. We encourage readers to consider the information presented here in conjunction with the accompanying letter of transmittal, the basic financial statements, and the accompanying notes to those financial statements.

FINANCIAL HIGHLIGHTS

- The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$2.0 billion (net position).
- The City's total net position increased by \$39.8 million over the prior fiscal year. This increase is broken down with changes to the following components of net position; a \$3.9 million decrease in restricted net position, a \$0.5 million increase in unrestricted net position, and a \$45.8 million increase in capital assets investment. Prior year information presented in this section does not take into account restatements made to fiscal year 2018-19 balances for prior period adjustments (see Note 23).
- As of the close of the current fiscal year, the City's Governmental Funds reported combined ending fund balances of \$213.6 million, an increase of \$27.1 million in comparison with the prior year. Amounts available for spending include restricted, committed, assigned and unassigned fund balances. Of this amount, \$15.1 million is restricted by law or externally imposed requirements, \$141.3 million is committed for specific purposes, \$56.2 million assigned. There was no unassigned and available balance at year end in part due to over \$7.5 million expended to address the COVID-19 pandemic. Those funds will be reimbursed in the subsequent fiscal year through Federal assistance.
- Available fund balance for the General Fund increased \$14.1 million to \$68.7 million, which equates to 30.1% of total General Fund expenditures for the year.
- The City's long-term debt showed a decrease of \$26.0 million during the current fiscal year.

Note: Further analysis of the changes and balances highlighted can be found in detail provided in this section.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

OVERVIEW OF THE FINANCIAL STATEMENTS

The City's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

The government-wide financial statements are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business. The statements present the financial picture of the City from the economic resources measurement focus using the accrual basis of accounting. They present governmental activities and business-type activities separately. Additionally, certain eliminations have occurred as prescribed by the Governmental Accounting Standards Board (GASB) statements in regards to interfund activity, payables and receivables.

The Statement of Net Position and the Statement of Activities provide information about the City as a whole and its activities through the fiscal year. These statements include all assets, deferred outflows of resources, liabilities, and deferred inflows of resources of the City using the accrual basis of accounting, which is similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account, regardless of when cash is received or paid.

These two statements report the City's net position and changes in it. Net position is the difference between assets deferred outflows of resources, liabilities, and deferred inflows of resources providing a measurement of the City's financial health. Over time, increases or decreases in the City's net position can be an indicator of whether its overall financial health is improving or deteriorating. Other factors to consider are changes in the City's property tax base and sales tax base. The government-wide financial statements do not include the fiduciary funds, which comprise the private purpose trust funds, pension trust funds, and agency funds. Resources in the fiduciary funds are generally not available to support the City's own programs.

In the Statement of Net Position and the Statement of Activities, we separate the City activities as follows:

Governmental activities - Most of the City's basic services are reported in this category, including the General Government, Police, Fire, Public Works, Recreation & Parks and Development Services. These activities are generally financed by property and sales taxes, user fees, interest income, franchise fees, and state and federal shared revenues and grants.

Business-Type activities - The City charges a fee to customers to cover all or most of the cost of certain services it provides. The City's Water, Wastewater, and Refuse Collection systems along with the Municipal Airport and Offstreet Parking activities are reported in this category.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

FUND FINANCIAL STATEMENTS

A fund is a specific grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities and objectives. Like other state and local government, the fund financial statements provide detailed information about the most significant funds, not the City as a whole. Some funds are required to be established by State law and by bond covenants. Management establishes many other funds to help control and manage financial resources for particular purposes, or to show that the City is meeting legal responsibilities when using certain taxes, grants, and other revenue.

These financial statements include statements for each of three categories of activities – governmental, proprietary and fiduciary. The governmental activities are prepared using the current financial resources measurement focus and modified accrual basis of accounting. The proprietary activities are prepared using the economic resources measurement focus and the accrual basis of accounting. The fiduciary activities are agency funds that also use the economic resources measurement focus but only report a balance sheet. Reconciliation of the Governmental Fund Financial Statements to the Government-Wide Financial Statements are provided to explain the differences created by the integrated approach.

Governmental Funds - Most of the City's basic services are reported in governmental funds, which focus on the flow of resources into and out of those funds with the balances remaining at year-end available for appropriation. These funds are reported using the modified accrual basis of accounting, which measures cash and all other financial assets that can readily be converted to cash. The Governmental Fund financial statements focus on near-term inflow and outflow of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financial requirements. The differences of results in the Governmental Fund financial statements to those in the Government-Wide financial statements are explained in a reconciliation schedule following the Governmental Fund financial statement in order to facilitate comparison.

Proprietary Funds - Proprietary Funds are used to report services the City charges to all of its customers, which may include units within the City. Proprietary Funds are reported in the same way that all activities are reported in the Statement of Net Position and the Statement of Activities. The City's Enterprise Funds report the same functions as the business-type activities reported in the Government-Wide financial statements, but provide more detail and additional information, such as cash flows. The City uses Internal Service Funds (the second component of Proprietary Funds) to report activities that provide supplies and services for the City's other programs and activities. This includes the City's Self-Insurance and Equipment Management Funds. These services primarily benefit governmental rather than business-type functions so a majority of the related operation costs are included with the governmental activities in the Government-Wide financial statements.

Fiduciary Funds - The City is the trustee, or fiduciary, for certain funds held on behalf of various third parties. The City's fiduciary activities are reported in separate Statements of Fiduciary Net Position. These resources are not available to support the City's programs or operations activities and are thereby excluded from the City's other financial statements. The City is responsible for ensuring that the assets reported in these funds are used for their intended purposes.

NOTES TO THE FINANCIAL STATEMENTS

The notes to the financial statements provide additional information that is essential to a full understanding of the data provided in the Government-Wide and Fund financial statements. The notes can be found starting on page 48 of this report.

OTHER INFORMATION

In addition to the basic financial statements and accompanying notes, this report also presents certain "Required Supplementary Information" concerning the City's progress in funding its obligation to provide pension benefits and other post-employment benefits (OPEB) to its employees and budgetary comparison schedules for the General Fund and Special Revenue Major Funds. This information can be found starting on page 105 of this report.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As previously noted, net position may serve over time as a useful indicator of a government's financial position. In the current year, the City's assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$2.0 billion at the close of the reporting period, which is a \$42.3 million increase in comparison with the prior year (after restatements).

The largest portion of the City's net position relates to its net investment in capital assets of \$2.1 billion (e.g., land, buildings, machinery, infrastructure and equipment), less any related debt used to acquire those assets that is still outstanding. These capital assets are used to provide services to citizens; as such, these assets are not available for future expenditures. The City's investment in capital assets is reported net of related debt, though it should be noted that the resources needed to repay this debt must be provided from other sources as the capital assets themselves cannot be used to service this debt.

A small portion of the City's net position, \$35.3 million (1.7% of the total), represents resources that are subject to external restrictions on how they may be used.

As in the prior year, the City is able to report positive balances in both categories of net position, whether for the City as a whole or for its separate Governmental and Business-type activities.

The following table presents the components of the government-wide Statement of Net Position at the end of the fiscal year for both 2019 and 2020. The governmental and business-type activities columns reflect amounts that have been restated in this financial report. Note 23 explains any prior period adjustments that changed net position.

City of Bakersfield - Net Position

(in thousands)

	Governmental Activities		Business-Type Activities		Total	
	2019	2020	2019	2020	2019	2020
Assets						
Current and other assets	\$ 326,209	\$ 355,991	\$ 189,182	\$ 188,795	\$ 515,391	\$ 544,786
Capital assets (net)	1,330,859	1,358,150	890,918	882,790	2,221,777	2,240,940
Total assets	1,657,068	1,714,141	1,080,100	1,071,585	2,737,168	2,785,726
Deferred Outflows of Resources	95,296	83,306	17,511	15,535	112,807	98,841
Liabilities						
Long-term liabilities						
outstanding	536,281	537,638	230,239	206,296	766,520	743,934
Other liabilities	49,003	54,993	15,683	16,345	64,686	71,338
Total liabilities	585,284	592,631	245,922	222,641	831,206	815,272
Deferred Inflows of Resources	25,794	33,019	3,032	3,991	28,826	37,010
Net Position						
Net investment in capital assets	1,316,113	1,347,391	720,818	735,284	2,036,931	2,082,675
Restricted	18,976	15,079	20,200	20,200	39,176	35,279
Unrestricted	(193,801)	(190,673)	107,639	105,004	(86,162)	(85,669)
Total Net Position	<u>\$1,141,288</u>	<u>\$1,171,797</u>	<u>\$ 848,657</u>	<u>\$ 860,488</u>	<u>\$ 1,989,945</u>	<u>\$ 2,032,285</u>

CITY OF BAKERSFIELD

Management's Discussion and Analysis

Governmental Activities – Total assets for governmental activities increased by \$57.1 million, with current and other assets in governmental activities increasing by \$29.8 million and a capital assets increase of \$27.3 million. Total liabilities increased by \$7.3 million, with other liabilities increasing by \$6.0 million and long-term liabilities increasing by \$1.4 million.

Of the \$30.5 million increase in governmental activities total net position, unrestricted net position increased by \$3.1 million, net investment in capital assets increased by \$31.3 million and restricted net position decreased by \$3.9 million. Net investment in capital assets increased due to continued development throughout the City increasing the value of overall infrastructure. The increase in unrestricted net position stems primarily from decreases in the other post-employment benefit liability offset in part by increases in pension liabilities.

Business-Type Activities – Total assets for business-type activities decreased by \$8.5 million, with current and other assets decreasing by \$0.4 million and a \$8.1 million decrease in capital assets. Total liabilities decreased by \$23.3 million, with other liabilities increasing by \$0.7 million and long-term liabilities also decreasing by \$23.9 million. Total net position for business-type activities increased by \$11.8 million. Of that amount, net investment in capital assets increased by \$14.5 million. Restricted net position remained constant and unrestricted net position decreased by only \$2.6 million. The overall increase in net position is the result of completed improvement projects in the Wastewater, Refuse and Agriculture Water funds. There was also a decrease in the net other post-employment benefit liability offset slightly by the continued increases in pension related liabilities that increased net position.

Change in Net Position of the City

The following table presents the government-wide changes in net position for both 2019 and 2020. The City's total revenues of \$595.4 million were more than expenses of \$555.6 million for an increase in net position before transfers & other items of \$39.8 million. The governmental and business-type activities columns reflect amounts that have been restated in this financial report. Note 23 explains any prior period adjustments that changed net position.

City of Bakersfield - Changes in Net Position

	(in thousands)					
	Governmental Activities		Business-Type Activities		Total	
	2019	2020	2019	2020	2019	2020
Revenues:						
Program revenues:						
Charges for services	\$ 57,472	\$ 55,071	\$ 125,940	\$ 127,476	\$ 183,412	\$ 182,547
Operating grants and contributions	11,411	17,271	8,407	7,588	19,818	24,859
Capital grants and contributions	78,709	109,448	11,978	10,120	90,687	119,568
Total program revenues	147,592	181,790	146,325	145,184	293,917	326,974
General revenues:						
Taxes:						
Property taxes	83,544	85,559	-	-	83,544	85,559
Sales taxes	94,622	148,259	-	-	94,622	148,259
Other taxes	1,525	1,342	-	-	1,525	1,342
Intergovernmental:						
Intergovt, unrestricted	186	308	-	-	186	308
Grants and contributions not restricted to specific programs	25,238	24,764	-	-	25,238	24,764
Investment earnings	2,709	1,707	5,046	3,672	7,755	5,379
Miscellaneous	1,475	2,671	-	-	1,475	2,671
Gain on sale of property	101	4	25	133	126	137
Total Revenues	356,992	446,404	151,396	148,989	508,388	595,393

CITY OF BAKERSFIELD

Management's Discussion and Analysis

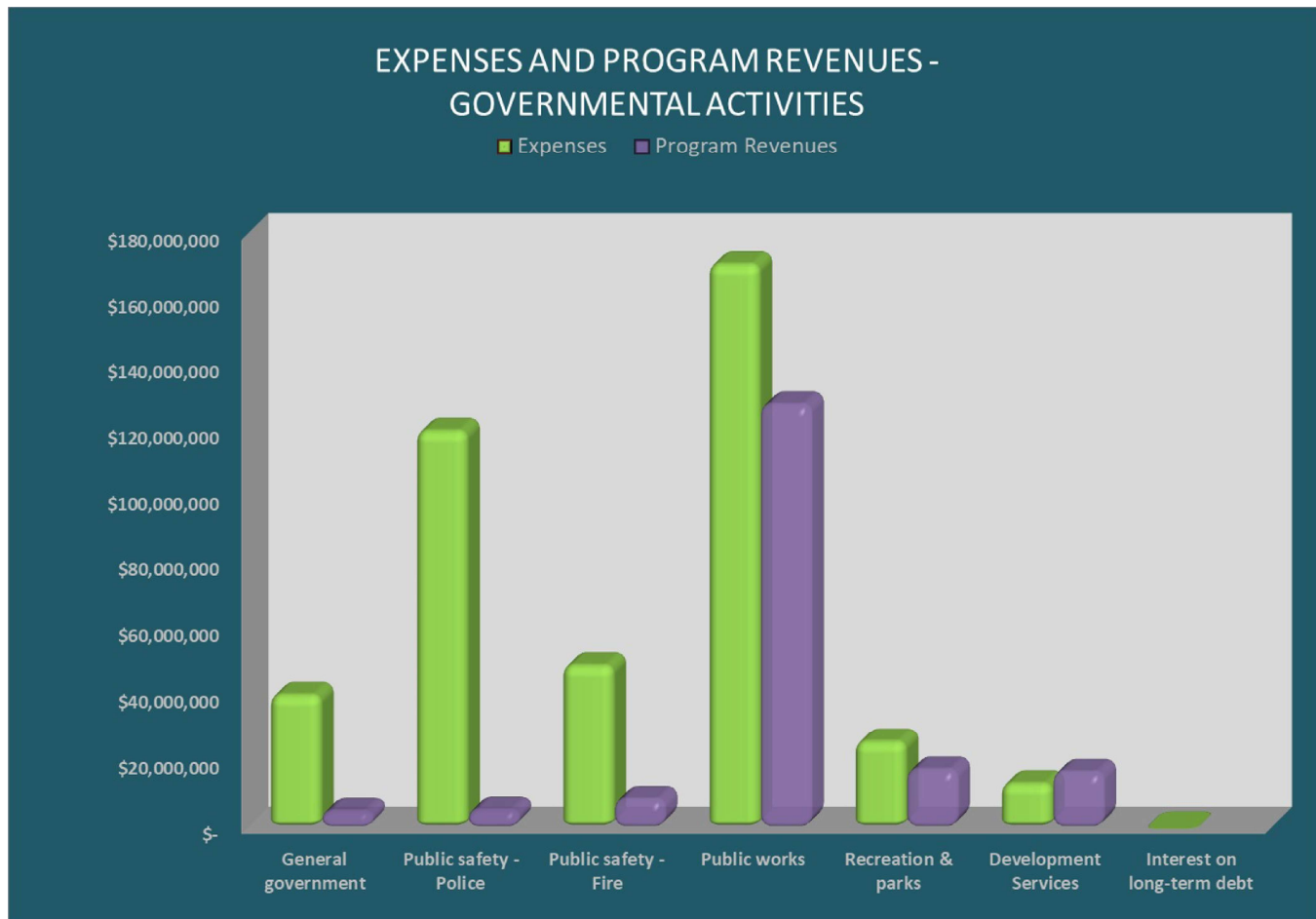
City of Bakersfield - Changes in Net Position

	(in thousands)					
	Governmental Activities		Business-Type Activities		Total	
	2019	2020	2019	2020	2019	2020
Expenses:						
Governmental:						
General government	31,112	40,385	-	-	31,112	40,385
Public safety - Police	106,341	120,286	-	-	106,341	120,286
Public safety - Fire	46,537	49,285	-	-	46,537	49,285
Public works	126,436	170,924	-	-	126,436	170,924
Recreation and parks	20,686	26,173	-	-	20,686	26,173
Development services	8,221	13,409	-	-	8,221	13,409
Interest on long-term debt	17	8	-	-	17	8
Subtotal - Governmental	339,350	420,470	-	-	339,350	420,470
Business-Type:						
Wastewater treatment	-	-	43,492	41,863	43,492	41,863
Refuse collection	-	-	52,077	56,297	52,077	56,297
Agricultural water	-	-	4,470	5,110	4,470	5,110
Domestic water	-	-	26,859	30,901	26,859	30,901
General aviation	-	-	480	633	480	633
Offstreet parking	-	-	291	289	291	289
Subtotal - Business-Type	-	-	127,669	135,093	127,669	135,093
Total expenses	339,350	420,470	127,669	135,093	467,019	555,563
Change in net position before transfers & other items	17,642	25,934	23,727	13,896	41,369	39,830
Transfers	4,058	2,064	(4,058)	(2,064)	-	-
Changes in net position	21,700	27,998	19,669	11,832	41,369	39,830
Net Position - Beginning of Year (as restated)	1,119,588	1,143,799	828,988	848,656	1,948,576	1,992,455
Net Position - End of Year	\$ 1,141,288	\$ 1,171,797	\$ 848,657	\$ 860,488	\$ 1,989,945	\$ 2,032,285

Governmental Activities – The results in governmental activities caused an increase in the City’s net position by \$28.0 million during the year. The following graph displays the difference between the program revenue and expenses by activity to illustrate the amount each respective activity is supported by program revenues. Public Safety and Recreation and Parks service delivery costs exceeded program revenues by \$155.5 million and \$8.6 million, respectively. Public Safety programs rely heavily on taxes to support their operations whereas Recreation and Parks relies on both taxes and charges for services to support their operations. This fiscal year Public Works service delivery costs exceeded program revenues by \$42.7 million because a significant portion of its services are also tax supported.

CITY OF BAKERSFIELD

Management's Discussion and Analysis



Total expenses in Governmental Activities had a net increase of \$81.1 million from the previous fiscal year for an overall 23.9% increase. A review of all functions of governmental activities shows increases. The largest increases were in Public Works with an increase at \$44.5 million, Public Safety-Police which increased by \$13.9 million, and General Government with an increase of \$9.3 million. These increases are primarily connected to the increases initiated to meet the goals of the Public Safety and Vital Services (PSVS) district tax measure. The funds were to be directed toward increases in staffing and services for police and fire, addressing homelessness in the community, increases in City rainy-day reserves and increasing opportunities for economic development. A portion of these cost increases also related to increases to California Public Employees' Retirement System (CalPERS) rates in the current year.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

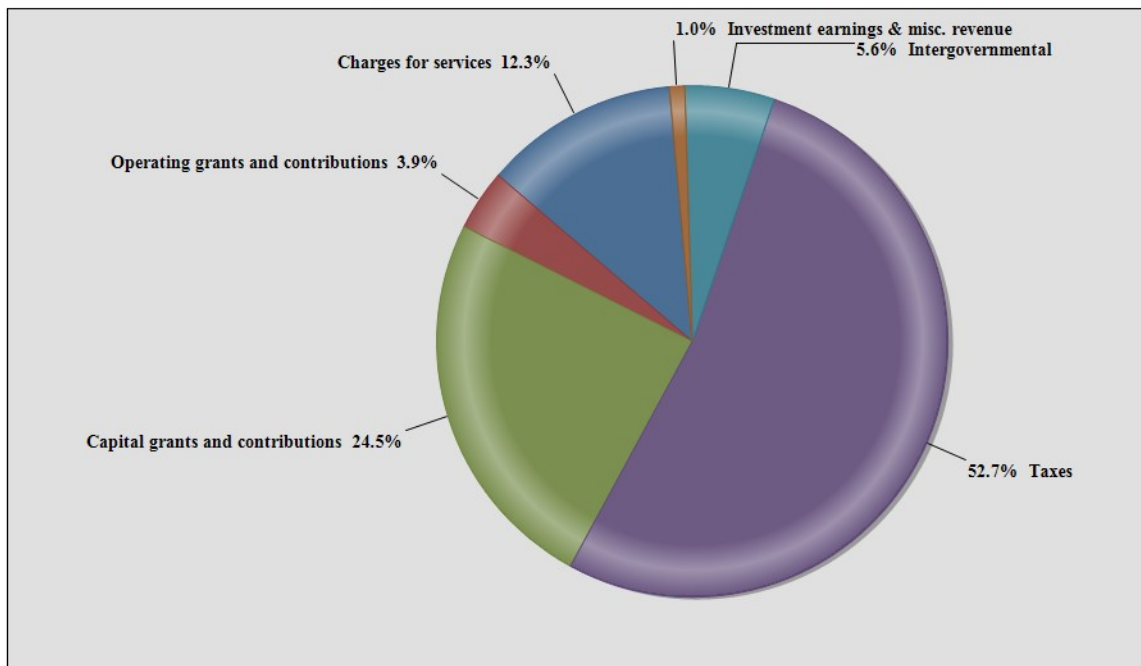
The taxes category is the largest revenue source for governmental activities, amounting to \$235.2 million or 52.7% of total revenues. Capital grants and contributions is also a significant revenue source for the City's governmental activities, amounting to \$109.4 million or 24.5% of total revenues. The third most significant sources of revenue is charges for services, amounting to \$55.1 million or 12.3% of total revenues.

Governmental Activities Revenues increased \$89.4 million which is a 25.0% increase compared to the previous fiscal year. This increase is due primarily to a 26.4%, or \$55.2 million, increase in General Revenues and a 23.2%, or \$34.2 million, increase in Program Revenues.

General Revenues - Sales tax revenues increased by 56.7%, or \$53.6 million, while property taxes increased by 2.4%, or \$2.0 million. The primary reason for this increase is from the PSVS district tax which is a new source of revenue that was approved by residents in November 2018. This was the first fiscal year in which the City received a full 12-months from this revenue with the 2018-19 amount covering just half a year. There has also been an overall increase in sales tax related to the Wayfair Supreme Court decision which resulted in higher collection from online sales.

Program Revenues - Capital Grants and Contributions increased by \$30.7 million due to a more special projects funded in Public Works compared to the prior year. The most significant reduction is related to the Thomas Roads Improvement Program (TRIP) projects which included increases in activity related to construction and property acquisition when compared to the previous year. Operating Grants and Contributions increased \$5.9 million with the majority of the increase due to more entitlement funds received from the Department of Housing and Urban Development in the current year and an increase in State grants received to address the homelessness issues within the City.

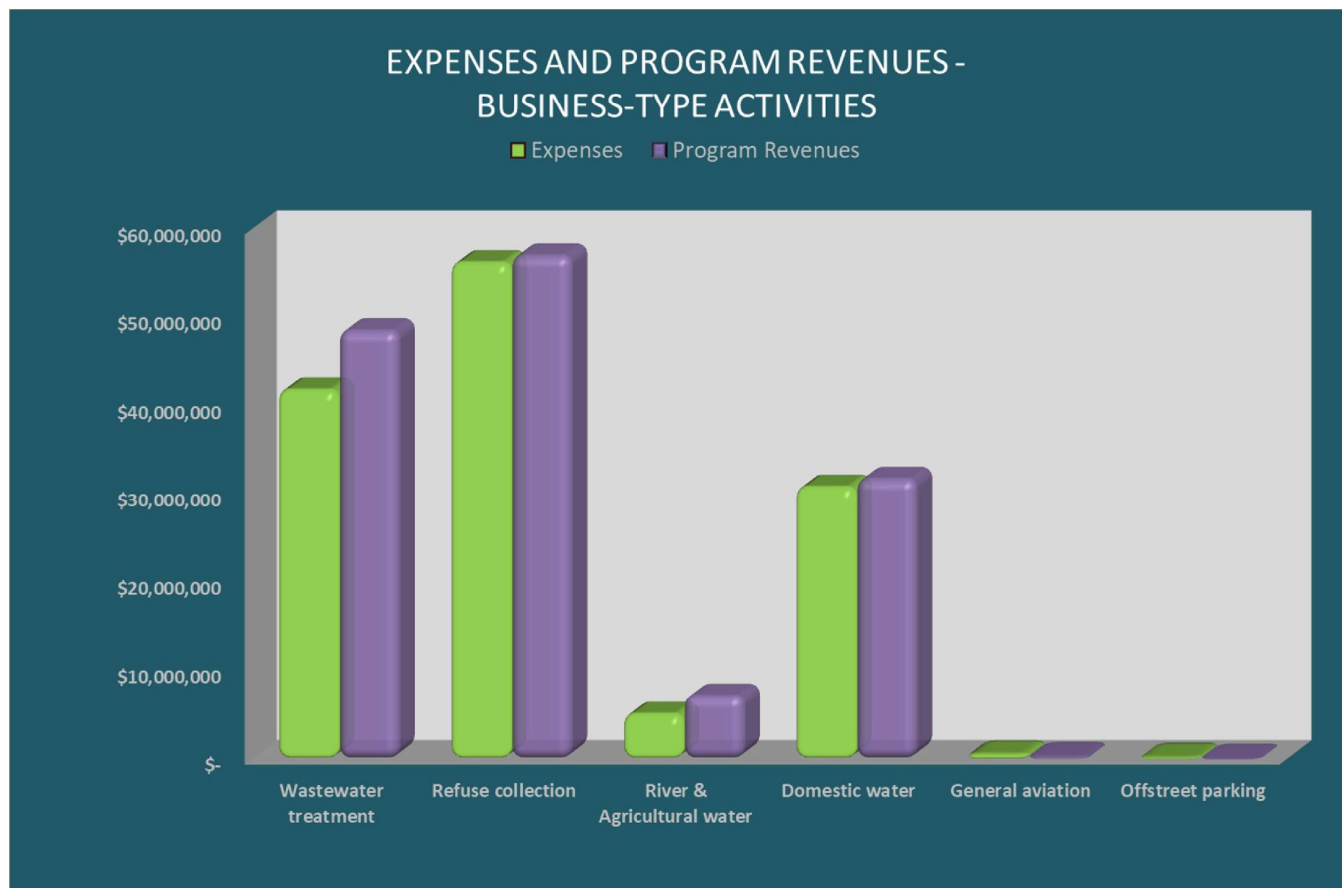
Revenues by Source - Governmental Activities



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Business-Type Activities – The City operates six Enterprise Funds that offer wastewater services, refuse collection, river & agricultural water, domestic water to City residents, downtown parking and a municipal airport.

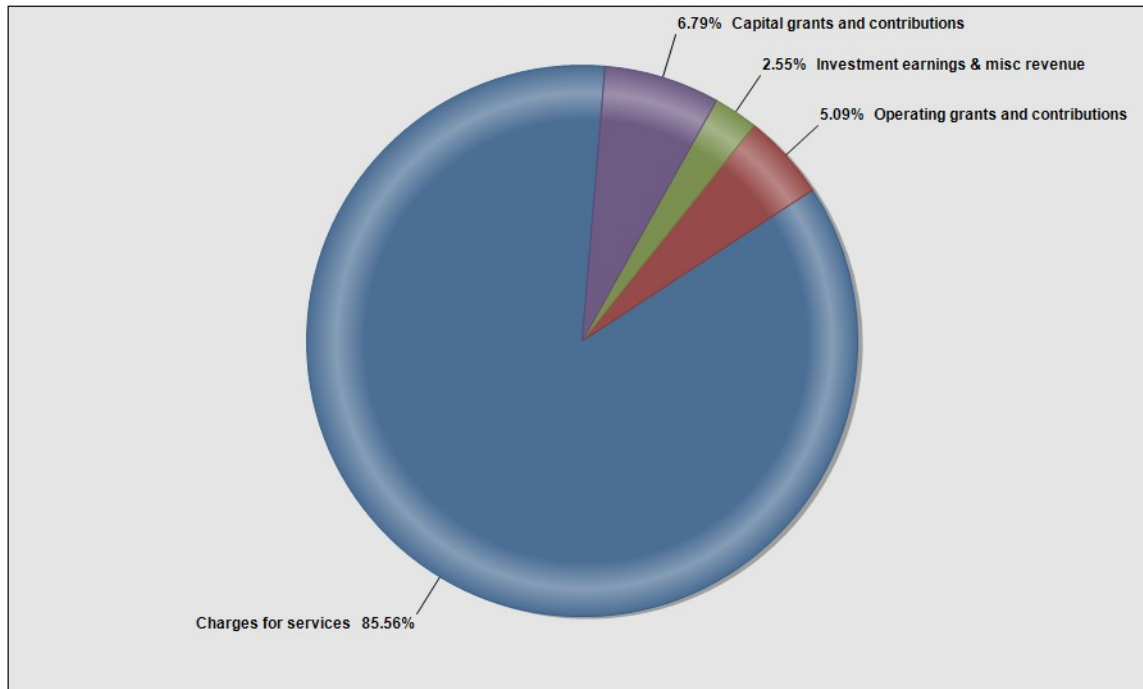


Business-type activities increased the City's net position by \$11.8 million during the current year. The chart above compares total program revenues and expenses.

Program revenues exceeded program expenses in Wastewater Treatment by \$6.6 million, Refuse Collection by \$0.8 million, River & Agricultural Water by \$2.1 million, and Domestic Water by \$0.9 million. These increases were offset slightly by program expenses exceeding program revenues in both the Airpark and Offstreet Parking funds by close to \$318 thousand in total.

Total expenses increased by \$7.4 million (5.8%) over the prior year.

The following chart illustrates the distribution of business-type revenues by category. The City's business-type activities rely heavily on charges for services to fund their operations, making up 85.6% of total revenues. Capital grants and contributions is the second largest revenue source at 6.8% of total revenues.

Revenues by Source - Business-Type Activities

Business-Type activities program revenues decreased by \$1.1 million, (0.8)%, over the prior year. The decrease is attributable to reductions in contributions from developments infrastructure completed when compared to the previous year. There was a slight increase in Refuse Collection service revenue of \$1.5 million due to rate increases and additional residential service customers that offset a portion of the decrease in grant revenue. There were increases in revenue in Domestic Water of \$0.5 million, which was also connected to an increase in rates, and decreases of \$2.5 million in River & Agricultural Water revenue due to a large, one-time sale of water made in the prior year. An decrease in the Wastewater Treatment revenue was primarily connected to a drop in capital contributions of \$1.9 million from less development completed in the area and consequently decreases in related infrastructure added in the current year for that activity.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

A fund is created and segregated for the purpose of carrying out specific activities or attaining specific objectives in accordance with special regulations, restrictions, or limitations. Activity not required to be reported in a separate fund is included in the General Fund.

Governmental Funds - The focus of the City's Governmental Funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of the City's available resources as it represents the portion of fund balance which is not limited to use for a particular purpose by an external party, City management or City Council.

As of the end of the current fiscal year, the City's Governmental Funds reported combined ending fund balances of \$213.6

CITY OF BAKERSFIELD

Management's Discussion and Analysis

million, an increase of \$27.1 million in comparison with the prior year. The components of total fund balance are as follows (for more information see Note 14 – Fund Balances):

- **Nonspendable fund balance**, \$1.0 million, are amounts that are not spendable in form, or are legally or contractually required to be maintained intact, and are made up of prepaid expenses and deposits.
- **Restricted fund balance**, \$15.1 million, consists of amounts with constraints put on their use by external creditors, grantors, contributions, laws, regulations or enabling legislation. Examples of restrictions on funds are those for (1) \$8.7 million for the purpose of the fund (i.e., Gas Tax and Road projects), (2) \$2.5 million from the Redevelopment Successor Agency Housing Fund for projects and (3) \$3.0 million for traffic safety projects.
- **Committed fund balance**, \$141.3 million, are amounts for specific purposes determined by the Bakersfield City Council, such as funds collected from fees paid to mitigate the traffic impacts to the regional circulation system of \$53.3 million, funds set aside for future city facilities and infrastructure project \$23.2, funds set aside by City Council in the General Fund for cash basis/emergency reserves of \$26.6 million and \$22.4 million for appropriations for next year's budget.
- **Assigned fund balance**, \$56.2 million, for funds set aside by management for specific purposes. Amounts include \$34.9 million set aside for capital projects and \$2.5 million for the fund purposes related to transient occupancy fees, and \$22.4 million for PSVS fund balance. Those available funds are set aside for future projects that will meet the intended uses of those funds in accordance with the sales tax ballot measure.
- **Unassigned fund balance**, represents the residual classification for the City's General Fund. There is no balance in the current due to funds deferred for Coronavirus Aid, Relief, and Economic Security (CARES) Act reimbursements, not able to be recognized in the current fiscal year because of accounting guidelines. Over \$7 million in expenditures were incurred which will be recognized in the subsequent year and rebuild the unassigned balance.

General Fund: The General Fund is the chief operating fund of the City. At the end of the current fiscal year, the General Fund's total fund balance increased by 25.8%, or \$14.1 million from \$54.6 million to \$68.7 million. The following detail of changes from the prior year explains this change in fund balance for the year:

- Total operating revenues increased by \$57.3 million (25.4%). Property Tax revenue increased by \$2 million due to continuation of higher assessed values within the City limits. Sales Tax revenue had the most significant increase with a full fiscal year of receipts from the new PSVS district tax and improvements in the base (Bradley-Burns) portion resulting in an increase of \$53.6 million. Both components of sales tax also saw an increase due to the previously mentioned Wayfair decision which added more sales tax revenue from online purchases. All other revenue sources within the General Fund remained fairly consistent compared to the previous fiscal year.
- Total expenditures increased by \$20.7 million (a 10% increase). This was due to increases in the Public Safety costs in both Police and Fire expenditures related primarily to PSVS funded hiring along with filling some vacancies (\$9.4 million and \$4.3 million, respectively). Overall personnel expenditures also increased throughout all General Fund departments due to hiring related to PSVS programs and increases in pension costs.

Other governmental funds: As compared with the prior year, the total fund balances of the remaining governmental funds increased by 9.8%, or \$13.0 million, to \$144.9 million with the following significant changes:

- The Gas Tax and Road Fund decreased by \$4.2 million from \$12.9 million to \$8.7 million. Amounts in this fund are restricted by state and federal statute. The decrease is due to multiyear projects continuing to wind down and others in various stages of completion.
- The Capital Outlay Fund increased by \$14.8 million from \$55.6 million to \$70.4 million. Of this amount, \$29.7 million is committed for contractual obligations and \$4.9 million is committed for facility replacement. The remaining amount of \$34.9 million is assigned and available for use at management's discretion. The resulting decrease shows that expenditures were in line with projected revenues.
- The Park Improvement Fund increased by \$0.8 million. Of this amount, \$5.6 million is committed for contractual

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obligations. The increase in fund balance is and accumulation of funds connected to future plans for expansion and improvement of area parks.

Proprietary Funds - The City's Proprietary Funds are shown in their entirety in the government-wide financial statements. All funds are being reported as major funds, so there is no need to report additional detail elsewhere in the document.

The Wastewater Treatment Fund has total net position of \$541.1 million at the end of the current year, an increase of \$8.5 million over the prior year. Total net position includes \$482.1 million net investment in capital assets and \$20.2 million of restricted assets which are not available to cover current expenses. The remaining net position of \$38.8 million is unrestricted and available to cover current operating and capital needs (including plant and equipment replacement) of the fund. The majority of the increase resulted from more development completed to infrastructure in the current year which was reflected in a \$7.7 million addition in Capital Contributions.

The Refuse Collection Fund has total deficit in net position of \$(1.8) million at the end of the current year, a decrease of \$1.2 million from the prior year. The decrease is due to less revenue collected from residential services/rates than is necessary to cover the operating costs of the division including overall increases to the City's recycling program which has had significant cost increases brought on by the lack of a market for those materials. The decreases is also connected to the pension and OPEB costs that are being reported in the fund. Further review of the rates charged to customers will occur to establish a rate sufficient to cover these costs in future years and to address the deficit in net position.

The River and Agricultural Water Fund has total net position of \$31.2 million at the end of the current year, an increase of \$2.2 million over the prior year. Total net position includes \$18.2 million net investment in capital assets, which is not available to cover current expenses. The remaining net position of \$13.0 million is unrestricted and available to cover current operating and capital needs of the fund. As in the prior year, revenues were more than sufficient to cover the fund costs resulting in this continued increase in net position.

The Domestic Water Fund has total net position of \$273.0 million at the end of the current year, an increase of \$1.9 million over the prior year. Total net position includes \$219.6 million net investment in capital assets, which is not available to cover current expenses. The remaining net position of \$53.4 million is unrestricted and available to cover current operating and capital needs of the fund.

The General Aviation Fund has total net position of \$11.3 million at the end of the current year, a decrease of \$191,750 compared to the prior year. Total net position includes \$10.5 million net investment in capital assets, which is not available to cover current expenses. The remaining net position is unrestricted and available to cover current operating and capital needs of the fund.

The Offstreet Parking Fund has total net position of \$1.0 million at the end of the current year, a decrease of \$77,903 compared to the prior year. Total net position includes \$0.9 million net investment in capital assets, which is not available to cover current expenses. The remaining net position is unrestricted and available to cover current operating and capital needs of the fund.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets - The City's investment in capital assets for its governmental and business-type activities as of June 30 of the current fiscal year amounts to \$2.2 billion (net of accumulated depreciation). This investment in capital assets includes land, buildings and systems, improvements, machinery and equipment, park facilities, roads, highways, bridges and construction in progress. The total increase in the City's investment in capital assets for the current fiscal year was \$19.2 million. Of this amount, a \$27.3 million increase relates to Governmental Activities and a \$8.1 million decrease that relates to Business-Type Activities. Depreciation expense of \$96.8 million reduced capital assets by this amount.

These financial statements include infrastructure assets constructed or acquired through fiscal year 2019-20.

Major capital asset events during the current fiscal year included the following:

- A variety of street construction projects and rehabilitation of major arterial streets. Construction in progress for governmental activities as of the end of the current fiscal year is \$117.3 million. This figure includes over \$112.8 million towards major street construction, traffic signals, and resurfacing projects throughout the City.
- The City added over \$21.0 million in new streets and roads primarily due to new residential developments completed in the current year. These newly constructed right of ways are transferred over to the City by the various developers when the work is finalized.

City of Bakersfield - Capital Assets

	(in thousands)					
	Governmental Activities		Business-Type Activities		Total	
	2019	2020	2019	2020	2019	2020
Land and water storage rights	\$ 449,360	\$ 449,888	\$ 23,630	\$ 23,630	\$ 472,990	\$ 473,518
Depreciable buildings, property, equipment and infrastructure, net	775,947	790,970	779,191	815,687	1,555,138	1,606,657
Construction in progress	105,552	117,292	56,621	11,996	162,173	129,288
Non-amortizable intangible assets	-	-	31,477	31,477	31,477	31,477
Total Capital Assets	<u>\$1,330,859</u>	<u>\$1,358,150</u>	<u>\$ 890,919</u>	<u>\$ 882,790</u>	<u>\$ 2,221,778</u>	<u>\$ 2,240,940</u>

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City of Bakersfield - Outstanding Debt

	Balance June 30, 2019	Incurred or Issued	Satisfied or Matured	Balance June 30, 2020
Governmental Activities				
Notes Payable	\$ 6,111,476	\$ -	\$ (1,227,678)	\$ 4,883,798
Certificates of Participation*	8,635,000	-	(2,760,000)	5,875,000
Total governmental activities	<u>\$ 14,746,476</u>	<u>\$ -</u>	<u>\$ (3,987,678)</u>	<u>\$ 10,758,798</u>
Business-Type Activities				
Revenue Bonds Payable	\$ 160,129,574	\$ 10,525,000	\$ (31,828,241)	\$ 138,826,333
Notes Payable	1,504,252	-	(752,125)	752,127
Total business-type activities	<u>\$ 161,633,826</u>	<u>\$ 10,525,000</u>	<u>\$ (32,580,366)</u>	<u>\$ 139,578,460</u>
Total Debt	<u>\$ 176,380,302</u>	<u>\$ 10,525,000</u>	<u>\$ (36,568,044)</u>	<u>\$ 150,337,258</u>

* Certificates of Participation in governmental activities are debt of the former Redevelopment Agency that is now reported as City debt.

- **Long-Term Debt** - At the end of the current fiscal year, the City had a total debt outstanding of \$150.3 million. The City's total debt decreased by a net amount of \$26.0 million during the current fiscal year. This amount is the result of normal debt maturities along with the partial defeasance and refinance of a callable portion of the 2015 Wastewater Bond.

Certificates of Participation issued by the City via the former Redevelopment Agency in 2006 carry a Reserve Fund Surety from Ambac Assurance Company (Ambac). Moody's Investor's Service (Moody's) rating on Ambac is currently "Baa1". The current underlying rating on the Certificates of Participation has not been revised (currently "A1"). This rating on the Certificates of Participation reflects only the view of Moody's, and any desired explanation of the significance of such rating should be obtained from Moody's. There is no assurance that such rating will continue for any given period of time or that such rating will not be revised or withdrawn by Moody's if, in the judgment of Moody's, circumstances so warrant.

The 2015 Wastewater Revenue Bonds – Series A, issued by the City in 2015, which redeemed a majority of the 2007 Wastewater Revenue Bonds – Series A, has an "Aa2" rating from Moody's and an "AA" rating from Standard & Poors. There is no assurance that such ratings will continue for any given period of time or that such ratings will not be revised or withdrawn by the rating agencies if, in their judgment, circumstances so warrant.

More detailed information regarding capital asset and long-term debt activity can be found in the related notes to the financial statements. See Note 5 for capital assets and Note 11 for long-term debt.

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Management's Discussion and Analysis

GENERAL FUND BUDGETARY HIGHLIGHTS

Differences between the original budget and the final amended budget reflect an increase in resources of \$8.5 million and an increase in appropriations of \$13.3 million. Significant budgetary amendments (changes) are summarized as follows:

- \$1.6 million increase in various resources and appropriations due to revenues associated with open purchase orders at the end of the previous fiscal year. Also, \$0.8 million increase in various resources due to revenues associated with prior year appropriations not spent and carried forward to this fiscal year.
- \$6.1 million was added to the budget for updated revenue estimates of PSVS district sales tax designated to address needs throughout Bakersfield including public safety, economic development and homelessness.
- \$1.7 million increase in resources and appropriations for local housing assistance funded by the State of California and awarded to the Development Services department.

The final amended revenue estimate budget figures in the General lower than actual revenue by \$3.6 million and appropriations were higher than actual expenditures by \$31.0 million. Significant differences between budget and actual amounts are as follows:

- \$3.8 million positive variance in tax revenue. This is the result of an increase in property tax revenue and sales and use tax revenue. Property tax revenue was initially estimated to increase while Sales tax revenue were not expected to increase at the level experienced. Projections for tax revenue were conservative in nature because of uncertainty throughout the year on the level and sustainability of economic recovery in the area.
- \$1.4 million less than budgeted in intergovernmental revenue which is due primarily to this source of funds being based on reimbursement of expenditures incurred. Some of the project activity for these awards had not moved forward resulting in less revenue being recognized.
- \$5.7 million variance of appropriations over actual expenditures in Public Safety-Police. The savings are due primarily to salary and benefit savings from unfilled positions or positions filled later in the year.
- \$7.9 million variance of appropriations over actual expenditures in Development Services. The savings are due primarily to salary and benefit savings from unfilled positions plus some grant funded projects that were budgeted but not started. This in part connects to the new Economic and Community Development division which was funded but many of the position and assistance programs established in the budget did not move forward until very late in the fiscal year.

CITY OF BAKERSFIELD

Management's Discussion and Analysis

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The key assumptions in the General Fund revenue forecast for fiscal year 2020-21 were:

1. Property tax revenue is projected to grow at 4% which is the same level as last year's estimate as projected by Kern County.
2. Sales and use tax revenue is projected to show an overall decrease in fiscal year 2020-21, which is in line with the reductions to the amended budget estimates in fiscal year 2019-20 due to the negative impacts from the COVID-19 pandemic. Sales and use tax revenues faced significant shortfalls brought about by the shut-down of many businesses in the community prompted by State orders. There is little information to suggest that the slowdown prompted by these closures will subside in the near-term. A conservative estimate of 2020-21 revenues was a reduction in total of 4% from the prior year. This reduction was tempered by the continued growth in dollars expected from the Wayfair decision.
3. California Public Employees' Retirement System (CalPERS) approved new policies last year which have raised rates approximately 7% to 10% depending on the employee plan for next fiscal year. Similar increases are projected for the next five fiscal years.

New items specifically addressed in the 2020-21 budget include the following:

COVID 19 Pandemic – In March 2020 COVID-19 pandemic began to negatively affect the community and local businesses. Federal, State and local governments have taken unprecedented action to temporarily reduce or eliminate all non-essential activities with the hopes of slowing down the spread of the virus. These actions included mandated quarantines, travel restrictions, restaurant and store closures and/or reduced service capacity. This in turn resulted in layoffs, income reductions and reduced business profitability. While thought to be necessary to respond to the public health emergency, the actions are projected to significantly impact activities that generate revenue for the City, including retail sales, hotel occupancy, general business to business activity, and potential for future development.

Other State actions have resulted in potential loss of revenue for local jurisdictions in an attempt to alleviate cash flow pressure on individuals and small businesses. In April 2020, Governor Newsom announced sales tax deferment measures to help small businesses with cash flow issues. The Initial information shows that any deferments will be spread out against all tax rates and will include the City's base 1% Bradley-Burns tax and the PSVS measure. While these deferments will not be a permanent loss of revenue, it will negatively affect the City's cash flow and shift up to \$1.4 million. Unfortunately, without proper backfills in place, local governments are fundamentally bearing the fiscal brunt of many of these actions.

Due to these circumstances, the City is expected to face revenue shortfalls in key funding sources in fiscal year 2020-21. The funding sources anticipated to be most impacted are transient occupancy tax (hotel tax), sales tax, utility user fees and certain fees collected within the parks system for recreation programs, aquatic programs and park site reservations. These revenue adjustments required departments to retool their 2020-21 proposed budgets under a new set of projections.

Police Department – The Police Department's operating budget has increased from fiscal year 2019-20 by 7.8%, totaling \$8.5 million. This increase is primarily attributable to increased costs related to the PSVS plan to increase the number of officers and support staff in the department over the next three years. Fiscal year 2020-21 is the second year of this staffing ramp up but there are still expected staffing increases for the department after year three.

Fire Department – The Fire Department's operating budget had a 8.7% increase from fiscal year 2019-20 totaling \$3.8 million. This increase is primarily due to the implementation of the PSVS driven plan to increase staffing and service levels in the upcoming year. The increase was also due to the rise in CalPERS rates as well as an increase in salaries & benefit costs.

Public Works - The Public Works Department operating budget increased by \$0.9 million, or 3.0%, from fiscal year 2019-20. The increase was also due primarily to the CalPERS rate escalations as well as an increase in salaries & benefit costs.

Development Services – The Development Services Department's operating budget has decreased from fiscal year 2019-20 by 3%, totaling \$0.5 million. This reduction is primarily connected to changes in the Economic Development division program

CITY OF BAKERSFIELD

Management's Discussion and Analysis

and available funds for redevelopment (over \$3 million) compared to the prior year. Those funds were not included in the budget for 2020-21. The decrease was offset by increases in salaries & benefit costs, including the expected increase in CalPERS rates.

Recreation and Parks – The Recreation and Parks Department's operating budget has increased from fiscal year 2019-20 by 6%, totaling \$1.4 million. The increase was due primarily to the rise in CalPERS rates as well as an increases in salaries & benefit costs.

CONTACTING THE CITY'S FINANCIAL MANAGEMENT

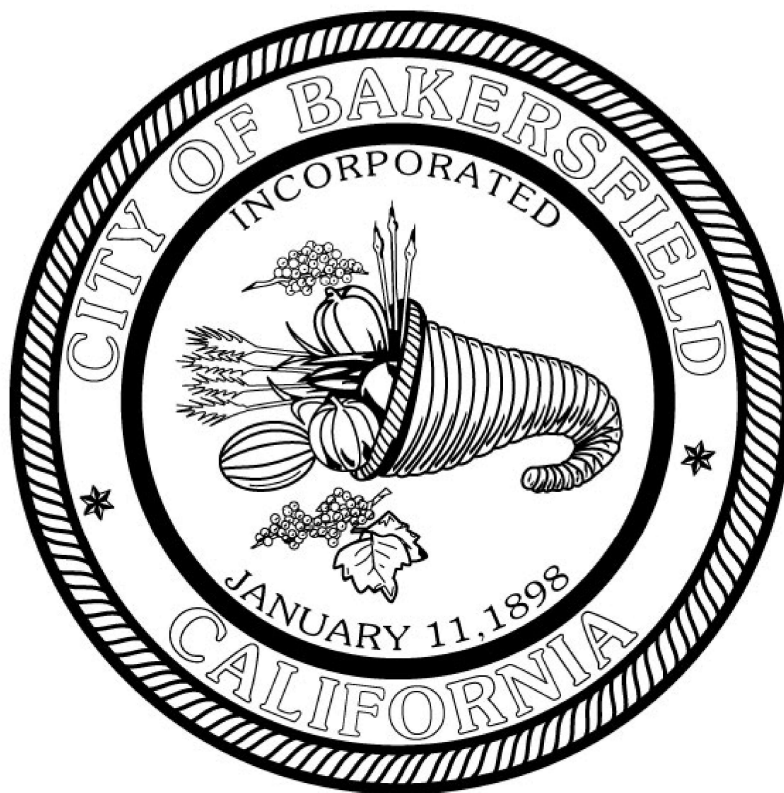
This financial report is designed to provide our citizens, taxpayers, customers, investors and creditors with a general overview of the City's finances and to show the City's accountability for the money it receives. Questions concerning any of the information provided in this report or requests for additional financial information can be sent via e-mail to: finance@bakersfieldcity.us. Formal written requests should be addressed to: City of Bakersfield, Attn: Finance Department, 1600 Truxtun Avenue, Bakersfield, CA 93301.

Government-Wide Financial Statements

Statement of Net Position
June 30, 2020

	Governmental Activities	Business-Type Activities	Total
Assets:			
Current assets:			
Cash and investments	\$ 241,371,915	\$ 176,163,278	\$ 417,535,193
Accounts receivable, net	30,092,950	5,500,452	35,593,402
Interest receivable	612,323	406,297	1,018,620
Due from other governmental agencies	59,435,798	1,785,910	61,221,708
Internal balances	(4,736,100)	4,736,100	-
Prepayments and inventories	2,138,243	-	2,138,243
Total current assets	<u>328,915,129</u>	<u>188,592,037</u>	<u>517,507,166</u>
Noncurrent assets:			
Capital assets:			
Land	449,887,935	23,630,085	473,518,020
Depreciable capital assets, net	790,969,843	815,687,009	1,606,656,852
Construction in progress	117,292,300	11,995,544	129,287,844
Non-amortizable intangible assets	-	31,476,906	31,476,906
Land held for resale	1,198,744	-	1,198,744
Notes/loans receivable	25,877,335	203,250	26,080,585
Total noncurrent assets	<u>1,385,226,157</u>	<u>882,992,794</u>	<u>2,268,218,951</u>
Total assets	<u>1,714,141,286</u>	<u>1,071,584,831</u>	<u>2,785,726,117</u>
Deferred Outflows of Resources:			
Deferred pensions (See Note 16)	74,982,831	5,035,821	80,018,652
Deferred OPEB (See Note 17)	8,323,078	1,426,191	9,749,269
Debt issuance	-	9,073,676	9,073,676
Total deferred outflows of resources	<u>83,305,909</u>	<u>15,535,688</u>	<u>98,841,597</u>
Liabilities:			
Current liabilities:			
Accounts payable and accrued liabilities	22,775,434	10,783,668	33,559,102
Customers' deposits	-	5,272,783	5,272,783
Advances from grantors and third parties	32,217,249	288,351	32,505,600
Total current liabilities	<u>54,992,683</u>	<u>16,344,802</u>	<u>71,337,485</u>
Long-term liabilities:			
Due within one year:			
Long-term debt	4,083,959	9,603,905	13,687,864
Capital leases payable	-	695,722	695,722
Kern River Levee District/Buena Vista	-	355,737	355,737
Claims and judgments payable	12,724,191	-	12,724,191
Compensated absences payable	3,682,448	737,523	4,419,971
Due in more than one year:			
Long-term debt	6,674,839	129,974,556	136,649,395
Capital leases	-	16,304,875	16,304,875
Claims and judgments payable	43,770,000	-	43,770,000
Net other post-employment benefits liability	48,655,976	8,337,396	56,993,372
Compensated absences payable	14,852,613	1,595,273	16,447,886
Net pension liability	403,194,538	38,690,910	441,885,448
Total long-term liabilities	<u>537,638,564</u>	<u>206,295,897</u>	<u>743,934,461</u>
Total liabilities	<u>592,631,247</u>	<u>222,640,699</u>	<u>815,271,946</u>
Deferred Inflows of Resources:			
Deferred pensions (See Note 16)	15,364,701	966,050	16,330,751
Deferred OPEB (See Note 17)	17,654,627	3,025,191	20,679,818
Total deferred inflows of resources	<u>33,019,328</u>	<u>3,991,241</u>	<u>37,010,569</u>
Net Position:			
Net investment in capital assets	1,347,391,281	735,284,165	2,082,675,446
Restricted: Capital improvements	15,078,957	20,200,000	35,278,957
Unrestricted	(190,673,618)	105,004,414	(85,669,204)
Total net position	<u>\$ 1,171,796,620</u>	<u>\$ 860,488,579</u>	<u>\$ 2,032,285,199</u>

The accompanying notes are an integral part of these financial statements.



CITY OF BAKERSFIELD

Statement of Activities For the Fiscal Year Ended June 30, 2020

Functions/Programs	Expenses	Program Revenues			Total
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	
Primary Government:					
Governmental activities:					
General government	\$ 40,385,072	\$ 4,474,539	\$ 543,786	\$ -	\$ 5,018,325
Public safety - Police	120,286,345	3,152,452	2,256,739	-	5,409,191
Public safety - Fire	49,284,742	8,116,341	512,872	-	8,629,213
Public works	170,924,424	17,969,450	3,762,052	106,535,112	128,266,614
Recreation & parks	26,172,685	14,768,875	33,886	2,811,003	17,613,764
Development services	13,409,023	6,589,380	10,161,470	102,129	16,852,979
Interest on long-term debt	7,779	-	-	-	-
Total governmental activities	420,470,070	55,071,037	17,270,805	109,448,244	181,790,086
Business-type activities:					
Wastewater treatment	41,863,203	34,356,259	6,383,200	7,772,742	48,512,201
Refuse collection	56,297,122	56,834,796	241,765	-	57,076,561
River and agricultural water	5,110,204	7,203,989	-	10,893	7,214,882
Domestic water	30,900,781	28,624,932	952,778	2,229,517	31,807,227
General aviation	633,219	301,933	10,004	107,330	419,267
Offstreet parking	288,532	153,884	-	-	153,884
Total business-type activities	135,093,061	127,475,793	7,587,747	10,120,482	145,184,022
Total primary government	\$ 555,563,131	\$ 182,546,830	\$ 24,858,552	\$ 119,568,726	\$ 326,974,108

General Revenues:

Taxes:

Property taxes

Sales and use tax

Other taxes

Intergovernmental, unrestricted

Unrestricted grants and contributions

Investment earnings

Miscellaneous

Gain on sale of property

Transfers

Total general revenues and transfers

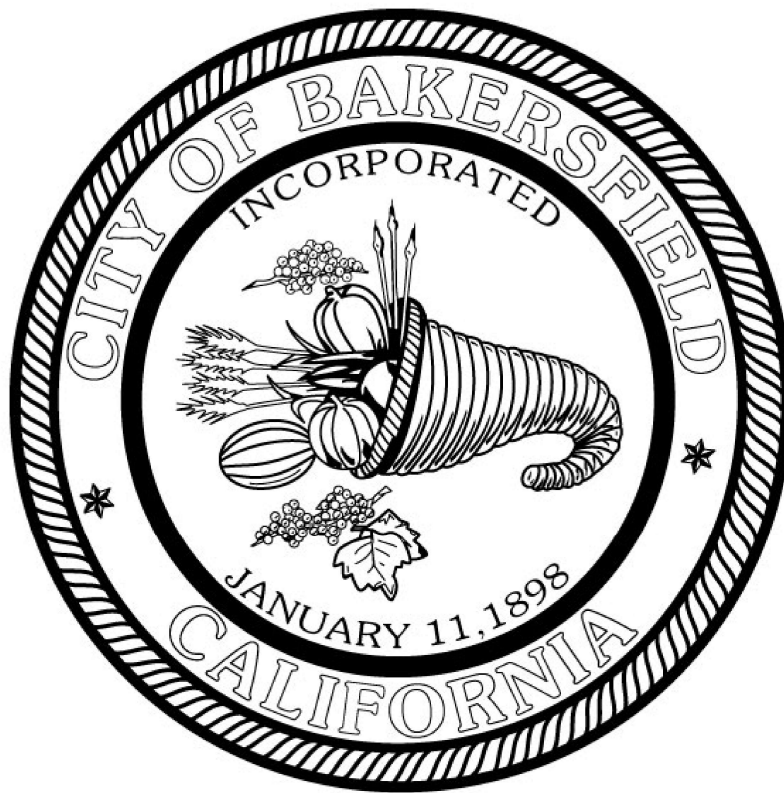
Change in net position

Net position - Beginning of Year, as restated

Net position - end of Year

The accompanying notes are an integral part of these financial statements.

Net (Expenses) Revenues and Changes in Net Position		
Governmental Activities	Business-type Activities	Total
\$ (35,366,747)	\$ -	\$ (35,366,747)
(114,877,154)	-	(114,877,154)
(40,655,529)	-	(40,655,529)
(42,657,810)	-	(42,657,810)
(8,558,921)	-	(8,558,921)
3,443,956	-	3,443,956
(7,779)	-	(7,779)
<u>(238,679,984)</u>	<u>-</u>	<u>(238,679,984)</u>
-	6,648,998	6,648,998
-	779,439	779,439
-	2,104,678	2,104,678
-	906,446	906,446
-	(213,952)	(213,952)
-	(134,648)	(134,648)
<u>-</u>	<u>10,090,961</u>	<u>10,090,961</u>
\$ (238,679,984)	\$ 10,090,961	\$ (228,589,023)
\$ 85,558,776	\$ -	\$ 85,558,776
148,259,133	-	148,259,133
1,341,620	-	1,341,620
308,043	-	308,043
24,763,948	-	24,763,948
1,707,054	3,671,948	5,379,002
2,670,587	-	2,670,587
4,060	133,322	137,382
<u>2,064,005</u>	<u>(2,064,005)</u>	<u>-</u>
<u>266,677,226</u>	<u>1,741,265</u>	<u>268,418,491</u>
27,997,242	11,832,226	39,829,468
<u>1,143,799,378</u>	<u>848,656,353</u>	<u>1,992,455,731</u>
<u>\$ 1,171,796,620</u>	<u>\$ 860,488,579</u>	<u>\$ 2,032,285,199</u>



Governmental Fund Financial Statements

CITY OF BAKERSFIELD

Balance Sheet Governmental Funds June 30, 2020

	General Fund	Transient Occupancy Taxes	Community Development Block Grant	Gas Tax & Road Fund
Assets:				
Cash and investments	\$ 35,194,867	\$ 1,697,075	\$ 142,435	\$ -
Accounts receivable, net	8,302,273	906,245	14,766,787	22,031
Interest receivable	229,698	13,301	-	17,494
Due from other governmental agencies	31,497,968	-	3,084,511	24,699,067
Due from other funds	14,074,339	-	-	-
Notes/loans receivable	-	-	3,337,657	-
Prepaid items	5,590	-	-	-
Total assets	<u>\$ 89,304,735</u>	<u>\$ 2,616,621</u>	<u>\$ 21,331,390</u>	<u>\$ 24,738,592</u>
Liabilities, Deferred Inflows of Resources and Fund Balances:				
Liabilities:				
Accounts payable	\$ 7,810,058	\$ 34,812	\$ 116,179	\$ 4,239,103
Due to other governmental agencies	-	-	-	1,571
Due to other funds	-	-	2,262,401	11,811,938
Advances from grantors and third parties	9,559,945	-	-	-
Total liabilities	<u>17,370,003</u>	<u>34,812</u>	<u>2,378,580</u>	<u>16,052,612</u>
Deferred Inflows of Resources:				
Deferred revenue	<u>3,210,033</u>	<u>-</u>	<u>18,047,139</u>	<u>22,031</u>
Fund Balances:				
Nonspendable	44,314	-	-	-
Restricted	-	-	905,671	8,663,949
Committed	49,811,144	80,647	-	-
Assigned	18,869,241	2,501,162	-	-
Total fund balances	<u>68,724,699</u>	<u>2,581,809</u>	<u>905,671</u>	<u>8,663,949</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 89,304,735</u>	<u>\$ 2,616,621</u>	<u>\$ 21,331,390</u>	<u>\$ 24,738,592</u>

The accompanying notes are an integral part of these financial statements.

Capital Outlay	Park Improvement	Transportation Development	Redevelopment Successor Agency - Housing	Other Governmental Funds	Total Governmental Funds
\$ 72,180,483	\$ 8,844,771	\$ 52,664,070	\$ 2,517,145	\$ 3,172,320	\$ 176,413,166
85,920	-	-	218	5,848,867	29,932,341
51,932	20,236	120,536	5,758	10,035	468,990
107,455	-	-	-	46,796	59,435,797
-	-	-	-	-	14,074,339
-	-	-	22,539,677	-	25,877,334
924,365	-	-	-	-	929,955
<u>\$ 73,350,155</u>	<u>\$ 8,865,007</u>	<u>\$ 52,784,606</u>	<u>\$ 25,062,798</u>	<u>\$ 9,078,018</u>	<u>\$ 307,131,922</u>
\$ 2,911,053	\$ 3,273,387	\$ 1,552,502	\$ -	\$ 277,305	\$ 20,214,399
-	-	-	-	-	1,571
-	-	-	-	-	14,074,339
-	-	-	22,539,677	117,626	32,217,248
<u>2,911,053</u>	<u>3,273,387</u>	<u>1,552,502</u>	<u>22,539,677</u>	<u>394,931</u>	<u>66,507,557</u>
46,606	-	-	-	5,696,872	27,022,681
924,365	-	-	-	-	968,679
-	-	-	2,523,121	2,986,215	15,078,956
34,592,213	5,591,620	51,232,104	-	-	141,307,728
34,875,918	-	-	-	-	56,246,321
<u>70,392,496</u>	<u>5,591,620</u>	<u>51,232,104</u>	<u>2,523,121</u>	<u>2,986,215</u>	<u>213,601,684</u>
<u>\$ 73,350,155</u>	<u>\$ 8,865,007</u>	<u>\$ 52,784,606</u>	<u>\$ 25,062,798</u>	<u>\$ 9,078,018</u>	<u>\$ 307,131,922</u>

CITY OF BAKERSFIELD

Reconciliation of the Governmental Funds Balance Sheet to the Government-Wide Statement of Net Position June 30, 2020

Total Fund Balances - Total Governmental Funds **\$ 213,601,684**

Amounts reported for Governmental Activities in the Statement of Net Position are different because:

Capital assets used in governmental activities are not current financial resources and therefore are not reported in the Governmental Funds Balance Sheet. Capital assets allocated from Internal Service Funds are included in the Internal Service Funds adjustment below.

Capital Assets	2,526,318,377	
Ending accumulated depreciation	<u>(1,215,623,888)</u>	1,310,694,489

Land held for resale is not a current financial resource and is not reported in the Governmental Funds	1,198,744
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Deferred outflows of resources related to pensions are not a current financial resource and are not reported in the Governmental Funds	73,548,825
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Deferred outflows of resources related to other post-employment benefits are not a current financial resource and are not reported in the Governmental Funds	7,977,918
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Deferred inflows of resources related to pensions are not a current financial resource and are not reported in the Governmental Funds	(15,043,254)
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Deferred inflows of resources related to other post-employment benefits are not a current financial resource and are not reported in the Governmental Funds	(16,922,486)
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Interest payable on long-term debt does not require current financial resources. Therefore, interest payable is not reported as a liability in the Governmental Funds Balance Sheet.	(79,301)
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Unavailable revenue and other resources not available to liquidate liabilities of the current period are not recognized in the Governmental Funds.	27,022,680
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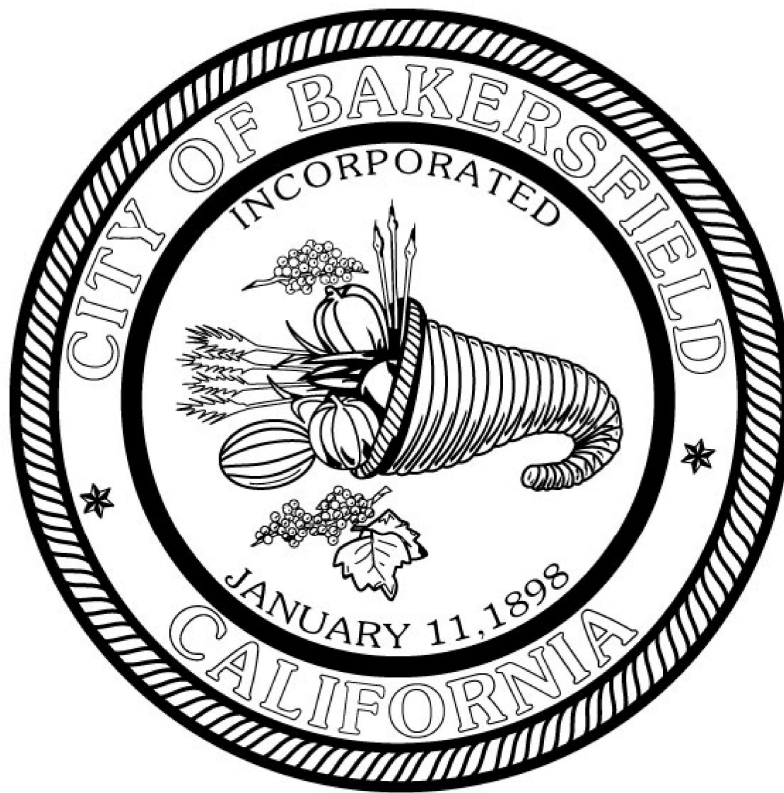
Internal Service Funds are used by management to share the costs of certain activities, such as insurance and fleet management, to individual funds. The assets and liabilities of the Internal Service Funds are included in governmental activities in the Government-Wide Statement of Net Position.	37,944,430
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Long-term liabilities are not due and payable in the current period and therefore they are not reported in the Governmental Funds Balance Sheet. Noncurrent liabilities allocated from Internal Service Funds are included in the Internal Service Funds adjustment above.

Notes/Contracts/Loans payable	(10,758,798)	
Compensated Absences Payable	(17,844,887)	
Unfunded post-employment benefits	(46,638,204)	
Unfunded pension benefits	<u>(392,905,220)</u>	<u>(468,147,109)</u>

Net Position of Governmental Activities	<u>\$ 1,171,796,620</u>
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The accompanying notes are an integral part of these financial statements.



CITY OF BAKERSFIELD

Statement of Revenues, Expenditures and Changes in Fund Balances Governmental Funds For the Fiscal Year Ended June 30, 2020

	General Fund	Transient Occupancy Taxes	Community Development Block Grant	Gas Tax & Road Fund
Revenues:				
Taxes	\$ 245,011,776	\$ 8,913,147	\$ -	\$ -
Licenses and permits	3,138,985	-	-	-
Intergovernmental	6,784,347	-	6,890,815	109,112,347
Charges for services	23,486,070	7,149,064	5,934	73,584
Fines, forfeitures and assessments	823,556	-	-	43,671
Interest income	1,151,675	100,521	1,556	146,626
Loan payments	-	-	241,524	-
Contributions and donations	511,590	1,200,000	-	-
Other income	2,200,864	555,609	8,832	-
Total revenues	283,108,863	17,918,341	7,148,661	109,376,228
Expenditures:				
Current:				
General government	14,546,339	9,070,045	-	-
Public safety - Police	105,126,720	-	-	-
Public safety - Fire	43,301,126	-	-	-
Public works	23,836,283	-	-	3,494,733
Recreation and parks	22,198,374	-	-	-
Development services	11,054,347	-	4,755,680	-
Non-departmental	8,290,544	3,134,525	-	-
Capital outlay	-	-	1,963,300	110,120,303
Debt service:				
Principal retirement	-	-	-	-
Interest and fiscal charges	-	-	-	-
Total expenditures	228,353,733	12,204,570	6,718,980	113,615,036
Excess (deficiency) of revenues over (under) expenditures	54,755,130	5,713,771	429,681	(4,238,808)
Other financing sources (uses):				
Transfers in	1,200,000	10,000	371,871	-
Transfers out	(41,863,365)	(4,144,791)	(512,790)	-
Total other financing sources (uses)	(40,663,365)	(4,134,791)	(140,919)	-
Net change in fund balances	14,091,765	1,578,980	288,762	(4,238,808)
Fund balances - beginning	54,632,934	1,002,829	616,909	12,902,757
Fund balances - ending	\$ 68,724,699	\$ 2,581,809	\$ 905,671	\$ 8,663,949

The accompanying notes are an integral part of these financial statements.

Capital Outlay	Park Improvement	Transportation Development	Redevelopment Successor Agency - Housing	Other Governmental Funds	Total Governmental Funds
\$ 5,713,815	\$ -	\$ -	\$ -	\$ -	\$ 259,638,738
-	-	-	-	315,086	3,454,071
102,129	-	-	-	1,594,496	124,484,134
115,979	-	146,805	102,907	1,470,666	32,551,009
-	2,811,003	15,790,394	-	1,359,480	20,828,104
286,709	98,607	939,790	43,540	73,798	2,842,822
-	-	-	-	-	241,524
-	-	-	-	-	1,711,590
17,624	-	3,523	214,840	-	3,001,292
<u>6,236,256</u>	<u>2,909,610</u>	<u>16,880,512</u>	<u>361,287</u>	<u>4,813,526</u>	<u>448,753,284</u>
-	-	147,115	-	-	23,763,499
-	-	-	-	1,338,894	106,465,614
-	-	-	-	1,492,000	44,793,126
-	-	1,215,213	-	447,752	28,993,981
-	-	-	-	16,209	22,214,583
-	-	-	-	-	15,810,027
75,007	-	-	-	-	11,500,076
36,125,098	2,123,684	15,837,993	6,735	248,097	166,425,210
-	-	-	-	1,227,678	1,227,678
-	-	-	-	41,790	41,790
<u>36,200,105</u>	<u>2,123,684</u>	<u>17,200,321</u>	<u>6,735</u>	<u>4,812,420</u>	<u>421,235,584</u>
<u>(29,963,849)</u>	<u>785,926</u>	<u>(319,809)</u>	<u>354,552</u>	<u>1,106</u>	<u>27,517,700</u>
44,796,774	-	-	-	1,269,468	47,648,113
-	-	-	-	(1,571,871)	(48,092,817)
<u>44,796,774</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(302,403)</u>	<u>(444,704)</u>
14,832,925	785,926	(319,809)	354,552	(301,297)	27,072,996
<u>55,559,571</u>	<u>4,805,694</u>	<u>51,551,913</u>	<u>2,168,569</u>	<u>3,287,512</u>	<u>186,528,688</u>
<u>\$ 70,392,496</u>	<u>\$ 5,591,620</u>	<u>\$ 51,232,104</u>	<u>\$ 2,523,121</u>	<u>\$ 2,986,215</u>	<u>\$ 213,601,684</u>

CITY OF BAKERSFIELD

Reconciliation of the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances to the Government-Wide Statement of Activities For the Fiscal Year Ended June 30, 2020

Net Change in Fund Balances - Total Governmental Funds **\$ 27,072,996**

Amounts reported for Governmental Activities in the Statement of Activities are different because:

Governmental Funds report capital outlay as expenditures. However, in the Government-Wide Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense.

Capital Outlay eliminated	\$ 20,533,627	
Depreciation expense is deducted from fund balance (net of Internal Service Fund depreciation of \$7,860,535 which has already been allocated to serviced funds).	(61,779,174)	
Contributions of infrastructure and improvements by developers are capitalized in the Statement of Activities, but are not recorded in the Governmental Fund Financial Statements because no cash changed hands.	<u>60,567,661</u>	19,322,114

Certain expenses are reported in the Government-Wide Statement of Activities, but they do not require the use of current financial resources. Therefore, these expenses are not reported as expenditures in Governmental Funds.

Net compensated absences expense	(2,954,093)	
Interest expense on long-term debt	34,011	
Net pension expense	(17,330,803)	
Net other postemployment benefit expense	<u>4,143,998</u>	(16,106,887)

Bond and loan proceeds provide current financial resources to Governmental Funds, but issuing debt increases long-term liabilities in the Government-Wide Statement of Net Position. Repayment of bond principal is an expenditure in Governmental Funds, but the repayment reduces long-term liabilities in the Government-Wide Statement of Net Position. 3,987,678

Unearned revenue and other resources not available to liquidate liabilities of the current period are not recognized in the Governmental Funds. Revenue in the Statement of Activities is not limited by availability, so certain revenues need to be reduced by the amounts that were unavailable at the end of the year. This adjustment records a net decrease in revenues - unavailable revenues at the beginning of the year exceed ending unavailable revenues by this amount. (887,565)

Internal Service Funds are used by management to charge the costs of certain activities, such as insurance and fleet management, to individual funds. The net revenue of the Internal Service Funds is reported with Governmental Activities. (5,391,094)

Change in Net Position of Governmental Activities **\$ 27,997,242**

The accompanying notes are an integral part of these financial statements.

Proprietary Fund Financial Statements

These funds account for operations (a) that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of net income is appropriate for accountability purposes.

Wastewater Treatment Fund is used to account for the provision of sewer service to the residents of the City and some residents of Kern County. This fund also accounts for the activities related to the debt issuance which provided for the Wastewater Treatment Facilities.

Refuse Collection Fund is used to account for the collection and disposal of refuse within the City. All activities necessary to provide such services are accounted for in this fund.

River & Agricultural Water Fund is used to account for the provision of water service restricted primarily for agricultural purposes to users within the City and some users within Kern County (some Kern River water is exchanged for State Aqueduct water for domestic water purposes). All activities necessary to provide such services are accounted for in this fund.

Domestic Water Fund is used to account for the provision of water service to some residents of the City and Kern County. All activities necessary to provide such service are accounted for in this fund.

General Aviation Fund is used to account for the acquisition and operation of the Bakersfield Airpark. The majority of acquisition and improvement financing for the airport facility was provided by a grant from the Federal Aviation Administration.

Offstreet Parking Fund is used to account for the operations of the parking garage at 18th and Eye Streets and various offstreet surface parking lots within the City. The parking garage was financed by the former Redevelopment Agency and the related debt was retired in August 1994. Subsequently, the title was transferred to the City.

Internal Service Funds are used to provide goods and services by one department or agency to other departments or agencies of the City on a cost reimbursement basis.

CITY OF BAKERSFIELD

Statement of Net Position Proprietary Funds June 30, 2020

	Wastewater Treatment	Refuse Collection	River & Agricultural Water
Current assets:			
Cash and investments	\$ 79,007,723	\$ 21,251,694	\$ 16,996,139
Accounts receivable, net	1,213,627	1,243,583	475,870
Interest receivable	180,635	51,261	39,308
Due from other governmental agencies	130,822	1,654,741	347
Prepayments and inventories	-	-	-
Total current assets	<u>80,532,807</u>	<u>24,201,279</u>	<u>17,511,664</u>
Noncurrent assets:			
Capital assets:			
Land	10,238,095	2,785,456	2,175,944
Depreciable buildings, property, equipment and infrastructure, net	593,458,526	949,808	7,335,472
Construction in progress	8,891,756	294,395	645,744
Non-amortizable intangible assets	-	-	8,032,678
Other long-term receivable	161,184	-	30,105
Total noncurrent assets	<u>612,749,561</u>	<u>4,029,659</u>	<u>18,219,943</u>
Total assets	<u>693,282,368</u>	<u>28,230,938</u>	<u>35,731,607</u>
Deferred outflows of resources:			
Deferred pensions	1,376,167	2,803,503	406,261
Deferred other post-employment benefits	423,274	859,685	110,673
Debt issuance	9,073,676	-	-
Total deferred outflows of resources	<u>10,873,117</u>	<u>3,663,188</u>	<u>516,934</u>
Current liabilities:			
Accounts payable and accrued liabilities	4,289,802	3,624,873	318,706
Claims payable	-	-	-
Workers' compensation claims	-	-	-
Compensated absences payable	183,430	340,106	57,610
Long-term debt - due within one year	9,603,905	-	-
Capital leases payable - due within one year	-	-	-
Advances from grantors and third parties	161,184	127,167	-
Total current liabilities	<u>14,238,321</u>	<u>4,092,146</u>	<u>376,316</u>
Noncurrent liabilities:			
Long-term debt - due in more than one year	129,974,556	-	-
Capital leases payable - due in more than one year	-	-	-
Kern River Levee District/Buena Vista	-	-	355,737
Customers' deposits	2,908,573	455,674	-
Workers' compensation claims	-	-	-
Compensated absences payable	560,383	750,685	144,962
Net pension liability	11,771,160	20,971,427	3,246,477
Net other post-employment benefits liability	2,474,421	5,025,646	646,989
Total noncurrent liabilities	<u>147,689,093</u>	<u>27,203,432</u>	<u>4,394,165</u>
Total liabilities	<u>161,927,414</u>	<u>31,295,578</u>	<u>4,770,481</u>
Deferred inflows of resources:			
Deferred pensions	224,128	562,913	90,666
Deferred other post-employment benefits	897,834	1,823,536	234,758
Total deferred inflows of resources	<u>1,121,962</u>	<u>2,386,449</u>	<u>325,424</u>
Net position:			
Net investment in capital assets	482,083,592	4,029,659	18,189,839
Restricted for:			
Capital improvements	20,200,000	-	-
Unrestricted	38,822,517	(5,817,560)	12,962,797
Total net position	<u>\$ 541,106,109</u>	<u>\$ (1,787,901)</u>	<u>\$ 31,152,636</u>
Adjustments to reflect the consolidation of internal service fund activities related to proprietary funds			
Net position of business-type activities			

The accompanying notes are an integral part of these financial statements.

Domestic Water	General Aviation	Offstreet Parking	Totals	Governmental Activities Internal Service Funds
\$ 57,803,642	\$ 971,948	\$ 132,132	\$ 176,163,278	\$ 64,958,749
2,573,834	(11,687)	5,225	5,500,452	160,609
132,670	2,224	199	406,297	143,333
-	-	-	1,785,910	-
-	-	-	-	1,208,288
<u>60,510,146</u>	<u>962,485</u>	<u>137,556</u>	<u>183,855,937</u>	<u>66,470,979</u>
556,336	7,464,254	410,000	23,630,085	-
210,693,579	2,792,159	457,465	815,687,009	47,455,589
1,931,303	232,346	-	11,995,544	-
23,444,228	-	-	31,476,906	-
-	-	11,961	203,250	-
<u>236,625,446</u>	<u>10,488,759</u>	<u>879,426</u>	<u>882,992,794</u>	<u>47,455,589</u>
<u>297,135,592</u>	<u>11,451,244</u>	<u>1,016,982</u>	<u>1,066,848,731</u>	<u>113,926,568</u>
420,407	29,483	-	5,035,821	1,434,006
32,559	-	-	1,426,191	345,160
-	-	-	9,073,676	-
<u>452,966</u>	<u>29,483</u>	<u>-</u>	<u>15,535,688</u>	<u>1,779,166</u>
2,516,532	17,922	15,833	10,783,668	2,480,162
-	-	-	-	4,710,191
-	-	-	-	8,014,000
152,846	3,531	-	737,523	310,383
-	-	-	9,603,905	-
695,722	-	-	695,722	-
-	-	-	288,351	-
<u>3,365,100</u>	<u>21,453</u>	<u>15,833</u>	<u>22,109,169</u>	<u>15,514,736</u>
-	-	-	129,974,556	-
16,304,875	-	-	16,304,875	-
-	-	-	355,737	-
1,908,535	-	-	5,272,782	-
-	-	-	-	43,770,000
120,873	18,370	-	1,595,273	379,791
2,556,323	145,523	-	38,690,910	10,289,318
190,340	-	-	8,337,396	2,017,772
<u>21,080,946</u>	<u>163,893</u>	<u>-</u>	<u>200,531,529</u>	<u>56,456,881</u>
<u>24,446,046</u>	<u>185,346</u>	<u>15,833</u>	<u>222,640,698</u>	<u>71,971,617</u>
86,501	1,842	-	966,050	321,447
69,064	-	-	3,025,192	732,140
<u>155,565</u>	<u>1,842</u>	<u>-</u>	<u>3,991,242</u>	<u>1,053,587</u>
219,624,850	10,488,760	867,465	735,284,165	47,455,589
-	-	-	20,200,000	-
53,362,097	804,779	133,684	100,268,314	(4,775,059)
<u>\$ 272,986,947</u>	<u>\$ 11,293,539</u>	<u>\$ 1,001,149</u>	<u>855,752,479</u>	<u>\$ 42,680,530</u>
			4,736,100	
			<u>\$ 860,488,579</u>	

CITY OF BAKERSFIELD

Statement of Revenues, Expenses and Changes in Fund Net Position Proprietary Funds For the Fiscal Year Ended June 30, 2020

	Wastewater Treatment	Refuse Collection	River & Agricultural Water
Operating revenues:			
Intergovernmental	\$ -	\$ 241,765	\$ -
Charges for services	33,915,792	50,432,434	5,619,611
Cost recoveries	22,075	6,083,673	578,710
Rental income	398,277	-	161,644
Other sales or services	240	86,247	844,024
Miscellaneous	19,875	232,442	-
Total operating revenues	<u>34,356,259</u>	<u>57,076,561</u>	<u>7,203,989</u>
Operating expenses:			
General and administrative	17,830,526	56,459,404	4,259,725
Transmission and distribution	970,434	577,135	422,648
Workers' compensation payments	-	-	-
Claims paid	-	-	-
Depreciation and amortization	19,801,307	65,417	392,477
Compensated absences	-	137,833	34,850
Total operating expenses	<u>38,602,267</u>	<u>57,239,789</u>	<u>5,109,700</u>
Operating income (loss)	<u>(4,246,008)</u>	<u>(163,228)</u>	<u>2,094,289</u>
Nonoperating revenues (expenses):			
Interest income	1,792,428	518,657	296,192
Connection fees	6,383,200	-	-
Interest expense	(3,000,165)	-	-
Gain on sale of capital assets	-	11,844	-
Total nonoperating revenues (expenses)	<u>5,175,463</u>	<u>530,501</u>	<u>296,192</u>
Income (loss) before transfers and capital contributions	929,455	367,273	2,390,481
Capital contributions	7,772,742	-	10,893
Transfers in	-	-	-
Transfers out	(207,908)	(1,531,821)	(184,638)
Change in net position	<u>8,494,289</u>	<u>(1,164,548)</u>	<u>2,216,736</u>
Total Net Position - Beginning of Year	<u>532,611,820</u>	<u>(623,353)</u>	<u>28,935,900</u>
Total Net Position-End of Year	<u>\$ 541,106,109</u>	<u>\$ (1,787,901)</u>	<u>\$ 31,152,636</u>
Adjustment to reflect the consolidation of internal service activity related to proprietary funds			
Change in net position of business-type activities			

The accompanying notes are an integral part of these financial statements.

Domestic Water	General Aviation	Offstreet Parking	Totals	Governmental Activities Internal Service Funds
\$ -	\$ 10,004	\$ -	\$ 251,769	\$ 180,000
26,150,880	300,386	153,884	116,572,987	42,795,846
29,610	1,547	-	6,715,615	735,676
-	-	-	559,921	-
2,438,631	-	-	3,369,142	-
11,107	-	-	263,424	89,952
<u>28,630,228</u>	<u>311,937</u>	<u>153,884</u>	<u>127,732,858</u>	<u>43,801,474</u>
23,042,284	303,206	189,084	102,084,229	40,464,034
503,353	84,974	-	2,558,544	-
-	-	-	-	4,177,990
-	-	-	-	553,618
6,640,146	240,245	90,628	27,230,220	7,860,535
38,500	-	-	211,183	59,289
<u>30,224,283</u>	<u>628,425</u>	<u>279,712</u>	<u>132,084,176</u>	<u>53,115,466</u>
<u>(1,594,055)</u>	<u>(316,488)</u>	<u>(125,828)</u>	<u>(4,351,318)</u>	<u>(9,313,992)</u>
1,044,337	17,408	2,925	3,671,947	1,135,769
947,482	-	-	7,330,682	-
(679,306)	-	-	(3,679,471)	-
121,478	-	-	133,322	326,645
<u>1,433,991</u>	<u>17,408</u>	<u>2,925</u>	<u>7,456,480</u>	<u>1,462,414</u>
(160,064)	(299,080)	(122,903)	3,105,162	(7,851,578)
2,229,517	107,330	-	10,120,482	622,363
-	-	45,000	45,000	2,692,306
<u>(184,638)</u>	<u>-</u>	<u>-</u>	<u>(2,109,005)</u>	<u>(183,597)</u>
<u>1,884,815</u>	<u>(191,750)</u>	<u>(77,903)</u>	<u>11,161,639</u>	<u>(4,720,506)</u>
271,102,132	11,485,289	1,079,052		47,401,036
<u>\$ 272,986,947</u>	<u>\$ 11,293,539</u>	<u>\$ 1,001,149</u>		<u>\$ 42,680,530</u>
			<u>670,587</u>	
			<u>\$ 11,832,226</u>	

CITY OF BAKERSFIELD

Statement of Cash Flows

Proprietary Funds

For the Fiscal Year Ended June 30, 2020

	Wastewater Treatment	Refuse Collection
Cash flows from operating activities:		
Cash received from:		
Customers, including cash deposits	\$ 34,907,221	\$ 57,063,732
Prior year reimbursements and cost recoveries	1,137	-
Cash paid to:		
Suppliers	(10,381,226)	(42,683,901)
Employees	(6,753,923)	(12,444,326)
Cash deposits returned to customers	-	-
Net cash provided (used) by operating activities	<u>17,773,209</u>	<u>1,935,505</u>
Cash flows from noncapital financing activities:		
Cash transferred from other funds	-	-
Cash transferred to other funds	(207,908)	(1,531,821)
County/developer project share	-	-
Connection fees	<u>6,383,200</u>	<u>-</u>
Net cash provided (used) by noncapital financing activities	<u>6,175,292</u>	<u>(1,531,821)</u>
Cash flows from capital and related financing activities:		
Principal payments:		
Notes/Loans/Bonds	(18,700,879)	-
Capital lease payments	-	-
Capital contributions	-	-
Interest paid	(6,679,486)	-
Purchase of capital assets	-	-
Proceeds from sale of capital assets	-	11,844
Construction in progress	<u>(5,888,658)</u>	<u>(180,934)</u>
Net cash provided (used) by capital and related financing activities	<u>(31,269,023)</u>	<u>(169,090)</u>
Cash flows from investing activities:		
Interest received	1,919,329	538,898
Net increase (decrease) in the fair value of investments	<u>97,067</u>	<u>26,710</u>
Net cash provided by investing activities	<u>2,016,396</u>	<u>565,608</u>
Net increase (decrease) in cash and investments	(5,304,126)	800,202
Cash and investments - Beginning of year	<u>84,311,849</u>	<u>20,451,492</u>
Cash and investments - End of year	<u>\$ 79,007,723</u>	<u>\$ 21,251,694</u>

The accompanying notes are an integral part of these financial statements.

River & Agriculture Water	Domestic Water	General Aviation	Offstreet Parking	Totals	Governmental Activities Internal Service Funds
\$ 12,710,984	\$ 28,772,621	\$ 362,616	\$ 151,959	\$ 133,969,133	\$ 43,341,286
-	-	1,547	-	2,684	735,676
(3,347,316)	(23,140,283)	(391,199)	(185,411)	(80,129,336)	(26,327,429)
(1,447,860)	(1,611,540)	-	-	(22,257,649)	(10,013,690)
-	(241,467)	-	-	(241,467)	-
7,915,808	3,779,331	(27,036)	(33,452)	31,343,365	7,735,843
-	-	-	45,000	45,000	2,692,306
(184,638)	(184,638)	-	-	(2,109,005)	(183,597)
10,893	-	-	-	10,893	-
-	1,541,354	-	-	7,924,554	-
(173,745)	1,356,716	-	45,000	5,871,442	2,508,709
-	-	-	-	(18,700,879)	-
-	(670,701)	-	-	(670,701)	-
-	-	107,330	-	107,330	-
-	(679,306)	-	-	(7,358,792)	-
-	-	(35,505)	-	(35,505)	(12,872,816)
-	121,478	-	12,501	145,823	505,234
(568,839)	(2,580,819)	-	-	(9,219,250)	-
(568,839)	(3,809,348)	71,825	12,501	(35,731,974)	(12,367,582)
283,509	1,107,582	18,375	3,119	3,870,812	1,230,119
19,093	64,132	1,164	110	208,276	76,546
302,602	1,171,714	19,539	3,229	4,079,088	1,306,665
7,475,826	2,498,413	64,328	27,278	5,561,921	(816,365)
9,520,313	55,305,229	907,620	104,854	170,601,357	65,775,114
\$ 16,996,139	\$ 57,803,642	\$ 971,948	\$ 132,132	\$ 176,163,278	\$ 64,958,749

CITY OF BAKERSFIELD

Statement of Cash Flows (concluded)
Proprietary Funds
For the Fiscal Year Ended June 30, 2020

	Wastewater Treatment	Refuse Collection
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Operating income (loss)	\$ (4,246,008)	\$ (163,228)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:		
Depreciation expense	19,801,307	65,417
(Increase) decrease in accounts receivable	65,856	(4,600)
(Increase) decrease in inventories	-	-
(Increase) decrease in prepaid items	-	-
Increase (decrease) in accounts payable	1,064,391	1,088,659
Increase in workers' compensation claims	-	-
Increase (decrease) in unearned revenue	-	(1,764)
Increase (decrease) in customers' deposits	486,243	(6,465)
Increase (decrease) in compensated absences	127,468	149,721
Increase (decrease) in net pension liability	457,033	782,067
Increase (decrease) in deferred outflows/inflows of resources for pensions	310,717	520,807
Increase (decrease) in net other post-employment benefits liability	(839,429)	(1,601,081)
Increase (decrease) in deferred outflows/inflows of resources for OPEB	545,631	1,105,972
Net cash provided (used) by operating activities	<u>\$ 17,773,209</u>	<u>\$ 1,935,505</u>
Noncash investing capital and financing activities:		
Contribution of equipment from other departments	\$ -	\$ -
Contributions of infrastructure and improvements by developers	\$ 7,772,742	\$ -

The accompanying notes are an integral part of these financial statements.

River & Agriculture Water	Domestic Water	General Aviation	Offstreet Parking	Totals	Governmental Activities Internal Service Funds
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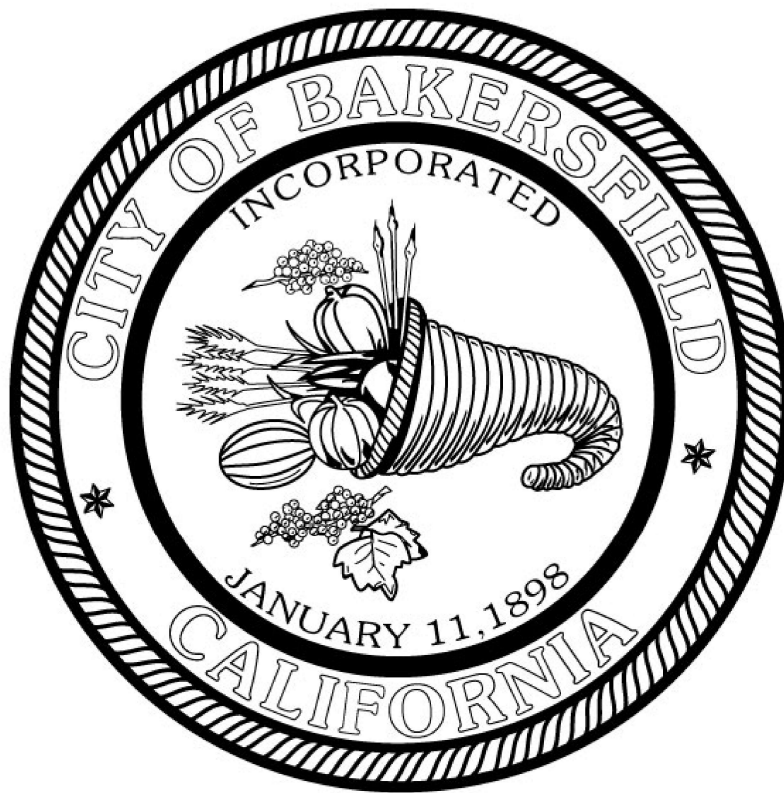
\$ 2,094,289 \$ (1,594,055) \$ (316,488) \$ (125,828) \$ (4,351,318) \$ (9,313,992)

392,477	6,640,146	240,245	90,628	27,230,220	7,860,535
5,465,473	(136,508)	52,226	(1,925)	5,440,522	275,488
-	-	-	-	-	(6,775)
-	-	-	-	-	(91,438)
134,356	(1,351,991)	(21,908)	3,673	917,180	592,099
-	-	-	-	-	7,966,890
-	-	-	-	(1,764)	-
41,522	37,434	-	-	558,734	-
34,850	38,500	7,313	-	357,852	59,289
110,406	106,006	9,268	-	1,464,780	338,872
68,125	56,870	2,308	-	958,827	194,075
(576,003)	(59,042)	-	-	(3,075,555)	(581,937)
150,313	41,971	-	-	1,843,887	442,737

\$ 7,915,808 \$ 3,779,331 \$ (27,036) \$ (33,452) \$ 31,343,365 \$ 7,735,843

\$ - \$ 2,229,517 \$ - \$ - \$ 2,229,517 \$ 622,363

\$ - \$ - \$ - \$ - \$ 7,772,742 \$ -



Fiduciary Fund Financial Statements

Fiduciary funds account for assets held by the City in a trustee capacity or as an agent for individual private organizations, other governmental units and/or other funds. Detailed combining statements for Fiduciary Funds are located in the Supplementary Information section. Below are descriptions of the generic fund types within this category and specific funds within each fund type.

Private Purpose Trust Funds

Redevelopment Successor Agency - The Bakersfield Redevelopment Agency ceased activities in February 2012. All non-housing related assets, liabilities and activities have been transferred to the City and are accounted for in a trust fund.

Planning Habitat Trust Fund - This fund is used to account for monies collected from developers to be used to purchase suitable land to provide habitat for endangered species. After the land is purchased, it is transferred to the State Fish and Game Department for maintenance.

Pension and Other Employee Benefit Trust Funds

Fire Relief and Pension Trust Fund - This fund is used to account for the accumulation of resources to be used for retirement annuity payments at appropriate amounts and times in the future for Fire Department personnel who retired prior to June 2, 1972.

Other Post-Employment Benefits (OPEB) Irrevocable Trust Fund - This fund is used to account for the City's post-retirement medical benefit plan. The City provides medical insurance coverage through contributions to eligible retirees' insurance premiums.

Agency Funds

Special Deposits Fund - This fund is used to account for the collection by the City as agent for organizations operated under the auspices of the Recreation Division, security deposits for utility franchises, temporary deposits for construction permits and bid deposits. This fund is also used for the collection of police seized property, local Law Enforcement Block Grants, and other revenues held in trust pending disposition of contingencies.

Improvement Districts Fund - This fund is used to account for the collection of liens for improvements benefiting private properties and payments to the holders of bonds issued pursuant to the Improvement Act of 1913 and the Improvement Bond Act of 1915. The City is in no way liable for the payment of bonded indebtedness, but the City serves as agent to collect the principal and interest installments from the owners of the benefited properties. A trustee administers the periodic payment to the bondholders. In addition, Community Service Districts created for the West Ming and Old River Ranch developments are accounted for in this section. These funds are collected to be used to pay for public safety costs in the applicable communities.

CITY OF BAKERSFIELD

Statement of Fiduciary Net Position Fiduciary Funds June 30, 2020

	Private Purpose Trust Funds	Pension and Other Employee Benefit Trust Funds	Agency Funds
Assets:			
Cash	\$ 18,047,627	\$ 3,041,443	\$ 33,335,865
Accounts receivable	-	-	304,390
Interest receivable	40,461	2,185	16,522
Due from other governmental agencies	-	-	32,390
Investments			
Domestic equities	-	22,924,307	-
Fixed income	-	54,211,151	-
Total investments	-	77,135,458	-
Land held for resale	60,895	-	-
Total assets	18,148,983	80,179,086	33,689,167
Liabilities:			
Payables:			
Advances from grantors and third parties	3,072,703	-	-
Deposits	-	-	29,468,454
Accrued bond interest	-	-	530,713
Bonds	2,245,000	-	3,690,000
Notes	12,815,002	-	-
Total liabilities	18,132,705	-	33,689,167
Net Position:			
Restricted for:			
Individuals, organizations and other governments	16,278	-	-
Pensions	-	588,272	-
Other post-employment benefits	-	79,590,814	-
	\$ 16,278	\$ 80,179,086	\$ -

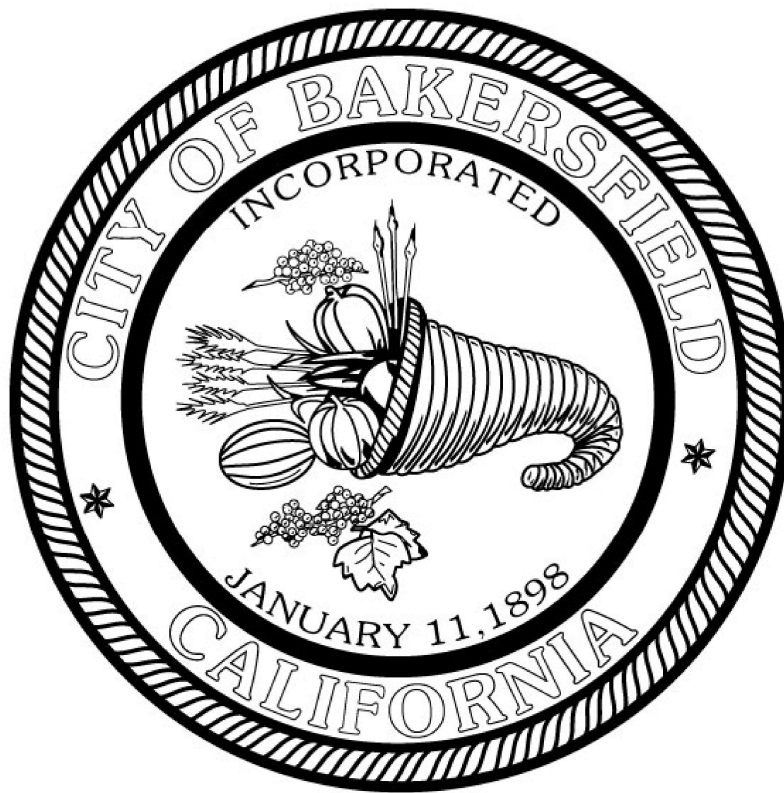
The accompanying notes are an integral part of these financial statements.

CITY OF BAKERSFIELD

Statement of Changes in Fiduciary Net Position
Fiduciary Funds
For the Fiscal Year Ended June 30, 2020

	Private Purpose Trust Funds	Pension and Other Employee Benefit Trust Funds
Additions		
Contributions to pooled investments	\$ -	\$ 6,826,986
Developer fees	608,674	-
Successor agency property tax deposits	3,136,153	-
Charges for services	3,134,525	-
Other income	11,793	-
Interest income	244,171	4,557,101
Administrative expenses	-	(211,914)
	<u>7,135,316</u>	<u>11,172,173</u>
Total additions		
	<u>7,135,316</u>	<u>11,172,173</u>
Deductions:		
Benefits	-	4,130,114
Purchase of uninhabited land	280,431	-
Obligation retirement	3,758,847	-
	<u>4,039,278</u>	<u>4,130,114</u>
Total deductions		
	<u>4,039,278</u>	<u>4,130,114</u>
Change in net position		
	<u>3,096,038</u>	<u>7,042,059</u>
Net position - beginning of year		
	<u>(3,079,760)</u>	<u>73,137,027</u>
Net position - end of year		
	<u>\$ 16,278</u>	<u>\$ 80,179,086</u>

The accompanying notes are an integral part of these financial statements.



CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accompanying financial statements of the City of Bakersfield (the "City") have been prepared in conformity with generally accepted accounting principles in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). The following summary of the City's significant accounting policies is presented to assist the reader in interpreting the basic financial statements and other data in this report. These policies should be viewed as an integral part of the accompanying basic financial statements.

A. Description of Reporting Entity

The City of Bakersfield, California, is a California Charter City, incorporated on January 11, 1898, and serves as the county seat of the County of Kern, California (the "County"). The City is a full-service city and operates under a Council - Manager form of government, providing the following services as authorized by its Charter: General government; public safety; public works; and development and conservation.

As required by GAAP, these basic financial statements present the government and its component units, entities for which the government is considered to be financially accountable. Blended component units, although legally separate entities, are, in substance, part of the government's operations and so data from these units are combined with data of the primary government.

B. Basis of Presentation

Government-Wide Financial Statements

The Government-Wide financial statements (the statement of net position and the statement of activities) report information of all of the non-fiduciary activities of the primary government and its component units. For the most part, eliminations have been made to minimize the double counting on internal activities. Internal activities for services provided and used that are not eliminated include water, solid waste and sewer services provided to various other functions of the government. These statements distinguish between the *governmental* and *business-type activities* of the City. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees charged to external parties.

The statement of activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the City and for each function of the City's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Some functions include expenses that are, in essence, indirect expenses of other functions resulting from charges among funds or programs for centralized services. Program revenues include: 1) charges paid by the recipients of goods or services offered by the programs and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues, including all taxes, are presented instead as general revenues.

Net position is restricted when constraints placed on it are either externally imposed or are imposed by constitutional provisions or enabling legislation. Internally imposed designations of resources are not presented as restricted net position. When both restricted and unrestricted resources are available for use, generally it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

B. Basis of Presentation (continued)

Fund Financial Statements

The fund financial statements provide information about the City's funds, including fiduciary funds and the blended component unit. Separate statements for each fund category - *governmental, proprietary and fiduciary* - are presented. The emphasis of fund financial statements is on major governmental and enterprise funds, each displayed in a separate column. All remaining governmental and enterprise funds are separately aggregated and reported as non-major funds.

Proprietary fund *operating* revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. *Nonoperating* revenues, such as subsidies and investment earnings, result from nonexchange transactions or ancillary activities. *Operating* expenses for enterprise funds and internal service funds include cost of sales and services, administrative expenses, and depreciation of capital assets. As used in this section, the term depreciation can include amortization of intangible assets. All expenses not meeting this definition are reported as *nonoperating* expenses.

The City reports the following major governmental funds:

General Fund - The General Fund is the principal operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund. For the City, the General Fund includes basic governmental activities, such as general government, public safety, public works, and community services.

Transient Occupancy Taxes Fund - The Transient Occupancy Taxes Fund is used to account for transient occupancy tax revenues (hotel tax) and expenditures funded by this revenue source. The Rabobank Arena and Convention Center and the Bakersfield Ice Sports Center operating revenues and expenditures are recorded in this fund. This fund is also used to account for the operations of the Visit Bakersfield division of the City.

Community Development Block Grant Fund - The Community Development Block Grant Fund is used to account for resources provided by the Federal Housing and Community Development Act of 1974 for the elimination of slums and blight, housing conservation and improvements of community services.

Gas Tax & Road Fund - The Gas Tax & Road Fund is used to account for the City's share, based upon population, of state gasoline taxes. State law requires these gasoline taxes to be used to maintain streets or for major street construction. This fund also accounts for other State and Federal grant revenues related to street maintenance or construction, including the Federal earmark Thomas Roads funds.

Capital Outlay Fund - The Capital Outlay Fund is used to account for the cost of capital projects financed by local revenues and various grant/loan proceeds for capital expenditures. This fund also accounts for the special Utility Franchise/Surcharge Fund created by the City Council to account for the specified local road project costs funded by the selected electricity and gas franchise surcharge fees. In addition, funds contributed by the County to be used to cover a portion of the costs of the local match needed for the Thomas Roads projects are accounted for in this fund.

Park Improvement Fund - The Park Improvement Fund is used to account for funds collected for residential park development (Ordinance No. 3646). Fees are collected based on the development's share of the cost to develop, improve, construct, or enhance a neighborhood park (Ordinance No. 3327).

Transportation Development Fund - The Transportation Development Fund is used to account for funds collected from fees paid to mitigate the traffic impacts to the regional circulation system caused by a development project. The fees are paid when a building permit for the development project is obtained, and are based upon the amount of traffic the development will generate. The fee schedule was adopted with Ordinance No. 3513 and will be periodically evaluated by the City Council and revised to reflect updated costs and growth projections.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

B. Basis of Presentation (continued)

Redevelopment Successor Agency - Housing Fund - The Redevelopment Successor Agency - Housing Fund was created on February 1, 2012, pursuant to the provisions of the Redevelopment Restructuring Act. The City has chosen to assume the housing functions and take over the housing assets of the former Redevelopment Agency.

The City reports the following major proprietary (enterprise) funds:

Wastewater Treatment Fund - The Wastewater Treatment Fund is used to account for the provision of sewer service to the residents of the City and some residents of the County. This fund also accounts for the activities related to the debt issuance, which provided for the Wastewater Treatment Facilities.

Refuse Collection Fund - The Refuse Collection Fund is used to account for the collection and disposal of refuse within the City. All activities necessary to provide such services are accounted for in this fund.

River & Agricultural Water Fund - The River & Agricultural Water Fund is used to account for the provision of water service restricted primarily for agricultural purposes to users within the City and some users within the County (some Kern River water is exchanged for State Aqueduct water for domestic water purposes). All activities necessary to provide such services are accounted for in this fund.

Domestic Water Fund - The Domestic Water Fund is used to account for the provision of water service to residents of the City and County connected to the City's system. All activities necessary to provide such services are accounted for in this fund.

General Aviation Fund - The General Aviation Fund is used to account for the acquisition and operation of the Bakersfield Municipal Airport located on Union Avenue. The majority of acquisition and improvement financing for the airport facility was provided by a grant from the Federal Aviation Administration.

Offstreet Parking Fund - The Offstreet Parking Fund is used to account for the operations of the parking garage at 18th and Eye Streets and various offstreet surface parking lots within the City. The parking garage was financed by the former Redevelopment Agency and the related debt was retired in August 1994, and subsequently, the title was transferred to the City.

Internal Service Funds - The Internal Service Funds are used to account for the cost of goods or services provided by one department or agency to other departments or agencies of the governmental unit on a reimbursement basis. The City accounts for its self-insurance and equipment management activities as internal service funds.

The City reports the following additional fund types:

Private Purpose Trust Fund - The Planning Habitat Trust Fund is used to account for monies collected from developers to be used to purchase suitable land to provide habitat for endangered species. After the land is purchased, it is transferred to the State Fish and Game Department for maintenance. The City also records the assets, liabilities, and activities of the Redevelopment Successor Agency in a separate trust fund.

Pension and Other Employee Benefit Trust Funds - The Fire Relief and Pension Trust Fund is used to account for the annuity payments at appropriate amounts and times in the future for Fire Department personnel who retired prior to June 26, 1972. The Other Post-Employment Benefits (OPEB) Irrevocable Trust Fund is used to account for the City's postretirement medical benefit plan in which the City provides medical insurance coverage through contributions to eligible retirees' insurance premiums.

Agency Funds - The Agency Funds account for assets held by the City as an agent for various local governments or other entities. *The Special Deposits Fund* is used to account for the collection by the City as agent for organizations operated under the auspices of the Recreation Division, security deposits for utility franchises, temporary deposits for construction permits and bid deposits. This fund is also used for the collection of police seized property, local Law Enforcement Block Grants and other revenues held in trust pending disposition of contingencies. *The Improvement Districts Fund* is used to account for the

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

B. Basis of Presentation (continued)

collection of liens for improvements benefiting private properties and payments to the holders of bonds issued pursuant to the Improvement Bond Act of 1913 and the Improvement Bond Act of 1915. The City is in no way liable for the payment of bonded indebtedness, but the City serves as agent to collect the principal and interest installments from the owners of the benefited properties. A trustee provides the periodic payment to the bondholders. This fund also accounts for the special assessments and taxes collected within the boundaries of Community Service Districts within the City.

C. Measurement Focus and Basis of Accounting

The government-wide, proprietary, private purpose trust, and pension and other employee benefit trust funds are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, regardless of when the related cash flows take place. Nonexchange transactions, in which the City gives (or receives) value without directly receiving (or giving) equal value in exchange, include property and sales taxes, grants, entitlements, and donations. On an accrual basis of accounting, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenues from sales tax are recognized when the underlying transactions take place. Revenues from grants, entitlements and donations are recognized in the fiscal year in which all eligible requirements have been satisfied. The agency funds utilize the accrual basis of accounting to report assets and liabilities but technically have no measurement focus.

Governmental funds are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. Property and sales taxes, interest, certain State and Federal grants and charges for services are accrued when their receipt occurs within sixty days after the end of the accounting period so as to be both measurable and available. Expenditures are generally recorded when a liability is incurred, as under the accrual basis of accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments are recorded only when payment is due. General capital assets acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and capital leases are reported as other financing sources.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary funds' principal ongoing operations. Revenues and expenses not meeting this definition are reported as nonoperating.

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items

Cash and Investments

Cash balances of each of the City's funds, except for certain Trust and Agency Funds, are pooled and invested by the City. Income earned from pooled investments is allocated to each of the funds based on average pooled cash balances during the year. Deficit cash balances are classified as due to other funds and funded by the General Fund or related operating fund.

The City applies GASB Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*. This statement adheres to GASB reporting guidelines which generally requires that investments be reported at their fair value and that all changes in fair value be reflected as income of the period in which they occur.

Statutes authorize the City to invest in obligations of the United States Treasury, agencies and instrumentalities, commercial paper, bankers' acceptances, repurchase agreements, money market funds, and the State Treasurer's investment pool. The City's Pension Trust Fund is also authorized to invest in corporate bonds rated A or better by a national rating system generally recognized and used by banks and investment brokers in the United States.

Investments are comprised of obligations of the United States Treasury, agencies and instrumentalities, cash, time certificates of deposit, mutual funds, bankers' acceptances, money market accounts, deposits in the State of California Local Agency

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items (continued)

Investment Fund (LAIF), and California Asset Management Program (CAMP). Investments are stated at fair value.

Interfund Transactions

Interfund transactions are reflected as either loans, services provided, reimbursements or transfers. Loans are reported as receivables and payables as appropriate, are subject to elimination upon consolidation and are referred to as either “due to/from other funds” (i.e., the current portion of interfund loans) or “advances to/from other funds” (i.e., the noncurrent portion of interfund loans). Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide financial statement as “internal balances.” Advances between funds, as reported in the fund financial statements, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not available financial resources.

Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures/expenses. Reimbursements are when one fund incurs a cost, charges the appropriate benefiting fund, and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental or proprietary funds are netted as part of the reconciliation to the government-wide presentation.

Receivables

All trade and property tax receivables are shown net of an allowance for uncollectible accounts. Trade accounts receivable in excess of 180 days comprise the trade accounts receivable allowance for uncollectible accounts.

Inventory and Prepaid Items

Inventory is valued at average cost applied on a first-in, first-out (FIFO) basis. The reserve for prepaid expenses relates to certain payments to vendors for costs applicable to future accounting periods. The cost of both inventories and prepaid items are recorded as expenditures/expenses when consumed rather than when purchased.

Capital Assets

Capital outlays are recorded as expenditures of the General, Special Revenue, and Capital Projects Funds and as assets in the government-wide financial statements to the extent the City’s capitalization thresholds are met.

Capital assets, which include property, plant, equipment, infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), and intangible water rights are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an estimated useful life in excess of one year and an initial individual cost of more than \$50,000 for infrastructure and \$5,000 for all other capital assets. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation in the majority of instances. When assets are donated in relation to a service concession arrangement, they are reported at acquisition cost.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets' lives are not capitalized. Betterments and major improvements which significantly increase values, change capacities or extend useful lives are capitalized. Upon sale or retirement of capital assets, the cost and related accumulated depreciation are removed from the respective accounts and any resulting gain or loss is included in the results of operations.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items (continued)

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets of business-type activities is included as part of the capitalized value of the assets constructed.

Property, plant, and equipment of the primary government, as well as the component units, are depreciated using the straight-line method over the following estimated useful lives:

Infrastructure	10 to 70 years
Buildings, structures and improvements	5 to 40 years
Transmission and distribution equipment	5 to 50 years
Rolling equipment	2 to 30 years
Office equipment	3 to 10 years

Long-Term Obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type Statement of Net Position. Debt principal payments of both governmental and business-type activities are reported as decreases in the balance of the liability on the Statement of Net Position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method.

In the fund financial statements, however, debt principal payments of governmental funds are recognized as expenditures when paid. Governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred Outflows and Inflows of Resources

As required by GASB Statements No. 63 and No. 65, the City recognized applicable deferred outflows and inflows of resources in the government-wide, governmental, and proprietary fund type financial statements.

The Statements of Net Position and Balance Sheets will sometimes report a separate section for deferred outflows of resources, defined as a consumption of net position or fund balance by the City that is applicable to a future funding period, or deferred inflows of resources, defined as an acquisition of net position or fund balance by the City that is applicable to a future funding period. The City has items that qualify for reporting in these categories and are detailed in a separate note disclosure.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items (continued)

Net Position/Fund Balance

The government-wide and proprietary fund financial statements utilize a net position presentation. Net position is categorized as net investment in capital assets, restricted and unrestricted.

- *Net Investment in Capital Assets* - This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce the balance in this category.
- *Restricted Net Position* - This category presents external restrictions imposed by creditors, grantors, contributors, laws, or regulations of other governments and restrictions imposed by law through constitutional provisions or enabling legislation.
- *Unrestricted Net Position* - This category represents net position of the City, not restricted for any project or other purpose.

As of June 30, 2020, net position is as follows:

	Governmental Activities	Business-Type Activities	Total
Net investment in capital assets	\$ 1,347,391,281	\$ 735,284,165	\$ 2,082,675,446
Restricted	15,078,957	20,200,000	35,278,957
Unrestricted	(190,673,618)	105,004,414	(85,669,204)
Total net position	<u>\$ 1,171,796,620</u>	<u>\$ 860,488,579</u>	<u>\$ 2,032,285,199</u>

Fund balances of the governmental funds are report using a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed upon the use of the resources reported. Fund balances for governmental funds are segregated as follows:

- *Nonspendable Fund Balance* – includes net resources that cannot be spent because of their form or because of legal or contractual limitations, and therefore must remain intact.
- *Restricted Fund Balance* – includes net resources that have externally enforceable limitations on their use. These limitations can be established by creditors, grantors, or by laws and regulations.
- *Committed Fund Balance* – includes amounts with self-imposed limitations and are set in place prior to the end of the fiscal year. Commitments are set forth by the formal action of the City’s highest level of decision-making authority, the City Council, and the limitations require that same level of authority to be removed.
- *Assigned Fund Balance* – includes amounts for which the intended use results in limitations but do not meet the requirements for either the “Restricted” or “Committed” classifications. Intended use can be established by the City Council, a governing committee or board, or by a City official designated as having that authority.
- *Unassigned Fund Balance* – is the residual balance of the General Fund not included in the other classifications.

The City Council establishes, modifies or rescinds fund balance commitments though approval of contracts for services and

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items (continued)

supplies that require City Council authorization through resolution. Fund balance assignments are made by agreements entered into by department heads, and their designees, for specific purposes. The City Council also establishes fund balance assignments through the adoption of the budget and subsequent budget amendments. Assignments are generally temporary and as such, additional action is not usually needed for assignments to be removed. The City Council approved, through resolution, a Fund Balance policy that established these rules for fund balance commitments and assignments in the General Fund. It was not deemed necessary to include a policy to achieve and maintain a specific level of unrestricted fund balance in the General Fund.

Fund Balance Flow Assumptions

The City will sometimes fund outlays for a specific purpose from restricted and unrestricted resources (committed, assigned, and unassigned fund balance). A flow assumption must be made about the order of how these resources will be applied to properly calculate the amounts reported as restricted, committed, assigned, and unassigned. It is the City's policy to consider restricted fund balance to be used completely before any components of unrestricted fund balance. When the components of unrestricted fund balance are used for the same purpose, the amount classified as committed is used first, followed by assigned, and unassigned is applied last.

Property Taxes

In 1978, a state constitutional amendment (Proposition 13) provided that the property tax rate is limited to 1% of market value. This property tax rate limitation may only be increased through voter approval. The County is the sole agency responsible for levying and collecting the property taxes and distributing them to taxing jurisdictions. Taxes are allocated and distributed based upon each taxing jurisdiction's assessed valuations and upon any voter-approved debt override on the tax rate.

The property tax calendar for the City is as follows:

Valuation date	January 1
Lien date	March 1
Levy dates	July 1 through June 30
Due dates	November 1; February 1
Collection dates	December 10; April 10

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

D. Assets, Liabilities, Net Position or Fund Balances, and Other Financial Statement Items (continued)

Pension Plan

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the City's California Public Employee's Retirement System (CalPERS) plans (Plans) and additions to/deductions from the Plans' fiduciary net position have been determined on the same basis as they are reported by CalPERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Other Post-Employment Benefits (OPEB)

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the City's OPEB Plan (OPEB Plan) and additions to/deductions from the OPEB Plan's fiduciary net position have been determined on the same basis. For this purpose, the OPEB Plan recognizes benefit payments when due and payable in accordance with the benefit terms. Investments and participating interest-earning investment contracts that have a maturity at the time of purchase of one year or less, are reported at cost.

Cash Flow Statements

For purposes of reporting cash flows, cash and cash equivalents include cash on hand, deposits, short-term investments and cash and investments with fiscal agents. Cash equivalents are defined as short-term, highly liquid investments that are both readily convertible to known amounts of cash, and so near their maturity that they present insignificant risk of changes in value because of changes in interest rates. Generally, only investments with original maturities of three months or less meet this definition.

Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results could differ from those estimates.

E. Stewardship, Compliance, and Accountability

Budgets and Budgetary Accounting

The procedures established by the City Council in adopting the budgetary data reflected in the financial statements are as follows:

1. Prior to June 1, the City Manager submits to the City Council a proposed operating budget for the fiscal year commencing the following July 1. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. The City Council legally enacts the budget by resolution before July 1.

The City Manager is authorized to transfer budgeted amounts between departments within any fund and approve reductions of budgeted amounts. Since expenditures may not exceed budgeted appropriations at the fund level, any revisions that alter the total appropriations of any fund are to be approved by the City Council. Projects budgeted within the current fiscal year but not yet completed can be re-appropriated the following fiscal year with City Manager approval. All other unencumbered appropriations lapse at year-end. Encumbered amounts are re-appropriated in the ensuing fiscal year budget.

Budgets are adopted for all governmental fund types and are prepared on a basis consistent with GAAP. Budgeted amounts are

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

E. Stewardship, Compliance, and Accountability (continued)

as originally adopted, or as amended by the City Council. During the fiscal year ended June 30, 2020, the City Council approved \$46,537,904 of increases to the originally adopted budget, excluding carryovers of prior year encumbered balances and selected capital appropriations.

Deficit Net Position

The Self-Insurance Internal Service Fund reported a deficit in net position of \$30,989,013 at the close of the fiscal year. The continued deficit is the result of a significant increase in the workers' compensation liability calculated in the City's most recent actuarial study. Workers' compensation charges can fluctuate significantly from year to year and staff will continue to adjust departmental rates accordingly to maintain sufficient funding levels.

The Refuse Fund reported a deficit in net position of \$1,787,901 at the close of the fiscal year. The deficit was caused by the unfunded liability amounts in that fund.

The Redevelopment Successor Agency Trust Fund reported a deficit in net position of \$14,618,718 at the close of the fiscal year. The deficit is caused by the notes payable in the fund that have deferred repayment schedules.

Reclassification and Eliminations

Interfund balances must generally be eliminated in the government-wide financial statements, except for net residual amounts due between governmental activities. Amounts involving fiduciary funds should be reported as external transactions. Any allocations must reduce the expenses of the function from which the expenses are being allocated, so that expenses are reported only once, in the function in which they are allocated.

F. New Accounting Pronouncements

During the fiscal year ending June 30, 2020 the City implemented the following standards:

GASB issued Statement No. 95, *Postponement of the Effective Dates of Certain Guidance*. This statement addresses the postponement of the effective dates for certain provisions in Statements and Implementation Guides to provide temporary relief to governments and stakeholders in light of the COVID-19 pandemic.

Recently released standards by GASB affecting future years are as follows:

In January 2017, GASB issued Statement No. 84, *Fiduciary Activities*. The objective of this statement is to improve guidance regarding the identification of fiduciary activities for accounting and financial reporting purposes and how those activities should be reported. The City has elected not to early implement GASB Statement No. 84 and has not determined its effects on the City's financial statements.

In June 2017, GASB issued Statement No. 87, *Leases*. The objective of this statement is to better meet the information needs of financial statement users by improving accounting and financial reporting for leases by governments. This statement increases the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financing of the right to use an underlying asset. The City has elected not to early implement GASB Statement No. 87 and has not determined its effects on the City's financial statements.

In June 2018, GASB issued Statement No. 89, *Accounting for Interest Cost Incurred Before the End of a Construction Period*. The objectives of this statement are to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and to simplify accounting for interest cost incurred before the end of a construction period. The City has elected not to early implement GASB Statement No. 89 and has not determined its effects on the City's financial statements.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

F. New Accounting Pronouncements (continued)

In August 2018, GASB issued Statement No. 90, *Majority Equity Interests-an amendment of GASB Standards No. 14 and No. 61*. The objectives of this statement are to improve the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and to improve the relevance of financial statement information for certain component units. The City has elected not to early implement GASB Statement No. 90 and has not determined its effects on the City's financial statements.

In May 2019, GASB issued Statement No. 91, *Conduit Debt Obligations*. The objectives of this statement are to provide a single method of reporting conduit debt obligations by issuers and eliminate diversity in practice associated with commitments extended by issuers, arrangements associated with conduit debt obligations, and related to note disclosures. The City has elected not to early implement GASB Statement No. 91 and has not determined its effects on the City's financial statements.

In January 2020, GASB issued Statement No. 92, *Omnibus 2020*. The objectives of this statement are to enhance comparability in accounting and financial reporting to improve consistency of authoritative literature by addressing practice issues that have been identified during implementation and application of certain GASB statements. The City has elected not to early implement GASB Statement No. 90 and has not determined its effects on the City's financial statements.

In March 2020, GASB issued Statement No. 93, *Replacement of Interbank Offered Rates*. The objective of this statement is to address those and other accounting and financial reporting implications that result from the replacement of an interbank offered rate (IBOR). The City has elected not to early implement GASB Statement No. 93 and has not determined its effects on the City's financial statements.

In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The objective of this statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). The City has elected not to early implement GASB Statement No. 90 and has not determined its effects on the City's financial statements.

In May 2020, GASB issued Statement No. 96, *Subscription-based Information Technology Arrangements*. The objective of this statement is to provide guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users. The City has elected not to early implement GASB Statement No. 90 and has not determined its effects on the City's financial statements.

In June 2020, GASB issued Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans*. The objectives of this statement are to (1) increase consistency and comparability related to the reporting of fiduciary component units in circumstances in which a potential component unit does not have a governing board and the primary government performs the duties that a governing board typically would perform; (2) mitigate costs associated with the reporting of certain defined contribution pension plans; and (3) enhance the relevance, consistency, and comparability of the accounting and financial reporting for the Internal Revenue Code Section 457 deferred compensation plans that meet the definition of a pension plan and for benefits provided through those plans. The City has elected not to early implement GASB Statement No. 97 and has not determined its effects on the City's financial statements.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 2 - CASH AND INVESTMENTS

Cash and investments as of June 30, 2020, are classified in the accompanying financial statements as follows:

Statement of net position:	
Cash and investments	\$ 417,535,193
Fiduciary funds:	
Cash and investments	<u>131,560,393</u>
	<u>\$ 549,095,586</u>

Cash and investments as of June 30, 2020, consist of the following:

Cash on hand	\$ 11,711,993
Deposits with financial institutions	72,326,984
Investments	464,598,857
GASB Stmt. No. 31 Fair Value Adjustment	<u>457,752</u>
	<u>\$ 549,095,586</u>

Investment Authorized by the California Government Code and the City's Investment Policy

The table below identifies the investment types that are authorized for the City by the California Government Code, or the City's investment policy, where more restrictive. The table also identifies the more restrictive provision of the California Government Code or the City's investment policy that address interest rate risk, credit risk, and concentration of credit risk. This table does not address investment of any debt proceeds held by bond trustee's that are governed by the provisions of the City's debt agreements, rather than the general provisions of either the California Government Code or the City's investment policy.

Authorized Investment Types	Maximum Percentage of Portfolio	Maximum Maturity
U.S. Treasury Bills, Notes and Bonds	0 to 100%	5 Years
U.S. Government Agency Obligations	20% per agency	5 Years
Bankers' Acceptances	40%	180 Days
Commercial Paper	25%	270 Days
Repurchase Agreements	30%	90 Days
Local Agency Investment Fund	40%	N/A
Time Certificates of Deposit	40%	5 Years
Public Agency Demand Accounts	30%	N/A
Mutual Funds	20%	N/A

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 2 - CASH AND INVESTMENTS (continued)

Investment Authorized by Debt Agreements

The City and its component units have \$380,296 in investments held by bond trustees pledged to the payment or security of certain debt issues. These investments are held in direct obligations of, or obligations that are fully guaranteed as to principal and interest by, the United States Government or an agency thereof. The California Government Code provides that monies held by a bond trustee pledged to the payment or security of debt issues, in absence of specific statutory provisions governing the issuance of the debt, may be invested in accordance with the ordinances, resolutions, or indentures specifying the types of investments the respective bond issue's trustee may make. The obligations described above are authorized per the investment agreements with the bond trustees and include, but are not limited to, Federal Land Bank Bonds, Federal Home Loan Bank notes and bonds, Export-Import Bank notes and guaranteed participation certificates, obligations of or fully guaranteed by the Government National Mortgage Association, Federal National Mortgage Association notes, debentures and guaranteed certificates of participation, obligations of the International Bank of Reconstruction and Development and Federal Home Loan Mortgage Corporation notes.

Interest Rate Risk

Interest rate risk is the risk that changes in the market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. As part of the City's investment policy, one of the ways that the City manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturing evenly over time as necessary to provide the cash flow and liquidity needed for operations.

Information about the sensitivity of the fair values of the City's investments to market interest rate fluctuations is provided by the following table that shows the distribution of the City's investments by maturity:

Investment Type	Fair Value	Cost	Remaining Maturity (In Months)			
			12 Months Or Less	13 - 24 Months	25-60 Months	More Than 60 Months
U.S. Government Agency Obligations:						
Federal Farm Credit Bank	\$ 16,620,156	\$ 16,370,806	\$ 5,000,000	\$ -	\$ 11,370,806	\$ -
Federal Home Loan Bank	3,358,757	3,337,637	-	-	3,337,637	-
Federal Home Loan Mortgage Corp.	22,033,930	22,000,000	-	-	22,000,000	-
Federal National Mortgage Assn.	14,127,802	13,974,450	9,974,450	-	4,000,000	-
PEFCO	355,903	355,903	355,903	-	-	-
Commercial Paper	-	-	-	-	-	-
Bankers' Acceptances	-	-	-	-	-	-
U.S. Treasury Bills, Notes, and Bonds	-	-	-	-	-	-
Local Agency Investment Fund	150,585,896	150,585,896	150,585,896	-	-	-
CAMP	159,893,311	159,893,311	159,893,311	-	-	-
Mutual Funds (1)	97,700,558	97,700,558	97,700,558	-	-	-
Investment Contracts	380,295	380,296	-	-	-	380,296
Total	<u>\$465,056,608</u>	<u>\$464,598,857</u>	<u>\$423,510,118</u>	<u>\$ -</u>	<u>\$ 40,708,443</u>	<u>\$ 380,296</u>

(1) See Note 17 for Other Post-Employment Benefits

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 2 - CASH AND INVESTMENTS (continued)

Investments with Fair Values Highly Sensitive to Interest Rate Fluctuations

Except as inherent by their nature as disclosed above, the City's investments (including those held by a bond trustee) are not highly sensitive to interest rate fluctuations.

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligations to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Presented below is the minimum rating required by the California Government Code, the City's investment policy, or debt agreements, and the actual rating as of year end for each investment type. On August 5, 2011, the rating agency of Standard & Poors (S&P) assigned a negative outlook to the credit rating of the United States government. On August 8, 2011, S&P then downgraded that credit rating to AA+ from AAA.

Investment Type	Minimum Legal Rating	Remaining as of the Year-End		
		AAA	AA+	Not Rated
U.S. Government Agency Obligations:				
Federal Farm Credit Bank	\$ 16,370,806	\$ -	\$ 16,370,806	\$ -
Federal Home Loan Bank	3,337,637	-	3,337,637	-
Federal Home Loan Mortgage Corp.	22,000,000	-	22,000,000	-
Federal National Mortgage Assn.	13,974,450	-	13,974,450	-
PEFCO	355,903	-	355,903	-
Commercial Paper	-	-	-	-
Bankers' Acceptances	-	-	-	-
U.S. Treasury Bills, Notes, and Bonds	-	-	-	-
Local Agency Investment Fund	150,585,896	-	-	150,585,896
CAMP	159,893,311	-	-	159,893,311
Mutual Funds (1)	97,700,558	97,700,558	-	-
Investment Contracts	380,296	-	-	380,296
Total	<u>\$464,598,857</u>	<u>\$ 97,700,558</u>	<u>\$ 56,038,796</u>	<u>\$310,859,503</u>

(1) See Note 17 for Other Post-Employment Benefits

Concentration of Credit Risk

The City's investment policy does not limit the amount that can be invested in any one issuer beyond the limitations stipulated by the California Government Code. Investments in any one issuer (other than United States Treasury securities, mutual funds and external investment pools) that represent 5% or more of the City's total investments are as follows.

Issuer	Investment Type	Reported Amount	Percentage
Federal Home Loan Mortgage Corp.	Federal Agency Securities	\$ 22,000,000	5%

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 2 - CASH AND INVESTMENTS (continued)

Custodial Credit Risk

Custodial credit risk for *deposits* is the risk that the City will not be able to recover its deposits or will not be able to recover collateral securities in the possession of an outside party if a depository institution fails. The custodial credit risk for *investments* is the risk that the City will not be able to recover the value of its investment or collateral securities held by another party if the counterparty (e.g., broker-dealer) to a transaction fails. The California Government Code and City's investment policy do not contain legal or policy requirements that would limit exposure to custodial credit risk for deposits or investments, other than the following provision applicable to *deposits*: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The fair value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure City deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

As of June 30, 2020, all of the City's deposits with financial institutions in excess of federal depository insurance limits were held in fully collateralized accounts, as permitted by the California Government Code. As of June 30, 2020, all of the City's investments were held by the City itself or by a broker-dealer (counterparty) other than the broker-dealer used by the City to purchase the securities in the City's name.

Investment in State Investment Pools

Investments are stated at fair value. Fair value is established quarterly based on quoted market prices received from the securities custodian. Fair value of investments held fluctuates with interest rates. The fair value of participants' position in the pool is the same as the value of the pool shares. The value of participants' equity withdrawn is based on the book value of the participants' percentage participation at the date of such withdrawal.

The California State Treasurer's Office operates the Local Agency Investment Fund (LAIF). The LAIF is available for investment of funds administered by California local governments and special districts and is not registered with the Securities and Exchange Commission (SEC) as an investment company. The enabling legislation for the LAIF is Section 16429.1 et seq. of the California Government Code. California Asset Management Program (CAMP) is a California Joint Powers Authority established in 1989 to provide California public agencies with professional investment services. The CAMP Pool is a permitted investment for all local agencies under California Government Code Section 53601(p).

The LAIF and CAMP operate and report to participants on an amortized cost basis. For both the LAIF and CAMP, the income, gains, and losses, net of administration fees, are allocated based upon the participant's average daily balance. Deposits in the LAIF and CAMP are not insured or otherwise guaranteed by the State of California, and participants share proportionally in any realized gains or losses on investments. The fair value of the LAIF and CAMP investment pools are approximately equal to the value of the pool shares.

Fair Value Measurement

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy used to measure the fair value of the asset is based on the following:

Level 1 - unadjusted price quotations in active markets/exchanges for identical assets or liabilities, that each fund has the ability to access.

Level 2 - other observable inputs (including, but not limited to, quoted prices for similar assets or liabilities in markets that are active, quoted prices for identical or similar assets or liabilities in markets that are not active, inputs other than quoted prices that are observable for the assets or liabilities (such as interest rates, yield curves, volatilities, loss severities, credit risks and default rates) or other market-corroborated inputs).

Level 3 - unobservable inputs based on the best information available in the circumstances, to the extent observable inputs are not available (including each fund's own assumptions used in determining the fair value of investments).

The City has a reported fair value of investments of \$465,056,608, of which \$56,496,548 are valued using Level 1 inputs.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 2 - CASH AND INVESTMENTS (continued)

These include all of the U.S Government Agency Obligations and Time Certificates of Deposit. The remaining investments are valued using Level 2 inputs.

NOTE 3 - COMPOSITION OF ACCOUNTS RECEIVABLE AND PAYABLE BALANCES

Accounts receivable at June 30, 2020 of the City's major individual funds and non-major and internal service funds in the aggregate, including the applicable allowance for uncollectible accounts, are as follows:

Accounts Receivable - Governmental Funds:	General Fund	Transient Occupancy Taxes Fund	Community Development Block Grant Fund	Gas Tax & Road Fund	Capital Outlay	Redevelopment Successor Agency - Housing	Non-Major Governmental Funds	Internal Service Funds	Total Governmental Activities
Taxes	\$ -	\$ 906,245	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 906,245
Accounts	3,302,273	-	14,766,787	22,031	85,920	218	5,848,867	314,157	29,340,253
Gross Receivables	3,302,273	906,245	14,766,787	22,031	85,920	218	5,848,867	314,157	30,246,498
Less: Allowance for Uncollectible	-	-	-	-	-	-	-	(153,548)	(153,548)
Total Accounts Receivable - Net	<u>\$3,302,273</u>	<u>\$ 906,245</u>	<u>\$ 14,766,787</u>	<u>\$ 22,031</u>	<u>\$ 85,920</u>	<u>\$ 218</u>	<u>\$ 5,848,867</u>	<u>\$ 160,609</u>	<u>\$ 30,092,950</u>

Accounts Receivable - Proprietary Funds:	Wastewater Treatment Fund	Refuse Collection Fund	Agricultural Water Fund	Domestic Water Fund	General Aviation Fund	Offstreet Parking Fund	Total Business-Type Activities
Accounts	\$ 1,213,627	\$ 1,243,583	\$ 475,870	\$ 2,573,834	\$ (11,687)	\$ 5,225	\$ 5,500,452
Gross Receivables	1,213,627	1,243,583	475,870	2,573,834	(11,687)	5,225	5,500,452
Less: Allowances for Uncollectible	-	-	-	-	-	-	-
Total Accounts Receivable - Net	<u>\$ 1,213,627</u>	<u>\$ 1,243,583</u>	<u>\$ 475,870</u>	<u>\$ 2,573,834</u>	<u>\$ (11,687)</u>	<u>\$ 5,225</u>	<u>\$ 5,500,452</u>

Accounts payable and accrued liabilities at June 30, 2020, are composed of the following:

Accounts Payable and Accrued Liabilities Governmental Activities:	General Fund	Transient Occupancy Taxes Fund	Community Development Block Grant Fund	Gas Tax & Road Fund	Capital Outlay Fund	Park Improvement Fund	Transportation Development Fund
Accounts payable	\$ 7,810,058	\$ 34,812	\$ 116,179	\$ 4,239,103	\$ 2,911,053	\$ 3,273,387	\$ 1,552,502
Due to other governments	-	-	-	1,571	-	-	-
Total Accounts Payable and Accrued Liabilities	<u>\$ 7,810,058</u>	<u>\$ 34,812</u>	<u>\$ 116,179</u>	<u>\$ 4,240,674</u>	<u>\$ 2,911,053</u>	<u>\$ 3,273,387</u>	<u>\$ 1,552,502</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 3 - COMPOSITION OF ACCOUNTS RECEIVABLE AND PAYABLE BALANCES (continued)

Accounts Payable and Accrued Liabilities Governmental Activities:	Non-Major Governmental Funds	Internal Service Funds	Total Governmental Activities
Accounts payable	\$ 277,305	\$ 2,480,162	\$ 22,694,561
Due to other governments	-	-	1,571
Total Accounts Payable and Accrued Liabilities	<u>\$ 277,305</u>	<u>\$ 2,480,162</u>	<u>\$ 22,696,132</u>

Accounts Payable and Accrued Liabilities - Business-Type Activities:	Wastewater Treatment Fund	Refuse Collection Fund	Agricultural Water Fund	Domestic Water Fund	General Aviation Fund	Offstreet Parking Fund	Total Business-Type Activities
Accounts payable	\$ 2,652,399	\$ 3,624,873	\$ 318,706	\$ 2,516,532	\$ 17,922	\$ 15,833	\$ 9,146,265
Accrued interest	1,637,403	-	-	-	-	-	1,637,403
Total Accounts Payable and Accrued Liabilities	<u>\$ 4,289,802</u>	<u>\$ 3,624,873</u>	<u>\$ 318,706</u>	<u>\$ 2,516,532</u>	<u>\$ 17,922</u>	<u>\$ 15,833</u>	<u>\$ 10,783,668</u>

NOTE 4 - DUE FROM OTHER GOVERNMENTS

Amounts due from other governments at June 30, 2020 are comprised of the following:

	Federal Government	State of California	County/City Agencies	Total Governmental Activities	Business-Type Activities	Total Reporting Entity
Senate Bill (SB) 90 Claims	\$ -	\$ 3,040,418	\$ -	\$ 3,040,418	\$ -	\$ 3,040,418
Sales Tax	-	28,101,494	-	28,101,494	-	28,101,494
Property Tax	-	-	354,152	354,152	237,157	591,309
Caltrans	-	3	-	3	78,254	78,257
SB 1 - Road Maint & Rehab	-	1,029,400	-	1,029,400	-	1,029,400
Department of Fish & Game	-	107,455	-	107,455	-	107,455
Department of Transportation	23,669,667	-	-	23,669,667	-	23,669,667
Economic & Community Development	3,084,511	-	-	3,084,511	-	3,084,511
City of Shafter	-	-	1,905	1,905	-	1,905
Kern Council of Governments	-	-	46,793	46,793	-	46,793
Kern County Waste Management	-	-	-	-	1,470,499	1,470,499
Totals	<u>\$ 26,754,178</u>	<u>\$ 32,278,770</u>	<u>\$ 402,850</u>	<u>\$ 59,435,798</u>	<u>\$ 1,785,910</u>	<u>\$ 61,221,708</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 5 - CAPITAL ASSETS

Capital asset activities for the year ended June 30, 2020, were as follows:

	Balance June 30, 2019	Adjustments	Additions	Retirements	Balance June 30, 2020
Governmental Activities					
Capital assets, not being depreciated					
Land	\$ 449,359,733	\$ -	\$ 528,202	\$ -	\$ 449,887,935
Construction in progress	105,552,305	-	30,486,253	18,746,258	117,292,300
Total capital assets, not being depreciated	554,912,038	-	31,014,455	18,746,258	567,180,235
Capital assets, being depreciated					
Buildings, structures and improvements	149,940,319	2,037,353	8,898,014	-	160,875,686
Infrastructure	1,722,921,200	-	60,463,656	-	1,783,384,856
Rolling equipment	98,791,666	-	13,178,074	5,447,374	106,522,366
Furniture and other equipment	23,555,101	(2,832,612)	752,657	1,223,836	20,251,310
Total capital assets, being depreciated	1,995,208,286	(795,259)	83,292,401	6,671,210	2,071,034,218
Less accumulated depreciation for					
Buildings, structures and improvements	(79,705,227)	(42,445)	(4,045,079)	-	(83,792,751)
Infrastructure	(1,064,539,385)	-	(57,036,459)	-	(1,121,575,844)
Rolling equipment	(58,647,147)	-	(7,580,457)	(5,268,786)	(60,958,818)
Furniture and other equipment	(16,369,159)	2,818,781	(935,269)	(748,685)	(13,736,962)
Total accumulated depreciation	(1,219,260,918)	2,776,336	(69,597,264)	(6,017,471)	(1,280,064,375)
Total capital assets, being depreciated, net	775,947,368	1,981,077	13,695,137	653,739	790,969,843
Governmental activities capital assets, net	\$ 1,330,859,406	\$ 1,981,077	\$ 44,709,592	\$ 19,399,997	\$ 1,358,150,078
Business-Type Activities					
Capital assets, not being depreciated					
Land	\$ 23,630,085	\$ -	\$ -	\$ -	\$ 23,630,085
Water rights	31,476,906	-	-	-	31,476,906
Construction in progress	56,620,687	-	6,295,672	50,920,815	11,995,544
Total capital assets, not being depreciated	111,727,678	-	6,295,672	50,920,815	67,102,535
Capital assets, being depreciated					
Buildings, structures and improvements	327,748,197	-	3,505,211	-	331,253,408
Infrastructure	833,396,700	-	59,497,809	-	892,894,509
Equipment	78,729,875	-	723,505	-	79,453,380
Total capital assets being depreciated	1,239,874,772	-	63,726,525	-	1,303,601,297
Less accumulated depreciation for					
Buildings, structures and improvements	(130,225,829)	-	(8,136,862)	-	(138,362,691)
Infrastructure	(289,954,352)	-	(14,913,060)	-	(304,867,412)
Equipment	(40,503,887)	-	(4,180,298)	-	(44,684,185)
Total accumulated depreciation	(460,684,068)	-	(27,230,220)	-	(487,914,288)
Total capital assets, being depreciated, net	779,190,704	-	36,496,305	-	815,687,009
Business-type activities capital assets, net	\$ 890,918,382	\$ -	\$ 42,791,977	\$ 50,920,815	\$ 882,789,544

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 5 - CAPITAL ASSETS (continued)

Depreciation and amortization expense was charged in the following functions in the Statement of Activities:

Governmental functions:	<u>Depreciation</u>
General government	\$ 1,238,094
Public safety - Police	262,588
Public safety - Fire	753,873
Public works	63,934,735
Recreation and parks	3,008,938
Development services	<u>399,036</u>
 Total	 <u>\$ 69,597,264</u>
 Business-type functions:	
Wastewater treatment	\$ 19,801,307
Refuse collection	65,417
River & agricultural water	392,476
Domestic water	6,640,147
General aviation	240,245
Offstreet parking	<u>90,628</u>
 Total	 <u>\$ 27,230,220</u>

NOTE 6 - LAND HELD FOR RESALE

The City, as the Redevelopment Successor Agency, has been transferred real property to be held for a limited period that will be used for future development. The inventory for land held for resale is presented at the lower of cost or net realizable value though it is initially recorded at historical costs. Subsequently, the land could be adjusted to net realizable value if and when the City enters into agreements for development or sale of the property for less than its historical cost, when a property is impaired or when property value decreases due to market conditions.

Redevelopment Successor Agency - Housing	<u>Balance at June 30, 2019</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance at June 30, 2020</u>
Land Held for Resale	\$ 1,198,744	\$ -	\$ -	\$ 1,198,744
	<u>\$ 1,198,744</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,198,744</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 7 - OTHER LONG-TERM RECEIVABLES

Other long-term receivables consist of the following:

Governmental Activities

Deferred loans receivable associated with the low and moderate income housing project. These loans bear 0-3% interest and are not due until ten years after the loan agreement date (also see deferred revenue at Note 9).	\$ 3,337,657
Mercy Housing, Madison Place Apartments, 55 year term, with 1/55 to be forgiven each year of compliance to agreement.	258,913
Amcal Santa Fe Apartments, 55 year term, repayment begins from residual receipts following the date that the housing project is put in service.	134,691
Down payment assistance loans.	1,832,325
19th Street Senior Plaza, LLC, a 55 year loan term upon recordation of Certificate of Completion.	1,688,375
Park 20th Apartments, a 55 year loan term beginning upon recordation of the Certificate of Completion with an interest rate of 3.0%.	2,720,055
Chelsea Investment Corp. - Mill Creek Village. 19th Street Senior Housing and Parking Structure. A 55 year loan term beginning upon recordation of the Certificate of Completion with an interest rate of 3.0%.	6,506,184
Chelsea Investment Corp. - Mill Creek Village. 19th Street Senior Housing and Parking Structure. A 55 year loan term beginning upon recordation of the Certificate of Completion with an interest rate of 2.0%.	4,487,149
CalHOME Downpayment Assistance for a grant from the State which provided downpayment and closing cost assistance to seventeen (17) families within the Metropolitan Bakersfield area. The assistance was provided to those families whose incomes were at or below 120% of area median income. The loans of up to \$40,000 are forgiven at 1/15th per year.	284,630
Golden Empire Housing, Park Place Apartments, 55 year loan term beginning July 12, 1999, ending on July 12, 2054, with the interest payment being deferred for first ten years, until year 2010, with an interest rate of 1.5%.	807,356
Capital Vision Equities, City Center Senior Housing, 35 year loan term beginning on March 28, 2001, ending March 28, 2036, with an interest rate of 5.85%.	990,000
Canyon Hills Assembly of God, Senior Housing Project 30 year loan term beginning July 30, 2001 ending July 30, 2031, with an interest rate of 0%.	310,000
Mill Creek Courtyard CIC - SEPA - Senior Housing Project. A 55 year loan term beginning from the date of execution by the developer.	2,520,000
Face value of loans	<u>\$ 25,877,335</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 7 - OTHER LONG-TERM RECEIVABLES (continued)

Current portion	\$ -
Long-term portion	<u>25,877,335</u>

Business-Type Activities

Notes receivable in the River & Agricultural Water Fund are for the amounts due from various customers/vendors.

These loans are non-interest bearing. \$ 30,105

Long-term receivable under agreement 87-153(5) between the City and Dreyer's Grand Ice Cream Inc. for additional flow and and treatment capacity in Wastewater Treatment Plant #3.

161,184

Long-term receivable under Agreement 14-042 between the City and a local citizen to purchase surplus land adjacent to their business. Property was held in the Offstreet Parking Fund.

11,961

Total business-type noncurrent receivables

\$ 203,250

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 8 - INTERFUND TRANSACTIONS

Interfund transactions are comprised of loans, services provided, reimbursements, or transfers. Loans are reported as amounts “due to/due from” other funds or as “advances,” as appropriate, and are subject to elimination upon consolidation. Services provided, deemed to be at market or near market rates, are treated as revenues and expenditures/expenses. Reimbursements occur when one fund incurs a cost, charges the appropriate benefiting fund, and reduces its related cost as a reimbursement. All other interfund transactions are treated as transfers. Transfers between governmental activities and business-type activities are netted as part of the consolidation required to produce the government-wide financial statements.

Interfund receivable and payable balances at June 30, 2020 were:

<u>Fund</u>	<u>Due from Other Funds</u>	<u>Due to Other Funds</u>
Governmental Funds:		
Major Funds:		
General Fund	\$ 14,074,339	\$ -
Community Development Block Grant Fund	-	2,262,401
Gas Tax & Road Fund	-	11,811,938
	<u>\$ 14,074,339</u>	<u>\$ 14,074,339</u>

These balances are a result of expenditures incurred prior to the receipt of the related special revenue source.

Interfund transfers at June 30, 2020 consisted of the following:

	<u>Transfers In</u>	<u>Transfers Out</u>
<u>Governmental Funds:</u>		
Major Funds:		
General Fund	\$ 1,200,000	\$ 41,863,365
Transient Occupancy Taxes Fund	10,000	4,144,791
Community Development Block Grant Fund	371,871	512,790
Capital Outlay Fund	44,796,774	-
Non-Major Funds:		
Neighborhood Stabilization	-	371,871
State Traffic Safety Fund	-	1,200,000
General Obligation Debt Fund	1,269,468	-
<u>Proprietary Funds:</u>		
Major Funds:		
Wastewater Treatment Fund	-	207,908
Refuse Collection Fund	-	1,531,821
River & Agricultural Water Fund	-	184,638
Domestic Water Fund	-	184,638
Offstreet Parking Fund	45,000	-
Internal Service Funds:		
Self-Insurance Fund	-	183,597
Equipment Management Fund	2,692,306	-
	<u>\$ 50,385,419</u>	<u>\$ 50,385,419</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 8 - INTERFUND TRANSACTIONS (continued)

Additional details regarding transfers in and out of various funds are provided below:

- The \$1,200,000 transfer in to the General Fund includes \$1,200,000 from the Traffic Safety Fund that subsidized the cost of the traffic division of the police department for parking fine violations.
- The \$41,863,365 transfer from the General Fund includes a transfer to the Capital Outlay Fund of \$40,695,332 for various capital improvement projects, \$728,617 to the General Obligation Debt Fund for the repayment of loans from PG&E for energy efficient retro fit projects, \$45,000 to the Offstreet Parking Fund for security, \$10,000 to the Transient Occupancy Fund tourism programs as well as \$384,416 to the Equipment Fund for operating activity.
- The \$4,144,791 transfers from the Transient Occupancy Taxes Fund include: \$3,101,442 transferred to the Capital Outlay Fund to fund a number of capital projects, \$28,061 to the General Obligation Debt Fund for the repayment of a loan from PG&E for an energy efficiency retrofit at Rabobank Arena, \$1,000,000 to the General Fund to replenish Facility reserves and \$15,288 to the Equipment Fund for additional funding to replace equipment.
- The \$512,790 transfer from the Community Development Block Grant (CDBG) Fund to the General Obligation Debt Fund is for the repayment of a Section 108 loan.
- There were additional transfers to the Equipment Management Fund to purchase additional equipment for operations which include: the General Fund (\$384,416), the Transient Occupancy Tax Fund (\$15,288), the Sewer Fund (\$207,908), the Refuse Fund (\$1,531,821), the River & Agricultural Water Fund (\$184,638), the Domestic Water Fund (\$184,638) and the Self-Insurance Fund (\$183,597).

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 9 - ADVANCES FROM GRANTORS AND THIRD PARTIES

The government-wide Statement of Net Position as well as governmental and enterprise funds defer revenue recognition in connection with resources that have been received as of year-end but not yet earned because under both the accrual and modified accrual basis of accounting revenue may be recognized only when earned. Assets recognized in connection with a transaction before the earnings process is complete are offset by a corresponding liability for advances from grantors and third parties.

The following table summarizes Advances from Grantors and third parties for the City at June 30, 2020:

	<u>Balance at June 30, 2020</u>
Governmental Activities:	
General Fund	
Dog License	\$ 75,154
Business License	1,792,752
Federal Agencies CARES	<u>7,692,039</u>
General Fund Total	9,559,945
Redevelopment Successor Agency - Housing	22,539,677
 Non-Major Funds:	
State Transportation - Grants Advanced	<u>117,626</u>
Total Governmental Activities	<u><u>\$ 32,217,248</u></u>
 Business-Type Activities:	
Wastewater Treatment	\$ 161,184
Refuse Collection	<u>127,167</u>
Total Business-Type Activities	<u><u>\$ 288,351</u></u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 10 - CAPITAL LEASE

The City entered into a long-term lease agreement in September 2005 for the acquisition of water rights with the Kern County Water Agency (KCWA). The agreement entitles the City to receive 6,500 acre feet of water per year in exchange for annual payments tied to KCWA's Water Revenue certificates of participation from 2006 and 2008, which were used for the expansion of its water treatment facility. On March 1, 2016, KCWA issued Water Revenue Refunding Bonds. These new bonds refunded the previous debt that the City's lease payments were based upon. The City's lease payments coincide with the amortization schedule for the related KCWA debt with the value of the related water rights at \$17,000,597. The total lease obligation for the term of this agreement is as follows:

Year ending	Business-Type Activities		
	Lease	Interest	Total
2021	\$ 695,722	\$ 653,095	\$ 1,348,817
2022	678,991	668,624	1,347,615
2023	712,201	636,691	1,348,892
2024	747,648	602,990	1,350,638
2025	782,515	566,907	1,349,422
2026-2030	4,523,218	2,223,265	6,746,483
2031-2035	5,550,838	1,196,923	6,747,761
2036-2040	3,309,464	239,993	3,549,457
Totals	<u>\$ 17,000,597</u>	<u>\$ 6,788,488</u>	<u>\$ 23,789,085</u>

	Balance at June 30, 2019	Additions	Principal Retirement	Balance at June 30, 2020
Business-Type Activities				
Capital Leases:				
Water rights	\$ 17,671,298	\$ -	\$ 670,701	\$ 17,000,597
	<u>\$ 17,671,298</u>	<u>\$ -</u>	<u>\$ 670,701</u>	<u>\$ 17,000,597</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT

Long-term debt transactions for the fiscal year ending June 30, 2020 are summarized below:

	Governmental	Business-Type Activities			Total
	Activities	General	Revenue	Total	Government
		Obligations	Obligations		
Payable at June 30, 2019:					
Bonds	\$ -	\$ -	\$ 160,129,574	\$ 160,129,574	\$ 160,129,574
Certificates of Participation	8,635,000	-	-	-	8,635,000
Notes	6,111,476	1,504,252	-	1,504,252	7,615,728
Contracts/Loans	-	314,215	-	314,215	314,215
Claims and Judgments Payable	48,527,301	-	-	-	48,527,301
Compensated Absences	15,521,678	1,974,945	-	1,974,945	17,496,623
Subtotal	78,795,455	3,793,412	160,129,574	163,922,986	242,718,441
New debt incurred:					
Bonds	-	-	10,525,000	10,525,000	10,525,000
Contracts/Loans	-	41,522	-	41,522	41,522
Claims and Judgments Payable	7,966,890	-	-	-	7,966,890
Compensated Absences	11,570,837	1,434,881	-	1,434,881	13,005,718
Subtotal	19,537,727	1,476,403	10,525,000	12,001,403	31,539,130
Principal reductions:					
Bonds	-	-	31,828,241	31,828,241	31,828,241
Certificates of Participation	2,760,000	-	-	-	2,760,000
Notes	1,227,678	752,125	-	752,125	1,979,803
Compensated Absences	8,557,454	1,077,029	-	1,077,029	9,634,483
Subtotal	12,545,132	1,829,154	31,828,241	33,657,395	46,202,527
Payable at June 30, 2020:					
Bonds	-	-	138,826,333	138,826,333	138,826,333
Certificates of Participation	5,875,000	-	-	-	5,875,000
Notes	4,883,798	752,127	-	752,127	5,635,925
Contracts/Loans	-	355,737	-	355,737	355,737
Claims and Judgments Payable	56,494,191	-	-	-	56,494,191
Compensated Absences	18,535,061	2,332,797	-	2,332,797	20,867,858
Total Payables	\$ 85,788,050	\$ 3,440,661	\$ 138,826,333	\$ 142,266,994	\$ 228,055,044

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT (continued)

	Governmental Activities	Business-Type Activities			Total Government
		General Obligations	Revenue Obligations	Total	
Due Within One Year:					
Bonds	\$ -	\$ -	\$ 8,851,778	\$ 8,851,778	\$ 8,851,778
Certificates of Participation	2,875,000	-	-	-	2,875,000
Notes	1,208,959	752,127	-	752,127	1,961,086
Total Long-term Debt	4,083,959	752,127	8,851,778	9,603,905	13,687,864
Contracts/Loans	-	355,737	-	355,737	355,737
Claims and Judgments Payable	12,724,191	-	-	-	12,724,191
Compensated Absences	3,682,448	737,523	-	737,523	4,419,971
Total Due Within One Year	<u>\$ 20,490,598</u>	<u>\$ 1,845,387</u>	<u>\$ 8,851,778</u>	<u>\$ 10,697,165</u>	<u>\$ 31,187,763</u>
Due in More Than One Year:					
Bonds	\$ -	\$ -	\$ 129,974,556	\$ 129,974,556	\$ 129,974,556
Certificates of Participation	3,000,000	-	-	-	3,000,000
Notes	3,674,839	-	-	-	3,674,839
Total Long-term Debt	6,674,839	-	129,974,556	129,974,556	136,649,395
Claims and Judgments Payable	43,770,000	-	-	-	43,770,000
Compensated Absences	14,852,613	1,595,273	-	1,595,273	16,447,886
Total Due in More Than One Year	<u>\$ 65,297,452</u>	<u>\$ 1,595,273</u>	<u>\$ 129,974,556</u>	<u>\$ 131,569,829</u>	<u>\$ 196,867,281</u>

The liability for pension-related debt, OPEB debt, and compensated absences for governmental activities is primarily liquidated by the General Fund with smaller portions charged to other funds in an amount proportional to the personnel costs incurred. The pension related debt and compensated absences for business-type activities will be paid by the respective proprietary funds.

Long-term debt payable at June 30, 2020, was comprised of the following individual issues:

Bonds

General obligation bonds serviced by business-type activities:

\$10,525,000 Wastewater Revenue Bonds 2020 Series A bonds - The proceeds from the sale of the Series 2020A Bonds, along with certain available moneys of the Enterprise, were to be used to redeem and decrease a portion of the outstanding 2015A Refunded Bonds. The original series from 2007 was refunded with these 2015 bonds, a portion of which remains outstanding. The financing was used to fund the costs of certain capital improvements at the City's wastewater and sewer collection, treatment and disposal system (specifically Treatment Plant #3) (This issue is serviced by the Wastewater Treatment Fund).

\$ 10,525,000

\$145,500,000 Wastewater Revenue Bonds 2015 Series A - The 2007 Series A bonds were refunded in 2015 with a partial call of the outstanding principal amount of \$156,750,000 as well as payment of the issuance costs. The proceeds of the original Series 2007A refunded bonds were used to finance a portion of certain capital improvements at the City's wastewater and sewage collection treatment and disposal system; interest rate of 5.00%. (This issue is serviced by the Wastewater Treatment Fund.)

\$ 109,020,000

Unamortized Bond Premium on Wastewater Revenue Bonds

19,281,333

Total Bonds

\$ 138,826,333

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT (continued)

Certificates of Participation:

Certificates of participation serviced by Transient Occupancy Tax revenue via lease payments from the City to the Redevelopment Successor Agency:

\$25,335,000 - 2006 Refunding Certificates of Participation Series A assumed by the City as the successor agency of the former redevelopment agency. Certificates are due in annual principal installments of \$900,000 to \$2,170,000 commencing October 1, 2006 through 2022; interest ranging from 4.00% to 4.25%.

\$ 4,255,000

\$9,470,000 - 2006 Refunding Certificates of Participation Series B assumed by the City as the successor agency of the former redevelopment agency. Certificates are due in annual principal installments of \$345,000 to \$830,000 commencing October 1, 2006 through 2022; interest ranging from 4.00% to 5.00%.

1,620,000

Total Certificates of Participation

\$ 5,875,000

Notes/Loans:

General obligation note serviced by Community Development Block Grant Fund (via the Municipal Debt Service Fund with Community Development Block Grant Entitlement): \$4,100,000 Housing & Urban Development (HUD) Section 108 Loan 2003 - Due in annual principal installments of \$137,000 to \$320,000 commencing August 1, 2004 through August 2022; interest ranging from 1.75% to 4.76%.

\$ 916,000

General obligation note serviced by Community Development Block Grant Fund (via the Municipal Debt Service Fund with Community Development Block Grant Entitlement): \$800,000 HUD Section 108 Loan 2003 - due in annual principal installments of \$24,000 to \$61,000 commencing August 1, 2005 through August 2023; interest ranging from 1.61% to 4.76%.

226,000

General obligation note serviced by Community Development Block Grant Fund (via the Municipal Debt Service Fund with Community Development Block Grant Entitlement), \$1,800,000 HUD Section 108 Loan 009 - due in annual principal installments of \$140,000 to \$230,000 commencing August 2010 through August 2021; interest ranging from 0.56% to 3.73%.

283,000

General obligation loan serviced by General Fund (via the Municipal Debt Service Fund): \$126,274 PG&E loan used for an energy efficient lighting upgrade at Rabobank Theater. The payments will be made starting March 12, 2018 in 54 monthly payments of \$2,338.40. This loan contains no interest charges.

60,798

General obligation loan serviced by General Fund (via the Municipal Debt Service Fund): \$1,420,717 PG&E loan used for an energy efficient lighting upgrade throughout the city. The payments will be made in 80 monthly payments of \$17,758.96. This loans contain no interest charges.

1,172,091

General obligation loan serviced by General Fund (via the Municipal Debt Service Fund): \$1,979,307 PG&E loan used for an energy efficient lighting upgrade throughout the city. The payments will be made in 80 monthly payments of \$24,137.89. This loans contain no interest charges.

1,665,514

General obligation loan serviced by General Fund (via the Municipal Debt Service Fund): \$736,517 PG&E loan used for an energy efficient lighting upgrade throughout the city. The payments will be made in 46 monthly payments of \$16,011. This loans contain no interest charges.

557,394

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT (continued)

General obligation notes serviced by Business-Type Activities:

\$14,263,555 note payable to California State Water Resources Control Board - Original advances of \$14,954,054 payable without interest in twenty annual installments beginning in fiscal year 2004-05 by the Wastewater Treatment Fund.

Total general obligation notes/loans payable

	752,127
	<u>\$ 5,632,924</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT (continued)

Compensated Absences:

Government Activities	\$ 18,535,061
Business-Type Activities	<u>2,332,796</u>
Total Compensated Absences	<u>\$ 20,867,857</u>

A summary of the City's debt service requirements outstanding at June 30, 2020, is as follows:

	<u>Total Government</u>
Principal:	
Governmental Activities	\$ 85,788,050
Business-Type Activities:	
General Obligations	3,440,661
Revenue Obligations	<u>138,826,333</u>
Subtotal - Principal	<u>228,055,044</u>
Less: Claims and Judgments Payable included above that bear no interest and have no schedule of repayment terms	56,494,191
Less: Kern River Levee District Payable included above that bears no interest and has no schedule of repayment terms	355,737
Less: Unamortized premium for Wastewater revenue bond	19,281,334
Less: Compensated Absences included above that bear no interest and have no schedule of repayment terms	<u>20,867,857</u>
Total Principal with Scheduled Repayment Terms	131,055,927
Interest on Obligations	<u>40,817,209</u>
Total Debt Service Requirements	<u>\$ 171,873,136</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 11 - LONG-TERM DEBT (continued)

The annual requirement to amortize the principal and interest on long-term debt at June 30, 2020 is as follows:

Government-Type Activities						
Year ending	Principal			Interest		
	Bonds/COP	Notes/Loans	Total	Bonds	Notes/Loans	Total
2021	\$ 2,875,000	\$ 1,208,959	\$ 4,083,959	\$ 256,625	\$ 30,500	\$ 287,125
2022	3,000,000	1,222,959	4,222,959	133,724	17,811	151,535
2023	-	1,061,562	1,061,562	-	6,339	6,339
2024	-	563,763	563,763	-	854	854
2025	-	502,763	502,763	-	-	-
2026-2030	-	323,791	323,791	-	-	-
Totals	<u>\$ 5,875,000</u>	<u>\$ 4,883,797</u>	<u>\$ 10,758,797</u>	<u>\$ 390,349</u>	<u>\$ 55,504</u>	<u>\$ 445,853</u>
Business-Type Activities						
Year ending	Principal			Interest		
	Bonds/COP	Notes/Loans	Total	Bonds	Notes/Loans	Total
2021	\$ 7,245,000	\$ 752,127	\$ 7,997,127	\$ 5,660,177	\$ 150,429	\$ 5,810,606
2022	7,670,000	-	7,670,000	5,423,250	-	5,423,250
2023	7,995,000	-	7,995,000	5,031,625	-	5,031,625
2024	8,450,000	-	8,450,000	4,620,500	-	4,620,500
2025	8,920,000	-	8,920,000	4,186,250	-	4,186,250
2026-2030	52,280,000	-	52,280,000	13,561,500	-	13,561,500
2031-2035	26,985,000	-	26,985,000	1,737,625	-	1,737,625
Totals	<u>\$ 119,545,000</u>	<u>\$ 752,127</u>	<u>\$ 120,297,127</u>	<u>\$ 40,220,927</u>	<u>\$ 150,429</u>	<u>\$ 40,371,356</u>
Total Reporting Entity						
Year Ending	Principal			Interest		
	Bonds/COP	Notes/Loans	Total	Bonds/COP	Notes/Loans	Total
2021	\$ 10,120,000	\$ 1,961,086	\$ 12,081,086	\$ 5,916,802	\$ 180,929	\$ 6,097,731
2022	10,670,000	1,222,959	11,892,959	5,556,974	17,811	5,574,785
2023	7,995,000	1,061,562	9,056,562	5,031,625	6,339	5,037,964
2024	8,450,000	563,763	9,013,763	4,620,500	854	4,621,354
2025	8,920,000	502,763	9,422,763	4,186,250	-	4,186,250
2026-2030	52,280,000	323,794	52,603,794	13,561,500	-	13,561,500
2031-2035	26,985,000	-	26,985,000	1,737,625	-	1,737,625
Totals	<u>\$ 125,420,000</u>	<u>\$ 5,635,927</u>	<u>\$ 131,055,927</u>	<u>\$ 40,611,276</u>	<u>\$ 205,933</u>	<u>\$ 40,817,209</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 12 - PLEDGED REVENUES

The City has pledged net revenues generated by the Wastewater Enterprise Fund to repay a total of \$151.5 million in wastewater revenue bonds series 2015A issued to finance a portion of the expansion and improvement of the City's wastewater and sewage collection and disposal system.

Each fiscal year, net revenues means all revenues of the enterprise fund received during the fiscal year less operation and maintenance costs for that fiscal year. The pledge of net revenues does not constitute a lien upon any property of the City. Proceeds of the bonds provided financing for expansion and upgrade of Wastewater Treatment Plant #3, and improvements to Wastewater Treatment Plant #2. The bonds are payable through 2034 for 2015A bonds. The covenants of the ordinances authorizing the bonds include, among other things, an obligation of the City to fix, prescribe, revise, and collect rates, fees, and charges for the services and facilities of the system and revise the same whenever necessary, which will provide gross revenues in each fiscal year sufficient to pay the cost of operation and maintenance of the system; one hundred twenty five percent (125%) of the bond service requirement becoming due in such fiscal year on the outstanding bonds; plus one hundred percent (100%) of all reserve and other payments required to be made pursuant to the ordinances authorizing the bonds.

NOTE 13 - DEFERRED INFLOWS OF RESOURCES

Pursuant to GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, the City recognized deferred inflows of resources in the governmental fund financial statements. These items are an acquisition of net fund balance by the City that is applicable to a future reporting period. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities. Under the modified accrual basis of accounting, it is not enough that revenue has been earned if it is to be recognized in the current period. Revenue must also be susceptible to accrual (i.e., measurable and available to finance expenditures of the current period). Governmental funds report deferred revenues in connection with receivables for revenues not susceptible to accrual, as deferred inflows of resources.

Deferred inflows of resources balances for the year ended June 30, 2020 were as follows:

	<u>Balance at June 30, 2020</u>
General Fund	
California Water Receivable	\$ 160,281
Code Enforcement Receivable	9,334
State Agencies (SB90)	<u>3,040,418</u>
General Fund Total	<u>3,210,033</u>
CDBG - Deferred Loans	18,047,139
Gas Tax & Road Fund	22,031
Capital Outlay Fund	46,606
Non-Major Funds	
Neighborhood Stabilization	<u>5,696,872</u>
 Total Governmental Funds	 <u><u>\$ 27,022,681</u></u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 14 - FUND BALANCES

Fund balances for all major and non-major governmental funds as of June 30, 2020 are as follows (see Note 1 for description of the categories used):

	General Fund	Transient Occupancy Taxes Fund	Community Development Block Grant Fund	Gas Tax & Road Fund	Capital Outlay Fund	Park Improvement Fund	Transportation Development Fund	Redevelopment Successor Agency - Housing Fund	Non-Major Governmental Funds	Total
Nonspendable										
Prepays/Deposits	\$ 44,314	\$ -	\$ -	\$ -	\$ 924,365	\$ -	\$ -	\$ -	\$ -	\$ 968,679
Subtotal	44,314	-	-	-	924,365	-	-	-	-	968,679
Restricted										
Development services grants	-	-	905,671	-	-	-	-	-	-	905,671
Development Services projects	-	-	-	-	-	-	-	2,523,121	-	2,523,121
Police services grants	-	-	-	-	-	-	-	-	2,237,395	2,237,395
Fire services grants	-	-	-	-	-	-	-	-	748,820	748,820
Public works grants	-	-	-	8,663,949	-	-	-	-	-	8,663,949
Subtotal	-	-	905,671	8,663,949	-	-	-	2,523,121	2,986,215	15,078,956
Committed										
Legal & Professional services	51,248	-	-	-	569,944	-	-	-	-	621,192
City facility construction & refurbishment projects	-	-	-	-	23,200,320	-	-	-	-	23,200,320
Police service contracts	79,961	-	-	-	2,104,709	-	-	-	-	2,184,670
Fire service contracts	-	-	-	-	265,141	-	-	-	-	265,141
Public works improvement contracts	-	-	-	-	2,061,071	-	51,232,104	-	-	53,293,175
Park improvement contracts	-	-	-	-	271,635	5,591,620	-	-	-	5,863,255
Tourism and promotional contracts	-	80,647	-	-	-	-	-	-	-	80,647
Development Services contracts	687,333	-	-	-	1,253,053	-	-	-	-	1,940,386
Cash basis reserve	26,576,850	-	-	-	-	-	-	-	-	26,576,850
Facility replacement reserve	-	-	-	-	4,866,340	-	-	-	-	4,866,340
Appropriation for next year's budget	22,415,752	-	-	-	-	-	-	-	-	22,415,752
Subtotal	49,811,144	80,647	-	-	34,592,213	5,591,620	51,232,104	-	-	141,307,728
Assigned										
Legal & Professional services	55,510	-	-	-	-	-	-	-	-	55,510
Police operations	129,248	-	-	-	-	-	-	-	-	129,248
Fire operations	86,176	-	-	-	-	-	-	-	-	86,176
Public works - General Services department	43,013	-	-	-	-	-	-	-	-	43,013
Facility improvements	-	-	-	-	3,279,904	-	-	-	-	3,279,904
Highway and road projects	-	-	-	-	31,596,014	-	-	-	-	31,596,014
Tourism and promotional contracts	-	2,501,162	-	-	-	-	-	-	-	2,501,162
Park development projects	74,427	-	-	-	-	-	-	-	-	74,427
Community development projects	52,020	-	-	-	-	-	-	-	-	52,020
Other miscellaneous agreements	27,174	-	-	-	-	-	-	-	-	27,174
Petty Cash accounts	28,570	-	-	-	-	-	-	-	-	28,570
Compensated absences	3,264,114	-	-	-	-	-	-	-	-	3,264,114
Public Safety and Vital Services	15,108,989	-	-	-	-	-	-	-	-	15,108,989
Subtotal	18,869,241	2,501,162	-	-	34,875,918	-	-	-	-	56,246,321
Unassigned	-	-	-	-	-	-	-	-	-	-
Total	\$ 68,724,699	\$ 2,581,809	\$ 905,671	\$ 8,663,949	\$ 70,392,496	\$ 5,591,620	\$ 51,232,104	\$ 2,523,121	\$ 2,986,215	\$ 213,601,684

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 15 - REIMBURSABLE DEVELOPER COSTS

Reimbursable developer costs of \$1,812,327 at June 30, 2020 are included in customer deposits in the Domestic Water Fund which represent amounts due to developers for construction of water mainline extensions and certain other water facilities. For mainline extensions transferred to the City after June 30, 1982, the developers are to be reimbursed based on revenues generated from the water sales associated with these mainline extensions. The City is required to reimburse 2.5% of the cost of the extension on a yearly basis with the total amount to be reimbursed within 40 years.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS

General

The City of Bakersfield provides pension benefits to eligible full-time employees in three separate plans: the Miscellaneous Plan, the Safety Fire Plan, and the Safety Police Plan, all of which are included in the Public Agency portion of the California Public Employees' Retirement System (CalPERS).

Miscellaneous Plan

Plan Description

The City's Miscellaneous Plan is a defined benefit pension plan that provides retirement and disability benefits, annual cost-of-living adjustments (COLA), and death benefits to plan members and beneficiaries. The Miscellaneous Plan is an agent multiple-employer plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions, as well as other requirements, is established by State statutes within the Public Employees' Retirement Law. The City selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance. CalPERS issues a separate comprehensive annual financial report. Copies of the CalPERS' annual financial report may be obtained from their Executive Office - 400 P Street – Sacramento, CA 95814.

Benefits Provided

The benefits provided through the CalPERS Miscellaneous Plan include retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The City has three tiers through CalPERS under the Miscellaneous employee plan. Tier I is applicable to all employees hired before August 20, 2008 with a formula of 3% at age 60. Earliest retirement age is 50 with final compensation based on 12 months at the highest rate of pay received. Tier II is applicable to employees hired after August 20, 2008 and before January 1, 2013 with a formula of 2.7% at age 55. Earliest retirement age is 50 with final compensation based on 36 months at the highest rate of pay received. Tier III is applicable to employees hired after January 1, 2013 with a formula of 2% at age 62, which is a result of the Public Employees' Pension Reform Act of 2013 (PEPRA). PEPRA also lowered the final compensation and contribution requirements. Earliest retirement age is 52 with final compensation, subject to the PEPRA limit of \$151,549, based on 36 months at the highest rate of pay received.

Contributions and Employees Covered

Active plan members in the CalPERS Miscellaneous Plan may be required to contribute a particular percent of their annual pay depending on the applicable plan they fall under. Tier I and Tier II employees will pay 8% of their salary while those employees under PEPRA (Tier III) will pay 6.25 of their salary. In addition, employees in Tier I and Tier II have 7.5% of their contribution picked-up by the City after five years of service.

Section 20814(c) of the California Public Employees' Retirement Law (PERL) requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. The total plan contributions are determined through CalPERS' annual actuarial valuation process. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The employer is required to contribute the difference between the actuarially determined rate and the contribution rate of employees. It is the responsibility of the employer to make necessary accounting adjustments to reflect the impact due to any Employer Paid Member Contributions or situations where members are paying a portion of the employer contribution.

As of June 30, 2019 (the measurement date), there are 949 active employees and 954 inactive employees or beneficiaries receiving benefits. For the fiscal year ended June 30, 2020, the employee contribution rate was 7.485 percent of annual pay, and the employer's minimum contribution rate was 30.713 percent of annual payroll. Employer contribution rates may change if plan contracts are amended.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Actuarial Methods and Assumptions

For the measurement period ended June 30, 2019 (the measurement date), the total pension liability was determined by rolling forward the June 30, 2018 total pension liability. The June 30, 2018 and the June 30, 2019 total pension liabilities were based on the following actuarial methods and assumptions:

Actuarial Cost Method	Entry Age Normal
	Fair Value of Assets. For details, see
	June 30, 2016 Funding Valuation
Asset Valuation Method	Report
Inflation Rate	2.50%
Salary Increases	Varies by Entry Age and Service
Payroll Growth	2.75%
Investment Rate of Return	7.15% [a]
Mortality [b]	

[a] Net of Pension Plan Investment and Administrative Expenses; includes inflation.

[b] Pre-retirement and Post-retirement mortality rates include 15 years of projected mortality improvements using Society of Actuaries 90% of scale MP-2016. For more details on this table, please refer to the December 2017 experience study report.

All other actuarial assumptions used in the June 30, 2019 valuation were based on the results of an actuarial experience study dated 2017 which was derived from data collected for the period from 1997 to 2015, including updates to salary increases, mortality and retirement rates. The 2017 Experience Study report can be obtained at CalPERS' website under Forms and Publications.

Discount Rate

The discount rate used to measure the total pension liability was 7.15 percent. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested plans run out of assets. Therefore, the current 7.15 percent discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The long-term expected discount rate of 7.15 percent is applied to all plans in the Public Employees Retirement Fund. The stress test results are presented in a detailed report called "GASB Crossover Testing Report" that can be obtained at CalPERS' website under the GASB Statement No. 68 section.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

The table below reflects long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. The target allocation shown was adopted by the CalPERS' Board effective on July 1, 2016.

Asset Class	Assumed Asset Allocation	Real Return Years 1-10 [a]	Real Return Years 11+ [b]
Global Equity	50.0%	4.80%	5.98%
Fixed Income	28.0%	1.00%	2.62%
Inflation Assets	0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0%	(0.92%)

[a] An expected inflation of 2.0% used for this period.

[b] An expected inflation of 2.92% used for this period.

Changes in Net Pension Liability

The change in the Net Pension Liability recognized over the measurement period is as follows:

MISCELLANEOUS PLAN	Total Pension Liability [1]	Increase (Decrease) Plan Fiduciary Net Position [2]	Net Pension Liability [3]=[1] - [2]
Balance at June 30, 2018 [a]	\$ 566,995,807	\$ 405,238,078	\$ 161,757,729
Changes Recognized for the Measurement Period:			
- Service Cost	9,761,680	-	9,761,680
- Interest on the Total Pension Liability	40,017,148	-	40,017,148
- Changes of Benefit Terms	-	-	-
- Differences between Expected and Actual Experience	1,681,960	-	1,681,960
- Changes of Assumptions	-	-	-
- Plan to Plan Movement	-	-	-
- Contributions - Employer	-	15,201,992	(15,201,992)
- Contributions - Employees	-	3,956,979	(3,956,979)
- Net Investment Income	-	26,318,678	(26,318,678)
- Benefit Payments Including Refund of Employee Contributions	(27,756,407)	(27,756,407)	-
- Administrative Expenses	-	(289,187)	289,187
- Other Misc Income/(Expense) [b]	-	939	(939)
Net Changes during 2018-19	23,704,381	17,432,994	6,271,387
Balance at June 30, 2019 [a]	\$ 590,700,188	\$ 422,671,072	\$ 168,029,116

[a] The fiduciary net position includes receivables for employee service buybacks, deficiency reserves, fiduciary, self-insurance and OPEB expense. This may be different from the plan assets reported in the funding actuarial valuation report.

[b] During Fiscal Year 2017-18, as a result of Governmental Standards Board Statement (GASB) No. 75, *Accounting and Financial Reporting for Postemployment Benefits Plans Other than Pensions* (GASB 75), CalPERS reported its proportionate share of activity related to postemployment benefits for participation in the State of California's agent OPEB plan. Accordingly, CalPERS recorded a one-time expense as a result of the adoption of GASB 75.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

	Discount Rate - 1% (6.15%)	Current Discount Rate (7.15 %)	Discount Rate + 1% (8.15%)
MISCELLANEOUS PLAN			
Plan Net Pension Liability	\$ 246,161,068	\$ 168,029,116	\$ 103,338,408

Recognition of Gains and Losses

Under GASB Statement No. 68, gains and losses related to changes in total pension liability and fiduciary net position are recognized in pension expense systematically over time.

The first amortized amounts are recognized in pension expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflows and deferred inflows of resources related to pensions and are to be recognized in future pension expense.

The amortization period differs depending on the source of the gain or loss. The difference between projected and actual earnings is a five year straight-line amortization. All other amounts are amortized using straight-line amortization over the average expected remaining service lives of all members that are provided with benefits (active, inactive, and retired) as of the beginning of the measurement period.

The expected average remaining service lifetime (EARS�) for the plan for the June 30, 2019 measurement date is 3.7 years, which is obtained by dividing the total service years of 10,410 (the sum of remaining lifetimes of active employees) by 2,780 (the total number of participants: active, inactive, and retired). Note that inactive employees and retirees have remaining service lifetimes equal to 0. Also note that total future service is based on the members' probability of decrementing due to an event other than receiving a cash refund.

Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of the start of the measurement period (July 1, 2019), the net pension liability/(asset) is \$161,757,729. For the measurement period ending June 30, 2019 (the measurement date), the City incurred a pension expense/(income) of \$27,366,744 for the plan. Note that no adjustments have been made for contributions subsequent to the measurement date. Adequate treatment of any contributions made after the measurement date is the responsibility of the employer.

As of June 30, 2020, the City had deferred outflows of resources related to pensions of \$20,592,035 for contributions made subsequent to the measurement date, \$4,444,588 for changes of assumptions, and \$1,227,376 for the differences between expected and actual experience. Deferred inflows of resources related to pensions were \$1,410,114 for changes in assumptions and \$3,471,677 for differences between expected and actual experiences, and \$1,842,805 for the net difference between projected and actual earnings on pension plan investments.

Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in future pension revenue and expense amortized annually as follows:

Measurement Periods Ended June 30:	Deferred Outflows/(Inflows) of Resources
2020	\$3,178,616
2021	\$(4,458,424)
2022	\$(228,390)
2023	\$455,569
Remaining	\$0

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Safety Fire Plan

Plan Description

The City's Safety Fire Plan is a defined benefit pension plan that provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The Safety Fire Plan is an agent multiple-employer plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions, as well as other requirements, is established by State statutes within the Public Employees' Retirement Law. The City selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance. CalPERS issues a separate comprehensive annual financial report. Copies of the CalPERS' annual financial report may be obtained from their Executive Office - 400 P Street – Sacramento, CA 95814.

Benefits Provided

The benefits provided through the CalPERS Safety Fire Plan include retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The City has three tiers through CalPERS under the Safety Fire employee plan. Tier I is applicable to all employees hired before January 1, 2011 with a formula of 3% at age 50. Earliest retirement age is 50 with final compensation based on 12 months at the highest rate of pay received. Tier II is applicable to employees hired after January 1, 2011 and before January 1, 2013 with a formula of 2.0% at age 50. Earliest retirement age is 50 with final compensation based on 36 months at the highest rate of pay received. Tier III is applicable to employees hired after January 1, 2013 with a formula of 2% at age 57, which is a result of PEPRA. PEPRA also lowered the final compensation and contribution requirements. Earliest retirement age is 50 with final compensation, subject to the PEPRA limit of \$151,549, based on 36 months at the highest rate of pay received.

Contributions and Employees Covered

Active plan members in the CalPERS Safety Fire Plan may be required to contribute a particular percent of their annual pay depending on the applicable plan they fall under. Tier I and Tier II employees will pay 9% of their salary while those employees under PEPRA (Tier III) will pay 11.75% of their salary. In addition, employees in Tier I have 8% of their contribution picked-up by the City after five years of service.

Section 20814(c) of the California PERL requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. The total plan contributions are determined through CalPERS' annual actuarial valuation process. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The employer is required to contribute the difference between the actuarially determined rate and the contribution rate of employees. It is the responsibility of the employer to make necessary accounting adjustments to reflect the impact due to any Employer Paid Member Contributions or situations where members are paying a portion of the employer contribution.

As of June 30, 2019 (the measurement date), there are 173 active employees and 227 inactive employees or beneficiaries receiving benefits. For the fiscal year ended June 30, 2020, the employee contribution rate was 9.235 percent of annual pay, and the employer's minimum contribution rate was 48.133 percent of annual payroll. Employer contribution rates may change if plan contracts are amended.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Actuarial Methods and Assumptions

For the measurement period ended June 30, 2019 (the measurement date), the total pension liability was determined by rolling forward the June 30, 2018 total pension liability. The June 30, 2018 and the June 30, 2019 total pension liabilities were based on the following actuarial methods and assumptions:

Actuarial Cost Method	Entry Age Normal
	Fair Value of Assets. For details, see
	June 30, 2016 Funding Valuation
Asset Valuation Method	Report.
Salary Increases	2.75%
Salary Increases	Varies by Entry Age and Service
Payroll Growth	2.50%
Investment Rate of Return	7.15% [a]
Mortality [b]	

[a] Net of Pension Plan Investment and Administrative Expenses; includes inflation.

[b] Pre-retirement and Post-retirement mortality rates include 15 years of projected mortality improvements using Society of Actuaries 90% of scale MP-2016. For more details on this table, please refer to the December 2017 experience study report.

All other actuarial assumptions used in the June 30, 2019 valuation were based on the results of an actuarial experience study dated 2017 which was derived from data collected for the period from 1997 to 2015, including updates to salary increases, mortality and retirement rates. The 2017 Experience Study report can be obtained at CalPERS' website under Forms and Publications.

Discount Rate

The discount rate used to measure the total pension liability was 7.15 percent. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested plans run out of assets. Therefore, the current 7.15 percent discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The long-term expected discount rate of 7.15 percent is applied to all plans in the Public Employees Retirement Fund. The stress test results are presented in a detailed report called "GASB Crossover Testing Report" that can be obtained at CalPERS' website under the GASB Statement No. 68 section.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

The table below reflects long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. The target allocation shown was adopted by the CalPERS Board effective on July 1, 2016.

Asset Class	Assumed Asset Allocation	Real Return Years 1-10 [a]	Real Return Years 11+ [b]
Global Equity	50.0%	4.80%	5.98%
Fixed Income	28.0%	1.00%	2.62%
Inflation Assets	0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0%	(0.92%)

[a] An expected inflation of 2.00% used for this period.

[b] An expected inflation of 2.92% used for this period.

Changes in Net Pension Liability

The change in the Net Pension Liability recognized over the measurement period is as follows:

	Total Pension Liability	Increase (Decrease) Plan Fiduciary Net Position	Net Pension Liability
	[1]	[2]	[3]=[1] - [2]
SAFETY FIRE PLAN			
Balance at June 30, 2018 [a]	\$ 291,630,432	\$ 209,359,732	\$ 82,270,700
Changes Recognized for the Measurement Period:			
- Service Cost	4,554,882	-	4,554,882
- Interest on the Total Pension Liability	20,357,836	-	20,357,836
- Changes of Benefit Terms	-	-	-
- Differences between Expected and Actual Experience	(1,450,007)	-	(1,450,007)
- Changes of Assumptions	-	-	-
- Plan to Plan Resource Movement	-	7,433,992	(7,433,992)
- Contributions - Employer	-	1,590,164	(1,590,164)
- Contributions - Employees	-	13,562,717	(13,562,717)
- Net Investment Income	-	-	-
- Benefit Payments Including Refund of Employee Contributions	(15,465,768)	(15,465,768)	-
- Administrative Expenses	-	(149,404)	149,404
- Other Misc Income/(Expense) [b]	-	487	(487)
Net Changes during 2018-19	7,996,943	6,972,188	1,024,755
Balance at June 30, 2019 [a]	\$ 299,627,375	\$ 216,331,920	\$ 83,295,455

[a] The fiduciary net position includes receivables for employee service buybacks, deficiency reserves, fiduciary, self-insurance and OPEB expense. This may be different from the plan assets reported in the funding actuarial valuation report.

[b] During Fiscal Year 2017-18, as a result of Governmental Standards Board Statement (GASB) No. 75, *Accounting and Financial Reporting for Postemployment Benefits Plans Other than Pensions* (GASB 75), CalPERS reported its proportionate share of activity related to postemployment benefits for participation in the State of California's agent OPEB plan. Accordingly, CalPERS recorded a one-time expense as a result of the adoption of GASB 75.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

	Discount Rate - 1% (6.15%)	Current Discount Rate (7.15%)	Discount Rate + 1% (8.15%)
SAFETY FIRE PLAN			
Plan Net Pension Liability	\$ 123,330,906	\$ 83,295,455	\$ 50,358,296

Recognition of Gains and Losses

Under GASB Statement No. 68, gains and losses related to changes in total pension liability and fiduciary net position are recognized in pension expense systematically over time.

The first amortized amounts are recognized in pension expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflows and deferred inflows of resources related to pensions and are to be recognized in future pension expense.

The amortization period differs depending on the source of the gain or loss. The difference between projected and actual earnings is a five year straight-line amortization. All other amounts are amortized using straight-line amortization over the average expected remaining service lives of all members that are provided with benefits (active, inactive, and retired) as of the beginning of the measurement period.

The expected average remaining service lifetime (EARSL) for the plan for the June 30, 2019 measurement date is 5.7 years, which is obtained by dividing the total service years of 2,505 (the sum of remaining lifetimes of active employees) by 441 (the total number of participants: active, inactive, and retired). Note that inactive employees and retirees have remaining service lifetimes equal to 0. Also note that total future service is based on the members' probability of decrementing due to an event other than receiving a cash refund.

Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of the start of the measurement period (July 1, 2019), the net pension liability/(asset) is \$82,270,700. For the measurement period ending June 30, 2019 (the measurement date), the City incurred a pension expense/(income) of \$12,637,403 for the plan. Note that no adjustments have been made for contributions subsequent to the measurement date. Adequate treatment of any contributions made after the measurement date is the responsibility of the employer.

As of June 30, 2020, the City had deferred outflows of resources related to pensions of \$9,645,594 for contributions made subsequent to the measurement date, \$7,156,812 for changes of assumptions, \$273,347 for the differences between expected and actual experiences and \$0 for the net difference between projected and actual earnings on pension plan investments. Deferred inflows of resources related to pensions were \$1,193,144 for changes in assumptions and \$3,460,295 for differences between expected and actual experiences, and \$916,370 for the net difference between projected and actual earnings on pension plan investments.

Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in future pension revenue and expense amortized annually as follows:

Measurement Periods Ended June 30:	Deferred Outflows/(Inflows) of Resources
2020	\$2,382,409
2021	\$3,886
2022	\$(53,332)
2023	\$(294,541)
2024	\$(178,072)
Remaining	\$0

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Safety Police Plan

Plan Description

The City's Safety Police Plan is a defined benefit pension plan that provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The Safety Police Plan is an agent multiple-employer plan administered by CalPERS, which acts as a common investment and administrative agent for participating public employers within the State of California. A menu of benefit provisions, as well as other requirements, is established by State statutes within the Public Employees' Retirement Law. The City selects optional benefit provisions from the benefit menu by contract with CalPERS and adopts those benefits through local ordinance. CalPERS issues a separate comprehensive annual financial report. Copies of the CalPERS' annual financial report may be obtained from their Executive Office - 400 P Street – Sacramento, CA 95814.

Benefits Provided

The benefits provided through the CalPERS Safety Police Plan include retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. The City has three tiers through CalPERS under the Safety Police employee plan. Tier I is applicable to all employees hired before January 1, 2011 with a formula of 3% at age 50. Earliest retirement age is 50 with final compensation based on 12 months at the highest rate of pay received. Tier II is applicable to employees hired after January 1, 2011 and before January 1, 2013 with a formula of 2.0% at age 50. Earliest retirement age is 50 with final compensation based on 36 months at the highest rate of pay received. Tier III is applicable to employees hired after January 1, 2013 with a formula of 2% at age 57, which is a result of the PEPRA. PEPRA also lowered the final compensation and contribution requirements. Earliest retirement age is 50 with final compensation, subject to the PEPRA limit of \$151,549, based on 36 months at the highest rate of pay received.

Contributions and Employees Covered

Active plan members in the CalPERS Safety Police Plan may be required to contribute a particular percent of their annual pay depending on the applicable plan they fall under. Tier I and Tier II employees will pay 9% of their salary while those employees under PEPRA (Tier III) will pay 13.25% of their salary. In addition, employees in Tier I have 8% their contribution picked-up by the City after five years of service.

Section 20814(c) of the California PERL requires that the employer contribution rates for all public employers be determined on an annual basis by the actuary and shall be effective on the July 1 following notice of a change in the rate. The total plan contributions are determined through CalPERS' annual actuarial valuation process. The actuarially determined rate is the estimated amount necessary to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. The employer is required to contribute the difference between the actuarially determined rate and the contribution rate of employees.

As of June 30, 2019 (the measurement date), there are 385 active employees and 445 inactive employees or beneficiaries receiving benefits. For the fiscal year ended June 30, 2020, the employee contribution rate was 9.797 percent of annual pay, and the employer's minimum contribution rate was 52.909 percent of annual payroll. Employer contribution rates may change if plan contracts are amended.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Actuarial Methods and Assumptions

For the measurement period ended June 30, 2019 (the measurement date), the total pension liability was determined by rolling forward the June 30, 2018 total pension liability. The June 30, 2018 and the June 30, 2019 total pension liabilities were based on the following actuarial methods and assumptions:

Actuarial Cost Method	Entry Age Normal
	Fair Value of Assets. For details, see
	June 30, 2016 Funding Valuation
Asset Valuation Method	Report
Inflation Rate	2.75%
Salary Increases	Varies by Entry Age and Services
Payroll Growth	2.50%
Investment Rate of Return	7.15%[a]
Mortality[b]	

[a] Net of Pension Plan Investment and Administrative Expenses; includes inflation.

[b] Pre-retirement and Post-retirement mortality rates include 15 years of projected mortality improvements using Society of Actuaries 90% of scale MP-2106. For more details on this table, please refer to the December 2017 experience study report.

All other actuarial assumptions used in the June 30, 2019 valuation were based on the results of an actuarial experience study dated 2017 which was derived from data collected for the period from 1997 to 2015, including updates to salary increases, mortality and retirement rates. The 2017 Experience Study report can be obtained at CalPERS' website under Forms and Publications.

Discount Rate

The discount rate used to measure the total pension liability was 7.15 percent. To determine whether the municipal bond rate should be used in the calculation of a discount rate for each plan, CalPERS stress tested plans that would most likely result in a discount rate that would be different from the actuarially assumed discount rate. Based on the testing, none of the tested plans run out of assets. Therefore, the current 7.15 percent discount rate is adequate and the use of the municipal bond rate calculation is not necessary. The long-term expected discount rate of 7.15 percent is applied to all plans in the Public Employees Retirement Fund. The stress test results are presented in a detailed report called "GASB Crossover Testing Report" that can be obtained at CalPERS' website under the GASB Statement No. 68 section.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class.

In determining the long-term expected rate of return, CalPERS took into account both short-term and long-term market return expectations as well as the expected pension fund cash flows. Using historical returns of all the funds' asset classes, expected compound (geometric) returns were calculated over the short-term (first 10 years) and the long-term (11+ years) using a building-block approach. Using the expected nominal returns for both short-term and long-term, the present value of benefits was calculated for each fund. The expected rate of return was set by calculating the rounded single equivalent expected return that arrived at the same present value of benefits for cash flows as the one calculated using both short-term and long-term returns. The expected rate of return was then set equal to the the single equivalent rate calculated above and adjusted to account for assumed administrative expenses.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

The table below reflects long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. The target allocation shown was adopted by the CalPERS Board effective on July 1, 2016.

Asset Class	Assumed Asset Allocation	Real Return Years 1-10 [a]	Real Return Years 11+ [b]
Global Equity	50.0%	4.80%	5.98%
Fixed Income	28.0%	1.00%	2.62%
Inflation Assets	0%	0.77%	1.81%
Private Equity	8.0%	6.30%	7.23%
Real Assets	13.0%	3.75%	4.93%
Liquidity	1.0%	0%	(0.92%)

[a] An expected inflation of 2.00% used for this period.

[b] An expected inflation of 2.92% used for this period.

Changes in Net Pension Liability

The change in the Net Pension Liability recognized over the measurement period is as follows:

	Total Pension Liability	Increase (Decrease) Plan Fiduciary Net Position	Net Pension Liability
SAFETY POLICE PLAN	[1]	[2]	[3]=[1] - [2]
Balance at June 30, 2018 [a]	\$ 504,873,449	\$ 320,024,365	\$ 184,849,084
Changes Recognized for the Measurement Period:			
- Service Cost	10,370,024	-	10,370,024
- Interest on the Total Pension Liability	35,663,211	-	35,663,211
- Changes of Benefit Terms	-	-	-
- Differences between Expected and Actual Experience	1,031,548	-	1,031,548
- Changes in Assumptions	-	-	-
- Plan to Plan Resource Movement	-	-	-
- Contributions - Employer	-	17,184,398	(17,184,398)
- Contributions -Employees	-	3,604,241	(3,604,241)
- Net Investment Income	-	20,791,992	(20,791,992)
- Benefit Payments Including Refunds of Employee Contributions	(24,607,704)	(24,607,704)	-
- Administrative Expenses	-	(228,376)	228,376
- Other Misc Income/(Expense) [b]	-	735	(735)
Net Changes during 2018-19	22,457,079	16,745,286	5,711,793
Balance at June 30, 2019 [a]	\$ 527,330,528	\$ 336,769,651	\$ 190,560,877

[a] The fiduciary net position includes receivables for employee service buybacks, deficiency reserves, fiduciary self-insurance and OPEB expense. This may be different from the plan assets reported in the funding actuarial valuation report.

[b] During Fiscal Year 2017-18, as a result of Governmental Standards Board Statement (GASB) No. 75, *Accounting and Financial Reporting for Postemployment Benefits Plans Other than Pensions* (GASB 75), CalPERS reported its proportionate share of activity related to postemployment benefits for participation in the State of California's agent OPEB plan. Accordingly, CalPERS recorded a one-time expense as a result of the adoption of GASB 75.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

	Discount Rate - 1% (6.15%)	Current Discount Rate (7.15 %)	Discount Rate + 1% (8.15%)
<u>SAFETY POLICE PLAN</u>			
Plan Net Pension Liability	\$ 266,623,965	\$ 190,560,872	\$ 128,724,864

Recognition of Gains and Losses

Under GASB Statement No. 68, gains and losses related to changes in total pension liability and fiduciary net position are recognized in pension expense systematically over time.

The first amortized amounts are recognized in pension expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflows and deferred inflows of resources related to pensions and are to be recognized in future pension expense.

The amortization period differs depending on the source of the gain or loss. The difference between projected and actual earnings is a five year straight-line amortization. All other amounts are amortized using straight-line amortization over the average expected remaining service lives of all members that are provided with benefits (active, inactive, and retired) as of the beginning of the measurement period.

The expected average remaining service lifetime (EARSL) for the plan for the June 30, 2019 measurement date is 5.4 years, which is obtained by dividing the total service years of 4,934 (the sum of remaining lifetimes of active employees) by 919 (the total number of participants: active, inactive, and retired). Note that inactive employees and retirees have remaining service lifetimes equal to 0. Also note that total future service is based on the members' probability of decrementing due to an event other than receiving a cash refund.

Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

As of the start of the measurement period (July 1, 2019), the net pension liability/(asset) is \$184,849,084. For the measurement period ending June 30, 2019 (the measurement date), the City incurred a pension expense/(income) of \$28,092,825 for the plan. Note that no adjustments have been made for contributions subsequent to the measurement date. Adequate treatment of any contributions made after the measurement date is the responsibility of the employer.

As of June 30, 2020, the City had deferred outflows of resources related to pensions of \$20,997,751 for contributions made subsequent to the measurement date, \$13,542,205 for changes of assumptions, \$3,366,320 for differences between expected and actual experiences and \$0 for the net difference between projected and actual earnings on pension plan investments. Deferred inflows of resources related to pensions were \$2,155,809 for changes in assumptions and \$1,680,363 for differences between expected and actual experiences, and \$1,427,550 for the net difference between projected and actual earnings on pension plan investments.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 16 - EMPLOYEE RETIREMENT BENEFITS (continued)

Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in future pension revenue and expense amortized annually as follows:

Measurement Periods Ended June 30:	Deferred Outflows/(Inflows) of Resources			
2020	\$6,114,890			
2021	\$2,597,253			
2022	\$2,352,367			
2023	\$503,880			
2024	\$76,413			
Remaining	\$0			

CITYWIDE PENSION PLAN TOTALS	Miscellaneous Plan	Safety Fire Plan	Safety Police Plan	Citywide Total
Net Pension Liability	\$ 168,029,116	\$ 83,295,455	\$ 190,560,877	\$ 441,885,448
Deferred Outflows of Resources				
Contributions Made Subsequent to Measurement Date	20,592,035	9,645,594	20,997,751	51,235,380
Differences Between Expected and Actual Experiences	-	273,347	3,366,320	3,639,667
Changes of Assumptions	4,444,588	7,156,812	13,542,205	25,143,605
Total Deferred Outflows of Resources	<u>\$ 25,036,623</u>	<u>\$ 17,075,753</u>	<u>\$ 37,906,276</u>	<u>\$ 80,018,652</u>
Deferred Inflows of Resources				
Differences Between Expected and Actual Experience	\$ 3,471,677	\$ 3,460,295	1,680,363	\$ 8,612,335
Net Differences Between Projected and Actual Earnings	615,429	916,370	1,427,550	2,959,349
Changes of Assumptions	1,410,114	1,193,144	2,155,809	4,759,067
Total Deferred Inflows of Resources	<u>5,497,220</u>	<u>5,569,809</u>	<u>5,263,722</u>	<u>16,330,751</u>
Pension Liability Expense	<u>\$ 27,366,744</u>	<u>\$ 12,637,403</u>	<u>\$ 28,092,825</u>	<u>\$ 68,096,972</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 17 - OTHER POST-EMPLOYMENT BENEFITS (OPEB)

Single Employer OPEB

Plan description: In addition to the employee retirement benefits described in Note 16, the City provides a single-employer Post-Employment Retiree Medical Benefit Plan in accordance with a resolution approved by City Council. Two primary plans exist. All employees with a retirement date prior to January 1, 1985 were eligible for benefits upon retirement. Post-1985 employees must retire with fifteen years accumulated service upon retirement to participate. The service requirement is waived for safety employees who retire with a job-related disability.

Employees hired after the dates listed below will not participate in either of the retiree health subsidy programs mentioned:

Miscellaneous Employees	February 22, 2006
Management and Supervisory	March 22, 2006
Fire Safety	May 5, 2006
Police Safety	May 24, 2006

Benefits provided: For employees hired prior to the dates listed above, the City provides lifetime postretirement medical benefits for eligible retirees and qualified dependents with a choice of three medical options: Blue Shield PPO, Kaiser High Deductible Health Plan, and Kaiser Permanente HMO. Mental Health benefits are carved out and provided through Optum Behavioral Health. After reaching eligibility for Medicare, retirees are offered a choice of Blue Shield PPO, Blue Shield Medicare Advantage HMO or Kaiser Senior Advantage HMO. Retirees may also elect dental coverage but must self-pay the premiums for such coverage. Vision coverage is not offered to retirees. Retiree rates are unblended from employee rates.

Employees covered by benefit terms: At June 30, 2020 the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefit payments	757
Active employees	513
	<u>1,270</u>

Contributions. The City contributes 3% of the lowest single-party rate per year of service to a maximum of 90%. If the dollar amount is greater than the premium for a retiree covered under one of the Medicare Advantage plans, the retiree receives a cash reimbursement of the difference to a maximum of \$42.50 per month. The City also contributes 42% of the Blue Shield PPO for all retirees who elect the Blue Shield PPO plan, excluding Miscellaneous employees hired after April 1, 1996 and Safety employees hired after April 1, 1998. The City has approximately 513 active employees who are eligible for the same level of post-employment benefits and 757 retirees (and/or dependents) currently receiving benefits as of the actuarial dated June 30, 2020. There is not a separate, audited GAAP-basis pension report available for the Post-Employment Retiree Medical Benefit Plan.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 17 - OTHER POST-EMPLOYMENT BENEFITS (OPEB) (continued)

Net OPEB Liability

The City's net OPEB liability was measured as of June 30, 2019, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of that date.

Actuarial assumptions. The total OPEB liability as of June 30, 2019 was determined by an actuarial valuations as of June 30, 2019. The actuarial assumptions used in the June 30, 2019 valuation were based on the December 2017 experience study performed by the CalPERS actuary derived from the data collected during fiscal years 1997 to 2015.

Data	Detailed census data, premium data and/or claim experience, and summary plan descriptions for OPEB are provided by the City of Bakersfield
Actuarial Cost Method	Entry Age Normal, Level percent of pay
Asset Valuation Method	Fair Value
Measurement Date	June 30, 2018
Discount Rate	5.00%
Inflation Rate	2.50%
Payroll Growth	3.00%
Salary Increases	Wage inflation rate (2.75%) plus merit and promotional increases of between 3.34% to 13.02% based on years of service Based on the 2017 experience study performed by CalPERS derived from data collected during fiscal years 1997-2015.
Mortality	

The long-term expected rate of return on OPEB Plan investments was determined using a building-block method in which expected future real rates of return (expected returns, net of OPEB Plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage, and by adding expected inflation and subtracting expected investment expenses and a risk margin. The target allocation and projected arithmetic real rates of return, after deducting inflation, but before deducting investment expenses, used in the derivation of the long-term expected rate of return assumption are summarized in the following table:

Asset Class	Target Allocation	Long-Term (Arithmetic) Expected Real Rate of Return (1)
Domestic Equity	24.34%	6.40%
Developed International Equity	4.26	7.40
Emerging Markets Equity	2.01	9.80
Core Fixed Income	65.25	1.75
Real Estate	0.83	5.10
Short Term Money Market	3.31	1.10
Total	100%	

(1) Long-term nominal rate of return less inflation of 2.5%. Municipal Bond Rate: 3.5% and 3.58% based on the 20-year municipal rate for the Bond Buyer 20-Bond Go Index as of June 30, 2020 and 2017, respectively.

Discount rate. The discount rate used to measure the total OPEB liability was 5.00% as of June 30, 2018 and 5.00% as of June 30, 2017. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that City contributions will be made at the rates equal to the actuarially determined

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 17 - OTHER POST-EMPLOYMENT BENEFITS (OPEB) (continued)

Net OPEB Liability (continued)

contribution rates. For this purpose, only City contributions that are intended to fund benefits of current plan members and their beneficiaries are included. Projected City contributions that are intended to fund the service costs of future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the OPEB Plan's assets were projected to be sufficient to make all projected OPEB payments for current plan members. Therefore, the long-term expected rate of return on OPEB Plan investments was applied to all periods of projected benefit payments to determine the total OPEB liability as of both June 30, 2019 and June 30, 2018.

Changes in the Net OPEB Liability

	Increase (Decrease)		
	Total OPEB Liability	Plan Fiduciary Net Position	Net OPEB Liability
	(a)	(b)	(a) - (b)
Beginning balances	\$ 143,707,623	\$ 66,455,250	\$ 77,252,373
Changes for the year:			
Service cost	1,861,902	-	1,861,902
Interest	7,113,376	-	7,113,376
Differences between expected and actual experience	(20,451,948)	-	(20,451,948)
Changes of assumptions and methods	3,844,143	-	3,844,143
Employer contributions	-	7,940,057	(7,940,057)
Net investment income	-	4,882,723	(4,882,723)
Benefit payments	(6,604,007)	(6,604,007)	-
Administrative expense	-	(196,306)	196,306
Net changes	(14,236,534)	6,022,467	(20,259,001)
Ending balance	\$ 129,471,089	\$ 72,477,717	\$ 56,993,372

Sensitivity of the net OPEB liability to changes in the discount rate. The following presents the net OPEB liability of the City as of June 30, 2019, calculated using the discount rate of 5.00%, as well as what the City's net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (4.0 percent) or 1-percentage point higher (6.0 percent) than the current discount rate:

	1% Decrease (4.0%)	Discount Rate (5.0%)	1% Increase (6.0%)
Net OPEB liability as of June 30, 2019	\$ 77,545,870	\$ 56,993,372	\$ 40,525,237

Sensitivity of the net OPEB liability to changes in the healthcare cost trend rates. The following presents the net OPEB liability of the City as of June 30, 2019, calculated using the current healthcare cost trend rates as well as what the City's net OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	Healthcare Cost		
	1% Decrease*	Trend Rates*	1% Increase*
Net OPEB liability as of June 30, 2019	\$ 40,010,450	\$ 56,993,372	\$ 78,193,868

*Current trend rates: 6.75% graded to 4.50% over 10 year for City "Years of Service" Formula subsidy, 6.75% graded to 4.50% over 10 years for Special 42% Contribution Non-Medicare subsidy, and 6.25% graded to 4.50% over 8 years for Special 42% Contribution Medicare subsidy.

OPEB Plan fiduciary net position. Detailed information about the OPEB Plan's fiduciary net position is available in the separately issued actuarial report.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 17 - OTHER POST-EMPLOYMENT BENEFITS (OPEB) (continued)

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the reporting period year ended June 30, 2020, the City recognized OPEB expense of \$(844,655). At June 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Governmental Activities		Business-type Activities	
	Deferred Outflows of Resources	Deferred Inflows of Resources	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of assumptions	\$ 2,494,793	\$ 1,664,477	\$ 427,491	\$ 285,215
Net difference between projected and actual earnings on OPEB Plan investments	-	15,498,253	-	2,655,688
Net excess of projected over actual earnings on OPEB Plan investments	-	491,897	-	84,288
City contributions subsequent to the measurement date	5,828,285	-	998,700	-
Total	<u>\$ 8,323,078</u>	<u>\$ 17,654,627</u>	<u>\$ 1,426,191</u>	<u>\$ 3,025,191</u>

The amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB are recognized in OPEB expenses as follows:

Fiscal Year Ended:	Governmental Activities Amount	Business-type Activities Amount
2021	\$ (5,689,982)	\$ (975,001)
2022	(5,135,752)	(880,032)
2023	(3,494,599)	(598,814)
2024	(839,500)	(143,852)
Thereafter	\$ -	\$ -

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 18 -SPECIAL ASSESSMENT DISTRICTS

In addition to the Long-Term Obligations discussed in Note 11, the following Long-Term Obligations have been issued in the name of Special Assessment Districts or Agencies of the City. Neither the City, nor its Agencies, are obligated in any manner for the repayment of these obligations. The City acts as an agent to property owners for the collection and repayment of Special Assessment Debt.

	Outstanding at June 30, 2020
Assessment District 01-1* (Ming at Allen/Mountain Vista; Hampton Place)	\$ 280,000
Assessment District 01-2* (Seven Oaks West II/Riverwalk/Southern Oaks)	1,090,000
Assessment District 01-3* (Mountain Vista/San Lauren)	765,000
Assessment District 02-1* (Avalon/Belsera/Montara/The Woods)	355,000
Assessment District 03-1* (Brighton Place/Silver Creek II)	730,000
Assessment District 03-2* (Buena Vista Ranch/Belsera II/Monstera II/Olive Park II)	580,000
Assessment District 03-3* (Seven Oaks West III/Brighton Place)	1,635,000
Assessment District 04-1** (Countryside/The Homestead)	1,150,000
Assessment District 04-2** (BL/BV/ST@Allen Com)	1,395,000
Assessment District 04-3** (Solera/Rio Vista)	950,000
Assessment District 05-1 (City in the Hills)	5,890,000
Assessment District 05-3** (Liberty II/Village Green/Tesoro/Encanto)	2,785,000
Assessment District 06-1** (Etcheverry/Lin II/University Park)	2,350,000
Assessment District 07-2 (Sydney Harbour)	1,170,000
	<u>\$ 21,125,000</u>

**Note: These ten districts were refinanced into a consolidated district (12-01) with the California Statewide Communities Development Authority (CSCDA). The City continues to account for the underlying obligation of each district to properly monitor the individual principal balances and various maturity dates.*

***Note: These five districts were refinanced into a consolidated district (15-01). The City continues to account for the underlying obligation of each district to properly monitor the individual principal balances and various maturity dates.*

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 19 - RISK MANAGEMENT

Self-Insurance

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City established a Self-Insurance Fund (an internal service fund) to account for and finance its uninsured risks of loss. Under this program, the Self-Insurance Fund provides coverage for up to \$500,000 for each workers' compensation claim and \$1,000,000 for each liability claim. The City participates in a joint powers authority for workers' compensation claims in excess of coverage provided by the fund up to statutory limits and participates in a joint powers authority for any excess liability claims. All funds of the City participate in the program and are charged for their share of claim expenditures. The claims liability of \$56,494,191 at June 30, 2020 is based on the requirements of GASB Statement No. 10, which requires that a liability for claims be reported if information prior to the issuance of the financial statements indicates that it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be reasonably estimated. An estimate of incurred but not reported claims has been included in the liability based on the various percentages of loss reserves.

Changes in the fund's claims liability over the last three fiscal years is shown below:

	Liability at Beginning of Year	Current Year Claims and Changes in Estimates	Claims Payments	Liability at End of Year
2017-2018	\$ 44,624,392	\$ 14,674,483	\$ 11,734,224	\$ 47,564,651
2018-2019	47,564,651	14,538,671	13,576,021	48,527,301
2019-2020	48,527,301	21,759,156	13,792,266	56,494,191

Joint Powers Authority

The City has obtained excess liability coverage through the Authority for California Cities Excess Liability (ACCEL), a joint powers authority of medium-size California municipalities. ACCEL pools catastrophic general liability, automobile liability and public officials' errors and omissions losses, or purchases excess insurance, depending on market conditions. Each member's share of pooled costs will depend on the catastrophic losses of all the members. In addition, the cost to a member city will also depend on that member's own loss experience. Entities with a consistent record of costly claims will pay more than entities with a consistent record of less serious claims activity.

In order to provide funds to pay claims, or purchase excess insurance, ACCEL collects a deposit from each member. The deposits will be credited with investment income at the rate earned on ACCEL's investments. Based on information received from ACCEL as of June 30, 2020, the City had \$1,000,347 on deposit with ACCEL out of a total of approximately \$9,839,598.

The following municipalities are also members of ACCEL: Palo Alto, Santa Barbara, Visalia, Modesto, Ontario, Santa Monica, Anaheim, Santa Cruz, Mountain View, Burbank, Monterey, and Gardena. A representative from each member city, appointed to the position by their respective city councils, serves on the Board of Directors (Board) of ACCEL. The Board is responsible for deciding the risks ACCEL will underwrite, monitoring the costs of large claims and arranging financial programs. Each member of the Board has an equal vote in matters concerning ACCEL.

As of June 30, 2020, ACCEL had no long-term debt. Included in total liabilities is an estimated retrospectively rated refund of \$0. Complete financial statements of ACCEL can be obtained at the City's Finance Department at 1600 Truxtun Avenue, Bakersfield, CA 93301.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 19 - RISK MANAGEMENT (continued)

A summary of the financial information for ACCEL at June 30, 2020 is as follows:

Total assets	\$ 40,427,154
Total liabilities	<u>42,597,533</u>
 Total members' net position	 <u>\$ (2,170,379)</u>
 Total revenues	 \$ 24,305,949
Total expenses	<u>28,250,181</u>
 Net change in members' net position	 <u>\$ (3,944,232)</u>

NOTE 20 - COMMITMENTS AND CONTINGENCIES

Several claims and suits have been filed against the City in the normal course of business. In the opinion of management and the City Attorney, the potential liability of the City for such claims will not have a material adverse effect on the financial statements of the City. Also, the City has certain commitments under long-term construction projects which will be funded out of future revenues.

The entire capacity of the former sanitary landfill has been used. The State has required environmental closure and capping of the City's former sanitary landfill and remediation of the adjacent burn dump. Although these two waste disposal areas are adjacent to each other, the City completed the remediation of the burn dump separately, through the State's Expedited Remedial Action Program, in 1998. The cost of remediation for the burn dump of \$1.8 million was funded by the City's Refuse Service Fund and was expensed in prior fiscal years. The landfill closure was completed in May 2013 at a cost of \$4.8 million. The City's net share of this joint City/County project was approximately \$3 million. Kern County reimbursed the City for the remaining \$1.8 million.

The City will be required to perform post-closure monitoring and maintenance of the landfill after it is closed and capped. This will result in an ongoing annual cost of approximately \$150,000. The City will be responsible for about \$125,000 of these annual charges because most of these costs will be for the landfill gas management system, which is the City's responsibility. Kern County will be responsible for reimbursing the City for the remainder. City management anticipates all closure and post-closure costs being covered by annual Refuse Service Fund revenues. These estimates of cost are subject to future adjustment for inflation or deflation, technology, or applicable laws or regulations.

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 21 - ENCUMBRANCES

Under encumbrance accounting, purchase orders, contracts and other commitments for the expenditure of monies are recorded as encumbrances in order to reserve that portion of the applicable appropriation. Encumbrances outstanding as of June 30, 2020 consisted of the following:

Governmental Funds:

Major Funds:

General Fund	\$ 1,286,109
Transient Occupancy Taxes Fund	80,647
Community Development Block Grant Fund	1,356,047
Gas Tax & Road Fund	162,920,883
Capital Outlay Fund	29,919,946
Park Improvement Fund	15,950
Transportation Development Fund	19,169,306
Redevelopment Successor Agency - Housing	251,215

Non-Major Funds:

State (TDA) Transportation Fund	191,314
State Safety Fund	131,136

Proprietary Funds:

Major Funds:

Wastewater Treatment Fund	3,698,961
Refuse Collection Fund	395,558
River & Agriculture Water Fund	352,436
Domestic Water Fund	2,198,918
General Aviation Fund	11,100
Offstreet Parking Fund	117,113

Internal Service Funds:

Self-Insurance Fund	138,882
Equipment Management Fund	10,624,835
	<u>\$232,860,356</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 22 - CONDUIT DEBT OBLIGATIONS

The City has been associated with the issuance of various health care, residential care, mortgage, commercial and industrial development debt issues. These debt obligations were issued under provisions of State and Federal laws that explicitly state that they do not constitute any indebtedness of the City. The City's sole involvement with these bonds was their issuance under the City's name or the City Council's authorization. As such, the following conduit debt obligations are not reflected in the accompanying basic financial statements:

	Authorized and Issued	Current Outstanding at June 30, 2020
City of Bakersfield - Cottonwood Village Housing Bond, Series 2004	\$ 5,000,000	\$ 5,000,000
City of Bakersfield - Cottonwood Court Housing Bond, Series 2004	1,950,000	1,950,000
City of Bakersfield - St. John Manor Housing Bond, Series 2006	3,867,794	2,465,756
City of Bakersfield - Coventry Apartments Housing Bond, Series 2007M	5,300,000	3,399,132
City of Bakersfield - Catholic Healthcare West 501(c)(3) Nonprofit Bond, Series A thru L	676,250,000	240,000,000
City of Bakersfield - Descanso Place Housing Bond, Series TT	13,000,000	1,400,000
City of Bakersfield - Bakersfield Family Apartments Housing Bond, Series 2008R	10,971,000	1,060,317
City of Bakersfield - Camellia Place Housing Bond, Series 2009R	619,138	619,118
City of Bakersfield - Eucalyptus Village I Housing Bond, Series 2012-E1	1,295,000	1,295,000
City of Bakersfield - Eucalyptus Village II Housing Bond, Series 2012-E2	4,275,000	4,275,000
City of Bakersfield - American Baptist Homes of The West 501(c)(3) Nonprofit Bond, Series 2015	52,080,000	52,080,000
TOTAL		<u>\$ 313,544,323</u>

CITY OF BAKERSFIELD

Notes to the Financial Statements

NOTE 23 - PRIOR PERIOD ADJUSTMENTS

During the fiscal year ended June 30, 2020, the City made the following prior period adjustment to restate the net position for governmental activities related fund balance for: 1) Net Position for Governmental Activities was adjusted after review of capital assets identified capital asset additions and disposals were not properly recorded. See corresponding changes in statements on p. 24.

Activity	Net Position Accounts		
	July 1, 2019 as previously reported	Adjustment	July 1, 2019, as restated
Net Position - Governmental Activities	\$ 1,141,286,874	\$ 2,512,504	\$ 1,143,799,378

NOTE 24 -SUBSEQUENT EVENT

In preparing these financial statements, the City has evaluated events and transactions for potential recognition or disclosure through **January 25, 2021**, the date the financial statements were available to be issued.

As a result of the spread of the COVID-19 pandemic, there are economic uncertainties that continue to generate the possibility of negative impacts to the City. The full extent of the financial impact is unknown at this time.

To help mitigate those impacts On August 12, 2020, the City Council amended the budget to establish appropriations of Federal Coronavirus Relief Fund CARES Act dollars, via the State of California's Department of Finance. As part of the State's adopted FY 2021 budget, approximately \$33.5 million in funding will be passed from the State to the City to provide assistance to the City, individuals, businesses and non-profits in response to the economic and public health related impacts of COVID-19. These funds will be used to reimburse some costs incurred in fiscal year 2019-20 and programs initiated in fiscal year 2020-21.

CITY OF BAKERSFIELD

Required Supplementary Information

BUDGETARY INFORMATION

Through the budget process, the City Council sets the direction of the City, allocates its resources and establishes its priorities. The Annual Budget assures the efficient and effective use of the City's economic resources, as well as establishing that the highest priority objectives are accomplished. Budgets are adopted for all governmental fund types and are prepared on a basis consistent with accounting principles generally accepted in the United States of America.

The Annual Budget serves from July 1 to June 30, and is a vehicle that accurately and openly communicates these priorities to the community, businesses, vendors, employees and other public agencies. Additionally, it establishes the foundation of effective financial planning by providing resource planning, performance measures and controls that permit the evaluation and adjustment of the City's performance.

The City's budget is prepared and based on four expenditure categories: personnel, supplies and services, minor capital outlay and capital improvement programs. The first three listed are considered operational in nature and known as *recurring costs*. Capital improvement projects are asset acquisitions, facilities systems, and infrastructure improvements typically over \$50,000, and/or those items "outside" of the normal operational budget. These are known as *one-time costs*.

The City collects and records revenue and expenditures within the following categories:

- Governmental Activities
- Business-Type Activities

The Governmental Funds include the General Fund, Special Revenue, Debt Service and Capital Projects funds. All funding sources are kept separate for both reporting and use of the money. The General Fund is where most City services are funded that are not required to be segregated.

The budget process begins as a team effort in January of each year, starting with an annual strategic planning meeting. Then the individual departments use projected revenue assumptions to prioritize and recommend the next fiscal year's objectives. The City Manager's Office and the Finance Department review all budget proposals and revenues assumptions, as well as all current financial obligations before preparing the document that is proposed to the City Council. The City Council reviews the Proposed Budget through a series of workshops, and the final adoption of the budget is normally scheduled for the second City Council meeting each June.

At the beginning of each fiscal year, certain appropriations are "carried forward" from the prior budget year. These items generally relate to either open encumbrances that exist at June 30, or capital projects that were budgeted in the prior fiscal year that did not progress to the encumbrance stage as of June 30. The City Manager's Office approves all carryovers that are not encumbered as of June 30 of each year.

The amounts carried forward from fiscal year ended June 30, 2019 to fiscal year ended June 30, 2020 totaled \$427,943,242.

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

BUDGETARY INFORMATION (continued)

These following schedules represent budgetary comparisons for the General Fund and all major special revenue funds within the City.

**Budgetary Comparison Schedule, General Fund
For the Fiscal Year Ended June 30, 2020**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
Fund Balance, July 1	\$ 54,632,934	\$ 54,632,934	\$ 54,632,934	\$ -
Revenues:				
Taxes	235,026,800	241,181,800	245,011,776	3,829,976
Licenses and permits	2,867,405	2,867,405	3,138,985	271,580
Intergovernmental	2,261,300	8,281,873	6,784,347	(1,497,526)
Charges for services	24,218,556	24,472,120	23,486,070	(986,050)
Fines, forfeitures and assessments	760,000	760,000	823,556	63,556
Interest income	395,000	395,000	1,151,675	756,675
Contributions and donations	170,000	584,106	511,590	(72,516)
Other	965,939	965,939	2,200,864	1,234,925
Transfers from other funds	5,500,000	1,200,000	1,200,000	-
Amount available for appropriation	<u>\$ 272,165,000</u>	<u>\$ 280,708,243</u>	<u>\$ 284,308,863</u>	<u>\$ 3,600,620</u>
Expenditures:				
General government	\$ 16,250,680	\$ 16,706,919	\$ 14,546,339	\$ 2,160,580
Public safety - Police	108,009,886	110,843,541	105,126,720	5,716,821
Public safety - Fire	43,257,951	44,396,056	43,301,126	1,094,930
Public works	24,816,429	25,766,487	23,836,283	1,930,204
Recreation and parks	23,114,837	23,421,627	22,198,374	1,223,253
Development services	13,171,219	18,979,576	11,054,347	7,925,229
Non-departmental	14,772,436	19,029,011	8,285,675	10,743,336
Contingency	250,000	250,000	4,869	245,131
Transfers to other funds	44,331,562	41,863,365	41,863,365	-
Total charges to appropriations	<u>287,975,000</u>	<u>301,256,582</u>	<u>270,217,098</u>	<u>31,039,484</u>
Amount of resources over (under) charges to appropriations	<u>(15,810,000)</u>	<u>(20,548,339)</u>	<u>14,091,765</u>	<u>34,640,104</u>
Fund balance, June 30	<u>\$ 38,822,934</u>	<u>\$ 34,084,595</u>	<u>\$ 68,724,699</u>	<u>\$ 34,640,104</u>

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

BUDGETARY INFORMATION (continued)

Budgetary Comparison Schedule, Transient Occupancy Taxes Fund For the Fiscal Year Ended June 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Fund Balance, July 1	\$ 1,002,829	\$ 1,002,829	\$ 1,002,829	\$ -
Revenues:				
Taxes	9,900,000	9,900,000	8,913,147	(986,853)
Charges for services	9,595,582	9,595,582	7,149,064	(2,446,518)
Interest income	40,000	40,000	100,521	60,521
Contributions and donations	1,200,000	1,200,000	1,200,000	-
Other income	-	-	555,609	555,609
Transfers from other funds	-	10,000	10,000	-
Amount available for appropriation	\$ 20,735,582	\$ 20,745,582	\$ 17,928,341	\$ (2,817,241)
Expenditures:				
General government	\$ 11,125,537	\$ 11,270,797	\$ 9,070,045	\$ 2,200,752
Non-departmental	3,134,526	3,134,526	3,134,525	1
Transfers to other funds	6,293,349	6,293,349	4,144,791	2,148,558
Total charges to appropriations	20,553,412	20,698,672	16,349,361	4,349,311
Amount of resources over (under) charges to appropriations	182,170	46,910	1,578,980	1,532,070
Fund balance, June 30	\$ 1,184,999	\$ 1,049,739	\$ 2,581,809	\$ 1,532,070

Budgetary Comparison Schedule, Community Development Block Grant Fund For the Fiscal Year Ended June 30, 2020

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
Fund Balance, July 1	\$ 616,909	\$ 616,909	\$ 616,909	\$ -
Revenues:				
Intergovernmental	5,922,653	18,052,335	6,890,815	(11,161,520)
Charges for services	-	-	5,934	5,934
Interest income	-	-	1,556	1,556
Loan payments	175,868	175,868	241,524	65,656
Other income	-	-	8,832	8,832
Transfer from other funds	-	371,871	371,871	-
Amount available for appropriation	\$ 6,098,521	\$ 18,600,074	\$ 7,520,532	\$ (11,079,542)
Expenditures:				
Community development	\$ 3,700,251	\$ 13,261,417	\$ 4,755,680	\$ 8,505,737
Capital outlay	1,973,097	4,858,822	1,963,300	2,895,522
Transfers to other funds	512,791	512,791	512,790	1
Total charges to appropriations	6,186,139	18,633,030	7,231,770	11,401,260
Amount of resources over (under) charges to appropriations	(87,618)	32,956	288,762	321,718
Fund balance, June 30	\$ 529,291	\$ 583,953	\$ 905,671	\$ 321,718

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

BUDGETARY INFORMATION (continued)**Budgetary Comparison Schedule, Gas Tax & Road Fund
For the Fiscal Year Ended June 30, 2020**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
Fund Balance, July 1	<u>\$ 12,902,757</u>	<u>\$ 12,902,757</u>	<u>\$ 12,902,757</u>	<u>\$ -</u>
Revenues:				
Intergovernmental	20,341,976	290,165,227	109,112,347	(181,052,880)
Charges for service	-	40,000	73,584	33,584
Fines, forfeitures and assessments	40,000	40,000	43,671	3,671
Interest income	205,000	205,000	146,626	(58,374)
Amount available for appropriation	<u>\$ 20,586,976</u>	<u>\$ 290,450,227</u>	<u>\$ 109,376,228</u>	<u>\$ (181,073,999)</u>
Expenditures:				
Public works	\$ 3,800,975	\$ 3,800,975	\$ 3,494,733	\$ 306,242
Capital outlay	<u>16,140,814</u>	<u>299,145,764</u>	<u>110,120,303</u>	<u>189,025,461</u>
Total charges to appropriations	<u>(19,941,789)</u>	<u>(302,946,739)</u>	<u>113,615,036</u>	<u>189,331,703</u>
Amount of resources over (under) charges to appropriations	<u>645,187</u>	<u>(12,496,512)</u>	<u>(4,238,808)</u>	<u>8,257,704</u>
Fund balance, June 30	<u>\$ 13,547,944</u>	<u>\$ 406,245</u>	<u>\$ 8,663,949</u>	<u>\$ 8,257,704</u>

**Budgetary Comparison Schedule, Redevelopment Successor Agency Housing Fund
For the Fiscal Year Ended June 30, 2020**

	Budgeted Amounts		Actual Amounts	Variance with Final Budget
	Original	Final		
Fund Balance, July 1	<u>\$ 2,168,569</u>	<u>\$ 2,168,569</u>	<u>\$ 2,168,569</u>	<u>\$ -</u>
Revenues:				
Charges for service	102,862	-	102,907	102,907
Interest income	10,000	-	43,540	43,540
Other income	-	-	214,840	214,840
Amount available for appropriation	<u>\$ 112,862</u>	<u>\$ -</u>	<u>\$ 361,287</u>	<u>\$ 361,287</u>
Expenditures:				
Capital outlay	-	-	6,735	(6,735)
Amount of resources over (under) charges to appropriations	<u>112,862</u>	<u>-</u>	<u>354,552</u>	<u>354,552</u>
Fund balance, June 30	<u>\$ 2,281,431</u>	<u>\$ 2,168,569</u>	<u>\$ 2,523,121</u>	<u>\$ 354,552</u>

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

DEFINED PENSION PLAN

The Schedules of Changes in Net Pension Liability and Related Ratios as of the Measurement Period ending June 30, 2019 are below:

MISCELLANEOUS PLAN [a][e]

Fiscal Year end: 2020

Measurement Date: 2019

	2019	2018	2017	2016	2015	2014
Total Pension Liability						
Service Costs	\$ 9,761,680	\$ 9,865,219	\$ 10,121,201	\$ 9,229,271	\$ 9,371,317	\$ 9,394,857
Interest on Total Pension Liability	40,017,148	38,377,061	37,355,571	36,457,017	34,880,653	33,174,032
Changes of Benefit Terms	-	-	-	-	-	-
Changes in Assumptions	-	(3,069,067)	31,112,110	-	(8,541,600)	-
Difference Between Expected and Actual Experience	1,681,960	(4,948,406)	(8,386,592)	(2,271,125)	(682,929)	-
Benefit Payments [b]	(27,756,407)	(26,111,942)	(23,977,515)	(21,951,615)	(20,655,868)	(18,737,652)
Net Change in Total Pension Liability	\$ 23,704,381	\$ 14,112,865	\$ 46,224,775	\$ 21,463,548	\$ 14,371,573	\$ 23,831,237
Total Pension Liability - Beginning	566,995,807	552,882,942	506,658,167	485,194,619	470,823,046	446,991,809
Total Pension Liability - Ending [1]	\$ 590,700,188	\$ 566,995,807	\$ 552,882,942	\$ 506,658,167	\$ 485,194,619	\$ 470,823,046
Plan Fiduciary Net Position						
Contributions - Employer	\$ 15,201,992	\$ 13,222,781	\$ 11,107,872	\$ 10,734,470	\$ 10,017,697	\$ 9,220,181
Contributions - Employee	3,956,979	4,245,043	4,188,806	4,400,305	4,653,169	4,566,671
Net Investment Income	26,318,678	32,008,762	39,138,504	1,891,631	7,966,951	53,513,763
Other Miscellaneous Income	-	-	-	-	-	-
Benefit Payments [b]	(27,756,407)	(26,111,942)	(23,977,515)	(21,951,615)	(20,655,868)	(18,737,652)
Plan to Plan Resource Movement	-	(939)	-	(40,308)	-	-
Administrative Expense	(289,187)	(597,766)	(522,173)	(218,704)	(403,815)	-
Other Misc Income/(Expense)	939	(1,135,167)	-	-	-	-
Net Change in Plan Fiduciary Net Position	\$ 17,432,994	\$ 21,630,772	\$ 29,935,494	\$ (5,184,221)	\$ 1,578,134	\$ 48,562,963
Plan Fiduciary Net Position - Beginning	\$ 405,238,078	\$ 383,607,306	\$ 353,671,812	\$ 358,856,033	\$ 357,277,899	\$ 308,714,936
Plan Fiduciary Net Position - Ending [2]	422,671,072	405,238,078	383,607,306	353,671,812	358,856,033	357,277,899
Plan Net Pension Liability - [1]-[2]	\$ 168,029,116	\$ 161,757,729	\$ 169,275,636	\$ 152,986,355	\$ 126,338,586	\$ 113,545,147
Plan Fiduciary Net Position as a Percentage of the total pension liability	71.55 %	71.47 %	69.38 %	69.80 %	73.96 %	75.88 %
Covered Employee Payroll	\$ 55,934,450	\$ 55,301,410	\$ 56,388,660	\$ 56,837,487	\$ 57,065,633	\$ 53,054,308
Plan Net Pension Liability as a Percentage of Covered Employee Payroll	300.40 %	292.50 %	300.19 %	269.16 %	221.39 %	214.02 %

Schedules of Plan Contributions

Fiscal Year End	2019	2018	2017	2016	2015	2014
Actuarially Determined Contribution [c]	\$ 15,201,992	\$ 13,222,781	\$ 11,107,872	\$ 10,734,470	\$ 10,017,697	\$ 9,220,181
Contributions in Relation to the Actuarially Determined Contribution [c]	\$ (15,201,992)	\$ (13,222,781)	\$ (11,107,872)	\$ (10,734,470)	\$ (10,017,697)	\$ (9,220,181)
Contribution Deficiency (Excess)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Covered Employee Payroll [d]	\$ 55,934,450	\$ 55,301,410	\$ 56,388,660	\$ 56,837,487	\$ 57,065,623	\$ 53,054,308
Contributions as a Percentage of Covered Employee Payroll	27.18 %	23.91 %	19.70 %	18.89 %	17.55 %	17.38 %

[a] Historical information is required only for measurement periods for which GASB Statement No. 68 is applicable. These schedules are presented to illustrate the requirement to show that information.

[b] Includes refunds of employee contributions.

[c] Employers are assumed to make contributions equal to the actuarially determined contribution. However, some employers may choose to make additional contributions towards their unfunded liability. Employer contributions for such plans exceed the actuarially determined contribution.

[d] Payroll from prior year was assumed to increase by the 2.75 percent payroll growth assumption.

[e] Additional years' information will be displayed as it becomes available.

Notes to Schedule of Changes in Net Pension Liability and Related Ratios:

Benefit Changes: The figures above do not include any liability impact that may have resulted from plan changes which occurred after the June 30, 2015 valuation date. This applies for voluntary benefit changes as well as any offers of Two Years Additional Service Credit (a.k.a. Golden Handshakes).

Changes of Assumptions: None in 2019. In 2018, the accounting discount rate reduced from 7.65 percent to 7.15 percent. In 2016, there were no changes. In 2015, amounts reported reflect an adjustment of the discount rate from 7.5 percent (net of administrative expense) to 7.65 percent (without a reduction for pension plan administrative expense). In 2014, amounts reported were based on the 7.5 percent discount rate.

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

DEFINED PENSION PLAN (continued)

SAFETY FIRE PLAN [a][e]

Fiscal Year end: 2020

Measurement Period: 2019

	2019	2018	2017	2016	2015	2014
Total Pension Liability						
Service Costs	\$ 4,554,882	\$ 4,690,651	\$ 4,691,377	\$ 3,982,592	\$ 4,038,459	\$ 4,022,753
Interest on Total Pension Liability	20,357,836	19,788,058	19,273,519	18,906,125	18,125,192	17,409,125
Changes of Benefit Terms	-	-	-	-	-	-
Changes in Assumptions	-	(1,346,780)	16,102,827	-	(4,419,326)	-
Difference Between Expected and Actual Experience	(1,450,007)	(1,205,127)	(3,292,736)	880,783	(357,892)	-
Benefit Payments [b]	(15,465,768)	(14,518,038)	(13,914,493)	(13,350,272)	(12,266,190)	(11,440,930)
Net Change in Total Pension Liability	\$ 7,996,943	\$ 7,408,764	\$ 22,860,494	\$ 10,419,228	\$ 5,120,243	\$ 9,990,948
Total Pension Liability - Beginning	291,630,432	284,221,668	261,361,174	250,941,946	245,821,703	235,830,755
Total Pension Liability - Ending [1]	\$ 299,627,375	\$ 291,630,432	\$ 284,221,668	\$ 261,361,174	\$ 250,941,946	\$ 245,821,703
Plan Fiduciary Net Position						
Contributions - Employer	\$ 7,433,992	\$ 6,452,089	\$ 5,766,115	\$ 5,299,399	\$ 4,717,136	\$ 4,243,095
Contributions - Employee	1,590,164	1,612,168	1,585,475	1,575,291	1,496,855	1,485,484
Net Investment Income	13,562,717	16,662,233	20,512,738	920,604	4,369,856	29,300,590
Other Miscellaneous Income	-	-	-	-	-	-
Benefit Payments [b]	(15,465,768)	(14,518,038)	(13,914,493)	(13,350,272)	(12,266,190)	(11,440,930)
Plan to Plan Resource Movement	-	(487)	-	-	(13)	-
Administrative Expense	(149,404)	(311,742)	(275,179)	(117,046)	(216,134)	-
Other Misc Income/(Expense)	487	(592,003)	-	-	-	-
Net Change in Plan Fiduciary Net Position	\$ 6,972,188	\$ 9,304,220	\$ 13,674,656	\$ (5,672,024)	\$ (1,898,490)	\$ 23,588,239
Plan Fiduciary Net Position - Beginning	\$ 209,359,732	\$ 200,055,512	\$ 186,380,856	\$ 192,052,880	\$ 193,951,370	\$ 170,363,131
Plan Fiduciary Net Position - Ending [2]	216,331,920	209,359,732	200,055,512	186,380,856	192,052,880	193,951,370
Plan Net Pension Liability - [1]-[2]	\$ 83,295,455	\$ 82,270,700	\$ 84,166,156	\$ 74,980,318	\$ 58,889,066	\$ 51,870,333
Plan Fiduciary Net Position as a Percentage of the total pension liability	72.20 %	71.79 %	70.39 %	71.31 %	76.53 %	78.90 %
Covered Employee Payroll	\$ 16,904,368	\$ 17,260,904	\$ 17,071,347	\$ 16,365,695	\$ 16,338,791	\$ 15,554,085
Plan Net Pension Liability as a Percentage of Covered Employee Payroll	492.75 %	476.63 %	493.03 %	458.16 %	360.42 %	333.48 %

Schedules of Plan Contributions

Fiscal Year End	2019	2018	2017	2016	2015	2014
Actuarially Determined Contribution [c]	\$ 7,433,992	\$ 6,452,089	\$ 5,766,115	\$ 5,299,399	\$ 4,717,136	\$ 4,243,095
Contributions in Relation to the Actuarially Determined Contribution [c]	\$ (7,433,992)	\$ (6,452,089)	\$ (5,766,115)	\$ (5,299,399)	\$ (4,717,136)	\$ (4,243,095)
Contribution Deficiency (Excess)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Covered Employee Payroll [d]	\$ 16,904,368	\$ 17,260,904	\$ 17,071,347	\$ 16,365,695	\$ 16,338,791	\$ 15,554,085
Contributions as a Percentage of Covered Employee Payroll	43.98 %	37.38 %	33.78 %	32.38 %	28.87 %	27.28 %

[a] Historical information is required only for measurement periods for which GASB Statement No. 68 is applicable. These schedules are presented to illustrate the requirement to show that information.

[b] Includes refunds of employee contributions.

[c] Employers are assumed to make contributions equal to the actuarially determined contribution. However, some employers may choose to make additional contributions towards their unfunded liability. Employer contributions for such plans exceed the actuarially determined contribution.

[d] Payroll from prior year was assumed to increase by the 2.75 percent payroll growth assumption.

[e] Additional years' information will be displayed as it becomes available.

Notes to Schedule of Changes in Net Pension Liability and Related Ratios:

Benefit Changes: The figures above do not include any liability impact that may have resulted from plan changes which occurred after the June 30, 2015 valuation date. This applies for voluntary benefit changes as well as any offers of Two Years Additional Service Credit (a.k.a. Golden Handshakes).

Changes of Assumptions: None in 2019. In 2018, the accounting discount rate reduced from 7.65 percent to 7.15 percent. In 2016, there were no changes. In 2015, amounts reported reflect an adjustment of the discount rate from 7.5 percent (net of administrative expense) to 7.65 percent (without a reduction for pension plan administrative expense). In 2014, amounts reported were based on the 7.5 percent discount rate.

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

DEFINED PENSION PLAN (continued)

SAFETY POLICE PLAN [a][e]

Fiscal Year End: 2020

Measurement Period: 2019

	2019	2018	2017	2016	2015	2014
Total Pension Liability						
Service Costs	\$ 10,370,024	\$ 10,220,547	\$ 10,633,847	\$ 9,484,234	\$ 8,534,322	\$ 8,823,744
Interest on Total Pension Liability	35,663,211	34,128,107	32,733,299	31,506,218	29,736,286	28,279,962
Changes of Benefit Terms	-	-	-	-	-	-
Changes in Assumptions	-	(2,726,217)	29,167,825	-	(7,760,962)	-
Difference Between Expected and Actual Experience	1,031,548	1,792,996	(3,619,242)	4,042,528	872,107	-
Benefit Payments [b]	(24,607,704)	(23,362,241)	(22,076,716)	(20,226,151)	(19,077,307)	(17,776,028)
Net Change in Total Pension Liability	\$ 22,457,079	\$ 20,053,192	\$ 46,839,013	\$ 24,806,829	\$ 12,304,446	\$ 19,327,678
Total Pension Liability - Beginning	504,873,449	484,820,257	437,981,244	413,174,415	400,869,969	381,542,291
Total Pension Liability - Ending [1]	\$ 527,330,528	\$ 504,873,449	\$ 484,820,257	\$ 437,981,244	\$ 413,174,415	\$ 400,869,969
Plan Fiduciary Net Position						
Contributions - Employer	\$ 17,184,398	\$ 15,159,139	\$ 14,646,334	\$ 13,792,487	\$ 12,287,267	\$ 10,750,572
Contributions - Employee	3,604,241	3,650,956	3,426,099	3,794,305	3,238,371	2,920,326
Net Investment Income	20,791,987	25,183,248	30,690,942	1,419,472	6,082,288	41,170,702
Other Miscellaneous Income	-	-	-	-	-	-
Benefit Payments [b]	(24,607,704)	(23,362,241)	(22,076,716)	(20,226,151)	(19,077,307)	(17,776,028)
Plan to Plan Resource Movement	-	(740)	-	40,308	-	-
Administrative Expense	(228,376)	(468,655)	(405,238)	(168,097)	(313,848)	-
Other Misc Income/(Expense)	740	(889,985)	-	-	-	-
Net Change in Plan Fiduciary Net Position	\$ 16,745,286	\$ 19,271,722	\$ 26,281,421	\$ (1,347,676)	\$ 2,216,771	\$ 37,065,572
Plan Fiduciary Net Position - Beginning	\$ 320,024,365	\$ 300,752,643	\$ 274,471,222	\$ 275,818,898	\$ 273,602,127	\$ 236,536,555
Plan Fiduciary Net Position - Ending [2]	336,769,651	320,024,365	300,752,643	274,471,222	275,818,898	273,602,127
Plan Net Pension Liability - [1]-[2]	\$ 190,560,877	\$ 184,849,084	\$ 184,067,614	\$ 163,510,022	\$ 137,355,517	\$ 127,267,842
Plan Fiduciary Net Position as a Percentage of the total pension liability	63.86 %	63.39 %	62.03 %	62.67 %	66.76 %	68.25 %
Covered Employee Payroll	\$ 35,362,400	\$ 34,555,725	\$ 35,225,410	\$ 35,046,314	\$ 30,842,116	\$ 30,496,107
Plan Net Pension Liability as a Percentage of Covered Employee Payroll	538.88 %	534.93 %	522.54 %	466.55 %	445.35 %	417.32 %

Schedules of Plan Contributions

Fiscal Year End	2019	2018	2017	2016	2015	2014
Actuarially Determined Contribution [c]	\$ 17,184,398	\$ 15,159,139	\$ 14,646,334	\$ 13,792,487	\$ 12,287,267	\$ 10,750,572
Contributions in Relation to the Actuarially Determined Contribution [c]	\$ (17,184,398)	\$ (15,159,139)	\$ (14,646,334)	\$ (13,792,487)	\$ (12,287,267)	\$ (10,750,572)
Contribution Deficiency (Excess)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Covered Employee Payroll [d]	\$ 35,362,400	\$ 34,555,725	\$ 35,225,410	\$ 35,046,314	\$ 30,842,116	\$ 30,496,107
Contributions as a Percentage of Covered Employee Payroll	48.60 %	43.87 %	41.58 %	39.36 %	39.84 %	35.25 %

[a] Historical information is required only for measurement periods for which GASB Statement No. 68 is applicable. These schedules are presented to illustrate the requirement to show that information.

[b] Includes refunds of employee contributions.

[c] Employers are assumed to make contributions equal to the actuarially determined contribution. However, some employers may choose to make additional contributions towards their unfunded liability. Employer contributions for such plans exceed the actuarially determined contribution.

[d] Payroll from prior year was assumed to increase by the 2.75 percent payroll growth assumption.

[e] Additional years' information will be displayed as it becomes available.

Notes to Schedule of Changes in Net Pension Liability and Related Ratios:

Benefit Changes: The figures above do not include any liability impact that may have resulted from plan changes which occurred after the June 30, 2015 valuation date. This applies for voluntary benefit changes as well as any offers of Two Years Additional Service Credit (a.k.a. Golden Handshakes).

Changes of Assumptions: None in 2019. In 2018, the accounting discount rate reduced from 7.65 percent to 7.15 percent. In 2016, there were no changes. In 2015, amounts reported reflect an adjustment of the discount rate from 7.5 percent (net of administrative expense) to 7.65 percent (without a reduction for pension plan administrative expense). In 2014, amounts reported were based on the 7.5 percent discount rate.

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

OTHER POST-EMPLOYMENT BENEFITS (OPEB) PLAN - SCHEDULE OF CHANGES IN THE CITY'S NET OPEB LIABILITY AND RELATED RATIOS

	2020	2019	2018
Total OPEB liability [a]			
Service Cost [b]	\$ 1,861,902	\$ 1,975,894	\$ 2,149,804
Interest	7,113,376	6,986,837	7,329,180
Difference between expected and actual experience	(20,451,948)	(762,025)	(6,042,345)
Changes of assumptions and methods	3,844,143	-	(5,330,662)
Benefit payments	(6,604,007)	(4,507,862)	(5,050,000)
Net Change in Total OPEB Liability	(14,236,534)	3,692,844	(6,944,023)
Total OPEB Liability - beginning	<u>143,707,623</u>	<u>140,014,779</u>	<u>146,958,802</u>
Total OPEB Liability - ending (a)	<u>\$ 129,471,089</u>	<u>\$ 143,707,623</u>	<u>\$ 140,014,779</u>
Plan Fiduciary Net Position			
Contributions - employer	\$ 7,940,057	\$ 7,527,447	\$ 5,050,000
Net investment income	4,882,723	2,017,934	3,011,528
Benefit payments	(6,604,007)	(4,507,862)	(5,050,000)
Administrative expense	(196,306)	(188,705)	(180,556)
Net change in Plan Fiduciary Net Position	6,022,467	4,848,814	2,830,972
Plan Fiduciary Net Position - beginning	66,455,250	61,606,436	58,775,464
Plan Fiduciary Net Position - ending (b)	<u>72,477,717</u>	<u>66,455,250</u>	<u>61,606,436</u>
Plan's Net OPEB Liability - ending (a)-(b)	<u>\$ 56,993,372</u>	<u>\$ 77,252,373</u>	<u>\$ 78,408,343</u>
 Plan Fiduciary Net Position as a percentage of the Total OPEB Liability	55.98%	46.24%	44.00%
Covered employee payroll	\$ 39,698,602	\$ 46,166,357	\$ 44,930,761
Plan Net OPEB Liability as percentage of covered employee payroll	143.57%	167.33%	174.51%

[a] additional years' information will be displayed as it becomes available

[b] The service cost is based on previous years' valuation.

CITY OF BAKERSFIELD

Required Supplementary Information (continued)

SCHEDULE OF OPEB CONTRIBUTIONS

Last Ten Fiscal Years

Year Ended June 30 Date	Actuarially Determined Contributions (ADC)	Contributions in Relation To ADC	Contribution Deficiency (Excess)	Covered Payroll	Contributions As a Percentage of Covered Payroll
2010	\$9,495,763	\$6,283,456	\$3,212,307	\$63,685,205	9.87%
2011	9,495,763	5,509,340	3,986,423	60,284,949	9.14%
2012	8,006,053	16,832,576	(8,826,523)	60,284,949	27.92%
2013	8,006,053	10,292,900	(2,286,847)	56,277,827	18.29%
2014	6,539,299	6,950,125	(410,826)	53,368,986	13.02%
2015	6,539,299	8,038,622	(1,499,323)	50,985,920	15.77%
2016	7,530,031	5,645,839	1,884,192	44,930,761	12.57%
2017	7,530,031	5,050,000	2,480,031	44,930,791	11.24%
2018	6,973,711	7,527,447	(553,736)	46,166,357	16.31%
2019	6,973,711	7,940,057	(966,346)	39,698,602	20.00%

Notes to the Schedule of OPEB Contributions

Methods and assumptions used to establish "actuarially determined contribution" (ADC) rates:

Valuation date

Actuarial cost method

Amortization method

Remaining amortization period

Asset valuation method

Actuarial assumptions:

Investment rate of return

Inflation rate

Payroll growth

Other assumptions

ADC are based on the beginning of the applicable period.

Projected Unit Credit

30-year closed, level dollar payment

18 years as of June 30, 2018

Fair value

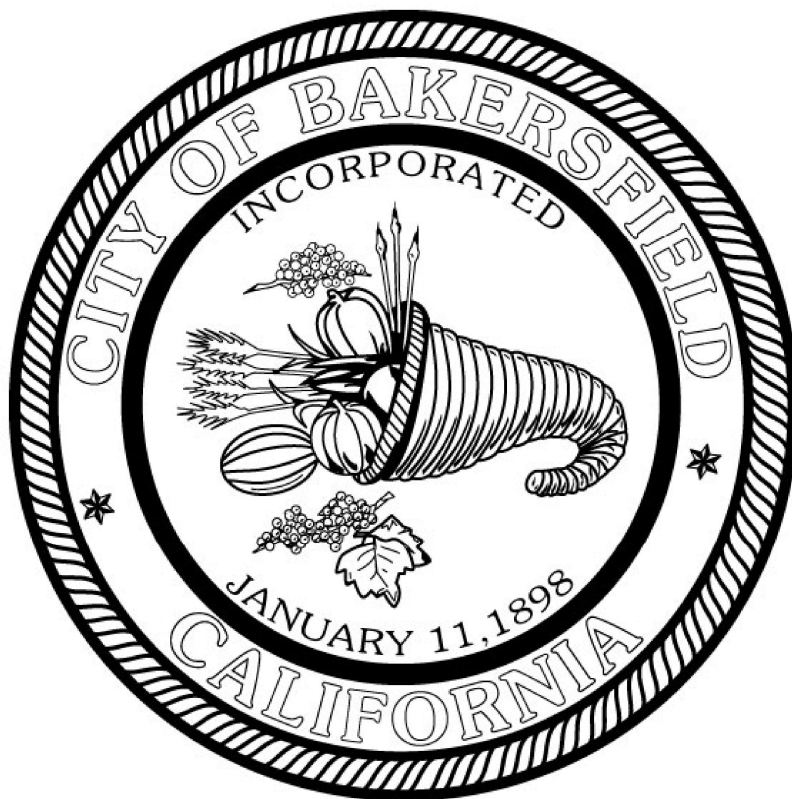
June 30, 2017 valuation

5.00%

N/A

3.00%

Same as those used in the June 30, 2017 GASB 74 actuarial valuation dated May 8, 2018



CITY OF BAKERSFIELD

Supplementary Information

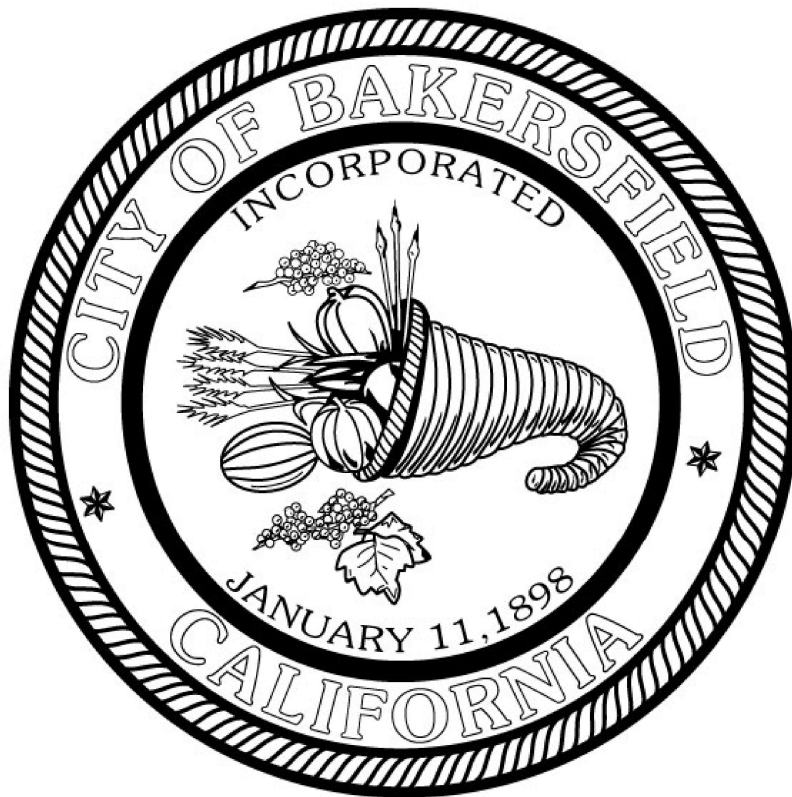
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General Fund

This fund was established to account for the revenues and expenditures to carry out basic governmental activities of the City of Bakersfield such as general government, public safety, public works and community services.

Revenues are recorded by source, i.e., taxes, licenses and permits, etc. Expenditures are made primarily on current day-to-day operations and are recorded by major functional classifications and by operating departments.

This fund accounts for all financial transactions not accounted for in another fund.



CITY OF BAKERSFIELD

**Balance Sheet
General Fund
June 30, 2020**

	<u>General Fund</u>
Assets:	
Cash and investments	\$ 35,194,867
Accounts receivable, net	8,302,273
Interest receivable	229,698
Due from other governmental agencies	31,497,968
Due from other funds	14,074,339
Prepaid items	<u>5,590</u>
 Total assets	 <u><u>\$ 89,304,735</u></u>
Liabilities, Deferred Inflows of Resources and Fund Balance:	
Liabilities:	
Accounts payable	\$ 7,810,057
Advances from grantors and third parties	<u>9,559,945</u>
 Total liabilities	 <u>17,370,002</u>
 Deferred Inflows of Resources:	
Deferred revenue	<u>3,210,033</u>
 Fund Balance:	
Nonspendable	44,314
Committed	
Cash basis reserve	26,576,850
Contractual obligations	818,543
Appropriations for new year budget	22,415,752
Assigned	
Petty cash	28,570
Non-contractual encumbrances	467,567
Compensated absences	3,264,114
Public Safety Vital Services	<u>15,108,989</u>
 Total fund balance	 <u>68,724,699</u>
 Total liabilities, deferred inflows of resources and fund balance	 <u><u>\$ 89,304,734</u></u>

CITY OF BAKERSFIELD

**Schedule of Revenues by Function - General Fund
Budget and Actual
For the Fiscal Year Ended June 30, 2020**

	Budget	Actual	Variance with Final Budget
Revenues:			
Taxes:			
Property taxes	\$ 86,082,800	\$ 85,558,776	\$ (524,024)
Sales and use taxes	144,679,000	148,259,133	3,580,133
Property transfer tax	1,100,000	1,341,620	241,620
Utility franchise tax	5,070,000	5,951,389	881,389
Business license tax	4,250,000	3,900,858	(349,142)
Total taxes	241,181,800	245,011,776	3,829,976
Licenses and permits:			
Building permits	1,700,000	1,787,475	87,475
Planning permits	74,375	69,949	(4,426)
Public works permits	585,000	780,359	195,359
Police permits	321,700	345,705	24,005
Other licenses and permits	186,330	155,497	(30,833)
Total licenses and permits	2,867,405	3,138,985	271,580
Intergovernmental:			
Federal grants	2,350,033	1,143,639	(1,206,394)
State of California	5,366,277	5,231,642	(134,635)
Other grants	565,563	409,066	(156,497)
Total intergovernmental	8,281,873	6,784,347	(1,497,526)
Charges for services:			
Building	3,062,500	3,502,257	439,757
Planning	672,346	405,923	(266,423)
Public works	1,241,750	1,179,221	(62,529)
Police	775,524	933,453	157,929
Fire	6,200,000	6,503,888	303,888
Recreation and parks	875,000	411,701	(463,299)
Interfund charges	11,485,000	10,364,922	(1,120,078)
Other charges	160,000	184,705	24,705
Total charges for services	24,472,120	23,486,070	(986,050)
Fines, forfeitures, and assessments	760,000	823,556	63,556
Miscellaneous:			
Interest income	395,000	1,057,246	662,246
Net increase (decrease) in the fair value of investments	-	94,429	94,429
Contributions and donations	584,106	511,590	(72,516)
Other income	965,939	2,200,864	1,234,925
Total miscellaneous	1,945,045	3,864,129	1,919,084
Total revenues	\$ 279,508,243	\$ 283,108,863	\$ 3,600,620

CITY OF BAKERSFIELD

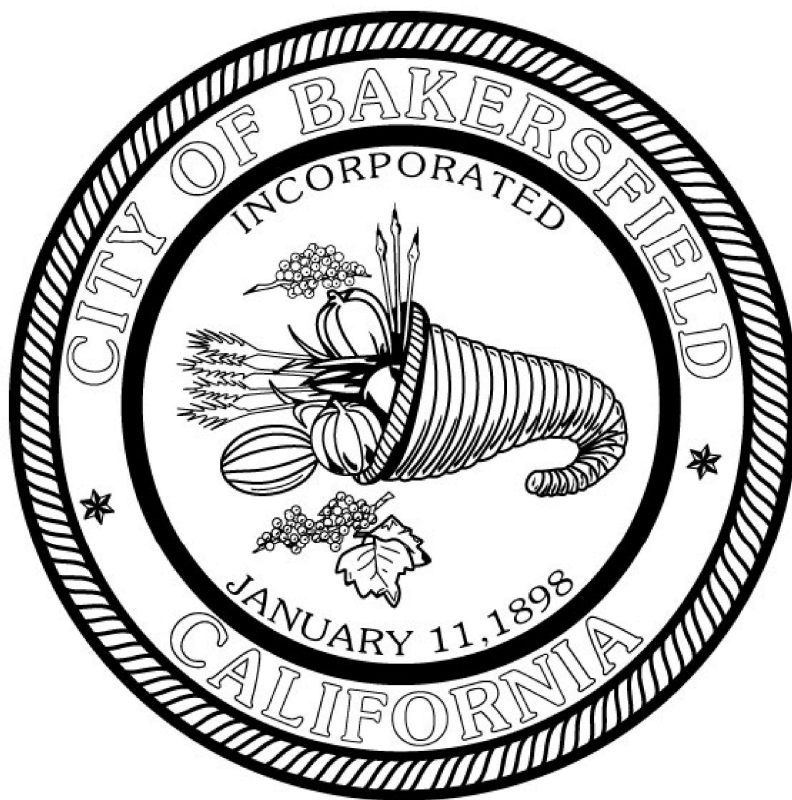
**Schedule of Expenditures by Division - General Fund
Budget and Actual
For the Fiscal Year Ended June 30, 2020**

	Budget	Actual	Variance with Final Budget
General Government:			
Mayor & City council	\$ 422,626	\$ 414,777	\$ 7,849
City manager	1,483,836	1,386,292	97,544
City clerk	860,874	767,160	93,714
Human resources	1,813,235	1,529,891	283,344
Information technology	6,266,050	5,472,661	793,389
Financial services	3,260,131	2,923,545	336,586
City attorney	2,600,167	2,052,013	548,154
	<u>16,706,919</u>	<u>14,546,339</u>	<u>2,160,580</u>
Public Safety:			
Public safety - Police	110,843,541	105,126,720	5,716,821
Public safety - Fire	44,396,056	43,301,126	1,094,930
	<u>155,239,597</u>	<u>148,427,846</u>	<u>6,811,751</u>
Public Works:			
Administration	558,327	514,581	43,746
Engineering	6,684,566	6,149,422	535,144
General services	10,689,711	10,027,473	662,238
Streets and roads	7,833,883	7,144,807	689,076
	<u>25,766,487</u>	<u>23,836,283</u>	<u>1,930,204</u>
Recreation and Parks:			
Administration	1,267,613	1,184,288	83,325
Recreation	3,284,043	2,760,573	523,470
Parks	18,869,971	18,253,513	616,458
	<u>23,421,627</u>	<u>22,198,374</u>	<u>1,223,253</u>
Development Services:			
Planning	2,617,800	1,758,709	859,091
Building	7,625,803	6,533,891	1,091,912
Economic Community Development	8,735,973	2,761,747	5,974,226
	<u>18,979,576</u>	<u>11,054,347</u>	<u>7,925,229</u>
Non-departmental	<u>19,029,011</u>	<u>8,285,675</u>	<u>10,743,336</u>
Contingency	<u>250,000</u>	<u>(4,869)</u>	<u>245,131</u>
Total General Fund Expenditures	<u>\$ 259,393,217</u>	<u>\$ 228,353,733</u>	<u>\$ 31,039,484</u>

CITY OF BAKERSFIELD

Combining Statement of Revenues, Expenditures and Changes in Fund Balances Public Safety and Vital Services (PSVS) Funds (sub-fund of General Fund)

	PSVS Funds		Total PSVS Funds
	PSVS General Fund	PSVS Capital Outlay	
Revenues:			
Taxes	\$ 74,465,956	\$ -	\$ 74,465,956
Charges for services	308,814	-	308,814
Interest income	378,679	-	378,679
Other income	64,575	-	64,575
Total revenues	75,218,024	-	75,218,024
Expenditures			
Current:			
General government	1,191,047	-	1,191,047
Public safety - Police	6,995,707	-	6,995,707
Public safety - Fire	2,287,812	-	2,287,812
Public works	622,157	-	622,157
Recreation and parks	614,315	-	614,315
Community development	2,741,375	-	2,741,375
Capital outlay	-	11,762,120	11,762,120
Total expenditures	14,452,413	11,762,120	(26,214,533)
Excess (deficiency) of revenues over (under) expenditures	60,765,611	(11,762,120)	49,003,491
Other financing sources (uses):			
Transfers in	-	39,695,333	39,695,333
Transfers out	(46,379,749)	-	(46,379,749)
Total other financing sources (uses)	(46,379,749)	39,695,333	(6,684,416)
Net Change in Fund Balance	14,385,862	27,933,213	42,319,075
Fund balances - July 1	19,642,805	1,373,944	21,016,749
Fund balances - June 30	\$ 34,028,667	\$ 29,307,157	\$ 63,335,824



Special Revenue Funds

These funds account for the proceeds of specific revenue sources that are legally restricted to expenditures for specific purposes.

Transient Occupancy Taxes Fund is used to account for Transient Occupancy Tax Revenues (Hotel Tax) and expenditures funded by this revenue source. The Rabobank Arena and Convention Center and Bakersfield Ice Sports Center operating revenues and expenditures are recorded in this fund. This fund is also used to account for duties performed by Visit Bakersfield.

Community Development Block Grant Fund is used to account for resources provided by the Federal Housing and Community Development Act of 1974 for the elimination of slums and blight, housing conservation and improvements of community services.

Neighborhood Stabilization Fund is used to account for resources provided by the Federal Housing and Economic Recovery Act of 2008 to address congressionally identified needs of abandoned and foreclosed homes in the City. These funds are used for down payment assistance, acquisition of Real Estate Owned (REO) lender assets properties that have been foreclosed upon for redevelopment, rehabilitation of acquired residential structures, and demolition of blighted structures.

Gas Tax & Road Fund is used to account for the City's share, based upon population, of state gasoline taxes. State law requires these gasoline taxes be used to maintain streets or for major street construction. This fund also accounts for the resources provided by the Moving Ahead for Progress in the 21st Century Act (MAP21). Congestion Mitigation and Air Quality (CMAQ) funds are used in the metropolitan Bakersfield area to fund transportation projects in the Transportation Improvement Program. The Regional Surface Transportation Program (STP) is funded by Federal aid functionally classified higher than local road or rural minor collector routes. The Transportation Enhancement Activities (TEA) Program projects have a direct relationship to the intermodal transportation system by function, proximity, or impact. Lastly, the Highway Bridge Replacement and Rehabilitation Program (HBRR) allows each local agency two bridge replacement projects and two miscellaneous projects per year.

State (TDA) Transportation Fund is used to account for three Transportation Development Act (TDA) funding sources. Article 3 funds must be used to construct facilities that specifically benefit pedestrians and/or bicyclists. Article 4 funds are Local Transportation and State Transit Assistance Funds. These resources are used to cover the City's maintenance and operation costs of the Bakersfield Amtrak Railway Station. The City is the owner of the station and leases the facility to Amtrak, who operates the transit service. Article 4 funds may also be used for various improvements at bus stops throughout the City. Article 8 funds represent the City's allocation of the 1/4% of sales tax authorized by Senate Bill (SB) 325. State law requires these sales tax dollars be used for street purposes. These funds are received and expended by the City as lead agency servicing the local road network. All three revenue resources are accounted for individually as required by the State of California but are combined for financial reporting purposes. The City currently receives only Article 3 and Article 4 money.

State Safety Fund is used to account for specific revenue received for certain Police and Fire related programs. The City Police Department has a share of traffic fine resources which are transferred to the General Fund to assist in funding the cost of traffic safety and control devices and State of California monies from the Supplemental Law Enforcement Services grant. The Fire Department operates a local Certified Unified Program Agency (CUPA) which is required for state and federal environmental regulation. These revenue sources are accounted for individually as required by the State, but combined for financial reporting purposes.

CITY OF BAKERSFIELD

Combining Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual - All Special Revenue Funds Year Ended June 30, 2020

	Transient Occupancy Taxes		
	Budget	Actual	Variance with Final Budget
Revenues			
Taxes	\$ 9,900,000	\$ 8,913,147	\$ (986,853)
Licenses and permits	-	-	-
Intergovernmental	-	-	-
Charges for services	9,595,582	7,149,064	(2,446,518)
Fines, forfeitures, and assessments	-	-	-
Interest income	40,000	100,521	60,521
Loan payments	-	-	-
Contributions and donations	1,200,000	1,200,000	-
Other income	-	555,609	555,609
Total revenues	<u>20,735,582</u>	<u>17,918,341</u>	<u>(2,817,241)</u>
Expenditures			
Current:			
General government	11,270,797	9,070,045	2,200,752
Public safety - Police	-	-	-
Public safety - Fire	-	-	-
Public works	-	-	-
Recreation and parks	-	-	-
Economic Community Development	-	-	-
Non-departmental	3,134,526	3,134,525	1
Capital outlay:			
Transportation:			
Traffic control	-	-	-
Streets / Freeways	-	-	-
Bridges	-	-	-
Curbs, gutters and sidewalks	-	-	-
Public facilities:			
Parks and landscaping	-	-	-
Other improvements	-	-	-
Total expenditures	<u>14,405,323</u>	<u>12,204,570</u>	<u>2,200,753</u>
Excess (deficiency) of revenues over (under) expenditures	<u>6,330,259</u>	<u>5,713,771</u>	<u>(616,488)</u>
Other financing sources (uses):			
Transfers in	10,000	10,000	-
Transfers out	(6,293,349)	(4,144,791)	2,148,558
Total other financing sources (uses)	<u>(6,293,349)</u>	<u>(4,144,791)</u>	<u>2,148,558</u>
Net change in fund balances	46,910	1,578,980	1,532,070
Fund balances - beginning	<u>1,002,829</u>	<u>1,002,829</u>	<u>-</u>
Fund balances - ending	<u>\$ 1,049,739</u>	<u>\$ 2,581,809</u>	<u>\$ 1,532,070</u>

Community Development Block Grant			Neighborhood Stabilization		
Budget	Actual	Variance with Final Budget	Budget	Actual	Variance with Final Budget
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-
18,052,335	6,890,815	(11,161,520)	-	-	-
-	5,934	5,934	-	-	-
-	-	-	-	-	-
-	1,556	1,556	-	-	-
175,868	241,524	65,656	-	-	-
-	-	-	-	-	-
-	8,832	8,832	-	-	-
<u>18,228,203</u>	<u>7,148,661</u>	<u>(11,079,542)</u>	<u>-</u>	<u>-</u>	<u>-</u>
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
13,261,417	4,755,683	8,505,734	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
150,000	-	150,000	-	-	-
-	-	-	-	-	-
3,152,990	1,432,763	1,720,227	-	-	-
618,177	201,409	416,768	-	-	-
937,655	329,125	608,530	-	-	-
<u>18,120,239</u>	<u>6,718,980</u>	<u>11,401,259</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>107,964</u>	<u>429,681</u>	<u>321,717</u>	<u>-</u>	<u>-</u>	<u>-</u>
371,871	371,871	-	-	-	-
(512,791)	(512,790)	(1)	(371,871)	(371,871)	-
(512,791)	(512,790)	(1)	(371,871)	(371,871)	-
(32,956)	288,762	321,718	(371,871)	(371,871)	-
616,909	616,909	-	371,871	371,871	-
<u>\$ 583,953</u>	<u>\$ 905,671</u>	<u>\$ 321,718</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

CITY OF BAKERSFIELD

Combining Schedule of Revenues, Expenditures and Changes in Fund Balances (continued)
Budget and Actual - All Special Revenue Funds
Year Ended June 30, 2020

	Gas Tax & Road Fund		
	Budget	Actual	Variance with Final Budget
Revenues			
Taxes	\$ -	\$ -	\$ -
Licenses and permits	-	-	-
Intergovernmental	290,165,227	109,112,347	(181,052,880)
Charges for services	-	73,584	73,584
Fines, forfeitures, and assessments	40,000	43,671	3,671
Interest income	205,000	146,626	(58,374)
Loan payments	-	-	-
Contributions and donations	-	-	-
Other income	-	-	-
Total revenues	<u>290,410,227</u>	<u>109,376,228</u>	<u>(181,033,999)</u>
Expenditures			
Current:			
General government	-	-	-
Public safety - Police	-	-	-
Public safety - Fire	-	-	-
Public works	3,800,975	3,494,733	306,242
Recreation and parks	-	-	-
Economic Community Development	-	-	-
Non-departmental	-	-	-
Capital outlay:			
Transportation:			
Traffic control	3,594,866	477,464	3,117,402
Streets / Freeways	285,490,759	109,002,985	176,487,774
Bridges	8,862,475	565,161	8,297,314
Curbs, gutters and sidewalks	1,197,664	74,693	1,122,971
Public facilities:			
Parks and landscaping	-	-	-
Other improvements	-	-	-
Total expenditures	<u>302,946,739</u>	<u>113,615,036</u>	<u>189,331,703</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(12,536,512)</u>	<u>(4,238,808)</u>	<u>8,297,704</u>
Other financing sources (uses):			
Transfers in	-	-	-
Transfers out	-	-	-
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balances	(12,536,512)	(4,238,808)	8,297,704
Fund balances - beginning	<u>12,902,757</u>	<u>12,902,757</u>	<u>-</u>
Fund balances - ending	<u>\$ 366,245</u>	<u>\$ 8,663,949</u>	<u>\$ 8,297,704</u>

State (TDA) Transportation			State Safety Fund		
Budget	Actual	Variance with Final Budget	Budget	Actual	Variance with Final Budget
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	330,400	315,086	(15,314)
2,093,376	707,956	(1,385,420)	916,861	886,540	(30,321)
-	-	-	1,371,700	1,470,666	98,966
-	-	-	1,200,000	1,359,480	159,480
3,000	4,104	1,104	33,500	69,696	36,196
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
<u>2,096,376</u>	<u>712,060</u>	<u>(1,384,316)</u>	<u>3,852,461</u>	<u>4,101,468</u>	<u>249,007</u>
-	-	-	-	-	-
-	-	-	2,080,765	1,338,892	741,873
-	-	-	1,536,203	1,492,000	44,203
516,088	447,753	68,335	-	-	-
42,420	16,209	26,211	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
1,537,868	248,096	1,289,772	-	-	-
<u>2,096,376</u>	<u>712,058</u>	<u>1,384,318</u>	<u>3,616,968</u>	<u>2,830,892</u>	<u>786,076</u>
-	2	2	235,493	1,270,576	1,035,083
-	-	-	-	-	-
-	-	-	(1,200,000)	(1,200,000)	-
-	-	-	(1,200,000)	(1,200,000)	-
-	2	2	(964,507)	70,576	1,035,083
-	-	-	2,915,642	2,915,642	-
<u>\$ -</u>	<u>\$ 2</u>	<u>\$ 2</u>	<u>\$ 1,951,135</u>	<u>\$ 2,986,218</u>	<u>\$ 1,035,083</u>

CITY OF BAKERSFIELD

Combining Schedule of Revenues, Expenditures and Changes in Fund Balances (concluded)
Budget and Actual - All Special Revenue Funds
Year Ended June 30, 2020

	Totals		Variance with Final Budget
	Budget	Actual	
Revenues			
Taxes	\$ 9,900,000	\$ 8,913,147	\$ (986,853)
Licenses and permits	330,400	315,086	(15,314)
Intergovernmental	311,227,799	117,597,658	93,630,141)
Charges for services	10,967,282	8,699,248	(2,268,034)
Fines, forfeitures, and assessments	1,240,000	1,403,151	163,151
Interest income	281,500	322,503	41,003
Loan payments	175,868	241,524	65,656
Contributions and donations	1,200,000	1,200,000	-
Other income	-	564,441	564,441
Total revenues	<u>335,322,849</u>	<u>139,256,758</u>	<u>96,066,091)</u>
Expenditures			
Current:			
General government	11,270,797	9,070,045	2,200,752
Public safety - Police	2,080,765	1,338,892	741,873
Public safety - Fire	1,536,203	1,492,000	44,203
Public works	4,317,063	3,942,486	374,577
Recreation and parks	42,420	16,209	26,211
Economic Community Development	13,261,417	4,755,684	8,505,733
Non-departmental	3,134,526	3,134,525	1
Capital outlay:			
Transportation:			
Traffic control	3,594,866	477,464	3,117,402
Streets / Freeways	285,640,759	109,002,985	76,637,774
Bridges	8,862,475	565,161	8,297,314
Curbs, gutters and sidewalks	4,350,654	1,507,456	2,843,198
Public facilities:			
Parks and landscaping	618,177	201,409	416,768
Other improvements	2,475,523	577,220	1,898,303
Total expenditures	<u>341,185,645</u>	<u>136,081,536</u>	<u>05,104,109</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(5,862,796)</u>	<u>3,175,222</u>	<u>9,038,018</u>
Other financing sources (uses):			
Transfers in	381,871	381,871	-
Transfers out	(8,378,011)	(6,229,452)	2,148,559
Total other financing sources (uses)	<u>(7,996,140)</u>	<u>(5,847,581)</u>	<u>2,148,559</u>
Net change in fund balances	(13,858,936)	(2,672,359)	11,186,577
Fund balances - beginning	19,978,577	19,978,577	-
Fund balances - ending	<u>\$ 6,119,641</u>	<u>\$ 17,306,218</u>	<u>\$11,186,577</u>

CITY OF BAKERSFIELD

**Schedule of Revenues, Expenditures and Changes in Fund Balance
Budget and Actual - Debt Service Fund
For the Fiscal Year Ended June 30, 2020**

	General Obligation Debt		
	Budget	Actual	Variance with Final Budget
Revenues:			
Interest income	\$ -	\$ -	\$ -
Total revenues	-	-	-
Expenditures:			
Debt service:			
Principal retirement	1,349,874	1,227,678	122,196
Interest and fiscal charges	60,527	41,790	18,737
Total expenditures	1,410,401	1,269,468	140,933
Deficiency of revenues under expenditures	(1,410,401)	(1,269,468)	140,933
Other financing sources:			
Transfers in	1,326,665	1,269,468	(57,197)
Total other financing sources	1,326,665	1,269,468	(57,197)
Net change in fund balance	(83,736)	-	83,736
Fund balance - beginning	(3,083,929)	-	3,083,929
Fund balance - ending	<u>\$ (3,167,665)</u>	<u>\$ -</u>	<u>\$ 3,167,665</u>

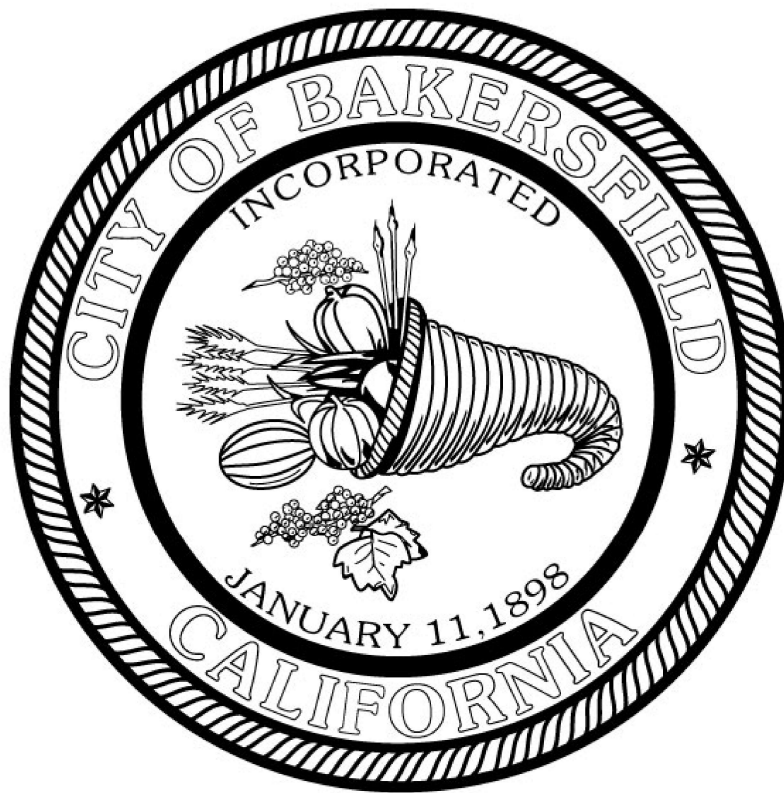
Capital Projects Funds

These funds account for financial resources to be used for the acquisition or construction of major capital facilities other than those financed by Proprietary Funds and Trust Funds.

Capital Outlay Fund is used to account for the cost of capital projects financed by general revenues and grant/loan proceeds for recreational facilities.

Park Improvement Fund is used to account for funds collected for residential park development (Ordinance No. 3646). Fees are collected based on the development's share of the cost to develop, improve, construct or enhance a neighborhood park (Ordinance No. 3327).

Transportation Development Fund is used to account for funds collected from fees paid to mitigate the traffic impacts to the regional circulation system caused by a development project. The fees are paid when a building permit for the development project is obtained, and are based upon the amount of traffic the development will generate. With these fees, the City constructs projects that have been identified as necessary to maintain the level of services required by the 2010 General Plan for the regional transportation network. This is a joint City and Kern County program which affects the entire metropolitan area. Fees are collected with the building permit and are based on the relative impact each land use has on the transportation network. The fee schedule was adopted with Ordinance No. 3513 and will be periodically evaluated by the City Council and revised to reflect updated costs and growth projections. Revenue from fees collected may also be used to service bonded debt incurred in Capital Improvement Construction.



CITY OF BAKERSFIELD

Combining Schedule of Revenues, Expenditures and Changes in Fund Balances Budget and Actual - All Capital Projects Funds For the Fiscal Year Ended June 30, 2020

	Capital Outlay			Park Improvement Fund		
	Budget	Actual	Variance with Final Budget	Budget	Actual	Variance with Final Budget
Revenues:						
Taxes	\$ 5,650,000	\$ 5,713,815	\$ 63,815	\$ -	\$ -	\$ -
Intergovernmental	1,198,225	102,129	(1,096,096)	-	-	-
Charges for services	-	115,979	115,979	-	-	-
Fines, forfeitures, and assessments	28,000	-	(28,000)	1,370,000	2,811,003	1,441,003
Interest income	178,433	286,709	108,276	50,000	98,607	48,607
Other income	760,509	17,624	(742,885)	-	-	-
Total revenues	7,815,167	6,236,256	(1,578,911)	1,420,000	2,909,610	1,489,610
Expenditures:						
Current:						
General government	-	-	-	-	-	-
Public works	35,000	-	35,000	-	-	-
Non-departmental	2,623,081	75,007	2,548,074	-	-	-
Capital outlay:						
Transportation:						
Traffic control	-	-	-	-	-	-
Streets	5,289,958	2,049,430	3,240,528	-	-	-
Bridges	25,000	-	25,000	-	-	-
Streets / Freeways	44,856,520	17,757,189	27,099,331	-	-	-
Public facilities:						
Buildings	19,854,213	10,469,214	9,384,999	-	-	-
Parks and landscaping	1,580,686	1,101,436	479,250	1,247,568	12,923	1,234,645
Land acquisition	-	-	-	2,872,501	2,026,626	845,875
Other improvements	24,643,645	3,818,939	20,824,706	101,818	84,135	17,683
Equipment:						
Computers	939,300	324,379	614,921	-	-	-
Non-automotive	2,943,798	604,511	2,339,287	-	-	-
Total expenditures	102,791,201	36,200,105	66,591,096	4,221,887	2,123,684	2,098,203
Excess (deficiency) of revenues over (under) expenditures	(94,976,034)	(29,963,849)	65,012,185	(2,801,887)	785,926	3,587,813
Other financing sources (uses):						
Transfers in	46,945,333	44,796,774	(2,148,559)	-	-	-
Transfers out	-	-	-	-	-	-
Total other financing sources (uses)	46,945,333	44,796,774	(2,148,559)	-	-	-
Net change in fund balances	(48,030,701)	14,832,925	62,863,626	(2,801,887)	785,926	3,587,813
Fund balances - beginning	55,559,571	55,559,571	-	4,805,694	4,805,694	-
Fund balances - ending	\$ 7,528,870	\$ 70,392,496	\$ 62,863,626	\$ 2,003,807	\$ 5,591,620	\$ 3,587,813

Transportation Development			Totals		
Budget	Actual	Variance with Final Budget	Budget	Actual	Variance with Final Budget
\$ -	\$ -	\$ -	\$ 5,650,000	\$ 5,713,815	\$ 63,815
-	-	-	1,198,225	102,129	(1,096,096)
-	146,805	146,805	-	262,784	262,784
12,110,000	15,790,394	3,680,394	13,508,000	18,601,397	5,093,397
453,000	939,790	486,790	681,433	1,325,106	643,673
-	3,523	3,523	760,509	21,147	(739,362)
12,563,000	16,880,512	4,317,512	21,798,167	26,026,378	4,228,211
186,300	147,116	39,184	186,300	147,116	39,184
755,248	1,215,213	(459,965)	790,248	1,215,213	(424,965)
6,052	-	6,052	2,629,133	75,007	2,554,126
668,742	335,384	333,358	668,742	335,384	333,358
6,066,434	2,718,971	3,347,463	11,356,392	4,768,401	6,587,991
-	-	-	25,000	-	25,000
55,182,102	12,783,638	42,398,464	100,038,622	30,540,827	69,497,795
-	-	-	19,854,213	10,469,214	9,384,999
-	-	-	2,828,254	1,114,359	1,713,895
-	-	-	2,872,501	2,026,626	845,875
-	-	-	24,745,463	3,903,074	20,842,389
-	-	-	939,300	324,379	614,921
-	-	-	2,943,798	604,511	2,339,287
62,864,878	17,200,322	45,664,556	169,877,966	55,524,111	114,353,855
(50,301,878)	(319,810)	49,982,068	(148,079,799)	(29,497,733)	118,582,066
9,600,000	-	(9,600,000)	56,545,333	44,796,774	(11,748,559)
(9,600,000)	-	9,600,000	(9,600,000)	-	9,600,000
-	-	-	46,945,333	44,796,774	(2,148,559)
(50,301,878)	(319,810)	49,982,068	(101,134,466)	15,299,041	116,433,507
51,551,913	51,551,913	-	111,917,178	111,917,178	-
\$ 1,250,035	\$51,232,103	\$ 49,982,068	\$ 10,782,712	\$127,216,219	\$ 116,433,507

Internal Service Funds

These funds are used to account for the financing of goods or services provided by one department or agency to other departments or agencies of the City on a cost-reimbursement basis.

Self-Insurance Fund is used to account for the cost of operating a self-insurance program as follows:

With regard to workers' compensation, the City is self-insured for the first \$500,000 of each injury or occurrence and is a member of California Public Entity Insurance Authority (CPEIA) which provides \$5,000,000 of excess coverage to protect against catastrophic type losses. Funding for this program is provided by interdepartmental charges varying by employee classification and their industrial injury loss experience.

With regard to general and auto liability, the City is self-insured for the first \$1,000,000 of each accident or occurrence and is a member of the Authority for California Cities Excess Liability (ACCEL) which provides excess commercial insurance in the amount of \$10,000,000. Funding for this program is provided by interdepartmental charges.

Equipment Management Fund is used to account for the cost of operating and maintaining a maintenance facility for vehicular, telecommunications and computer equipment used by other City departments. Such costs are billed to other departments via established rates which are based upon actual cost. Actual costs include maintenance, repair, and replacement cost of shop and automotive equipment.

CITY OF BAKERSFIELD

**Combining Statement of Net Position
All Internal Service Funds
June 30, 2020**

	Self- Insurance	Equipment Management	Total
Assets:			
Current assets:			
Cash and investments	\$ 26,224,694	\$ 38,734,055	\$ 64,958,749
Accounts receivable, net	154,737	5,872	160,609
Interest receivable	59,381	83,952	143,333
Prepayments and inventories	111,839	1,096,449	1,208,288
Total current assets	<u>26,550,651</u>	<u>39,920,328</u>	<u>66,470,979</u>
Noncurrent assets:			
Capital assets:			
Depreciable buildings, property, equipment and infrastructure, net	<u>-</u>	<u>47,455,589</u>	<u>47,455,589</u>
 Total assets	<u>26,550,651</u>	<u>87,375,917</u>	<u>113,926,568</u>
 Deferred Outflows of Resources:			
Deferred pensions	94,157	1,339,849	1,434,006
Deferred other post-employment benefits	<u>19,564</u>	<u>325,596</u>	<u>345,160</u>
 Total deferred outflows of resources	<u>113,721</u>	<u>1,665,445</u>	<u>1,779,166</u>
 Liabilities:			
Current liabilities:			
Accounts payable and accrued liabilities	339,686	2,140,476	2,480,162
Claims payable	4,710,191	-	4,710,191
Workers' compensation claims	8,014,000	-	8,014,000
Compensated absences payable	-	310,383	310,383
Total current liabilities	<u>13,063,877</u>	<u>2,450,859</u>	<u>15,514,736</u>
Noncurrent liabilities:			
Workers' compensation claims	43,770,000	-	43,770,000
Compensated absences payable	71,141	308,650	379,791
Net pension liability	577,231	9,712,087	10,289,318
Net other post-employment benefits liability	114,371	1,903,401	2,017,772
Total noncurrent liabilities	<u>44,532,743</u>	<u>11,924,138</u>	<u>56,456,881</u>
 Total liabilities	<u>57,596,620</u>	<u>14,374,997</u>	<u>71,971,617</u>
 Deferred Inflows of Resources:			
Deferred pensions	15,266	306,181	321,447
Deferred other post-employment benefits	<u>41,499</u>	<u>690,641</u>	<u>732,140</u>
 Total deferred inflows of resources	<u>56,765</u>	<u>996,822</u>	<u>1,053,587</u>
 Net Position:			
Net investment in capital assets	-	47,455,589	47,455,589
Unrestricted	<u>(30,989,013)</u>	<u>26,213,954</u>	<u>(4,775,059)</u>
 Total net position	<u>\$ (30,989,013)</u>	<u>\$ 73,669,543</u>	<u>\$ 42,680,530</u>

CITY OF BAKERSFIELD

Combining Statement of Activities and Changes in Net Position
All Internal Service Funds
For the Fiscal Year Ended June 30, 2020

	Self- Insurance	Equipment Management	Totals
Operating revenues:			
Intergovernmental	\$ -	\$ 180,000	\$ 180,000
Charges for services	13,532,091	29,263,755	42,795,846
Cost recoveries	698,622	37,054	735,676
Miscellaneous	30,529	59,423	89,952
	<u>14,261,242</u>	<u>29,540,232</u>	<u>43,801,474</u>
Total operating revenues			
Operating expenses:			
General and administrative	20,031,394	20,432,640	40,464,034
Workers' compensation payments	4,177,990	-	4,177,990
Claims paid	553,618	-	553,618
Depreciation and amortization	-	7,860,535	7,860,535
Compensated absences	17,273	42,016	59,289
	<u>24,780,275</u>	<u>28,335,191</u>	<u>53,115,466</u>
Total operating expenses			
Operating income (loss)	<u>(10,519,033)</u>	<u>1,205,041</u>	<u>(9,313,992)</u>
Nonoperating revenues (expenses):			
Interest income	467,807	667,962	1,135,769
Gain/(loss) on sale of capital assets	-	326,645	326,645
	<u>(10,051,226)</u>	<u>2,199,648</u>	<u>(7,851,578)</u>
Income (loss) before transfers and capital contributions			
Capital contributions	-	622,363	622,363
Transfers in	-	2,692,306	2,692,306
Transfers out	<u>(183,597)</u>	<u>-</u>	<u>(183,597)</u>
Change in net position	(10,234,823)	5,514,317	(4,720,506)
Total Net Position - Beginning of Year	<u>(20,754,190)</u>	<u>68,155,226</u>	<u>47,401,036</u>
Total Net Position - End of Year	<u><u>\$ (30,989,013)</u></u>	<u><u>\$ 73,669,543</u></u>	<u><u>\$ 42,680,530</u></u>

CITY OF BAKERSFIELD

Combining Statement of Cash Flows All Internal Service Funds For the Fiscal Year Ended June 30, 2020

	Self- Insurance	Equipment Management	Totals
Cash flows from operating activities:			
Cash received from:			
Customers	\$ 13,526,112	\$ 29,815,174	\$ 43,341,286
Prior year reimbursements and cost recoveries	698,622	37,054	735,676
Cash paid to:			
Suppliers	(12,303,281)	(14,024,148)	(26,327,429)
Employees	(4,610,891)	(5,402,799)	(10,013,690)
Net cash provided (used) by operating activities	(2,689,438)	10,425,281	7,735,843
Cash flows from noncapital financing activities:			
Cash transferred from other funds	-	2,692,306	2,692,306
Cash transferred to other funds	(183,597)	-	(183,597)
Net cash provided (used) by noncapital financing activities	(183,597)	2,692,306	2,508,709
Cash flows from capital and related financing activities:			
Purchase of capital assets	-	(12,872,816)	(12,872,816)
Proceeds from sale of capital assets	-	505,234	505,234
Net cash (used) by capital and related financing activities	-	(12,367,582)	(12,367,582)
Cash flows from investing activities:			
Interest received	512,266	717,853	1,230,119
Net increase (decrease) in the fair value of investments	31,976	44,570	76,546
Net cash provided (used) by investing activities	544,242	762,423	1,306,665
Net increase (decrease) in cash and investments	(2,328,793)	1,512,428	(816,365)
Cash and investments - Beginning of year	28,553,487	37,221,627	65,775,114
Cash and investments - End of year	\$ 26,224,694	\$ 38,734,055	\$ 64,958,749
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:			
Operating income (loss)	\$ (10,519,033)	\$ 1,205,041	\$ (9,313,992)
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities:			
Depreciation expense	-	7,860,535	7,860,535
(Increase) decrease in accounts receivable	(36,508)	311,996	275,488
(Increase) decrease in inventories	-	(6,775)	(6,775)
Decrease in prepaid items	(91,438)	-	(91,438)
Increase (decrease) in accounts payable	(48,131)	640,230	592,099
Increase (decrease) in workers' compensation claims	7,966,890	-	7,966,890
Increase (decrease) in compensated absences	17,273	42,016	59,289
Increase (decrease) in net pension liability	28,650	310,222	338,872
Increase (decrease) in deferred outflows/inflows of resources for pensions	6,029	188,046	194,075
Increase (decrease) in other post-employment benefits liability	(38,381)	(543,556)	(581,937)
Increase (decrease) in deferred outflows/inflows of resources for OPEB	25,211	417,526	442,737
Net cash provided (used) by operating activities	\$ (2,689,438)	\$ 10,425,281	\$ 7,735,843
Noncash investing, capital, and financing activities:			
Contribution of equipment from other departments	\$ -	\$ 622,363	\$ 622,363

CITY OF BAKERSFIELD

Statement of Changes in Assets and Liabilities Fiduciary Funds (Agency) For the Fiscal Year Ended June 30, 2020

	Balance July 01, 2019	Additions	Deletions	Balance June 30, 2020
Special Deposits Fund				
Assets:				
Cash and investments	\$ 23,591,538	\$ 111,715,980	\$ 111,717,259	\$ 23,590,259
Interest receivable	4,444	2,171	4,444	2,171
Accounts receivable	106,910	996,620	864,702	238,828
Due from other governmental agencies	166,097	340,611	480,100	26,608
Total assets	<u>\$ 23,868,989</u>	<u>\$ 113,055,382</u>	<u>\$ 113,066,505</u>	<u>\$ 23,857,866</u>
Liabilities:				
Payables:				
Deposits	\$ 23,868,989	\$ 113,055,382	\$ 113,066,505	\$ 23,857,866
Total liabilities	<u>\$ 23,868,989</u>	<u>\$ 113,055,382</u>	<u>\$ 113,066,505</u>	<u>\$ 23,857,866</u>
Improvement Districts Fund				
Assets:				
Cash and investments	\$ 10,025,472	\$ 814,217	\$ 1,094,084	\$ 9,745,605
Interest receivable	27,302	552	13,502	14,352
Accounts Receivable	-	65,564	-	65,564
Due from other governmental agencies	7,300	1,525	3,045	5,780
Total assets	<u>\$ 10,060,074</u>	<u>\$ 881,858</u>	<u>\$ 1,110,631</u>	<u>\$ 9,831,301</u>
Liabilities:				
Payables:				
Deposits	5,702,868	873,014	965,294	5,610,588
Accrued bond interest	632,206	530,713	632,206	530,713
Bonds	3,725,000	3,690,000	3,725,000	3,690,000
Total liabilities	<u>\$ 10,060,074</u>	<u>\$ 5,093,727</u>	<u>\$ 5,322,500</u>	<u>\$ 9,831,301</u>
Total - All Agency Funds				
Assets:				
Cash and investments	\$ 33,617,010	\$ 112,530,197	\$ 112,811,343	\$ 33,335,864
Interest receivable	31,746	2,723	17,946	16,523
Accounts receivable	106,910	1,062,184	864,702	304,392
Due from other governmental agencies	173,397	342,136	483,145	32,388
Total assets	<u>\$ 33,929,063</u>	<u>\$ 113,937,240</u>	<u>\$ 114,177,136</u>	<u>\$ 33,689,167</u>
Liabilities:				
Payables:				
Deposits	29,571,857	113,928,396	114,031,799	29,468,454
Accrued bond interest	632,206	530,713	632,206	530,713
Bonds	3,725,000	3,690,000	3,725,000	3,690,000
Total liabilities	<u>\$ 33,929,063</u>	<u>\$ 118,149,109</u>	<u>\$ 118,389,005</u>	<u>\$ 33,689,167</u>

CITY OF BAKERSFIELD

**Combining Statement of Fiduciary Net Position
Private Purpose Trust Funds
June 30, 2020**

	Redevelopment Successor Agency - Trust	Planning Habitat Trust	Total Private Purpose Trust Funds
Assets:			
Current assets:			
Cash	\$ 3,446,071	\$ 14,601,556	\$ 18,047,627
Interest receivable	<u>7,021</u>	<u>33,440</u>	<u>40,461</u>
Total current assets	<u>3,453,092</u>	<u>14,634,996</u>	<u>18,088,088</u>
Noncurrent assets:			
Land held for resale	<u>60,895</u>	<u>-</u>	<u>60,895</u>
Total noncurrent assets	<u>60,895</u>	<u>-</u>	<u>60,895</u>
Total assets	<u>3,513,987</u>	<u>14,634,996</u>	<u>18,148,983</u>
Liabilities:			
Payables:			
Advances from grantors and third parties	3,072,703	-	3,072,703
Bonds	2,245,000	-	2,245,000
Notes	<u>12,815,002</u>	<u>-</u>	<u>12,815,002</u>
Total liabilities	<u>18,132,705</u>	<u>-</u>	<u>18,132,705</u>
Net Position:			
Held in trust for:			
Individuals, organizations, and other governments	<u>(14,618,718)</u>	<u>14,634,996</u>	<u>16,278</u>
Total Net Position	<u>\$ (14,618,718)</u>	<u>\$ 14,634,996</u>	<u>\$ 16,278</u>

CITY OF BAKERSFIELD

**Combining Statement of Fiduciary Net Position
Pension and Other Employee Benefit Trust Funds
June 30, 2020**

	OPEB Irrevocable Trust	Fire Relief and Pension Trust	Total Pension and Other Employee Benefit Trust Funds
Assets:			
Cash	\$ 2,455,356	\$ 586,087	\$ 3,041,443
Interest receivable	-	2,185	2,185
Investments			
Domestic equities	22,924,307	-	22,924,307
Fixed income	<u>54,211,151</u>	<u>-</u>	<u>54,211,151</u>
Total investments	<u>77,135,458</u>	<u>-</u>	<u>77,135,458</u>
Total assets	<u>79,590,814</u>	<u>588,272</u>	<u>80,179,086</u>
Net Position:			
Held in trust for -			
Other post-employment benefits	79,590,814	-	79,590,814
Held in trust for -			
Pension	<u>-</u>	<u>588,272</u>	<u>588,272</u>
Total Net Position	<u>\$ 79,590,814</u>	<u>\$ 588,272</u>	<u>\$ 80,179,086</u>

CITY OF BAKERSFIELD

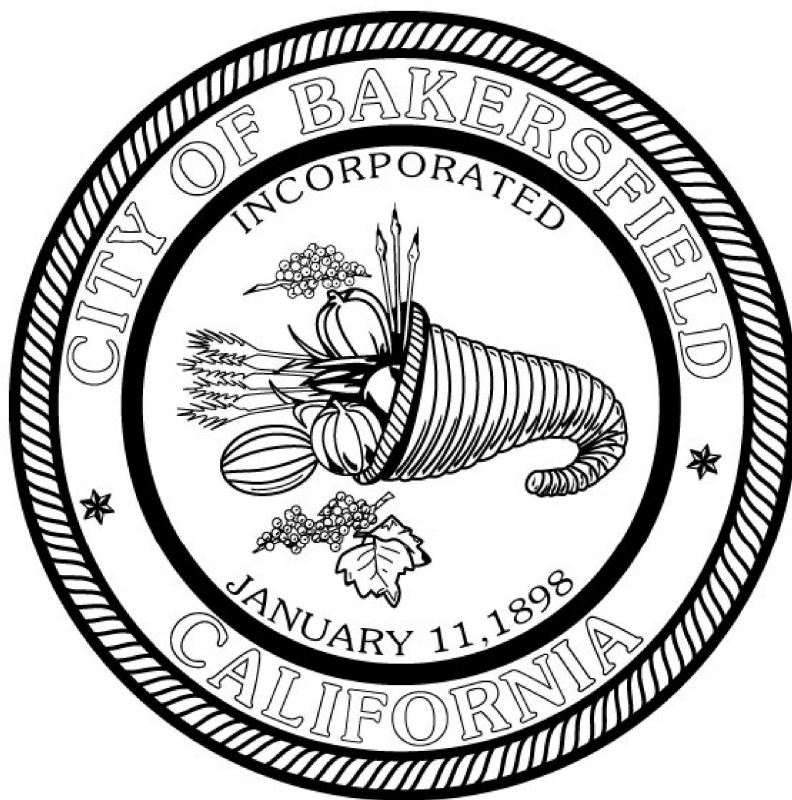
**Combining Statement of Changes in Fiduciary Net Position
Private Purpose Trust Funds
For the Fiscal Year Ended June 30, 2020**

	Redevelopment Successor Agency - Trust	Planning Habitat Trust	Total Private Purpose Trust Funds
Additions:			
Developer fees	\$ -	\$ 608,674	\$ 608,674
Successor agency property tax deposits	3,136,153	-	3,136,153
Intergovernmental	-	-	-
Charges for services	3,134,525	-	3,134,525
Other income	11,793	-	11,793
Interest income	-	244,171	244,171
	<hr/>	<hr/>	<hr/>
Total additions	6,282,471	852,845	7,135,316
	<hr/>	<hr/>	<hr/>
Deductions:			
Purchase of uninhabited land	-	280,430	280,430
Obligation retirement	3,758,848	-	3,758,848
	<hr/>	<hr/>	<hr/>
Total deductions	3,758,848	280,430	4,039,278
	<hr/>	<hr/>	<hr/>
Change in net position	2,523,623	572,415	3,096,038
	<hr/>	<hr/>	<hr/>
Net position - beginning of year	(17,142,341)	14,062,581	(3,079,760)
	<hr/>	<hr/>	<hr/>
Net position - end of year	\$ (14,618,718)	\$ 14,634,996	\$ 16,278
	<hr/>	<hr/>	<hr/>

CITY OF BAKERSFIELD

Combining Statement of Changes in Fiduciary Net Position Pension and Other Employee Benefit Trust Funds For the Fiscal Year Ended June 30, 2020

	<u>OPEB Irrevocable Trust</u>	<u>Fire Relief and Pension Trust</u>	<u>Total Pension and Other Employee Benefit Trust Funds</u>
Additions:			
Contributions to pooled investments	\$ 6,826,986	\$ -	\$ 6,826,986
Interest income	<u>4,544,159</u>	<u>12,942</u>	<u>4,557,101</u>
Administrative expenses	<u>(211,914)</u>	<u>-</u>	<u>(211,914)</u>
Total additions	<u>11,159,231</u>	<u>12,942</u>	<u>11,172,173</u>
Deductions:			
Benefits	<u>4,046,135</u>	<u>83,979</u>	<u>4,130,114</u>
Change in net position	7,113,096	(71,037)	7,042,059
Beginning of year	<u>72,477,718</u>	<u>659,309</u>	<u>73,137,027</u>
End of year	<u>\$ 79,590,814</u>	<u>\$ 588,272</u>	<u>\$ 80,179,086</u>



CITY OF BAKERSFIELD

**Combining Balance Sheet
Non-Major Governmental Funds
June 30, 2020**

	Special Revenue Funds	
	Neighborhood Stabilization	State (TDA) Transportation
Assets:		
Cash and investments	\$ -	\$ 137,766
Accounts receivable, net	5,696,872	331
Interest receivable	-	347
Due from other governmental agencies	-	46,796
	<u>-</u>	<u>46,796</u>
Total assets	<u>\$ 5,696,872</u>	<u>\$ 185,240</u>
Liabilities, Deferred Inflows of Resources, and Fund Balances:		
Liabilities:		
Accounts payable	\$ -	\$ 67,614
Advances from grantors and third parties	-	117,626
	<u>-</u>	<u>117,626</u>
Total liabilities	<u>-</u>	<u>185,240</u>
Deferred Inflows of Resources:		
Deferred revenue	5,696,872	-
	<u>5,696,872</u>	<u>-</u>
Fund Balances:		
Restricted	-	-
	<u>-</u>	<u>-</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 5,696,872</u>	<u>\$ 185,240</u>

Special Revenue Funds	Debt Service Fund	Total Non-Major Governmental Funds
State Safety	General Obligation Debt	
\$ 3,034,554	\$ -	\$ 3,172,320
151,664	-	5,848,867
9,688	-	10,035
-	-	46,796
<u>\$ 3,195,906</u>	<u>\$ -</u>	<u>\$ 9,078,018</u>
\$ 209,691	\$ -	\$ 277,305
-	-	117,626
<u>209,691</u>	<u>-</u>	<u>394,931</u>
-	-	5,696,872
<u>2,986,215</u>	<u>-</u>	<u>2,986,215</u>
<u>\$ 3,195,906</u>	<u>\$ -</u>	<u>\$ 9,078,018</u>

CITY OF BAKERSFIELD

Combining Statement of Revenues, Expenditures and Changes in Fund Balances**Non-Major Governmental Funds****For the Fiscal Year Ended June 30, 2020**

	Special Revenue Funds		Special Revenue Funds
	Neighborhood Stabilization	State (TDA) Transportation	State Safety
Revenues:			
Licenses and permits	\$ -	\$ -	\$ 315,086
Intergovernmental	-	707,956	886,540
Charges for services	-	-	1,470,666
Fines, forfeitures and assessments	-	-	1,359,480
Interest income	-	4,102	69,696
Total revenues	-	712,058	4,101,468
Expenditures			
Current:			
Public safety - Police	-	-	1,338,894
Public safety - Fire	-	-	1,492,000
Public works	-	447,752	-
Recreation and parks	-	16,209	-
Capital outlay	-	248,097	-
Debt service:			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total expenditures	-	712,058	2,830,894
Excess (deficiency) of revenues over (under) expenditures	-	-	1,270,574
Other financing sources (uses):			
Transfers in	-	-	-
Transfers out	(371,871)	-	(1,200,000)
Total other financing sources (uses)	(371,871)	-	(1,200,000)
Net change in fund balances	(371,871)	-	70,574
Fund balances - beginning	371,871	-	2,915,641
Fund balances - ending	\$ -	\$ -	\$ 2,986,215

Debt Service Fund			
General Obligation Debt		Total Non-Major Governmental Funds	
\$	-	\$	315,086
	-		1,594,496
	-		1,470,666
	-		1,359,480
	-		73,798
	-		4,813,526
	-		1,338,894
	-		1,492,000
	-		447,752
	-		16,209
	-		248,097
	1,227,678		1,227,678
	41,790		41,790
	1,269,468		4,812,420
	(1,269,468)		1,106
	1,269,468		1,269,468
	-		(1,571,871)
	1,269,468		(302,403)
	-		(301,297)
	-		3,287,512
\$	-	\$	2,986,215

CITY OF BAKERSFIELD

Long-term Debt Recorded in Private Purpose Trust Fund

REDEVELOPMENT SUCCESSOR AGENCY

Tax Allocation Bonds:

\$2,090,000 Tax Allocation Bond to be used for construction of public improvements for new developments on 18th and 19th Streets, and improvements to the Mill Creek Linear Park. The funds were dispersed in July 2009. The interest rate is 7.5%, with payments commencing August 2010 through August 2029.

\$ 1,410,000

\$1,240,000 Tax Allocation Bond to be used for infrastructure improvements for the Mill Creek Linear Park Canal at South Millcreek. The funds were dispersed in July 2009. The interest rate is 7.25%, with payments commencing August 2010 through August 2029.

835,000

Total Bonds

\$ 2,245,000

Loans/Contracts:

\$1,000,000 HUD Section 108 Loan, 2003 (Agency Agreement #RA 03-016) - due in annual principal installments of \$27,000 to \$82,000 commencing August 1, 2004; interest ranging from 1.61% to 4.76%.

\$ 302,000

\$1,600,000 HUD Section 108 Loan, 2005 (Agency Agreement #RA 06-020) for construction of Fire Station No. 5 - due in annual principal installments of \$58,000 to \$137,000 commencing August 1, 2009; interest ranging from 4.96% to 5.77%.

807,000

\$3,750,000 HUD Section 108 Loan, 2007 (Agency Agreement # RA 06-022) Loan proceeds are dedicated to the Mill Creek South Mixed-Use project and will go toward the acquisition and clean-up of a six acre parcel. Due in annual principal installments of \$136,000 to \$321,000 commencing August 1, 2008; interest ranging from 2.62% to 5.42%.

2,106,000

\$10,000,000 Bakersfield Redevelopment Agency Loan with I-bank to help finance the Mill Creek Linear Park and Canal Refurbishment Project. Only \$6,933,445 of the loan was dispersed through fiscal year 2009. Annual principal installments of \$217,383 to \$512,446 commencing on August 1, 2009 through August 2037; interest rate at 3.11%.

7,200,002

\$17,000,000 Reimbursement to the City for (a) refunding of 1993 Tax Allocation Bonds, (b) 1987 COP Convention Improvement Project, and (c) the construction, equipping and furnishing of a multipurpose area (the Arena Project) per Agreement #97-2. Agreement is for two payments of \$850,000 each year, from March 1997 to June 2022.

2,400,000

Total Loans/Contracts Payable

\$ 12,815,002

Total Successor Agency

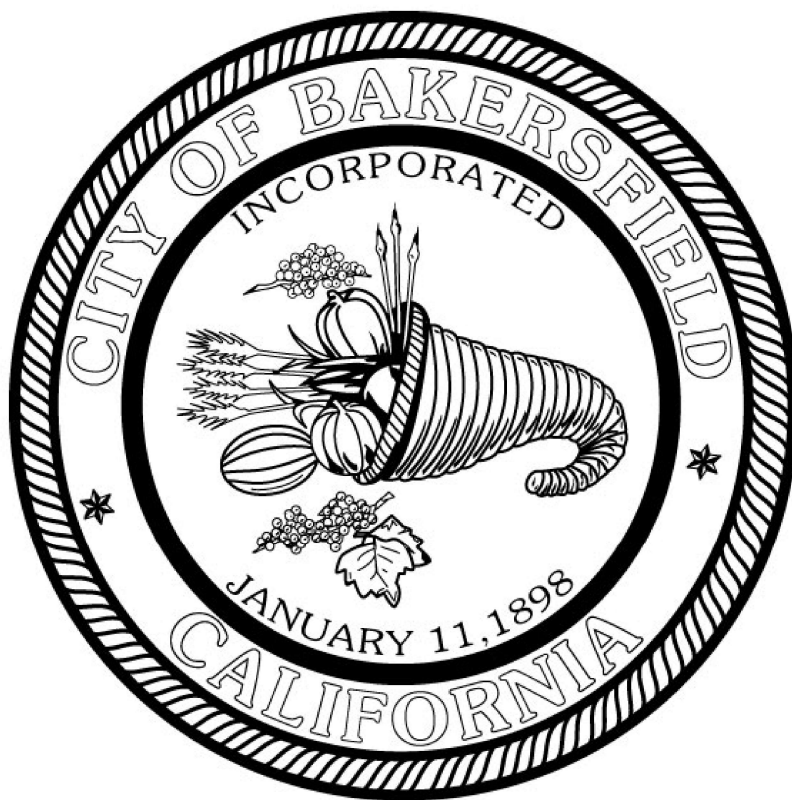
\$ 15,060,002

CITY OF BAKERSFIELD

Long-term Debt Recorded in Private Purpose Trust Fund

Annual requirements to amortize the principal and interest on long-term debt of Redevelopment Successor Agency at June 30, 2020 is as follows:

Year ending	Redevelopment Successor Agency (Private Purpose Trust Fund)					
	Principal			Interest		
	Bonds	Loans/Contracts	Total	Bonds	Loans/Contracts	Total
2021	\$ 160,000	\$ 1,882,463	\$ 2,042,463	\$ 160,363	\$ 381,901	\$ 542,264
2022	170,000	1,914,932	2,084,932	148,144	351,862	500,006
2023	185,000	748,696	933,696	135,000	319,993	454,993
2024	200,000	782,762	982,762	120,744	286,280	407,024
2025	215,000	733,142	948,142	105,375	253,131	358,506
2026-2030	1,315,000	3,061,069	4,376,069	256,494	814,936	1,071,430
2031-2035	-	2,200,502	2,200,502	-	407,200	407,200
2036-2040	-	1,491,436	1,491,436	-	70,522	70,522
Totals	<u>\$ 2,245,000</u>	<u>\$ 12,815,002</u>	<u>\$ 15,060,002</u>	<u>\$ 926,120</u>	<u>\$ 2,885,825</u>	<u>\$ 3,811,945</u>



Statistical Section

**City of Bakersfield
Statistical Section
For the year ended June 30, 2020**

The statistical section of the City of Bakersfield's (City) comprehensive annual financial report presents detailed information as a context for understanding what the information presented in the financial statements, note disclosures and required supplementary information says about the City's overall financial health. Where less than 10 years of data is presented, the information was not available.

Contents	Pages
Financial Trends	
These schedules contain trend information to help the reader understand how the City's financial performance measures have changed over time	152 - 159
Revenue Capacity	
These schedules contain information to help the reader assess the factors affecting the City's ability to generate its property and sales tax revenues.	162 - 173
Debt Capacity	
These schedules present information to help the reader assess the affordability of the City's current level of outstanding debt and the City's ability to issue additional debt in the future.	174 - 180
Demographic and Economic Information	
These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.	181 - 185
Operating Information	
These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs.	188 - 189

CITY OF BAKERSFIELD

Net Position by Component (1) Last Ten Fiscal Years

	Fiscal Year			
	2011(2)	2012	2013	2014(3)
Governmental Activities:				
Net investment in capital assets	\$ 1,307,753,604	\$ 1,259,429,698	\$ 1,233,782,805	\$ 1,279,657,792
Restricted for:				
Capital improvements	19,778,178	23,252,930	16,246,571	21,015,837
Unrestricted	<u>155,889,382</u>	<u>165,661,544</u>	<u>172,822,236</u>	<u>213,670,245</u>
Total governmental activities net position:	<u>1,483,421,164</u>	<u>1,448,344,172</u>	<u>1,422,851,612</u>	<u>1,514,343,874</u>
% change from prior year	-6.39	-2.4%	-1.8	6.0%
Business-type Activities:				
Net investment in capital assets	632,719,226	650,440,273	642,190,608	647,105,639
Restricted for:				
Capital improvements	19,571,180	20,237,839	20,216,599	20,209,227
Sanitation districts	4,008,890	2,645,932	-	-
Unrestricted	<u>115,321,423</u>	<u>100,529,044</u>	<u>107,431,948</u>	<u>109,292,512</u>
Total business-type activities net position	<u>771,620,719</u>	<u>773,853,088</u>	<u>769,839,155</u>	<u>776,607,378</u>
% change from prior year	-0.2%	.3	-0.5%	0.9
Primary Government:				
Net investment in capital assets	1,940,472,830	1,909,869,971	1,875,973,416	1,926,763,431
Restricted for:				
Capital improvements	39,348,358	43,490,769	36,463,170	41,225,064
Sanitation districts	4,008,890	2,645,932	-	-
Unrestricted	<u>271,210,805</u>	<u>266,190,588</u>	<u>280,254,187</u>	<u>322,962,757</u>
Total primary government net position	<u>\$ 2,255,040,883</u>	<u>\$ 2,222,197,260</u>	<u>\$ 2,192,690,773</u>	<u>\$ 2,290,951,252</u>
Total primary government % change from prior year	-4.2	-1.5	-1.3	4.3

Notes:

- (1) This schedule reports using the accrual basis of accounting.
- (2) There was a prior period adjustment in Governmental and/or Business-type Activities for the fiscal year. Numbers have been changed to reflect the restatement.
- (3) There was a prior period adjustment in Governmental and/or Business-type Activities for the fiscal year. Numbers have been changed to reflect the restatement.
- (4) The current year increase in Governmental Activities net position is primarily due to the Public Safety and Vital Services (PSVS) district tax which is new source of revenue that approved by residents in November 2018.

Fiscal Year					
2015(3)	2016(3)	2017(3)	2018(3)	2019(3)(4)	2020(3)
\$ 1,285,115,859	\$ 1,304,906,456	\$ 1,305,414,611	\$ 1,301,334,674	\$ 1,316,112,932	\$ 1,347,391,281
22,112,200	21,988,624	20,626,443	20,759,775	18,975,747	15,078,957
(70,066,811)	(86,460,007)	(108,783,761)	(200,714,582)	(193,801,808)	(190,673,618)
<u>1,237,161,248</u>	<u>1,240,435,073</u>	<u>1,217,257,293</u>	<u>1,121,379,867</u>	<u>1,141,286,871</u>	<u>1,171,796,620</u>
-22.4	0.3	-1.9	-8.5	1.7%	2.7%
648,359,633	665,588,574	670,274,189	700,725,335	720,818,075	735,284,165
20,201,556	20,201,947	20,200,000	20,200,000	20,200,000	20,200,000
-	-	-	-	-	-
<u>78,904,795</u>	<u>79,243,784</u>	<u>85,239,027</u>	<u>107,755,323</u>	<u>107,638,278</u>	<u>105,004,414</u>
<u>747,465,984</u>	<u>765,034,305</u>	<u>775,713,216</u>	<u>828,680,658</u>	<u>848,656,353</u>	<u>860,488,579</u>
-3.9	2.3	1.4	6.4%	2.4%	1.4%
1,933,475,502	1,970,495,030	1,976,138,800	2,002,060,009	2,036,931,007	2,082,675,446
42,313,756	42,190,571	40,826,443	40,959,775	39,175,747	35,278,957
-	-	-	-	-	-
<u>8,837,984</u>	<u>(7,216,223)</u>	<u>(23,544,734)</u>	<u>(92,959,259)</u>	<u>(86,163,530)</u>	<u>(85,669,204)</u>
<u>\$ 1,984,627,242</u>	<u>\$ 2,005,469,378</u>	<u>\$ 1,993,420,509</u>	<u>\$ 1,950,060,525</u>	<u>\$ 1,989,943,224</u>	<u>\$ 2,032,285,199</u>
-15.4	1.0%	-0.6%	-2.2%	2.0%	2.1%

CITY OF BAKERSFIELD

Change in Net Position (1) Last Ten Fiscal Years

	Fiscal Year			
	2011	2012	2013	2014
Expenses				
Governmental activities:				
General government	\$ 12,110,455	\$ 12,388,099	\$ 12,919,972	\$ 10,274,285
Public safety:				
Police	70,381,783	72,574,972	76,310,840	80,192,752
Fire	31,657,823	33,319,982	35,105,188	36,086,851
Public works	137,057,195	142,228,353	162,423,856	104,347,771
Recreation & parks	34,682,672	31,737,121	32,619,041	34,641,180
Development services	6,862,213	5,856,850	11,192,757	9,940,984
Economic/Community development (2)	9,303,951	28,228,468	-	-
Interest on long-term debt	233,606	215,411	467,848	166,472
Total governmental activities expenses	302,289,698	326,549,256	331,039,502	275,650,295
Business-type activities:				
Wastewater treatment	42,333,794	41,550,942	40,456,986	41,979,698
Refuse collection	38,469,544	39,340,795	44,364,406	45,336,786
River & agricultural water	4,603,236	5,727,962	5,245,266	5,051,433
Domestic water	22,068,640	22,157,529	21,131,546	25,613,917
General aviation	407,687	404,648	430,697	462,690
Offstreet parking	165,935	128,070	162,094	160,613
Total business-type activities expenses	108,048,836	109,309,946	111,790,995	118,605,137
Total primary government expenses	410,338,534	435,859,202	442,830,497	394,255,432
Program Revenues				
Governmental activities:				
Charges for services:				
General government	5,406,095	5,392,724	4,984,767	5,019,511
Public safety:				
Police	3,210,604	2,649,133	2,110,160	2,938,734
Fire	4,577,004	4,866,355	5,361,766	4,937,490
Public works	8,462,168	11,651,452	19,404,900	23,780,578
Recreation & parks	13,172,982	14,153,899	14,324,137	14,348,050
Development services	2,621,537	2,907,300	4,147,598	5,221,585
Economic/Community development (2)	1,101	870	-	-
Operating grants and contributions	22,993,743	20,178,085	19,508,063	11,633,792
Capital grants and contributions	82,831,043	68,415,443	76,471,205	104,071,622
Total governmental activities program revenues	\$ 143,276,277	\$ 130,215,261	\$ 146,312,596	\$ 171,951,362

Notes:

(1) This schedule reports using the accrual basis of accounting.

(2) Economic/Community Development became a part of Development Services.

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 21,956,276	\$ 24,203,337	\$ 26,395,470	\$ 29,731,416	\$ 31,112,425	\$ 40,385,072
82,573,675	87,314,992	95,723,028	105,006,154	106,340,979	120,286,345
35,577,067	37,257,146	41,364,912	44,560,720	46,537,182	49,284,742
158,958,537	176,573,017	171,911,928	145,529,290	126,435,754	170,924,424
22,743,488	24,993,400	26,888,569	22,613,830	20,685,570	26,172,685
9,895,523	10,018,548	12,159,620	8,533,656	8,221,265	13,409,023
-	-	-	-	-	-
164,046	39,729	33,429	25,060	17,358	7,779
331,868,612	360,400,169	374,476,956	356,000,126	339,350,533	420,470,070
41,602,539	38,038,376	41,008,233	42,103,648	43,491,976	41,863,203
42,860,924	44,067,358	46,300,746	47,971,215	52,077,032	56,297,122
4,751,158	4,395,517	4,304,663	4,198,037	4,469,652	5,110,204
25,455,862	25,756,437	27,066,771	29,205,225	26,859,329	30,900,781
527,279	480,754	812,527	671,124	480,368	633,219
163,840	112,986	226,999	233,746	290,799	288,532
115,361,602	112,851,428	119,719,939	124,382,995	127,669,156	135,093,061
447,230,214	473,251,597	494,196,895	480,383,121	467,019,689	555,563,131
3,051,375	6,178,924	4,609,597	5,618,886	5,476,706	4,474,539
2,737,294	3,138,617	4,797,619	2,989,023	3,719,138	3,152,452
5,784,964	6,375,758	6,903,928	7,242,490	7,615,334	8,116,341
20,958,923	18,625,200	17,116,439	17,159,857	16,970,725	17,969,450
14,336,209	15,665,544	16,103,058	16,481,750	17,354,482	14,768,875
5,620,567	6,076,072	5,719,860	5,909,456	6,335,650	6,589,380
-	-	-	-	-	-
12,963,571	11,217,162	12,640,678	9,165,593	11,411,248	17,270,805
101,313,136	120,303,934	100,956,230	85,533,310	78,708,716	109,448,244
\$ 166,766,039	\$ 187,581,211	\$ 168,847,409	\$ 150,100,365	\$ 147,591,999	\$ 181,790,086

CITY OF BAKERSFIELD

Change in Net Position (1) continued Last Ten Fiscal Years

	Fiscal Year			
	2011	2012	2013	2014
Business-type activities:				
Charges for services:				
Wastewater treatment	\$ 30,752,515	\$ 30,743,840	\$ 30,825,384	\$ 31,148,327
Refuse collection	39,568,011	41,198,715	41,812,177	42,100,981
River & agricultural water	6,891,203	4,162,253	3,645,065	4,233,197
Domestic water	22,223,640	23,140,865	23,944,333	24,423,144
General aviation	253,868	285,461	304,357	303,223
Offstreet parking	63,120	72,094	54,420	67,150
Operating grants and contributions	4,018,963	4,935,165	6,243,441	8,601,559
Capital grants and contributions	1,599,202	5,011,908	982,577	17,276,815
Total business-type activities				
program revenues	105,370,522	109,550,301	107,811,754	128,154,396
Total primary government				
program revenues	248,646,799	239,765,562	254,124,350	300,105,758
Net (Expenses) Revenues:				
Governmental activities	(159,013,421)	(196,333,995)	(184,726,906)	(103,698,933)
Business-type activities	(2,678,314)	240,355	(3,979,241)	9,549,259
Total primary government				
Net (Expenses) Revenues	(161,691,735)	(196,093,640)	(188,706,147)	(94,149,674)
General Revenues and Other Changes in Net Position				
Governmental activities:				
Taxes:				
Property taxes	62,889,341	60,717,716	58,958,525	66,614,853
Sales and use taxes	55,281,897	67,642,794	70,418,028	72,442,177
Other taxes	728,715	889,373	926,701	988,423
Intergovernmental, unrestricted	1,144,659	876,617	181,713	152,400
Unrestricted grants and contributions	20,701,642	21,793,292	22,725,966	23,829,193
Investment earnings (loss)	73,834	282,170	(99,546)	948,629
Miscellaneous	1,567,489	4,223,807	5,187,294	1,683,631
Gain (loss) on sale of property	17,300	132,666	192,354	36,039
Transfers	1,998,260	34,000	840,000	1,489,500
Total Governmental Activities	144,403,137	156,592,435	159,331,035	168,184,845
Business-type activities:				
Investment earnings	2,136,427	1,988,022	778,444	2,424,676
Gain (loss) on sale of property	-	38,992	26,866	(4,439,038)
Transfers	(1,998,260)	(34,000)	(840,000)	(1,489,500)
Total business-type activities	138,167	1,993,014	(34,690)	(3,503,862)
Total primary government	144,541,304	158,585,449	159,296,345	164,680,983
Extraordinary gain (loss)	-	4,664,568	-	(936,660)
Change in Net Position:				
Governmental activities	(14,610,284)	(39,741,560)	(25,395,871)	64,485,912
Business-type activities	(2,540,147)	2,233,369	(4,013,931)	6,045,397
Total primary government	\$ (17,150,431)	\$ (37,508,191)	\$ (29,409,802)	\$ 70,531,309

Fiscal Year					
2015	2016	2017	2018	2019	2020
\$ 31,437,669	\$ 32,809,778	\$ 33,037,996	\$ 34,036,372	\$ 33,916,086	\$ 34,356,259
43,447,351	45,865,520	49,502,386	51,119,909	54,158,105	56,834,796
3,640,671	2,863,750	6,712,871	7,039,283	9,643,555	7,203,989
22,478,013	20,275,368	23,232,757	26,491,151	27,744,037	28,624,932
315,351	327,491	325,116	347,315	318,401	301,933
78,807	134,404	146,250	114,261	160,090	153,884
8,749,741	7,283,587	7,173,227	9,047,127	8,406,992	7,587,747
7,402,621	16,428,109	9,741,991	4,913,540	11,977,630	10,120,482
117,550,224	125,988,007	129,872,594	133,108,958	146,324,896	145,184,022
284,316,263	313,569,218	298,720,003	283,209,323	293,916,895	326,974,108
(165,102,573)	(172,818,958)	(205,629,547)	(205,899,761)	(191,758,534)	(238,679,984)
2,188,622	13,136,579	10,152,655	8,725,963	18,655,740	10,090,961
(162,913,951)	(159,682,379)	(195,476,892)	(197,173,798)	(173,102,794)	(228,589,023)
71,382,809	74,342,784	77,680,416	79,774,412	83,543,561	85,558,776
70,366,255	70,786,792	65,348,910	72,322,068	94,622,228	148,259,133
1,177,810	1,176,713	1,212,122	1,308,842	1,524,996	1,341,620
150,529	149,089	169,836	201,875	185,685	308,043
25,497,714	25,381,927	24,827,775	25,140,642	25,237,610	24,763,948
487,532	2,295,536	283,544	1,295,749	2,708,894	1,707,054
2,173,532	1,613,591	1,707,873	1,754,210	1,474,916	2,670,587
(8,511,599)	826,990	273,364	248,579	101,086	4,060
3,584,925	1,352,562	152,000	2,032,654	4,058,397	2,064,005
166,309,507	177,925,984	171,655,840	184,079,031	213,457,373	266,677,226
1,968,113	1,728,927	1,112,586	1,878,973	5,045,825	3,671,948
390,791	17,545	15,670	20,370	25,454	133,322
(3,584,925)	(1,352,562)	(152,000)	(2,032,654)	(4,058,397)	(2,064,005)
(1,226,021)	393,910	976,256	(133,311)	1,012,882	1,741,265
165,083,486	178,319,894	172,632,096	183,945,720	214,470,255	268,418,491
-	-	-	54,231,181	-	-
1,206,934	5,107,026	(33,973,707)	32,410,451	21,698,839	27,997,242
962,601	13,530,489	11,128,911	8,592,652	19,668,622	11,832,226
\$ 2,169,535	\$ 18,637,515	\$ (22,844,796)	\$ 41,003,103	\$ 41,367,461	\$ 39,829,468

CITY OF BAKERSFIELD

Fund Balances of Governmental Funds Last Ten Fiscal Years (1)

	<u>2011</u>	<u>2012</u>	<u>Fiscal Year 2013</u>	<u>2014</u>
General Fund				
Nonspendable	\$ 13,000	\$ 11,975	\$ 3,372,390	\$ 3,181
Restricted	-	-	-	-
Committed	36,613,273	37,639,359	39,972,694	13,464,704
Assigned	6,891,881	7,281,790	7,694,831	34,586,157
Unassigned	<u>9,131,275</u>	<u>10,476,517</u>	<u>10,865,979</u>	<u>6,502,852</u>
Subtotal general fund	<u>52,649,429</u>	<u>55,409,641</u>	<u>61,905,894</u>	<u>54,556,894</u>
All Other Governmental Funds				
Nonspendable	-	-	-	-
Restricted	10,051,183	23,252,930	16,246,571	21,015,837
Committed	58,304,744	57,014,597	56,799,759	62,344,103
Assigned	18,649,279	11,091,749	15,840,236	58,935,265
Unassigned	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Subtotal all other governmental funds	<u>87,005,206</u>	<u>91,359,276</u>	<u>88,886,566</u>	<u>142,295,205</u>
Total governmental fund balance	<u>\$ 139,654,635</u>	<u>\$ 146,768,917</u>	<u>\$ 150,792,460</u>	<u>\$ 196,852,099</u>

Notes:

(1) Includes all governmental funds as shown in the Fund Financial Statements.

Source: City Finance Department

<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>Fiscal Year 2018</u>	<u>2019</u>	<u>2020</u>
\$ 1,000	\$ 1,000	\$ 1,025	\$ 1,025	\$ 51,479	\$ 44,314
-	-	-	-	-	-
33,140,376	28,995,204	32,559,429	29,505,463	27,488,388	49,811,144
7,254,726	4,042,766	3,567,936	2,914,844	22,403,228	18,869,241
383,987	8,783,314	3,115,798	7,077,156	4,689,839	-
<u>40,780,089</u>	<u>41,822,284</u>	<u>39,244,188</u>	<u>39,498,488</u>	<u>54,632,934</u>	<u>68,724,699</u>
944,356	44,508	7,675,326	1,212,183	942,965	968,679
22,112,200	21,988,624	20,626,443	20,759,775	18,975,747	15,078,956
80,565,806	64,661,547	67,725,705	68,066,549	83,018,904	141,307,728
51,017,356	51,026,114	37,747,940	46,316,269	28,958,138	56,246,321
-	-	-	-	-	-
<u>154,639,718</u>	<u>137,720,793</u>	<u>133,775,414</u>	<u>136,354,776</u>	<u>131,895,754</u>	<u>213,601,684</u>
<u>\$ 195,419,807</u>	<u>\$ 179,543,077</u>	<u>\$ 173,019,602</u>	<u>\$ 175,853,264</u>	<u>\$ 186,528,688</u>	<u>\$ 282,326,383</u>

CITY OF BAKERSFIELD

Changes in Fund Balances of Governmental Funds Last Ten Fiscal Years

	Fiscal Year				
	2011	2012	2013	2014	2015
Revenues:					
Taxes	\$ 139,250,878	\$ 150,761,990	\$ 159,530,114	\$ 163,369,374	\$ 168,047,259
Licenses and permits	1,757,045	2,321,093	2,757,307	3,644,027	3,297,396
Intergovernmental	87,577,120	83,597,649	85,698,254	112,509,497	113,170,797
Charges for services	23,982,350	34,518,514	26,237,278	28,308,972	29,643,496
Fines, forfeitures & assessments	14,359,150	4,034,565	20,697,866	25,732,782	21,984,077
Interest income (loss)	804,910	865,071	(266,411)	1,604,668	1,470,902
Contributions and donations	-	-	1,543,041	251,775	10,390
Miscellaneous	4,662,521	7,346,225	8,383,499	4,710,359	9,100,338
Total Revenues	<u>272,393,974</u>	<u>283,445,107</u>	<u>304,580,948</u>	<u>340,131,454</u>	<u>346,724,655</u>
Expenditures:					
General government	9,944,217	10,383,512	11,186,274	11,888,465	19,254,079
Police	65,985,764	68,489,176	72,745,830	77,504,268	83,484,871
Fire	29,450,014	31,390,736	33,528,360	34,895,073	36,224,449
Public works	21,967,831	25,849,496	25,274,629	25,744,355	26,828,323
Recreation and parks	22,620,636	23,599,669	25,277,659	26,309,603	18,833,884
Development services	6,486,573	6,229,936	11,994,604	11,321,294	12,231,555
Economic/Community development(1)	8,147,683	3,646,144	-	-	-
Non-departmental	12,517,816	20,283,121	13,338,729	10,726,379	12,736,007
Capital outlay	97,915,227	94,567,093	105,808,610	94,992,545	134,748,520
Debt service:					
Principal	444,000	366,000	378,000	443,124	454,964
Interest and fiscal charges	221,920	219,865	208,424	195,434	252,300
Total Expenditures	<u>275,701,681</u>	<u>285,024,748</u>	<u>299,741,119</u>	<u>294,020,540</u>	<u>345,048,952</u>
Excess (deficiency) of revenues over (under) expenditures	<u>(3,307,707)</u>	<u>(1,579,641)</u>	<u>4,839,829</u>	<u>46,110,914</u>	<u>1,675,703</u>
Other financing sources (uses):					
Notes/certificate proceeds	-	-	-	-	-
Transfers in	9,580,944	11,587,495	18,164,310	16,069,190	15,963,966
Transfers out	(8,358,944)	(12,704,555)	(18,898,910)	(16,334,090)	(17,860,400)
Reserve transfer to agency funds	10,656	-	-	-	-
Extraordinary gain	-	4,664,568	-	-	-
Total other financing sources (uses)	<u>1,232,656</u>	<u>3,547,508</u>	<u>(734,600)</u>	<u>(264,900)</u>	<u>(1,896,434)</u>
Net change in fund balances	<u>\$ (2,075,051)</u>	<u>\$ 1,967,867</u>	<u>\$ 4,105,229</u>	<u>\$ 45,846,014</u>	<u>\$ (220,731)</u>
Debt service as a percentage of non-capital expenditures	-4.0%	-1.0%	-1.0%	4.0%	-13.0%

Notes:

(1) Economic/Community Development became a part of Development Services.

Source: City Finance Department

Fiscal Year				
2016	2017	2018	2019	2020
\$ 171,344,057	\$ 168,758,632	\$ 178,228,594	\$ 204,629,052	\$ 259,638,738
3,216,872	3,321,133	3,268,134	3,483,935	3,454,071
129,091,459	111,232,933	93,198,441	88,214,967	124,484,134
31,225,288	31,530,433	34,404,377	35,435,981	32,551,009
20,337,463	21,325,888	18,887,330	20,058,536	20,828,104
2,823,200	591,514	1,791,980	4,373,028	2,842,822
153,607	294,156	259,932	372,462	241,524
6,377,099	3,789,687	4,342,074	3,294,244	4,712,882
<u>364,569,045</u>	<u>340,844,376</u>	<u>334,380,862</u>	<u>359,862,205</u>	<u>448,753,284</u>
21,404,144	21,483,266	21,883,948	22,849,651	23,763,499
85,469,207	85,303,925	89,209,119	97,029,401	106,465,614
36,956,928	37,694,398	39,299,505	40,616,758	44,793,126
26,936,064	25,826,378	25,798,786	27,310,375	28,993,981
18,145,518	18,881,782	20,215,698	20,358,886	22,214,583
12,068,546	11,861,982	9,419,106	10,415,836	15,810,027
-	-	-	-	-
13,348,200	10,724,880	11,699,947	12,680,999	11,500,076
164,583,100	134,231,542	113,952,709	115,089,647	166,425,210
489,828	503,828	502,352	635,085	1,227,678
57,115	65,870	59,324	51,545	41,790
<u>379,458,650</u>	<u>346,577,851</u>	<u>332,040,494</u>	<u>347,038,183</u>	<u>421,235,584</u>
<u>(14,889,605)</u>	<u>(5,733,475)</u>	<u>2,340,368</u>	<u>12,824,022</u>	<u>27,517,700</u>
-	-	-	-	-
10,049,932	7,686,698	7,691,676	13,125,130	47,648,113
(10,158,904)	(7,686,698)	(7,956,681)	(13,264,112)	(48,092,817)
-	-	-	-	-
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
(108,972)	-	(265,005)	(138,982)	(444,704)
<u>\$ (14,998,577)</u>	<u>\$ (5,733,475)</u>	<u>\$ 2,075,363</u>	<u>\$ 12,685,040</u>	<u>\$ 27,072,996</u>
1.0%	-.6%	0.2%	-%	0.3%

CITY OF BAKERSFIELD

Governmental Activities Tax Revenues By Source Last Ten Fiscal Years (1)

Fiscal Year	General Property Taxes		Sales and Use Taxes	Transient Occupancy Taxes	Business License Taxes	Utility Franchise Taxes	In-Lieu and Other Taxes	Total Taxes
2011	\$ 62,889,341	(2)	\$ 55,281,897	\$ 6,851,869	\$ 3,415,351	\$ 10,083,705 (3)	\$ 728,715	\$ 139,250,878
2012	60,717,717	(2)	67,642,795	7,827,792	3,312,485	10,371,830 (3)	889,373	150,761,992
2013	65,696,957	(2)	70,418,028	8,274,240	3,372,972	10,733,798 (3)	1,034,119	159,530,114
2014	66,614,853	(2)	72,442,178	8,826,003	3,607,558	10,890,359 (3)	988,423	163,369,374
2015	71,382,809	(2)	70,366,255	9,487,984	3,730,720	11,901,681 (3)	1,177,810	168,047,259
2016	74,342,784	(2)	70,786,793	9,450,710	3,904,569	11,682,488 (3)	1,176,713	171,344,057
2017	77,680,416	(2)	65,348,909	9,577,898	3,875,410	11,063,877 (3)	1,212,122	168,758,632
2018	79,774,412	(2)	72,322,068	9,570,855	3,826,518	11,425,899 (3)	1,308,842	178,228,594
2019	83,543,561	(2)	94,622,228	9,943,109	4,043,883	10,951,275 (3)	1,524,996	204,629,052
2020	85,558,776	(2)	148,259,133	8,913,147	3,900,858	11,665,204 (3)	1,341,620	259,638,738

Notes:

(1) Includes all governmental funds as shown in the Fund Financial Statements.

(2) Includes Vehicle License Fee in Lieu revenue.

(3) Includes additional taxes and Utility Surcharge revenues designated by ordinance for road purposes.

Source: City Finance Department

CITY OF BAKERSFIELD

Principal Property Taxpayers Current Year and Nine Years Ago

Taxpayer	2011			2020		
	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value	Taxable Assessed Value	Rank	Percentage of Total Taxable Assessed Value
Nestle Dreyers Ice Cream Company (formerly Nestle Holdings, Inc in 2011)	\$ 216,731,466	1	1.03%	\$ 171,750,465	2	0.56%
Chevron USA Inc.	158,526,708	2	0.75%	183,557,635	1	0.60%
Valley Plaza Mall LP (formerly Bakersfield Mall LLC in 2011)	145,229,294	3	0.69%	138,320,469	3	0.46%
California Water Service Company	93,738,674	4	0.45%	121,200,978	4	0.40%
DS Properties 18 (formerly Donahue Schriber Realty Group LLP in 2011)	76,401,790	5	0.36%	92,452,057	7	0.30%
Walmart Stores Inc/Sam's (Formerly Walmart Real Estate BSNS Trust in 2011)	65,089,803	6	0.31%	101,369,330	5	0.33%
Bright House Networks LLC	20,580	7	0.00%	-	-	-%
State Farm Insurance Company	57,700,000	8	0.27%	-	-	-%
Kaiser (Formerly Kaiser Foundation Health Plan, Inc. in 2011)	54,788,318	9	0.26%	65,659,045	8	0.22%
Castle & Cook CA Inc.	56,971,981	10	0.27%	108,346,334	6	0.36%
Bolthouse Land Company LLC	-	-	-%	66,238,758	9	0.22%
BLC Glenwood Gardens	-	-	-%	53,012,975	10	0.17%
Total taxable assessed value of ten (10) largest taxpayers	925,198,614		4.39%	1,101,908,046		3.62 %
Total taxable assessed value of other taxpayers	20,164,367,039		95.61%	29,357,202,002		96.38 %
Total taxable assessed value of all taxpayers	21,089,565,653		100.00%	30,459,110,048		100.00 %

Note:

Related parties grouped together on the original source document (County's list of assessed valuations) are included in the total assessed valuation amount for each taxpayer cited. Unitary and operating nonunitary are excluded as valuation by parcel is no longer available. Secured values only reported.

Source: HDL Coren & Cone, Kern County Assessor 2019-20 Combined Tax Rolls

CITY OF BAKERSFIELD

Assessed Value and Estimated Actual Value of Taxable Property**Last Ten Fiscal Years****Amounts expressed in thousands**

Fiscal Year Ended June 30	Residential Property	Secured Commercial Property	Other	Unsecured	Less: Tax Exempt Real Property
2011	\$ 14,950,744	\$ 4,053,184	\$ 3,134,829	\$ 834,158	\$ 1,063,302
2012	14,521,636	3,832,880	3,245,619	850,899	1,104,081
2013	14,698,137	3,904,832	3,268,227	912,300	1,097,928
2014	15,592,995	4,010,392	3,575,805	791,531	1,186,061
2015	17,297,625	4,111,192	3,607,361	819,306	1,230,972
2016	18,495,838	4,238,653	3,749,127	835,424	1,321,877
2017	19,571,365	4,497,923	3,971,042	801,607	1,414,164
2018	20,569,686	4,650,981	4,085,221	767,598	1,451,354
2019	21,611,991	4,826,400	4,206,028	769,171	1,492,778
2020	22,729,432	4,968,389	4,339,072	794,111	1,577,783

(1) In 1978 the voters of the State of California passed Proposition 13 which limited taxes to a total maximum rate of 1% based upon the assessed value of the property being taxed. Each year, the assessed value of property may be increased by an "inflation factor" (limited to a maximum of 2%). With few exceptions, property is only reassessed as a result of new construction activity or at the time it is sold to a new owner. At that point, the property is reassessed based upon the added value of the construction or at the purchase price (market value) or economic value of the property sold. The assessed valuation data shown above represents the only data currently available with respect to the actual market value of taxable property and is subject to the limitations described above.

Source: HDL Coren & Cone, Kern County Assessor 2019-20 Combined Tax Rolls.

	Total Taxable Assessed Value	Total Direct Rate	Estimated Actual Taxable Value (1)
\$	21,909,613	0.1969	Unavailable
	21,346,953	0.1956	Unavailable
	21,685,568	0.1924	Unavailable
	22,784,662	0.1619	Unavailable
	24,604,512	0.1623	Unavailable
	25,997,165	0.1616	Unavailable
	27,427,773	0.1613	Unavailable
	28,622,132	0.1609	Unavailable
	29,920,812	0.1607	Unavailable
	31,253,221	0.1604	Unavailable

CITY OF BAKERSFIELD

Property Tax Rates Direct and Overlapping Governments Last Ten Fiscal Years

	2011	2012	2013	2014
Basic County-Wide Levy (1)	1.0000	1.0000	1.0000	1.0000
Overlapping Debt				
Bakersfield Refund 1989C & D	-	-	-	-
Bakersfield School	0.0663	0.0710	0.0681	0.0360
Beardsley School	0.0574	0.0599	0.0499	0.0486
Edison School Bond	0.0720	0.0664	0.0694	0.0687
Fairfax School	0.0401	0.0688	0.0686	0.0607
Fruitvale School Bonds	0.0695	0.0759	0.0614	0.0678
Greenfield School	0.0783	0.0804	0.0826	0.0843
Kern Community College District	0.0101	0.0091	0.0085	0.0126
Kern County Water Agency	0.0553	0.0748	0.0540	0.0569
Kern High School District	0.0447	0.0363	0.0437	0.0392
Lakeside School	0.0188	0.0224	0.0227	0.0283
Lamont School	0.0694	0.0693	0.0615	0.0681
Norris School	0.0298	0.0327	0.0580	0.0500
Panama Buena Vista School	0.0116	0.0115	-	0.0194
Rio Bravo-Greeley	0.0741	0.0737	0.0535	0.0769
Standard Bond	-	-	-	-
Standard Bond 2006A	0.0206	0.0191	0.0185	0.0152
Vineland School 07-A	0.0414	0.0423	0.0437	0.0418
Total Direct & Overlapping Tax Rates (2)	1.7594	1.8136	1.7641	1.7745
City Share of 1% Levy (3)	0.1852	0.1851	0.1851	0.1839
Total Direct Rate (4)	0.1969	0.1956	0.1924	0.1619

(1) In 1978 the voters of the State of California passed Proposition 13 which set the property tax rate at a 1.00% fixed amount. This 1.00% is shared by all taxing agencies for which the subject property resides within. In addition to the 1.00% fixed amount, property owners are charged taxes as a percentage of assessed property values for the payment of any voter approved bonds.

(2) Overlapping rates are those of local and county governments that apply to property owners within the City. Not all overlapping rates apply to all City property owners.

(3) City's share of 1.00% Levy is based on the City's share of the general fund tax rate area with the largest net taxable value within the City. Educational Revenue Augmentation Fund (ERAF) general fund tax shifts are not included in tax ratio figures. The effective City rate after ERAF is 9.9%.

(4) Total Direct Rate is the weighted average of all individual direct rates applied by the City of Bakersfield.

Source: HDL Coren & Cone (Kern County Auditor-Controller's Office)

2015	2016	2017	2018	2019	2020
1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
-	-	-	-	-	0.0020
0.0186	0.0339	0.0204	0.0522	0.0449	0.0379
0.0406	0.0480	0.0723	0.0638	0.0671	0.0659
0.0678	0.0716	0.0706	0.0755	0.0738	0.0644
0.0692	0.0712	0.0631	0.1075	0.1009	0.0743
0.0595	0.0591	0.0516	0.0534	0.0731	0.0525
0.0544	0.0445	0.0438	0.0419	0.0398	0.0678
0.0105	0.0136	0.0132	0.0363	0.0337	0.0330
0.0525	0.0537	0.0585	0.0785	0.0707	0.0812
0.0361	0.0324	0.0260	0.0533	0.0512	0.0532
0.0254	0.0267	0.0236	0.0264	0.0242	0.0250
0.0630	0.0657	0.0681	0.0682	0.0639	0.0659
0.0489	0.0498	0.0565	0.0579	0.0373	0.0391
0.0294	0.0330	0.0243	0.0224	0.0288	0.0558
0.0649	0.0581	0.0629	0.0687	0.0517	0.0720
0.0208	0.0219	0.0403	0.0770	0.0602	0.0663
0.0110	0.0140	-	-	-	-
0.0431	0.0456	0.0441	0.0453	0.0238	0.0437
<u>1.7157</u>	<u>1.7428</u>	<u>1.7393</u>	<u>1.9283</u>	<u>1.8451</u>	<u>1.9000</u>
<u>0.1839</u>	<u>0.1839</u>	<u>0.1839</u>	<u>0.0184</u>	<u>0.1839</u>	<u>0.1839</u>
<u>0.1623</u>	<u>0.1616</u>	<u>0.1613</u>	<u>0.1609</u>	<u>0.1607</u>	<u>0.1604</u>

CITY OF BAKERSFIELD

Property Tax Levies and Collections Last Ten Fiscal Years (1)

Fiscal Year Ended June 30	Tax Levied for the Fiscal Year	Collected within the Fiscal Year of the Levy		Collections in Subsequent Years (2)	Total Collections to Date	
		Amount	Percentage of Levy		Amount	Percentage of Levy (3)
2011	\$38,752,737	\$ 38,136,143	98.41%	\$ 437,340	\$ 38,573,483	99.54%
2012	37,333,785	36,574,775	97.97%	417,383	36,992,158	99.08%
2013	38,448,465	37,544,318	97.65%	159,495	37,703,813	98.06%
2014	39,887,750	39,344,783	98.64%	375,679	39,720,462	99.58%
2015	42,153,405	41,301,939	97.98%	166,794	41,468,733	98.38%
2016	44,309,063	43,455,549	98.07%	254,923	43,710,472	98.65%
2017	47,433,693	46,803,045	98.67%	4,914	46,807,959	98.68%
2018	47,385,467	46,768,741	98.70%	345,147	47,113,888	99.43%
2019	49,577,578	48,864,996	98.56%	696,193	49,561,189	99.97%
2020	47,854,714	49,634,163	103.72%	119,111	49,753,274	103.97%

Notes:

(1) Excludes Redevelopment property tax increment.

(2) Delinquent tax collections do not include interest or penalties.

(3) Total collections to date may exceed 100% of annual levy. Delinquent tax collections are recorded in the current levy year as the County of Kern does not give detail as to the levy year for delinquent tax collections. This was confirmed with the County of Kern in 2014.

Source: City Finance Department

CITY OF BAKERSFIELD

**Direct and Overlapping Sales Tax Rates
Last Ten Fiscal Years**

Year	State of California	Total Rate
2011	7.25 %	7.25 %
2012	7.25 %	7.25 %
2013	7.25 %	7.25 %
2014	7.25 %	7.25 %
2015	7.25 %	7.25 %
2016	7.25 %	7.25 %
2017	7.25 %	7.25 %
2018	7.25 %	7.25 %
2019	7.25 %	8.25 %
2020	7.25 %	8.25 %

Note: The City's sales tax rate may be changed with voter approval.
Source: California Department of Tax and Fee Administration

CITY OF BAKERSFIELD

Taxable Sales By Market Groups Last Ten Fiscal Years

	2011	2012	2013	2014	2015
Retail Trade					
Apparel Stores	\$ 2,237,268	\$ 2,498,144	\$ 2,628,504	\$ 2,682,765	\$ 2,700,035
Auto Dealers and Supplies	8,246,511	10,517,601	11,892,057	12,681,772	13,490,464
Building Materials	4,240,592	4,621,483	5,000,637	5,190,262	5,549,702
Drug Stores	591,749	633,375	657,887	658,335	660,653
Eating and Drinking Places	5,025,325	5,592,220	5,915,734	6,303,157	6,849,489
Food Stores	1,528,055	1,562,612	1,566,281	1,655,917	1,707,148
Furniture and Appliances	2,272,952	2,532,517	2,926,212	2,912,469	3,059,419
General Merchandise	8,459,603	8,902,765	9,097,843	8,979,210	9,076,459
Other Retail Stores	3,261,059	3,474,936	3,699,300	4,228,784	4,159,706
Packaged Liquor	367,199	401,948	423,650	447,409	493,326
Service Stations	5,062,392	5,867,383	5,502,285	5,422,599	4,871,638
Total Retail Group	<u>41,292,705</u>	<u>46,604,984</u>	<u>49,310,390</u>	<u>51,162,679</u>	<u>52,618,039</u>
Non-Store & Part Time Retailers	82,996	101,693	84,740	72,645	72,160
Business, Service & Repair Group	1,512,221	1,756,892	1,812,265	1,893,173	1,980,645
Manufacturer & Wholesaler Group					
Contractors & Material	475,676	576,631	666,208	924,900	807,942
Drugs & Chemical	216,372	351,506	328,673	295,377	320,937
Food/Farm Products & Equipment	137,945	137,058	147,197	135,196	168,211
Furniture & Textiles	21,646	20,505	28,261	43,769	43,788
Heavy Industrial Equipment	1,517,141	2,118,572	1,716,148	1,463,288	1,291,104
Industrial Equipment	440,370	421,222	443,065	481,775	392,375
All Other Equipment	4,660,096	5,979,599	5,697,540	5,342,925	3,614,985
Total Manufacturer & Wholesaler Group	<u>7,469,246</u>	<u>9,605,093</u>	<u>9,027,092</u>	<u>8,687,230</u>	<u>6,639,342</u>
State Adjustments & Transfers	(2,176)	(1,474)	2,506	(208)	5,275
Total Sales All Outlets	50,354,992	58,067,188	60,236,993	61,815,519	61,315,461
County Pool	7,868,349	8,143,216	8,729,533	9,021,603	7,916,613
State Pool	20,074	23,404	31,839	40,228	34,607
Total Sales Tax Receipts	<u>\$ 58,243,415</u>	<u>\$ 66,233,808</u>	<u>\$ 68,998,365</u>	<u>\$ 70,877,350</u>	<u>\$ 69,266,681</u>

Source: HdL Companies

Due to differences in collection techniques, the information provided has been updated to reflect these changes from the FY2018-2019 CAFR.

2016	2017	2018	2019	2020
\$ 2,762,780	\$ 2,843,736	\$ 2,942,286	\$ 3,066,238	\$ 2,532,453
13,354,747	13,843,958	14,506,105	14,569,677	14,406,863
5,532,406	5,681,917	6,060,510	6,323,361	6,620,858
671,350	678,548	630,853	624,380	655,602
7,090,990	7,451,035	7,837,702	8,209,013	7,714,664
1,608,598	1,570,585	1,606,885	1,681,469	1,830,122
2,970,557	2,938,322	3,105,924	3,240,476	2,801,310
8,978,957	9,011,395	9,294,973	9,598,808	9,426,822
3,758,595	3,594,392	3,559,783	3,314,804	3,050,208
546,533	570,899	611,522	613,232	635,999
<u>4,263,920</u>	<u>4,290,976</u>	<u>4,997,389</u>	<u>5,333,050</u>	<u>4,805,789</u>
51,539,433	52,475,763	55,153,932	56,574,508	54,480,690
71,865	73,636	74,684	93,832	68,166
1,798,041	1,875,070	2,083,554	1,954,148	1,764,090
708,269	586,825	750,693	754,578	776,146
198,571	183,569	196,941	245,931	315,597
178,486	185,686	187,952	170,382	154,261
44,875	44,794	52,420	51,350	46,693
1,121,094	1,048,031	1,402,544	1,350,871	1,410,760
328,809	325,547	353,830	354,187	347,523
<u>2,519,465</u>	<u>2,132,304</u>	<u>3,008,126</u>	<u>3,004,557</u>	<u>2,492,813</u>
5,099,569	4,506,756	5,952,506	5,931,856	5,543,793
(10,355)	(22,458)	(39,455)	42,992	65,944
58,498,553	58,908,767	63,225,221	64,597,336	61,922,683
8,433,100	8,819,050	9,296,006	11,170,639	11,170,639
35,572	39,610	43,243	33,283	31,037
<u>\$ 66,967,225</u>	<u>\$ 67,767,427</u>	<u>\$ 72,564,470</u>	<u>\$ 75,801,258</u>	<u>\$ 73,124,359</u>

CITY OF BAKERSFIELD

Sales Tax Revenue Payers By Industry 2019 and Ten Years Ago

	2010			
	Number of Filers	Percent of Total	Tax Liability Paid	Percent of Total \$
Retail Trade				
Apparel Stores	691	7.92 %	\$ 2,237,268	3.84 %
Auto Dealers and Supplies	493	5.65 %	8,246,511	14.16 %
Building Materials	130	1.49 %	4,240,592	7.28 %
Drug Stores	64	0.73 %	591,749	1.02 %
Eating and Drinking Places	870	9.98 %	5,025,325	8.63 %
Food Stores	174	2.00 %	1,528,055	2.62 %
Furniture and Appliances	593	6.80 %	2,272,952	3.90 %
General Merchandise	201	2.31 %	8,459,603	14.52 %
Other Retail Stores	1676	19.22 %	3,261,059	5.60 %
Packaged Liquor	27	0.31 %	367,199	0.63 %
Service Stations	106	1.22 %	5,062,392	8.69 %
Total Retail Group	5025	57.63 %	\$ 41,292,705	70.89 %
Non-Store & Part Time Retailers	1217	13.95 %	82,996	0.14 %
Business, Service & Repair Group	1574	18.05 %	1,512,221	2.60 %
Manufacturer & Wholesaler Group				
Contractors & Material	183	2.10 %	475,676	0.82 %
Drugs & Chemical	44	0.50 %	216,372	0.37 %
Food/Farm Products & Equipment	58	0.67 %	137,945	0.24 %
Furniture & Textiles	66	0.76 %	21,646	0.04 %
Heavy Industrial Equipment	120	1.38 %	1,517,141	2.60 %
Industrial Equipment	216	2.47 %	440,370	0.76 %
All Other Equipment	213	2.44 %	4,660,096	8.00 %
Total Manufacturing & Wholesale Group	900	10.32 %	7,469,246	12.83 %
State Adjustments & Transfer	4	0.05 %	(2,175)	- %
Total Sales All Outlets	8,720	100.00 %	50,354,993	86.46 %
County Pool			7,868,349	13.51 %
State Pool			20,074	0.03 %
Total	8,720	100.00 %	58,243,416	100.00 %

Note: Due to confidentially issues, the names of the ten largest revenue payers are not available. The categories presented are intended to provide alternative information regarding the sources of the City's revenue. The amounts shown are gross collections prior to refunds and collections of amounts due from prior year.
Source: Avenu Insights

2020			
Number of Filers	Percent of Total	Tax Liability Paid	Percent of Total \$
924	8.51 %	\$ 2,532,453	3.46 %
520	4.79 %	14,406,863	19.71 %
184	1.69 %	6,620,858	9.05 %
84	0.77 %	655,602	0.90 %
1066	9.81 %	7,714,664	10.55 %
220	2.03 %	1,830,122	2.50 %
788	7.25 %	2,801,310	3.83 %
281	2.59 %	9,426,822	12.89 %
2131	19.61 %	3,050,208	4.17 %
93	0.86 %	635,999	0.87 %
130	1.20 %	4,805,789	6.57 %
6421	59.11 %	54,480,690	74.50 %
843	7.76 %	68,166	0.09 %
2003	18.44 %	1,764,089	2.41 %
211	1.94 %	776,146	1.06 %
64	0.59 %	315,597	0.43 %
175	1.61 %	154,261	0.21 %
166	1.53 %	46,693	0.06 %
154	1.42 %	1,410,760	1.93 %
321	2.95 %	347,523	0.48 %
239	2.20 %	2,492,813	3.41 %
1,330	12.24 %	5,543,793	7.58 %
266	2.45 %	65,944	0.10 %
10,863	100.00 %	61,922,682	84.68 %
		11,170,639	15.28 %
		31,037	0.04 %
<u>10,863</u>	<u>100.00 %</u>	<u>\$ 73,124,358</u>	<u>100.00 %</u>

CITY OF BAKERSFIELD

Ratio of General Bonded Debt Outstanding Last Ten Fiscal Years

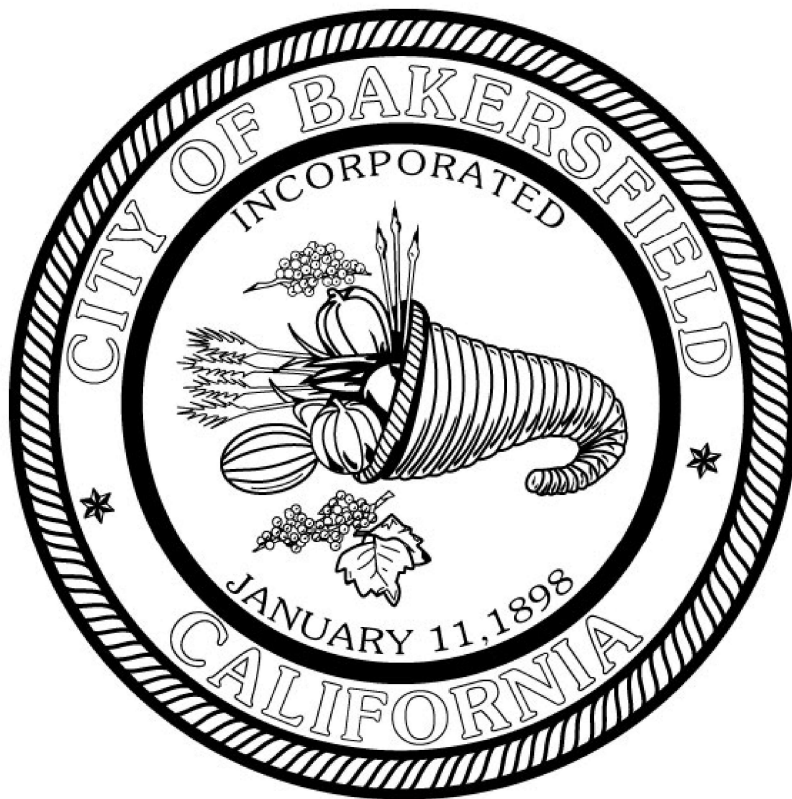
Fiscal Year	General Obligations Bonds		Net Bonded Debt		Total	Ratio of Net Bonded Debt to Assessed Value	Population (1)	Total Debt Per Capita
2011	\$	-	\$	-	\$ -	- %	338,952	\$-
2012		-		-	-	-	354,480	0.00
2013		-		-	-	-	359,221	0.00
2014		-		-	-	-	367,315	0.00
2015		-		-	-	-	365,504	0.00
2016		-		-	-	-	379,110	0.00
2017		-		-	-	-	383,512	0.00
2018		-		-	-	-	386,839	0.00
2019		-		-	-	-	389,211	0.00
2020		-		-	-	-	392,756	0.00

Notes:

Includes all long-term general obligation bonded debt.

(1) State Department of Finance

Source: City Finance Department



CITY OF BAKERSFIELD

Ratio of Outstanding Debt by Type Last Ten Fiscal Years

Governmental Activities					Business-Type Activities		
	Revenue Bonds	Notes	Certificates of Participation	Total Governmental Activities (3)	Revenue Bonds	Bonds	
2011	\$ -	\$ 5,167,000	\$ 26,620,000	\$ 31,787,000	\$ 238,994,444	\$ -	
2012	-	4,801,000	24,710,000	29,511,000	217,003,381	-	
2013	-	4,423,000	22,725,000	27,148,000	201,875,000	-	
2014	-	4,150,049	20,640,000	24,790,049	200,236,254	-	
2015	-	3,932,118	18,460,000	22,392,118	190,545,190	-	
2016	-	3,442,290	16,175,000	19,617,290	187,377,613	-	
2017	-	2,938,462	13,785,000	16,723,462	174,647,913	-	
2018	-	2,584,240	11,275,000	13,859,240	166,998,212	-	
2019	-	6,111,476	8,635,000	14,746,476	160,129,574	-	
2020	-	4,883,798	5,875,000	10,758,798	138,826,333	-	

Notes:

Details regarding the City's outstanding debt can be found in the notes to the basic financial statements.

(1) U.S. Department of Commerce Bureau of Economic Analysis. As available, figures and estimates should be used for general purposes only. Estimates are revised periodically to include data that may not have been available at the time. Personal income was used for the base of this calculation. Details can be found in the Demographic and Economic Statistics.

(2) State Department of Finance. Estimates are revised periodically to include data that may not have been available at the time. Population was used for the base of this calculation. Details can be found in the Demographic and Economic Statistics.

(3) Total Governmental Activities and Total Primary Government totals do not include Compensated Absences.

(4) As restated.

Source: City Finance Department

Business-Type Activities

Deferred Bond Premium	Notes	Contracts/ Loans	Capital Leases (4)	Total Business-Type Activities	Total Primary Government	Percentage of Personal Income (1) (4)	Per Capita (2) (4)
\$ 7,614,444	\$ 7,521,262	\$ -	\$ 22,138,054	\$ 276,268,204	\$ 308,055,204	4.02 %	\$801
7,283,381	6,769,136	-	21,664,941	252,720,839	282,231,839	3.69 %	796
6,621,255	6,017,009	-	21,174,195	235,687,459	262,835,459	3.34 %	732
-	5,264,884	-	20,664,937	226,166,075	250,956,124	3.11 %	683
-	4,512,759	246,131	20,135,757	215,439,837	237,831,955	2.89 %	651
-	3,760,631	292,503	19,091,567	210,522,314	230,139,604	2.70 %	607
-	3,008,504	319,400	18,730,478	196,706,295	213,429,757	2.45 %	557
-	2,256,378	368,746	18,315,293	187,938,629	201,797,869	2.25 %	522
-	1,504,252	314,215	17,671,298	179,619,339	194,365,815	2.08 %	499
-	752,127	355,737	17,000,597	156,934,794	167,693,592	1.70 %	427

CITY OF BAKERSFIELD

Direct and Overlapping Debt (1) As of June 30, 2020

2019 - 20 Assessed Valuation	\$ 31,249,303,949		
Adjusted Assessed Valuation	\$ 31,249,303,949		
	Debt Outstanding (2)	Estimated Percentage Applicable (3)	Estimated Share of Overlapping Debt
Overlapping Tax and Assessment Debt			
Kern Community College District Safety Repair and Improvement District	\$ 117,836,081	33.908	\$ 39,955,858
Kern Community College District School Facilities Improvement District No. 1	75,430,000	33.702	25,421,419
Kern High School District	273,151,209	52.920	144,551,620
Bakersfield City School District	108,406,619	72.436	78,525,419
Beardsley School District	21,845,445	21.128	4,615,506
Edison School District	4,169,942	0.064	2,669
Fairfax School District	8,709,402	25.235	2,197,818
Fruitvale School District	36,751,312	78.191	28,736,218
Greenfield Union School District	29,148,406	85.740	24,991,843
Lakeside Union School District	12,289,981	40.950	5,032,747
Lamont School District	1,556,464	0.018	280
Norris School District	26,179,833	59.675	15,622,815
Panama-Buena Vista Union School District	101,295,000	97.038	98,294,642
Rio Bravo-Greeley Union School District	9,348,037	2.625	245,386
Standard School District	34,750,000	0.954	331,515
Vineland School District	3,711,536	0.0003	11
California Statewide Community Development Authority-Community Facilities District No. 2015-02	10,560,000	100.000	10,560,000
Greenfield Union School District CFD No. 1 & No. 3	14,831,169	100.000	14,831,169
RNR School Financing Authority	112,605,000	83.949	94,530,771
Overlapping Tax and Assessment Debt	\$ 1,002,575,436		\$ 588,447,706
Overlapping General Fund Debt			
Kern County Certificates of Participation	\$ 85,799,565	32.693	\$ 28,050,452
Kern County Pension Obligations	179,861,441	32.693	58,802,101
Certificates of Participation:			
Kern County Board of Education	35,000,000	32.693	11,442,550
Kern County Community College District	27,470,000	30.443	8,362,692
Kern County Community College District Benefit	76,755,000	30.443	23,366,525
Kern High School District	70,295,000	52.920	37,200,114
Panama-Buena Vista Union School District	52,805,000	97.038	51,240,916
Bakersfield City School District General Fund Obligations	2,705,090	72.436	1,959,459
Fairfax School District General Fund Obligations	2,088,129	25.235	526,939
Rio Bravo-Greeley Union School District General Fund Obligations	255,000	2.625	6,694
Rosedale Union School District General Fund Obligations	9,835,000	55.674	5,475,538
Overlapping Tax Increment Debt (Successor Agency)	2,245,000	100.000	2,245,000
Overlapping General Fund Debt	\$ 545,114,225		\$ 228,678,980
Total Overlapping Debt	\$ 1,547,689,661		\$ 817,126,686
Direct Debt			
City of Bakersfield			
City of Bakersfield General Fund Obligations			\$ 5,875,000
Long-term notes payable			\$ 4,883,798
Total Direct and Overlapping Debt			\$ 827,885,484

Notes:

(1) Excluded from this schedule are: (a) all bonds which are not general obligation bonds of the City and (b) general obligation bonds issued for water utility purposes which are payable from Water Fund revenues.

(2) Direct debt is reported net of debt service monies available. Overlapping debt is reported at gross values.

(3) Percentage of overlapping agency's assessed valuation located within boundaries of the City.

Source: California Municipal Statistics, Inc. and City Finance Department

CITY OF BAKERSFIELD

Computation of Legal Debt Margin
June 30, 2020

Legislation does not mandate a debt limit for the City of Bakersfield.

CITY OF BAKERSFIELD

Pledged - Revenue Coverage Last Ten Fiscal Years

Fiscal Year	Wastewater Revenue Bonds						
	Sewer Charges and Other Revenue (1)	Less: Operating Expenses (2)	Net Available Revenue	Debt Service (3)			Coverage (4)
				Principal		Interest	
2010-2011	\$ 36,073,819	\$ 14,144,051	\$ 21,929,768	\$ 1,945,000		\$ 9,597,489	1.90
2011-2012(5)	36,769,858	12,913,038	23,856,820	2,930,000	(6)	9,597,489	1.90
2012-2013	37,901,401	13,156,437	24,744,964	2,845,000	(7)	9,451,151	2.01
2013-2014	39,610,854	14,265,421	25,345,433	3,260,000	(7)	9,959,591	1.92
2014-2015	40,386,623	14,195,887	26,190,736	4,360,000	(7)	8,744,990	2.00
2015- 2016(8)	39,111,557	14,765,141	24,346,416	5,475,000	(7)	3,694,732	2.66
2016-2017(8)	39,078,787	14,796,170	24,282,617	6,055,000	(7)	6,557,105	1.93
2017-2018(9)	42,356,491	17,519,378	24,837,113	5,975,000		6,270,503	2.03
2018-2019	43,043,488	17,062,586	25,980,902	5,525,000		6,344,225	2.19
2019-2020	42,531,887	18,800,960	23,730,927	17,948,753		2,849,736	1.14

Notes:

Details regarding the City's outstanding debt can be found in the notes to the basic financial statements.

Operating expenses do not include interest or depreciation expenses.

(1) Includes amounts for connection fees, interest funded in bond issue and principal portion of lease revenues.

(2) Does not include the General Obligation Bonds reported in Enterprise Funds. Operating expenses exclude depreciation expense.

(3) Issued Sewer Revenue Bonds, Series 2007A and 2007B in August of 2007.

(4) Minimum coverage requirement on the Wastewater Revenue bonds is 1.25.

(5) Previous report included arbitrage expenses. Revenue has been corrected.

(6) In addition to the normal debt service amount referenced above, there was a partial bond call of \$18,730,000 approved by the City Council to reduce the principal balance of the 2007B bond down to \$25 million. Sewer revenue bonds 2007B were refunded in January 2012 (Series 2012A) to change the liquidity provider from Dexia to JP Morgan Chase.

(7) In addition to the normal debt service referenced above, City Council approved partial bond calls of \$5 million each year to reduce the principal balance of Sewer Revenue Bonds Series 2012A.

(8) Partial refunding of Sewer Revenue Bonds Series 2007A in July 2015 (Series 2015A).

(9) Corrected Operating Expenses Amount entered previously entered incorrectly.

Source: City Finance Department

CITY OF BAKERSFIELD

Demographic and Economic Statistics Last Ten Fiscal Years

Fiscal Year	Population (1)	Personal Income (2) (millions)	Per Capita Personal Income (2)	Median Age (3)	Education Level as a % of Population having Formal Schooling (3) (4)	Elementary School Enrollment	Estimated Unemployment Rate (%) (5)
2010-2011	338,952	\$ 7,007	\$ 20,675	29.5	77.8	27,590	15.30%
2011-2012	354,480	7,640	21,553	29.5	78.1	21,411	10.50%
2012-2013	359,221	7,862	21,887	29.8	77.8	23,422	8.40%
2013-2014	367,315	8,074	21,980	30.0	78.2	24,012	7.90%
2014-2015	365,504	8,228	22,512	30.1	78.5	24,232	9.30%
2015-2016	279,110	8,532	22,505	30.2	79.7	24,267	9.10%
2016-2017	383,512	8,713	22,718	30.4	79.6	24,299	9.20%
2017-2018(6)	386,839	8,965	23,175	30.4	79.6	26,513	7.80%
2018-2019	389,211	9,333	23,980	30.5	80.0	26,491	5.50%
2019-2020	392,756	9,890	25,180	30.7	80.4	26,590	5.30%

Notes:

(1) State Department of Finance. Estimates are revised periodically to include data that may not have been available at the time.

(2) U.S. Department of Commerce Bureau of Economic Analysis. As available, figures and estimates should be used for general purposes only. Estimates are revised periodically to include data that may not have been available at the time. Information is for Bakersfield Metropolitan area. Effective 2008-2009 information now includes Delano area.

(3) U.S. Census Bureau estimates as available for Bakersfield Metropolitan area.

(4) This column shows the percent of the City population 25 years and older who are high school graduates or higher.

(5) State of California Employment Development Department (Data shown is for Kern County).

(6) Elementary School Enrollment numbers for 2017-18 restated due to new data collection techniques by the Department of Education.

CITY OF BAKERSFIELD

Principal Employers (1)

Current Year and Nine Years Ago

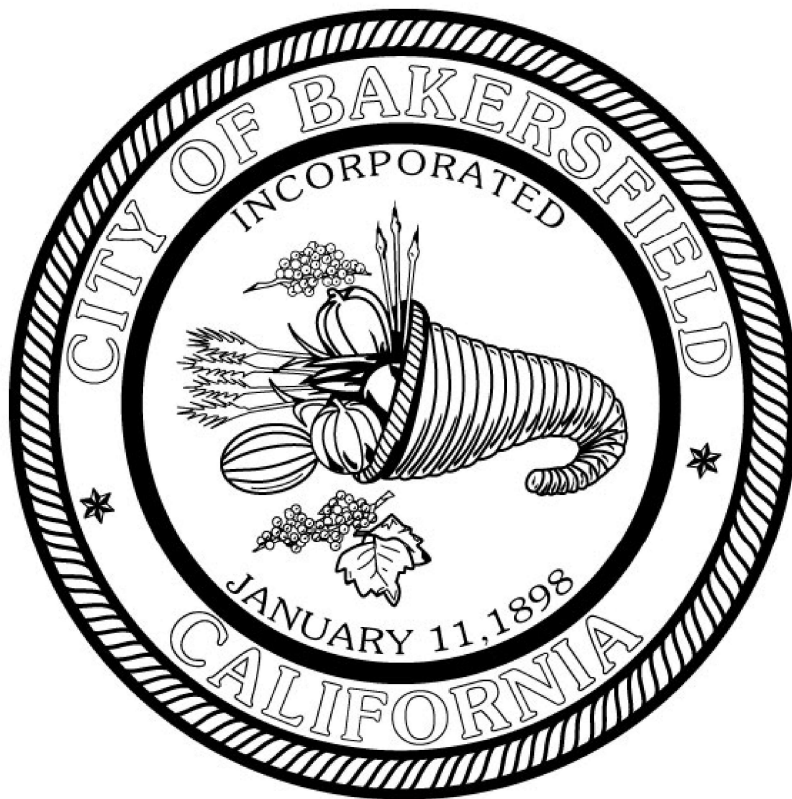
Employer	2011			2020		
	Employees	Rank	Percent of Total City Employment	Employees	Rank	Percent of Total City Employment
County of Kern (1)	N/A			7,633	1	5.31 %
Kern High School District (1)				4,665	2	3.24 %
Bakersfield City School District				4,033	3	2.81 %
Dignity Health				3,582	4	2.49 %
Panama-Buena Vista Union School District				2,473	5	1.72 %
Bolthouse Farms				2,332	6	1.62 %
Adventist Health Bakersfield				1,930	7	1.34 %
Kern Medical Center				1,818	8	1.26 %
Kern County Superintendent of Schools				1,567	9	1.09 %
City of Bakersfield				1,561	10	1.09 %
Others				112,206		78.03 %
Total	<u>N/A</u>	<u></u>	<u>-</u>	<u>143,800</u>	<u></u>	<u>100.00 %</u>

(1) Not all employees are employed within the Bakersfield City Limits.

Source: City Finance Department.

Total number of employed persons in Bakersfield provided by EDD Labor Force Data.

Note: Only current data is available.



CITY OF BAKERSFIELD

Full-time Equivalent City Government Employees by Function Last Ten Fiscal Years

Function	2011	2012	2013	2014	2015	2016
<u>Governmental activities:</u>						
General government	106	109	110	119	126	123
Public safety						
Police						
Officers	380	385	389	394	404	404
Civilians	123	131	137	143	148	148
Fire						
Firefighters and officers	176	177	177	177	177	177
Civilians	19	19	21	22	22	22
Public works	244	247	250	254	248	244
Community services	151	153	153	150	150	146
Community development	-	-	65	63	65	63
Development services	57	55	-	-	-	-
Economic/Community dev.	12	11	-	-	-	-
<u>Business-type activities:</u>						
Wastewater treatment	54	56	57	59	59	59
Refuse collection	102	103	106	107	107	107
River & Agricultural Water (1)	28	28	28	28	28	28
General aviation	-	-	-	-	-	-
Offstreet parking	-	-	-	-	-	-
Total	1,452	1,474	1,493	1,516	1,534	1,521

(1) Departmental name change in FY2018-19 from Domestic & Agricultural Water to River & Agricultural Water.

Source: City Finance Department

<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
123	124	143	159
407	407	450	479
148	151	176	193
177	177	184	200
22	23	23	25
243	247	261	293
146	148	163	175
63	63	-	-
-	-	79	92
-	-	-	-
59	61	62	64
108	109	111	112
29	29	30	32
-	-	-	-
-	-	-	-
<u>1,525</u>	<u>1,539</u>	<u>1,682</u>	<u>1,824</u>

CITY OF BAKERSFIELD

Property Value, Construction and Bank Deposits (1)
Last Ten Calendar Years

	Commercial Construction		Residential Construction		Other Construction
	No. of Units	Value	No. of Units	Value	Value
2010	40	\$ 13,425	848	\$ 197,380	\$ 98,057
2011	40	41,482	422	92,313	81,984
2012	49	20,807	1,122	259,851	108,877
2013	69	15,710	1,336	312,569	157,024
2014	89	56,320	1,435	389,715	203,722
2015	70	49,806	1,391	384,819	377,510
2016	115	63,714	1,387	370,956	338,559
2017	59	61,034	1,132	332,652	312,316
2018	93	83,187	1,089	321,454	278,079
2019	111	48,155	1,421	400,718	321,560

Notes:

(1) Property value and bank deposits reported in thousands.

(2) Federal Deposit Insurance Corporation

(3) Construction units and values are based on a 12 month calendar year. June 30, 2020 data reflects the 2019 calendar year.

Source: City Finance Department

Total Construction			
No. of Units	Value	Bank Deposits (2)	
888	\$ 308,862	\$ 5,172,880	
462	215,779	5,280,515	
1,171	389,535	5,626,755	
1,405	485,303	6,069,764	
1,524	649,757	6,421,302	
1,461	812,135	3,759,961	
1,502	773,229	7,141,426	
1,191	706,002	7,515,635	
1,182	682,720	7,702,403	
1,532	770,433	8,675,464	

CITY OF BAKERSFIELD

Operating Indicators by Function Last Ten Fiscal Years

Function	Fiscal Year			
	2011	2012	2013	2014
Public safety - Police				
Physical arrests	22,028	29,623	32,158	37,246
Parking violations	5,433	4,708	6,620	10,499
Traffic violations	10,043	9,172	11,528	15,065
Public safety - Fire				
Number of calls answered	27,392	28,870	31,164	32,898
Inspections	3,355	3,276	3,660	4,195
Public works				
Street resurfacing (lane miles)	83	129	127	116
Refuse collection				
Refuse collected (tons/day)	111,500	108,200	111,420	110,125
Recyclables collected (tons/day)	47,000	48,215	53,350	55,500
Recreation & parks				
Athletic field permits issued	5,685	10,156	9,297	9,625
Community center, aquatics/sports admissions	440,101	473,530	475,619	502,994
River & Agricultural water (1)				
New connections	493	301	701	1,123
Water main breaks	7	10	14	4
Average daily consumption (thousands of gallons)	27,008	27,568	36,730	39,712
Wastewater treatment				
Average daily sewage treatment (millions of gallons)	32.30 MGD	31.28 MGD	32.13 MGD	30.0 MGD

(1) Departmental name change in FY2018-19 from Domestic & Agricultural Water to River & Agricultural Water.

Source: City Finance Department

Fiscal Year					
2015	2016	2017	2018	2019	2020
24,254	19,965	13,008	9,502	9,895	8,569
6,183	4,083	3,843	2,238	10,438	14,207
24,154	26,934	24,190	16,548	24,739	21,879
35,117	35,747	38,823	40,945	42,027	44,560
4,978	5,684	6,859	5,649	8,712	8,330
119	79	70	75	115	90
102,500	102,800	103,100	102,200	175,081	177,885
78,500	79,100	79,500	82,700	87,680	89,786
9,046	8,054	7,788	8,224	7,046	4,589
527,617	553,831	518,432	534,959	542,580	431,568
1,033	945	968	500	755	714
5	4	4	3	2	3
34,973	29,812	33,378	36,128	35,588	40,173
29.9 MGD	28.7 MGD	29.0 MGD	29.6 MGD	28.9 MGD	29.1 MGD

CITY OF BAKERSFIELD

Capital Asset Statistics by Function Last Ten Fiscal Years

Function	Fiscal Year			
	2011	2012	2013	2014
Land (1)				
Area	149.75	149.80	150.01	150.18
Public safety				
Police stations/substations	4	4	4	3
Fire stations	14	14	14	14
Refuse collection				
Collection trucks	57	53	55	57
Public works				
Streets (miles) (2)	1,394	1,409	1,424	1,441
Streetlights	16,092	16,160	16,602	16,388
Traffic signals	394	394	402	410
Recreation & parks				
Parks acreage	595	595	595	623
Parks	59	59	59	59
Swimming pools	4	4	4	4
Community centers	3	3	3	3
River & Agricultural Water (3)				
Water mains (miles) (2)	501	502	503	505
Fire hydrants (2)	10,301	10,441	10,581	10,723
Wastewater treatment				
Sanitary sewers (miles)	1,061	1,061	1,061	1,063
Storm sewers (miles)	263	263	263	265
Maximum daily treatment capacity (millions of gallons)	57 MGD	57 MGD	57 MGD	57 MGD

Notes:

(1) Reported in square miles.

(2) Corrected numbers for all years up to and including FY2011-12 with more accurate information provided.

(3) Departmental name change in FY2018-19 from Domestic & Agricultural water to River & Agricultural water.

Source: City Finance Department

Fiscal Year					
2015	2016	2017	2018	2019	2020
150.18	150.97	151.10	151.10	151.14	151.15
3	3	3	3	3	3
14	14	14	14	14	14
57	57	57	57	67	74
1,441	1,553	1,596	1,505	1,506	1,517
16,486	16,781	17,042	18,632	18,635	18,639
419	420	426	428	431	433
769	769	776	810	810	828
59	59	59	59	59	61
4	4	4	4	4	4
3	3	3	3	3	3
515	525	535	589	592	608
10,853	11,117	11,130	11,396	11,467	11,697
1,072	1,076	1,077	1,077	1,086	1,090
268	269	270	270	274	276
57 MGD	57 MGD	57 MGD	57 MGD	57 MGD	57 MGD

CITY OF BAKERSFIELD

Schedule of Insurance in Force June 30, 2020

Excess Workers' Compensation	Statutory	Limit with a \$500,000 self-insured retention.
Excess Liability	\$ 55,000,000	Limit with a \$1,000,000 self-insured retention.
Combination Crime	\$ 5,000,000	Coverage limit, \$25,000 deductible.
Airport Operations	\$ 10,000,000	Coverage limit.
Aircraft	\$ 10,000,000	Coverage limit.
Cyber Liability	\$ 25,000,000	Aggregate limit \$50,000 self-insured retention
Fiduciary Liability	\$ 5,000,000	
Physical Loss:		
All Risk Property and Boiler Machinery	\$ 600,000,000	Coverage on buildings and contents subject to \$5,000 deductible with various sublimits.
Auto-Physical Damage		Coverage for vehicles/equipment values up to \$250,000 subject to a \$10,000 deductible and vehicles/equipment values about \$250,000 subject to a \$100,000 deductible
Life and Medical:		
Life and Accident	\$ 2,000	Supervisory & Management employees. Each employee (basic coverage) and additional insurance equal to annual salary to nearest \$1,000.
	\$ 12,000	Safety employees, each employee (basic coverage).
	\$ 30,000	Miscellaneous employees, each employee (basic coverage).
Medical and Dental		Basic coverage plus (no lifetime maximum) extended benefits of 90% after \$750 deductible for medical (Blue Shield) or Group dental (\$50 deductible for United Concordia).

Source: Liability and Physical Loss coverage is provided by the City's Risk Management Department. Life and Medical coverage is provided by the City's Human Resource Department.

Insurance Company	Policy Number	Expiration Date	Annual Premium
PRISM	PRISMPE20 EWC-04	07/01/2021	\$ 1,147,435
ACCEL		07/01/2021	1,903,607
National Union Fire	ACIP712020	07/01/2021	15,935
Pik West	AAPN14413352002	07/01/2021	3,854
Pik West	AACN10687846001	07/01/2021	5,590
Hudson	SHA31211205	10/01/2020	11,583
CSAC	PROPERTY2021	03/31/2021	530,603
PRISM	PH2033951	06/30/2021	9,864
Voya Financial	0067794-4	12/31/2020	\$3.00 per thousand dollar of salary, management & supervisory \$2,000 plus annual salary maximum benefit \$100,000. Safety-\$27.30 each permanent employee for \$12,000 coverage.
Voya Financial	0067794-9	12/31/2020	
Voya Financial	0067794-9	12/31/2020	Blue/White Collar Units: \$68.38 each permanent employee for \$30,000 coverage.
Blue Shield PPO	Health W0054380	12/31/2020	Bi-weekly rate range from \$120.70 to \$735.37 per employee for medical sed upon individual's plan coverage and
Blue Shield HMO	Health W0054380		
Blue Shield Trio	Health W0054380		plan combination and \$7.66 to \$50.16
Kaiser Permanente HMO	132733-1003		
Kaiser Permanente DHMO	132733-0010		dental. \$1.27 to \$4.67 for vision
United Concordia DPPO	Dental 920318-000	12/31/2020	HMO, \$1.59 to \$5.84 for PPO
United Concordia DHMO	Dental 920318-001		
Medical Eye Service HMO	Vision 16269	12/31/2020	
Medical Eye Service PPO	Vision 16270		

**BROWN
ARMSTRONG**

**CERTIFIED
PUBLIC
ACCOUNTANTS**

BROWN ARMSTRONG

Certified Public Accountants

**AGREED UPON CONDITIONS REPORT DESIGNED TO INCREASE
EFFICIENCY, INTERNAL CONTROLS, AND/OR FINANCIAL REPORTING
(MANAGEMENT LETTER)**

To the Honorable Mayor and
Members of the City Council
City of Bakersfield
Bakersfield, California

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In planning and performing our audit of the financial statements of the City of Bakersfield, California (the City), for the year ended June 30, 2020, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control structure over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. In addition, because of the inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error or fraud may occur and not be detected by such controls. Given these limitations during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

However, during our audit, we became aware of certain matters that are opportunities for strengthening internal controls and operating efficiencies. The recommendations listed in this report summarize our comments and suggestions regarding these matters.

We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with various personnel of the City, and we will be pleased to discuss these matters in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

Current Year Agreed Upon Conditions and Responses

Condition Number 1 – Lack of Segregation in Cash Disbursements

During our cash disbursement walkthrough, we noted an Accounts Payable Account Clerk II has the ability to add new vendors, process invoices, and record in the general ledger (GL).

Recommendation

In order to mitigate the risk of the possibility to create a fictitious vendor, we recommend the City implement a process to review the new vendors periodically and/or remove the Account Clerk II's ability to enter new vendors.

Management Response and Planned Correction Action

There should be no instances where an account clerk can post transactions to the GL without review by supervisors or management. The division has one Accounts Payable clerk who can create vendors and also is responsible for posting some vendor payments but all groups are reviewed with invoices verified as valid by the AP supervisor. Due to staffing issues, the creation of new vendors could not be segregated to other individuals. The Finance department will examine current processes so that all new vendors created are reviewed by an Accountant or Supervisor to verify accuracy and necessity.

Condition Number 2 - Lack of Formal Policy over Proper Time Card Procedures in the HOME and CDBG Programs

During our test of controls over payroll for the federal grants HOME and CDBG programs, we noted that several time cards were missing employee signatures and department approval signatures. The City's directive to all City departments is that time cards should be signed by the individual and department. Due to the actual formal written policy not yet finalized, these departments have not implemented the informal process to require employees and supervisors to sign the time cards.

Recommendation

We recommend that the City reinforce to all departments the policy requiring all time cards be authorized by employees and department supervisors.

Management Response and Planned Correction Action

The City had begun a transition to an electronic timecard system called Executime in 2018 and is still in the midst of completion of the process in some departments. The City policy document has been in process since implementation began but has not been expected to finalize until all departments have completed that changeover. The Finance and Human Resources departments will finalize the document and insure that the requirement that all time cards are properly reviewed and approved applicable supervisors is included. In the interim, while awaiting the final document, the department in question has been reminded of this requirement and has agreed to emphasize the need with their staff.

Status of Prior Year Recommendations

Agreed-Upon Condition 2019-1 – Business Process Improvement Observations (IT Controls Only): There is No IT Strategic Plan in Place (2017-2019).

Although the City has developed a draft Technology Services Strategic Plan during the audit period, the plan was not finalized and was not complete as of the close of the audit period. Failure to develop an IT strategic plan increases the risk that the City's IT initiatives do not align with the City's strategic goals.

Recommendation

It is recommended that the Technology Services department finalize its Technology Services Strategic Plan as soon as possible. The plan should include, at a minimum, the following areas:

- Identification and prioritization of IT initiatives
- Alignment with the goals and objectives of the City as a whole

- Provisions for periodic review by management and key stakeholders and periodic updates for continued relevance to strategic initiatives
- Provisions for periodic reporting to the City Council and the City Manager on progress made towards the initiatives

Management Response

A Technology Services (IT) Strategic Plan has been written, reviewed, and is currently being revised. The City's Technology Services intends to present the revised Strategic Plan to the City Manager during the fiscal year 2019-2020 (July 1, 2019 - June 30, 2020).

Current Year Status

Implemented.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
January 25, 2021

**BROWN
ARMSTRONG**

**CERTIFIED
PUBLIC
ACCOUNTANTS**

BROWN ARMSTRONG

Certified Public Accountants

**REQUIRED COMMUNICATION IN ACCORDANCE
WITH PROFESSIONAL STANDARDS (SAS 114)**

To the Budget and Finance Committee,
Honorable Mayor, and
Members of the City Council of the
City of Bakersfield
Bakersfield, California

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We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Bakersfield (the City) for the year ended June 30, 2020. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America, *Government Auditing Standards*, and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated April 17, 2020. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 1 to the financial statements. During the fiscal year ended June 30, 2020, the City adopted the provisions of Governmental Accounting Standards Board (GASB) Statement No. 95, *Postponement of the Effective Dates of Certain Guidance*. We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the City's financial statements were:

Management's estimates in establishing allowances for accounts receivable, estimated date of collection to comply with period of availability for certain revenues, estimated net pension liability and related pension expense and deferred inflows of resources and outflows of resources, and establishing the net other post-employment benefits (OPEB) liability and related OPEB expense and deferred inflows of resources and outflows of resources, and management's estimate over self-insurance claims liabilities. In addition, management estimates for the determination of fair value of investments and the estimated useful lives of capital assets, which are derived by various methods as detailed in the notes. We evaluated the key factors and assumptions used to develop these estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the financial statements were:

- Note 2 - Cash and Investments
- Note 5 - Capital Assets
- Note 12 - Pledged Revenues
- Note 13 - Deferred Inflows of Resources
- Note 16 - Employment Retirement Benefits
- Note 17 - Other Post-Employment Benefits (OPEB)
- Note 19 - Risk Management
- Note 20 - Commitments and Contingencies
- Note 23 - Prior Period Adjustments

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We detected no such misstatements during our audit.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 25, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to Management's Discussion and Analysis, the Budgetary Comparison Schedules for the General Fund and Major Special Revenue Funds, the City's Retirement Plans' Schedules of Changes in the Net Pension Liability and Related Ratios, the Schedules of Pension Contributions, the Other Post-Employment Benefit (OPEB) Plan - Schedule of Changes in the City's Net OPEB Liability and Related Ratios, and the Schedule of OPEB Contributions, which are required supplementary information (RSI) that supplement the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the Schedule of Expenditures of Federal Awards, Combining and Individual Major and Nonmajor Fund Financial Statements and Schedules, Schedule of Long-Term Debt Recorded in the Private Purpose Trust Fund, and other supplementary information which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the Introductory and Statistical Sections, which accompany the financial statements but are not RSI. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the information and use of the Budget and Finance Committee, Honorable Mayor, City Council, and management of the City of Bakersfield and is not intended to be, and should not be, used by anyone other than these specified parties.

BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Brown Armstrong
Accountancy Corporation

Bakersfield, California
January 25, 2021

**Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre**

Consolidated Financial Statements

June 30, 2020

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financial position and cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 8 be presented to supplement the basic consolidated financial statements. Such information, although not a part of the basic consolidated financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic consolidated financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic consolidated financial statements, and other knowledge we obtained during our audits of the basic consolidated financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the consolidated financial statements that collectively comprise the Facilities' basic consolidated financial statements. The consolidated schedule of operating expenses is presented for purposes of additional analysis and is not a required part of the consolidated financial statements.

The schedule is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic consolidated financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic consolidated financial statements or to the basic consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the consolidated schedule of operating expenses is fairly stated, in all material respects, in relation to the basic consolidated financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated January 11, 2021, on our consideration of the Facilities' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Facilities' internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Facilities' internal control over financial reporting and compliance.

BARBICH HOOPER KING

DILL HOFFMAN

Accountancy Corporation

BARBICH HOOPER KING

Bakersfield, California

January 11, 2021

*Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre*

Management's Discussion and Analysis



JULY 2019 TO JUNE 2020

**MECHANICS BANK ARENA, THEATER, CONVENTION CENTER, VALLEY CHILDREN'S
ICE CENTER OF BAKERSFIELD AND DIGNITY HEALTH AMPHITHEATRE MANAGEMENT
DISCUSSION AND ANALYSIS**

This section of Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre's (the Facilities) annual financial report presents our discussion and analysis of the Facilities' financial performance during the fiscal year ended June 30, 2020. Please read it in conjunction with the Facilities' consolidated financial statements, which follow this section.

FINANCIAL HIGHLIGHTS

- In FY 2019-2020 our top eight events were as follows:
 - Disney on Ice, Feld Entertainment, Net Income of \$153k
 - CIF State Wrestling Championship, CIF, Net Income of \$153k
 - Blake Shelton, Messina Group, Net Income of \$118k
 - Banda MS, Live Nation, Net Income \$73k
 - Ghost, FPC, Net Income \$68k
 - Toby Keith, Richter Entertainment, Net Income of \$67k
 - Jon Pardi, Live Nation, Net Income of \$65k
 - WWE Monday Night Raw, Net Income \$61k

OVERVIEW OF THE FINANCIAL STATEMENTS

The annual report includes this management's discussion and analysis report, the independent auditors' report and the basic consolidated financial statements of the Facilities.

REQUIRED FINANCIAL STATEMENTS

The financial statements of the Facilities report information using accounting methods similar to those used by private sector companies. These statements offer short and long term financial information about its activities. The Statement of Net Position includes all of the Facilities' assets and liabilities and provides information about the nature and amounts of investments in resources (assets) and the obligations to the Facilities' creditors (liabilities). It also provides the basis for evaluating the Facilities' capital structure as well as assessing the liquidity and financial flexibility of the Facilities.

All of the current year's revenues and expenses are accounted for in the Statement of Revenues, Expenses and Change in Net Position. This statement measures the success of the Facilities'

*Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre*

Management's Discussion and Analysis

operations over the past year and can be used to determine whether the Facilities has successfully recovered all its costs through its user fees and other charges, profitability and credit worthiness.

The final required financial statement is the Statement of Cash Flows. This statement reports cash receipts, cash payments, and net changes in cash resulting from operations, investing, and financing activities and provides answers to such questions as where did cash come from, what was cash used for, and what was the change in the cash balance during the reporting period.

FINANCIAL ANALYSIS OF THE FACILITIES

One of the most important questions asked about the Facilities' finances is, "Are the Facilities as a whole better off or worse off as a result of this year's activities?" The Statement of Net Position, and the Statement of Revenues, Expenses and Changes in Net Position report information about the Facilities' activities in a way that will help answer this question. These two statements report the net position of the Facilities and the changes in net position. One can think of the Facilities' net position - the difference between assets and liabilities - as one way to measure financial health or financial position. Over time, increases or decreases in the Facilities' net position is one indicator of whether its financial health is improving or deteriorating. However, one will need to consider other non-financial factors such as changes in economic conditions, population growth, and new or changed government legislation.

***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

Management's Discussion and Analysis

Below is a summary of the Consolidated Statements of Net Position, Table A-1:

***Table A-1
Condensed Consolidated Statements of Net Position***

	<i>2020</i>	<i>2019</i>	<i>Dollar Change</i>	<i>Percentage Change</i>
Current assets	\$ 4,853,604	\$ 3,779,345	\$ 1,074,259	28%
Total assets	<u>\$ 4,853,604</u>	<u>\$ 3,779,345</u>	<u>\$ 1,074,259</u>	28%
Current liabilities	\$ 4,603,604	\$ 3,529,345	\$ 1,074,259	30%
Other liabilities	250,000	250,000	-	0%
Total liabilities	<u>4,853,604</u>	<u>3,779,345</u>	<u>1,074,259</u>	28%
Total net position	<u>-</u>	<u>-</u>	<u>-</u>	0%
	<u>\$ 4,853,604</u>	<u>\$ 3,779,345</u>	<u>\$ 1,074,259</u>	28%

Asset and liability balances both increased approx. \$1.1MM. The increase in current assets can be attributed to a higher receivable balances and cash in money market account. The increase in liabilities can be attributed to events that were on sale prior to COVID-19. Many of these ticketed events, have be rescheduled to new dates, subject to change pending pandemic regulations.

***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

Management's Discussion and Analysis

***Table A-2
Condensed Consolidated Statements of Revenues, Expenses and Changes in Net Position***

	<i>2020</i>	<i>2019</i>	<i>Dollar Change</i>	<i>Percentage Change</i>
Operating revenues	\$ 7,352,263	\$ 9,034,551	\$ (1,682,288)	-19%
Less direct event expenses	4,422,372	5,074,579	(652,207)	-13%
Gross profit	<u>2,929,891</u>	<u>3,959,972</u>	<u>(1,030,081)</u>	-26%
Operating expenses	<u>3,930,190</u>	<u>4,176,661</u>	<u>(246,471)</u>	-6%
Operating loss	(1,000,299)	(216,689)	(783,610)	362%
Nonoperating income (expense)	<u>584,581</u>	<u>(86,111)</u>	<u>670,692</u>	-779%
Change in net position	(415,718)	(302,800)	(112,918)	37%
Net position, beginning of year	-	-	-	0%
Contributions	<u>415,718</u>	<u>302,800</u>	<u>112,918</u>	37%
Net position, end of year	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	0%

As a direct result of COVID-19 operations were \$783k worse than the prior year. All operating revenues streams were severely impacted. Expenses for events decreased due to cancellations and postponements of events. Overall, gross profits on the events this fiscal year significantly declined over the prior year due to the pandemic.

***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

Management's Discussion and Analysis

***Table A-3
Change in Net Position, Actual to Budget***

	<i>Year Ended June 30, 2020</i>			
	<i>Actual</i>	<i>Budget</i>	<i>Over (Under) Budget</i>	<i>Percentage of Budget</i>
Operating revenues	\$ 7,352,263	\$ 8,829,311	\$ (1,477,048)	-17%
Less direct event expenses	4,422,372	3,982,560	439,812	11%
Gross profit	2,929,891	4,846,751	(1,916,860)	-40%
Operating expenses	3,930,190	5,634,631	(1,704,441)	-30%
Operating loss	(1,000,299)	(787,880)	(212,419)	27%
Nonoperating income (expense)	584,581	-	584,581	100%
Change in net position	<u>\$ (415,718)</u>	<u>\$ (787,880)</u>	<u>\$ 372,162</u>	-47%

Gross operating revenues for the year were less than budgeted. Decreases were found across revenues in rent, parking, ticket rebates, facility fees, merchandise, and concessions. The increase of direct event expenses over budget can be attributed to pay increases to part time staff. And for events that occurred but not budgeted for.

Operating expenses came in under budget overall, due to the government mandate to close the facilities during the pandemic.

ECONOMIC FACTORS AND NEXT FISCAL YEAR

Key factor expected to affect next fiscal year:

- COVID-19 will be the main factor of financial impact for the facilities.

CONTACTING MECHANICS BANK ARENA

This financial report is designed to provide a general overview of the finances and accountability of Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre. If you have questions about this report contact Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre, 1001 Truxtun Avenue, Bakersfield, California 93301, Attention Finance Manager.

***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

***Consolidated Statement of Net Position
June 30, 2020***

ASSETS

Current Assets

Cash	\$ 3,589,599
Accounts receivable, net of allowance for doubtful accounts of \$97,812	485,319
Accounts receivable, other	14,819
Accounts receivable, AEG Management	557,954
Net receivable from the City of Bakersfield	185,842
Prepaid expenses	20,071
	<u>4,853,604</u>
	<u><u>\$ 4,853,604</u></u>

LIABILITIES AND NET POSITION

Current Liabilities

Accounts payable, trade	\$ 222,921
Accounts payable, AEG Management	702,565
Accrued expenses	289,758
Deferred revenues	3,388,360
	<u>4,603,604</u>

Other Liabilities

250,000

Net Position

Unrestricted

\$ 4,853,604

See Notes to Consolidated Financial Statements.

***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

***Consolidated Statement of Revenues, Expenses and Change in Net Position
For the Year Ended June 30, 2020***

Net revenues:

Facilities rent	\$ 1,165,628
Recovered event expenses	1,551,652
Suites	1,052,863
Concession commissions	919,474
Signage and advertising	709,458
Ticketing fees	522,299
Facility fees	387,814
Parking	296,018
Ice Sports Center, other revenue	249,772
Ice Sports Center, general admissions	379,636
Merchandise	77,901
Other income	39,748
	<u>7,352,263</u>

Direct event expenses:

Event labor	2,568,616
Other direct event expenses	1,853,756
	<u>4,422,372</u>

Gross profit	2,929,891
--------------	-----------

<i>Operating expenses</i>	<u>3,930,190</u>
----------------------------------	------------------

Operating loss	(1,000,299)
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Nonoperating income (expense):

Interest income	26,627
Management reimbursement of operating loss	557,954
	<u>584,581</u>

Change in net position	(415,718)
------------------------	-----------

<i>Net position, beginning of year</i>	-
---	---

Contributions received from the City of Bakersfield	415,718
	<u>415,718</u>

<i>Net position, end of year</i>	<u>\$ -</u>
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Reconciliation of operating loss to net cash provided by operating activities:

Operating loss	\$ (1,000,299)
----------------	----------------

Changes in operating assets and liabilities:

Accounts receivable, net	127,848
Net receivable from the City of Bakersfield	288,811
Prepaid expenses	13,494
Accounts payable, trade	84,835
Accounts payable, AEG Management	208,048
Accrued expenses	(120,583)
Deferred revenues	<u>901,959</u>

Net cash provided by operating activities	<u>\$ 504,113</u>
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Noncash investing and financing activities:

Contribution to unrestricted net position of advances from the City of Bakersfield	<u>\$ 415,718</u>
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***Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre***

Notes to Consolidated Financial Statements

Note 1. Nature of Business and Significant Accounting Policies

Nature of business:

The City of Bakersfield (the City) owns the Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre (the Facilities). The Mechanics Bank Arena was built by the City and began operations in October 1998. It is the only building of its kind in the Bakersfield area.

In December 2003, the City opened the Valley Children's Ice Center of Bakersfield (Ice Center). The Ice Center is used for public skating, hockey leagues, figure skating, and other community events.

In February 2007, the City opened the Dignity Health Amphitheatre (the Amphitheatre), an outdoor theatre located in Bakersfield.

The activities of the Arena, Theater, Convention Center, Ice Center and Amphitheatre (the Facilities) are recorded in a special revenue fund of the City's accounting records. The City owns all the assets of the Facilities, and accordingly, all amounts related to the operation of the Facilities belong to the City. The management company operating the Facilities has a fiduciary responsibility under the management agreement to maintain and operate the Facilities in the best interests of the City and the community.

In an agreement dated March 20, 2013, the City contracted with AEG Management Bakersfield, LLC and AEG Facilities, LLC (the Company or AEG) to begin overseeing the operation and management of the Facilities for a term of ten years, expiring on June 30, 2023. On mutual agreement between both parties, the term may be extended one five-year period.

AEG was hired by the City for its expertise in the management, operation and marketing of public assembly facilities.

Principles of consolidation:

The consolidated financial statements of the Facilities include the accounts of the Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre after elimination of all significant inter-company accounts and transactions.

Basis of accounting:

The Facilities' basic consolidated financial statements are presented on the full accrual basis of accounting and conform to accounting principles generally accepted in the United States of America. The Facilities utilize accrual basis accounting in which revenues are recognized when earned and expenses are recorded when a liability is incurred or economic assets are used. Proprietary funds distinguish operating revenues and expenses from

Notes to Consolidated Financial Statements

nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. Revenues and expenses not meeting this definition are reported as nonoperating.

Revenue recognition:

Suite contracts

Revenues from suites are recognized over the contract period per the contract terms. Contracts are billed throughout the year. The suite payments are recorded as deferred revenue until earned and are recognized over the contract period.

Naming rights, signage and advertising contracts

Revenues from naming rights, signage and advertising contracts are recognized over the contract period per the contract terms. Contracts are billed according to the contract terms. Payments are recorded as deferred revenue until earned and recognized over the contract period.

Ticket sales

The Facilities, through its contract with Outbox AXS, LLC, sells tickets to events as an agent of the event holder at the on-site box office location and through the telephone and internet. All proceeds from the sale of tickets belong to the event holder. The ticket sales are recorded as deferred revenue when sold. After the event has occurred, settlement with the event holder takes place. The net of total ticket sales less event expenses such as facility rent and reimbursement of direct event expenses is then paid to or received from the event holder. The event ticket proceeds are removed from the deferred revenue account in the month the event occurred.

The Facilities earn a ticketing fee on the sale of event tickets that take place through the telephone and internet. Revenues from these fees are recorded as deferred revenue at the time of sale and are recognized in the month the event occurred.

Event revenues

Revenues from the Facilities' events such as facilities rent, direct event expense reimbursements, concession commissions, parking and merchandise are recognized in the month the event occurred.

Net position:

The Facilities utilize a net position presentation in accordance with GASB Statement 34, *Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments*, as amended by GASB 63, *Financial Reporting of Deferred Outflows or Resources, Deferred Inflows of Resources, and Net Position*. Net position is categorized as invested in capital assets, net of related debt, restricted components of net position and unrestricted components of net position. These categories are defined as follows:

Notes to Consolidated Financial Statements

Invested in capital assets, net of related debt - This component of net position consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. If there are significant unspent related debt proceeds at year-end, the portion of the debt attributable to the unspent proceeds are not included in the calculation of invested in capital assets, net of related debt. Rather, that portion of the debt is included in the same net position component as the unspent proceeds.

Restricted components of net position - This component of net position consists of restricted assets reduced by liabilities and deferred inflows of resources related to those assets. Generally, a liability relates to restricted assets if the asset results from a resource flow that also results in the recognition of a liability or if the liability will be liquidated with the restricted assets reported.

Unrestricted components of net position - This component of net position is the net amount of assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of net investment in capital assets or the restricted component of net position.

Use of estimates:

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and cash equivalents:

For purposes of reporting cash flows, the Facilities considers highly liquid investments with an original maturity of three months or less when purchased to be cash equivalents. Cash and cash equivalents also include cash on hand and amounts deposited with banks.

Custodial credit risk:

The California Government Code and the Facilities' investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits and investments, other than the following provision for deposits: The California Government Code requires that a financial institution secure deposits made by state or local governmental units by pledging securities in an undivided collateral pool held by a depository regulated under state law (unless so waived by the governmental unit). The market value of the pledged securities in the collateral pool must equal at least 110% of the total amount deposited by the public agencies. California law also allows financial institutions to secure the Facilities' deposits by pledging first trust deed mortgage notes having a value of 150% of the secured public deposits.

Notes to Consolidated Financial Statements

Cash funds deposited with various banks and savings and loans are covered by Federal depository insurance up to \$250,000. As of June 30, 2020, the Facilities has cash deposited with banks in excess of the related insurance coverage.

Concentration of credit risk:

Credit is extended, in the form of accounts receivable, to customers located primarily in the County of Kern, California.

Accounts receivable:

Accounts receivable are stated at the amount management expects to collect from outstanding balances. Management provides for probable uncollectible amounts through a charge to earnings and a credit to valuation allowance based on its assessments of the current status of individual accounts. Balances that are still outstanding after management has used reasonable collection efforts are written off through a charge to the valuation allowance and a credit to accounts receivable. Based on management's assessment of the credit history with customers having outstanding balances and current relationships with them, it has concluded that an allowance for doubtful accounts is necessary; therefore, an allowance of \$97,812 has been recorded as of June 30, 2020.

Capital assets:

The Facilities' capital assets are recorded at cost. Depreciation is computed using the straight line method over estimated useful lives of 3 - 10 years.

Maintenance and repairs of capital assets are charged to operations and major improvements are capitalized. Upon retirement, sale or other disposition of capital assets, the cost and accumulated depreciation are eliminated from the accounts and gain or loss is included in the consolidated statement of revenues and expenses.

The following is a summary of changes in the Facilities' capital assets for the year ended June 30, 2020:

<i>Assets - At Cost</i>			
	<i>Balance 6/30/19</i>	<i>Acquisitions</i>	<i>Balance 6/30/20</i>
Small equipment	\$ 18,896	\$ -	\$ 18,896
<i>Accumulated Depreciation</i>			
	<i>Balance 6/30/19</i>	<i>Depreciation Expense</i>	<i>Balance 6/30/20</i>
Small equipment	\$ 18,896	\$ -	\$ 18,896

Notes to Consolidated Financial Statements

Note 2. Advance from City of Bakersfield

During the normal course of business, the City pays expenses that are allocated to the operation of the Facilities. These expenses include payroll and related expenses for the City employees and equipment rent. The amount of the advance fluctuates throughout the year depending on allocated monthly expenses and additional cash flow needs. The advance is an intercompany account that is eliminated in the consolidation for the preparation of the City's financial statements. The amount charged by the City to the Facilities for the year ended June 30, 2020 was \$288,812.

Note 3. Deferred Revenue

Deferred revenue at June 30, 2020 consists of the following:

Suite contracts	\$	725,520
Ticket sales, future events		1,804,578
Naming rights		267,434
Sponsorship agreements		296,098
Ticket rebates		178,938
Event deposits		115,792
		<hr/>
	\$	3,388,360

Note 4. Administrative Services Agreements

AEG provides administrative services to the City for the Facilities. Compensation for these services is a base fee of \$400,000 for the first year, paid in equal monthly installments. The base fee will be adjusted annually (up or down) by the Consumer Price Index, but in no event will any increase or decrease exceed three percent. For the year ended June 30, 2020, AEG received \$455,974 in total management fees from the City for the three respective facilities.

In addition to the base fee, AEG receives an incentive equal to a percentage of the difference between the actual net operating profits or net operating losses for each facility and a benchmark. AEG receives an incentive of: 1) 25% of the difference between the actual net operating profit (loss) and a \$332,575 loss realized by the Arena, Theater and Convention Center; 2) 50% of the difference between the actual net operating profit (loss) and a \$20,785 loss realized by the Ice Center and 3) 50% of the difference between the actual net operating profit (loss) and a \$62,358 loss realized by the Amphitheater. The incentive fee was \$-0- for the year ended June 30, 2020.

The management agreement also includes a net loss guarantee where if the net operating loss in any given fiscal year for all of the Facilities taken in the aggregate exceeds a base amount of \$415,718, AEG will reimburse the Facilities in the amount the net operating loss exceeds \$415,718. For the year ended June 30, 2020, AEG reimbursed \$557,954 to the Facilities for net operating losses that exceeded the base amount.

Notes to Consolidated Financial Statements

Per the management agreement, AEG was to make a one-time contribution of \$250,000, from its own monies, to an event development account and is to be utilized for future events. In the event of early termination, AEG is authorized to withdraw any amounts remaining in the event development account as of the date of the early termination. The City is entitled to any balance in the account upon the expiration of the management agreement. The contribution from AEG is included in other liabilities on the consolidated statement of net position.

Note 5. Commitments

The Facilities have entered into various long-term contracts and leases. At June 30, 2020, outstanding commitments consist of the following:

Naming rights:

The City and AEG have entered into licensing and naming rights agreements with Mechanics Bank, Valley Children's Healthcare (VCH), and Dignity Health for the exclusive naming rights of the Facilities. The agreements call for the City and AEG to use reasonable efforts to identify the Arena as the "Mechanics Bank Arena, Theater, Convention Center", the Ice Center as the "Valley Children's Ice Center of Bakersfield" and the Amphitheatre as the "Dignity Health Amphitheatre" in all official documents, press releases, advertising, announcements, answering of telephones, as well as all promotion and print material produced or disseminated by or for the account of the Facilities. During the year ended June 30, 2020, total revenue earned from these agreements amounted to \$449,500.

Ticket sales:

The City and AEG have entered into a licensed user agreement with Outbox AXS, LLC (AXS), a related party to AEG through common ownership, to be the exclusive provider for ticket sales for any event presented at the Facilities. Under the agreement, AXS has the authority to act as an agent for the Facilities for ticket sales to the general public by any and all means including telephone and internet. AXS earns fees from the ticket sales such as inside ticket charges, customer convenience charges, credit card charges, handling charges and ticket sale royalties. AXS collects these fees as tickets are sold and the net amount is remitted to the Facilities weekly. This agreement began in July 2015 and is effective through the date which the AEG management agreement expires.

ARAMARK

The Facilities is currently operating under a contract with ARAMARK to operate concession and catering services for the Arena, Theater and Convention Center (the Facilities), effective through June 30, 2023. On mutual agreement between both parties, the term may be extended one five-year period.

The Facilities is entitled to receive 35% of the first \$500,000 in gross concession receipts and 40% of receipts in excess of \$500,000 but less than \$2,000,000 and 45% of any amount

Notes to Consolidated Financial Statements

exceeding \$2,000,000 annually. For the year ended June 30, 2020, the Facilities received \$911,533 in gross concession and catering receipts from ARAMARK.

Hockey lease:

The City and AEG have entered into a lease agreement, which has been assigned to KG Oilers Corporation, for exclusive use of the Facilities for East Coast Hockey League (ECHL) games. KG Oilers Corporation has agreed to pay \$3,500 for each Preseason home game played, \$6,525 for each Regular Season home game played and \$1,525 for each Post Season home game played. The fees will be subject to change at two-year intervals beginning on February 1, 2016. The change in payment will be based on the changes in the Consumer Price Index. During the year ended June 30, 2020, fees under this agreement were \$3,803 for each Preseason home game, \$7,090 for each Regular Season home game and \$1,657 for each Post Season home game played. Fees are to remain unchanged until October 2020.

The KG Oiler Corp. (Tenant) receives \$5,370 per luxury suite leased by the Arena or \$145,000 if all twenty-seven suites are leased. In addition to the suite payment, on suite leases sold or renewed after the effective date, an advertising and promotional inventory package will be included that will be provided by the Tenant as part of each new sale or renewal of a suite lease. The suite lease pricing will be adjusted to incorporate the fair market value of the advertising and promotional inventory, which will be estimated to be 10% of the new suite lease price. Tenant will receive the entire amount of the portion of the advertising and promotional inventory package for each new sale or renewal of the suite lease after the effective date. In no case will Tenant receive a sum less than \$6,500 when combining the suite lease payment and suite advertising package payment for each suite lease sold or renewed after the effective date. The \$6,500 threshold will be subject to change at two-year intervals beginning February 1, 2016. The change in payment is to be based on the changes in the Consumer Price Index. During the year ended June 30, 2020, fees under this agreement were \$7,063 per suite leased. Fees are to remain unchanged until March 2020. For the year ended June 30, 2020, KG Oiler Corp. received \$149,501 for the twenty-two suites leased.

Concession and catering services:

The City and AEG has entered into an agreement with Keith Barnes dba KB Concessions to provide concession and catering services for the Ice Center. The Facilities will receive 15% of gross concession receipts received from non-vending machine sales and 10% of gross concession receipts received from vending machine sales throughout the term of the new contract. This agreement is effective through September 6, 2021. For the year ended June 30, 2020, the Facilities received \$7,941 in concession commissions from KB Concessions.

Note 6. Insurance

The Facility has insurance coverage for general liability, auto, crime and workers' compensation. The general liability insurance has a \$100,000 retention level per occurrence for all claims with the maximum amount of coverage being \$3,000,000. Workers

Notes to Consolidated Financial Statements

compensation insurance has a \$250,000 retention level per occurrence with the combined maximum amount of coverage being \$1,000,000. The auto liability insurance has a \$50,000 retention level per accident for all claims with the maximum amount of coverage being \$1,000,000. The crime insurance has a \$250,000 retention level with the maximum amount of coverage being \$5,000,000. The Facility also has an umbrella policy, which has a \$25,000 retention level, which covers all claims up to a maximum amount of coverage of \$50,000,000. All buildings are covered under the City's insurance as the City owns all structures within the Facilities.

Note 7. Subsequent Events

The Facilities has evaluated events and transactions subsequent to June 30, 2020, through the date of the independent auditor's report. As a result of the spread of the COVID-19 coronavirus, economic uncertainties have arisen which could potentially have a negative impact on the Facilities' operations, though such impact is unknown at this time.

*Mechanics Bank Arena, Theater, Convention Center,
Valley Children's Ice Center of Bakersfield
and Dignity Health Amphitheatre*

*Consolidated Schedule of Operating Expenses
For the Year Ended June 30, 2020*

Utilities	\$ 1,075,277
Salaries and wages	842,505
Management fees	455,974
Employee benefits	280,576
General and administrative	248,736
Equipment rental	207,482
Hockey premium	149,501
Bad debt expense	112,393
Insurance	78,291
Supplies	66,531
Bank fees	62,863
Payroll taxes	54,799
Waste disposal	47,954
Marketing	27,441
Professional fees	27,430
Office supplies	26,473
Meals and entertainment	21,790
Dues and subscriptions	21,678
Training	21,425
Repairs and maintenance	19,740
Telephone	15,947
Security	12,314
Travel	12,144
Miscellaneous	10,410
Computer expenses	9,850
Postage	8,354
Contract labor	5,857
Licenses and permits	4,262
Uniforms	1,393
Other taxes and licenses	800
	<hr/>
	\$ 3,930,190

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Mechanics Bank Arena, Theater, Convention Center, Valley Children's Ice Center of Bakersfield and Dignity Health Amphitheatre's consolidated financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of consolidated financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

BARBICH HOOPER KING

DILL HOFFMAN

Accountancy Corporation

BARBICH HOOPER KING

Bakersfield, California
January 11, 2021

ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Consent - Successor Agency Business x.

TO: Honorable Mayor and City Council
FROM: Randy McKeegan, Finance Director
DATE: 1/22/2021
WARD:
SUBJECT: Receive and file Successor Agency payments from January 8, 2021, to January 21, 2021, in the amount of \$184,428.97.

STAFF RECOMMENDATION:

Staff recommends report be received and filed.

BACKGROUND:

The City administers payment of Successor Agency enforceable obligation payments as authorized by the State Department of Finance (DOF) to further the dissolution of the former Bakersfield Redevelopment Agency. The Successor Agency has a Recognized Obligation Payment Schedule (ROPS) approved by both the Bakersfield Oversight Board and the DOF. All payments of the Successor Agency must be on this approved listing in order to be valid and authorized payments of the Successor Agency.

A check register is provided which summarizes the transactions processed during the above referenced period. Additional details are provided below for each transaction.

Check #9995723 to U S Bank CR:US Bank Trust NA for \$107,225.62 is an interest payment on IBank Loan Sales Agreement #CIEDB-B08-083, Payment approved as ROPS 20-21B, line item #18.

Check #9995725 to U S Bank Trust for \$77,203.35 is an interest payment on tax allocation bonds, Series 2009A & B. Payment approved as ROPS 20-21B, line item #6 & #17.

ATTACHMENTS:

Description	Type
1-Check Register Admin SA Pymnts 02-03-2021	Backup Material

1/22/2021

AP - CHECK REGISTER - SUCCESSOR AGENCY
FROM
1/08/2021 TO 1/21/2021

PAGE 1

Check Number	Vendor Number	Vendor Name	Check Date	Check Total
9995723	15633	U S BANK CR:US BANK TRUST NA	Jan 21, 2021	\$107,225.62
9995725	24933	U S BANK TRUST	Jan 21, 2021	\$77,203.35
2				<u>\$184,428.97</u>
Number	Number	Vendor Name	E-Payable Date	Amount
				0.00
0				<u>\$0.00</u>
Disbursement Total				
2				<u><u>\$184,428.97</u></u>



ADMINISTRATIVE REPORT

MEETING DATE: 2/3/2021

Hearings 10. a.

TO: Honorable Mayor and City Council
FROM: Nick Fidler, Public Works Director
DATE: 12/18/2020
WARD: Ward 2
SUBJECT: Public Hearing to consider a resolution ordering the vacation of portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor freeway.

STAFF RECOMMENDATION:

Staff recommends approval of the resolution.

BACKGROUND:

The City of Bakersfield is requesting the vacation of portions of several streets in Westpark neighborhoods that are now rendered inoperable by the construction of the Centennial Corridor freeway. This includes portions of Charter Oaks Ave., Del Rey Ct., Montclair St., Kensington Ave., Malibu Ct., Woodlake Dr., Hillsborough Dr., Kentfield Dr., La Mirada Dr., Dunlap St., Joseph Dr. and Morrison Street. These streets have been reconfigured or removed to provide the necessary right of way for the construction of the Centennial Corridor Freeway, which is currently under construction.

The City Fire, Police, Public Works, Community Development, Recreation & Parks and Technology Services Departments have been notified of the request and no objections have been received as of the date of this report.

The utility companies serving the area have been notified by mail of the request and no objections have been received as of the date of this report.

Preliminary notices were also mailed to all adjacent property owners within a 300-foot radius of the proposed vacating area. Public Works has received no objections from these owners as of the date of this report.

The proposed vacation was approved by the Planning Division of the Development Services Department on December 22, 2020, per local ordinance and was found to be consistent with the Metropolitan Bakersfield 2010 General Plan pursuant to Government Code 65402.

It was determined this action is exempt from the requirements of the California Environmental

Quality Act pursuant to Section 15061 (b) (3) of CEQA guidelines (general rule), because there is no possibility the action may have a negative effect on the environment.

ATTACHMENTS:


Description	Type
▣ Blue Memo	Cover Memo
▣ Resolution	Resolution
▣ Exhibits A1-G1	Exhibit
▣ Exhibits A2-G2	Exhibit



BAKERSFIELD

THE SOUND OF *Something Better*

PUBLIC WORKS DEPARTMENT MEMORANDUM

TO: Honorable Mayor And Councilmembers
FROM: Nick Fidler, Public Works Director 
DATE: February 3, 2021
SUBJECT: AGENDA ITEM FOR COUNCIL MEETING OF February 3, 2021 – Hearings 10.a.

Public Hearing to consider a resolution ordering the vacation of portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor freeway. (Ward 2)

Staff requests that this item be pulled from the agenda because staff identified an issue with construction access and sequencing if the vacation of a couple of the streets occurs at this time. Staff will move forward with the public noticing and public hearing at a future City Council meeting.



**A RESOLUTION OF THE COUNCIL TO VACATE
PORTIONS OF SEVERAL STREETS IN THE WESTPARK
NEIGHBORHOOD THAT ARE NOW RENDERED
INOPERABLE BY THE CONSTRUCTION OF THE
CENTENNIAL CORRIDOR FREEWAY (WARD 2)**

WHEREAS, on **WEDNESDAY, JANUARY 20, 2021**, the Council of the City of Bakersfield, pursuant to the provisions of the "Public Streets, Highways and Service Easements Vacation Law," Government Code Sections 8300 et seq. of the Streets and Highways Code of the State of California, declared its intention to vacate portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor Freeway (Ward 2); and

WHEREAS, the Council did fix a time and place for hearing all persons interested in or objecting to said proposed vacation, which hearing was held on **February 3, 2021**, after notices of said hearing were duly published and posted as required by law; and

WHEREAS, for the above-described project, it was determined that the proposed vacation is exempt from CEQA, pursuant to Section 15061 (b) (3) of CEQA Guidelines (General Rule) in that there is no possibility that the proposed action could have a significant effect on the environment; and

WHEREAS, on December 22, 2020, Planning Department found the vacation to be consistent with the Metropolitan Bakersfield General Plan, per local ordinance.

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.
2. This Resolution is adopted pursuant to Section 8300, et seq. of the Streets and Highways Code of the State of California.
3. The Council orders the vacation of portions of several streets in the Westpark neighborhood that are now rendered inoperable by the construction of the Centennial Corridor Freeway (more specifically described in Exhibits "A1, B1, C1, D1, E1, F1 and G1" and illustrated in Exhibits "A2, B2, C2, D2, E2, F2 and G2", which is attached hereto and incorporated herein), all in the City of Bakersfield, County of Kern, State of California.
4. The City Clerk shall certify to the passage of this resolution and shall cause a certified copy hereof, attested by the Clerk under the seal of the City, to be recorded in the Office of the County Recorder of the County of Kern, California.

-----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:	COUCILMEMBER	ARIAS , GONZALES, WEIR, SMITH, FREEMAN, GRAY, PARLIER
NOES:	COUCILMEMBER	_____
ABSTAIN:	COUCILMEMBER	_____
ABSENT:	COUCILMEMBER	_____

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: _____
JOSHUA RUDNICK
Deputy City Attorney

Attachments: Exhibit "A"
Exhibit "B"

EXHIBIT "A1"
STREET VACATION
CHARTER OAKS AVENUE AND DEL REY COURT
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING A PORTION OF CHARTER OAKS AVENUE AND DEL REY COURT, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3203, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 17 OF MAPS AT PAGE 29, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 32, OF SAID TRACT NO. 3203, SAID POINT BEING ON THE SOUTHERLY LINE OF CHARTER OAKS AVENUE;

THENCE, ALONG SAID SOUTHERLY LINE, NORTH 57°35'04" EAST 1.74 FEET TO THE POINT OF BEGINNING, AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 19,929.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 66°39'32" EAST;

THENCE, FROM SAID POINT OF BEGINNING, NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°30'12" AND AN ARC LENGTH OF 175.03 FEET;

THENCE, NORTH 32°24'08" WEST 255.54 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 39.11 FEET THROUGH A CENTRAL ANGLE OF 45°35'49" AND AN ARC LENGTH OF 31.12 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 42.36 FEET THROUGH A CENTRAL ANGLE OF 38°11'27" AND AN ARC LENGTH OF 28.24 FEET;

THENCE, NORTH 24°59'46" WEST 24.77 FEET TO THE NORTHEASTERLY LINE OF SAID DEL REY COURT AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 50.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 34°19'33" EAST;

THENCE, SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 66°05'46" AND AN ARC LENGTH OF 57.68 FEET;

THENCE, CONTINUING ALONG SAID NORTHEASTERLY LINE, ALONG A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF 42°50'01" AND AN ARC LENGTH OF 18.69 FEET;

THENCE, CONTINUING ALONG SAID NORTHEASTERLY LINE, SOUTH 32°24'41" EAST 355.06 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHEASTERLY, (TRANSITIONING FROM SAID NORTHEASTERLY LINE TO THE NORTHWESTERLY LINE OF SAID CHARTER OAKS AVENUE) HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'13" AND AN ARC LENGTH OF 31.42 FEET;

THENCE, ALONG SAID NORTHWESTERLY LINE, NORTH 57°35'06" EAST 188.07 FEET;

THENCE, DEPARTING SAID NORTHWESTERLY LINE, SOUTH 32°21'31" EAST 60.00 FEET TO THE SOUTHEASTERLY LINE OF SAID CHARTER OAKS AVENUE;

THENCE, ALONG SAID SOUTHEASTERLY LINE, SOUTH 57°35'04" 246.27 FEET TO THE POINT OF BEGINNING;


CONTAINING 20,356 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "A2" AND BY THIS REFERENCE MADE PART HEREOF.



PREPARED UNDER MY SUPERVISION:


LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

02/14/2020
DATE

EXHIBIT "B1"
STREET VACATION – MONTCLAIR STREET
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING A PORTION OF MONTCLAIR STREET, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3203, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 17 OF MAPS AT PAGE 29, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 15, OF SAID TRACT NO. 3203, SAID POINT BEING A POINT ON A CURVE ON THE NORTHERLY LINE OF MONTCLAIR STREET;

THENCE, ALONG SAID NORTHERLY LINE, ALONG A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,479.95 FEET, TO WHICH SOUTHWEST CORNER OF SAID LOT 15 A RADIAL BEARS NORTH 34°01'16" WEST, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 1°43'07" AND AN ARC LENGTH OF 44.39 FEET TO THE **POINT OF BEGINNING**;

THENCE, DEPARTING SAID NORTHERLY LINE, ALONG A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 15.00 FEET, THROUGH A CENTRAL ANGLE OF 79°09'23" AND AN ARC LENGTH OF 20.72 FEET;

THENCE, SOUTH 24°53'47" EAST 30.56 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 101°04'23" AND AN ARC LENGTH OF 26.46 FEET TO THE SOUTHERLY LINE OF SAID MONTCLAIR STREET;

THENCE, ALONG SAID SOUTHERLY LINE, ALONG A TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING RADIUS OF 1,419.95 FEET, THROUGH A CENTRAL ANGLE OF 9°13'24" AND AN ARC LENGTH OF 228.58 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 19,929.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 67°34'39"EAST;

THENCE, DEPARTING SAID SOUTHERLY LINE, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°11'11" AND AN ARC LENGTH OF 64.80 FEET TO THE NORTHERLY LINE OF SAID MONTCLAIR STREET AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 1,479.95 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 44°13'32" WEST;

THENCE, NORTHEASTERLY ALONG SAID NORTHERLY LINE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 8°29'09" AND AN ARC LENGTH OF 219.19 FEET TO THE POINT OF BEGINNING;


CONTAINING 12,618 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B2" AND BY THIS REFERENCE MADE PART HEREOF.



PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

02/14/2020

DATE

EXHIBIT "C1"
STREET VACATION FOR
KENSINGTON AVENUE, MALIBU COURT AND WOODLAKE DRIVE
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING PORTIONS OF KENSINGTON AVENUE, MALIBU COURT AND WOODLAKE DRIVE, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3569, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 23 OF MAPS AT PAGE 118, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 16, OF SAID TRACT NO. 3569, SAID POINT BEING ON THE SOUTHERLY LINE OF SAID KENSINGTON AVENUE;

THENCE, ALONG SAID SOUTHERLY LINE, NORTH 71°00'14" WEST 35.25 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 329.51 FEET, THROUGH A CENTRAL ANGLE OF 3°54'07" AND AN ARC LENGTH OF 22.44 FEET;

THENCE, DEPARTING SAID SOUTHERLY LINE, ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 54.00 FEET, THROUGH A CENTRAL ANGLE OF 100°16'46" AND AN ARC LENGTH OF 94.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 18,000.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 72°02'13" EAST;

THENCE, NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°04'15" AN ARC DISTANCE OF 22.22 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID WOODLAKE DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 20.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS SOUTH 66°23'21" EAST;

THENCE, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°37'22" AN ARC DISTANCE OF 1.61 FEET;

THENCE, CONTINUING ALONG SAID NORTHWESTERLY LINE, ALONG A TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 437.11 FEET, THROUGH A CENTRAL ANGLE OF 36°17'06" AN ARC LENGTH OF 276.82 FEET;

THENCE, DEPARTING SAID NORTHWESTERLY LINE, SOUTH 23°05'32" EAST 61.47 FEET TO THE SOUTHEASTERLY LINE OF SAID WOODLAKE DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 377.11 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 36°36'46" EAST;

THENCE, SOUTHWESTERLY ALONG SAID SOUTHEASTERLY LINE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $34^{\circ}24'13''$ AN ARC DISTANCE OF 226.43 FEET;

THENCE, CONTINUING ALONG SAID SOUTHEASTERLY LINE (TRANSITIONING TO THE NORTHERLY LINE OF SAID KENSINGTON AVENUE) ALONG A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $89^{\circ}59'16''$ AN ARC LENGTH OF 31.41 FEET;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH $71^{\circ}00'14''$ EAST 225.04 FEET;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE (TRANSITIONING TO THE NORTHWESTERLY LINE OF SAID MALIBU COURT), ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 20.00 FEET THROUGH A CENTRAL ANGLE OF $80^{\circ}57'18''$ AND AN ARC LENGTH OF 28.26 FEET;

THENCE, DEPARTING SAID NORTHWESTERLY LINE, SOUTH $22^{\circ}50'00''$ EAST 103.14 FEET TO THE SOUTHERLY LINE OF SAID KENSINGTON AVENUE;

THENCE, ALONG SAID SOUTHERLY LINE, NORTH $71^{\circ}00'14''$ WEST 379.33 FEET TO THE POINT OF BEGINNING.


CONTAINING 38,297 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "C2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:




LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

02/14/2020

DATE

EXHIBIT "D1"
STREET VACATION FOR
HILLSBOROUGH AND KENTFIELD DRIVE
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING PORTIONS OF HILLSBOROUGH DRIVE AND KENTFIELD DRIVE, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3486, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 20 OF MAPS AT PAGE 135, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5, OF SAID TRACT NO. 3486, SAID POINT BEING ON THE SOUTHERLY LINE OF SAID KENTFIELD DRIVE;

THENCE, DEPARTING SAID SOUTHERLY LINE, NORTH 18°59'31" EAST 2.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 54.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS SOUTH 00°24'28" WEST;

THENCE, NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77°47'43" AN ARC DISTANCE OF 73.32 FEET TO THE NORTHERLY LINE OF SAID KENTFIELD DRIVE;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 71°00'29" EAST 249.72 FEET;

THENCE, ALONG A TANGENT CURVE, (TRANSITIONING FROM SAID NORTHERLY LINE TO THE SOUTHWESTERLY LINE OF SAID HILLSBOROUGH DRIVE), CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 30.00 FEET THROUGH A CENTRAL ANGLE OF 127°25'45" AND AN ARC LENGTH OF 66.72 FEET;

THENCE, ALONG SAID SOUTHWESTERLY LINE, NORTH 18°26'14" WEST 197.66 FEET;

THENCE, CONTINUING ALONG SAID SOUTHWESTERLY LINE OF HILLSBOROUGH DRIVE, ALONG A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 52°33'55" AND AN ARC LENGTH OF 13.76 FEET;

THENCE, CONTINUING ALONG SAID SOUTHWESTERLY LINE OF HILLSBOROUGH DRIVE, NORTH 71°00'09" WEST 352.47 FEET;

THENCE DEPARTING SAID SOUTHWESTERLY LINE, ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 21.69 FEET THROUGH A CENTRAL ANGLE OF 88°03'09" AND AN ARC LENGTH OF 33.34 FEET;

THENCE, NON-TANGENT TO THE PREVIOUS CURVE, NORTH 22°59'21" WEST 52.53 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID HILLSBOROUGH DRIVE;

THENCE, ALONG SAID NORTHEASTERLY LINE FOR THE NEXT SEVEN COURSES, SOUTH $71^{\circ}00'09''$ EAST 309.10 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF $29^{\circ}35'31''$ AND AN ARC LENGTH OF 12.91 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 90.00 FEET THROUGH A CENTRAL ANGLE OF $111^{\circ}42'58''$ AND AN ARC LENGTH OF 175.48 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF $29^{\circ}33'31''$ AND AN ARC LENGTH OF 12.90 FEET;

THENCE, SOUTH $18^{\circ}26'14''$ EAST 114.55 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF $29^{\circ}34'44''$ AND AN ARC LENGTH OF 12.91 FEET;

THENCE, ALONG A TANGENT CURVE (TRANSITIONING FROM SAID NORTHEASTERLY LINE TO THE SOUTHWESTERLY LINE OF SAID KENTFIELD DRIVE) CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 90.00 FEET THROUGH A CENTRAL ANGLE OF $186^{\circ}36'00''$ AND AN ARC LENGTH OF 293.11 FEET;

THENCE, CONTINUING ALONG SOUTHWESTERLY LINE OF SAID KENTFIELD DRIVE, ALONG A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 25.00 FEET THROUGH A CENTRAL ANGLE OF $29^{\circ}35'31''$ AND AN ARC LENGTH OF 12.91 FEET;

THENCE, CONTINUING ALONG SOUTHWESTERLY LINE, NORTH $71^{\circ}00'29''$ WEST 259.74 FEET TO THE POINT OF BEGINNING.


CONTAINING 66,734 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "D2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:





LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

02/14/2020
DATE

EXHIBIT "E1"
STREET VACATION – LA MIRADA DRIVE
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING A PORTION OF LA MIRADA DRIVE, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 3334, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 8 OF MAPS AT PAGE 148, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 36, OF SAID TRACT NO. 3334, SAID POINT BEING ON THE SOUTHERLY LINE OF LA MIRADA DRIVE;

THENCE, ALONG SAID SOUTHERLY LINE, SOUTH 73°30'03" EAST 3.83 FEET TO THE **POINT OF BEGINNING**; AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 19,911.65 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 72°46'48" EAST;

THENCE, DEPARTING SAID SOUTHERLY LINE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°12'28" AN ARC DISTANCE OF 72.22 FEET TO THE NORTHERLY LINE OF SAID LA MIRADA DRIVE;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH 73°30'03" EAST 96.03 FEET;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE FOR THE NEXT THREE COURSES, ALONG A TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 169.99 FEET THROUGH A CENTRAL ANGLE OF 52°57'17" AND AN ARC LENGTH OF 157.11 FEET;

THENCE, NORTH 53°32'40" EAST 147.60 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 169.99 FEET THROUGH A CENTRAL ANGLE OF 2°07'45" AND AN ARC LENGTH OF 6.32 FEET;

THENCE, DEPARTING SAID NORTHERLY LINE, SOUTH 19°42'36" EAST 12.98 FEET;

THENCE, SOUTH 37°15'53" EAST 47.67 FEET TO THE SOUTHERLY LINE OF SAID LA MIRADA DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY HAVING A RADIUS OF 229.99 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS SOUTH 37°15'53" EAST;

THENCE, ALONG SAID SOUTHERLY LINE OF LA MIRADA DRIVE, SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 0°48'33" AN ARC DISTANCE OF 3.25 FEET;

THENCE, CONTINUING ALONG SAID SOUTHERLY LINE OF LA MIRADA DRIVE FOR THE NEXT THREE COURSES, SOUTH 53°32'40" WEST 147.56 FEET;

ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 229.99 FEET THROUGH A CENTRAL ANGLE OF 52°58'00" AND AN ARC LENGTH OF 212.61 FEET;

THENCE, NORTH 73°30'03" WEST 55.82 FEET TO THE POINT OF BEGINNING.


CONTAINING 24,694 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "E2" AND BY THIS REFERENCE MADE PART HEREOF.



PREPARED UNDER MY SUPERVISION:



LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

02/04/2020
DATE

EXHIBIT "F1"
STREET VACATION – DUNLAP STREET & JOSEPH DRIVE
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING A PORTION OF DUNLAP STREET AND JOSEPH DRIVE, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 1750, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 8 OF MAPS AT PAGE 181, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 45, OF SAID TRACT NO. 1750, SAID POINT BEING ON THE NORTHERLY LINE OF FORD AVENUE;

THENCE, ALONG SAID NORTHERLY LINE, NORTH 85°20'42" EAST 88.00 FEET TO THE POINT OF BEGINNING;

THENCE, DEPARTING SAID NORTHERLY LINE, ALONG A TANGENT CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 89°59'58" AND AN ARC LENGTH OF 23.56 FEET TO A POINT ON THE WESTERLY LINE OF DUNLAP STREET;

THENCE, ALONG THE WESTERLY LINE OF DUNLAP STREET, NORTH 04°39'16" WEST 636.95 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 95°59'59" AND AN ARC LENGTH OF 25.13 FEET TO A POINT ON THE SOUTHERLY LINE OF JOSEPH DRIVE;

THENCE, WESTERLY ALONG THE SOUTHERLY LINE OF JOSEPH DRIVE, ALONG A TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 229.99 FEET THROUGH A CENTRAL ANGLE OF 27°12'23" AND AN ARC LENGTH OF 109.21 FEET;

THENCE, CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 73°30'03" WEST 18.38 FEET;

THENCE, DEPARTING SAID SOUTHERLY LINE, NORTH 14°46'52" WEST 70.21 FEET TO THE NORTHERLY LINE OF SAID JOSEPH DRIVE;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH 73°30'03" SOUTH 54.83 FEET;

THENCE, CONTINUING ALONG SAID NORTHERLY LINE, ALONG A TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 169.99 FEET THROUGH A CENTRAL ANGLE OF 49°26'18" AND AN ARC LENGTH OF 146.68 FEET;

THENCE, DEPARTING SAID NORTHERLY LINE, SOUTH 29°09'59" EAST 51.34 FEET;

THENCE, SOUTH 21°53'05" EAST 9.79 FEET TO THE SOUTHERLY LINE OF JOSEPH DRIVE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY HAVING A RADIUS OF 15.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 52°12'10" WEST;

THENCE, CONTINUING ALONG SAID SOUTHERLY LINE OF JOSEPH DRIVE, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 42°27'10" AN ARC DISTANCE OF 11.11 FEET TO THE EASTERLY LINE OF DUNLAP STREET;

THENCE, ALONG SAID EASTERLY LINE, SOUTH 04°39'16" EAST 664.69 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'02" AND AN ARC LENGTH OF 23.56 FEET TO A POINT ON THE NORTH LINE OF FORD AVENUE;

THENCE, ALONG SAID NORTH LINE, SOUTH 85°20'42" WEST 90.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 53,252 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "F2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:




LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

2/14/2020
DATE

EXHIBIT "G1"
STREET VACATION – MORRISON STREET
LEGAL DESCRIPTION

THAT CERTAIN REAL PROPERTY BEING A PORTION OF MORRISON STREET AND A PEDESTRIAN WALKWAY, AS THE SAME ARE SHOWN ON THE MAP OF TRACT NO. 1753, IN CITY OF BAKERSFIELD, COUNTY OF KERN, STATE OF CALIFORNIA, RECORDED IN BOOK 8 OF MAPS AT PAGES 138 AND 139, OFFICE OF THE RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 14, OF SAID TRACT NO. 1753, SAID POINT BEING ON THE SOUTHERLY LINE OF FORD AVENUE;

THENCE, ALONG SAID SOUTHERLY LINE, NORTH 85°20'42" EAST 93.00 FEET TO THE **POINT OF BEGINNING**;

THENCE, DEPARTING SAID SOUTHERLY LINE, ALONG A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 89°59'42" AND AN ARC LENGTH OF 23.56 FEET;

THENCE, ALONG THE WESTERLY LINE OF MORRISON STREET, SOUTH 04°39'36" EAST 313.98 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY HAVING A RADIUS OF 48.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS NORTH 36°02'53" WEST;

THENCE, CONTINUING ALONG THE WESTERLY LINE OF MORRISON STREET, SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 142°37'58" AN ARC DISTANCE OF 119.49 FEET;

THENCE, DEPARTING MORRISON STREET, SOUTH 04°39'36" EAST 7.05 FEET TO A POINT ON THE NORTHERLY LINE OF STOCKDALE HIGHWAY;

THENCE, ALONG SAID NORTHERLY LINE, SOUTH 89°06'45" EAST 10.05 FEET;

THENCE, DEPARTING SAID NORTHERLY LINE, NORTH 04°39'36" WEST 8.02 FEET TO THE EASTERLY LINE OF MORRISON STREET AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY HAVING A RADIUS OF 48.00 FEET, TO WHICH BEGINNING OF CURVE A RADIAL BEARS SOUTH 10°38'21" EAST;

THENCE, ALONG THE EASTERLY LINE OF MORRISON STREET, NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 142°37'58" AN ARC DISTANCE OF 119.49 FEET;

THENCE, CONTINUING ALONG THE EASTERLY LINE OF MORRISON STREET, NON-TANGENT TO THE PREVIOUS CURVE, NORTH 04°39'36" WEST 313.97 FEET;

THENCE, ALONG A TANGENT CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 15.00 FEET THROUGH A CENTRAL ANGLE OF 90°00'18" AND AN ARC LENGTH OF 23.56 FEET TO A POINT ON THE SOUTHERLY LINE OF FORD AVENUE;

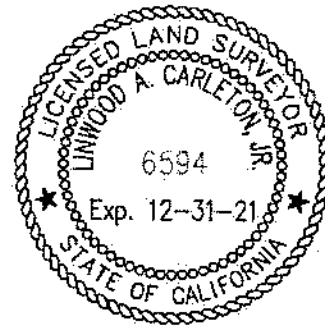
THENCE, SOUTH 85°20'42" WEST 80.00 FEET TO THE POINT OF BEGINNING.


CONTAINING 23,620 SQUARE FEET, MORE OR LESS.

BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 5 (2004.00). THE DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

SEE PLAT ATTACHED HERETO AS EXHIBIT "G2" AND BY THIS REFERENCE MADE PART HEREOF.

PREPARED UNDER MY SUPERVISION:

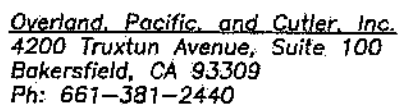




LINWOOD A. CARLETON, JR., P.L.S.
P.L.S. 6594, EXP. 12-31-19

2/14/2020

DATE

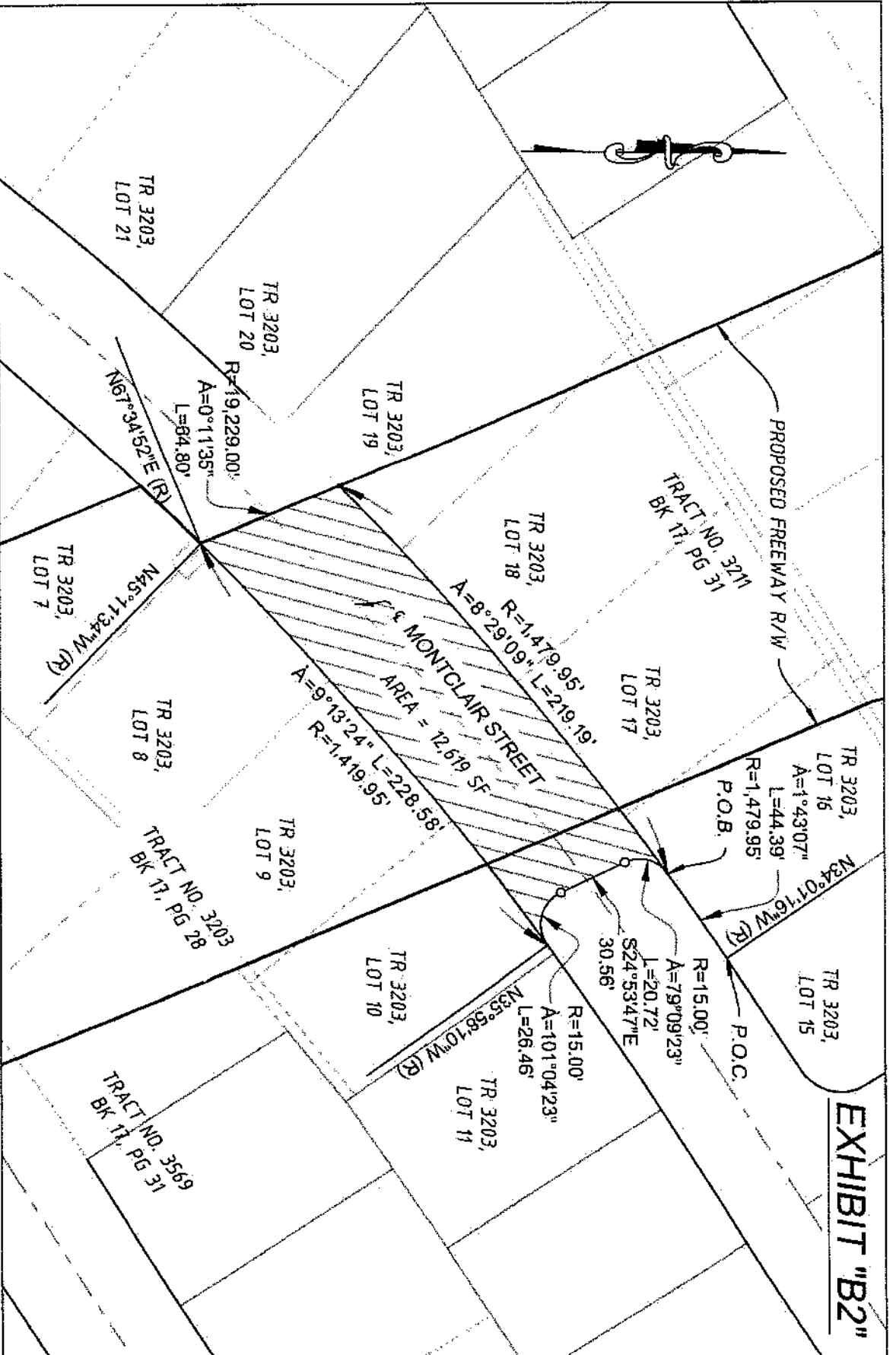


DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

VACATION OF STREET RIGHT-OF-WAY

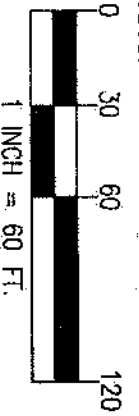
FEBRUARY 14, 2020
SHEET 3 OF 3

EXHIBIT "B2"



LEGEND

- LIMITS OF PARCEL
- PROPOSED RIGHT OF WAY
- POINT OF BEGINNING
- POINT OF COMMENCEMENT



NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCSS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC CORN "BVP" AND "WGP" HAVING A BEARING OF NORTH 65°14'53" WEST.

DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

VACATION OF STREET RIGHT-OF-WAY

FEBRUARY 14, 2020

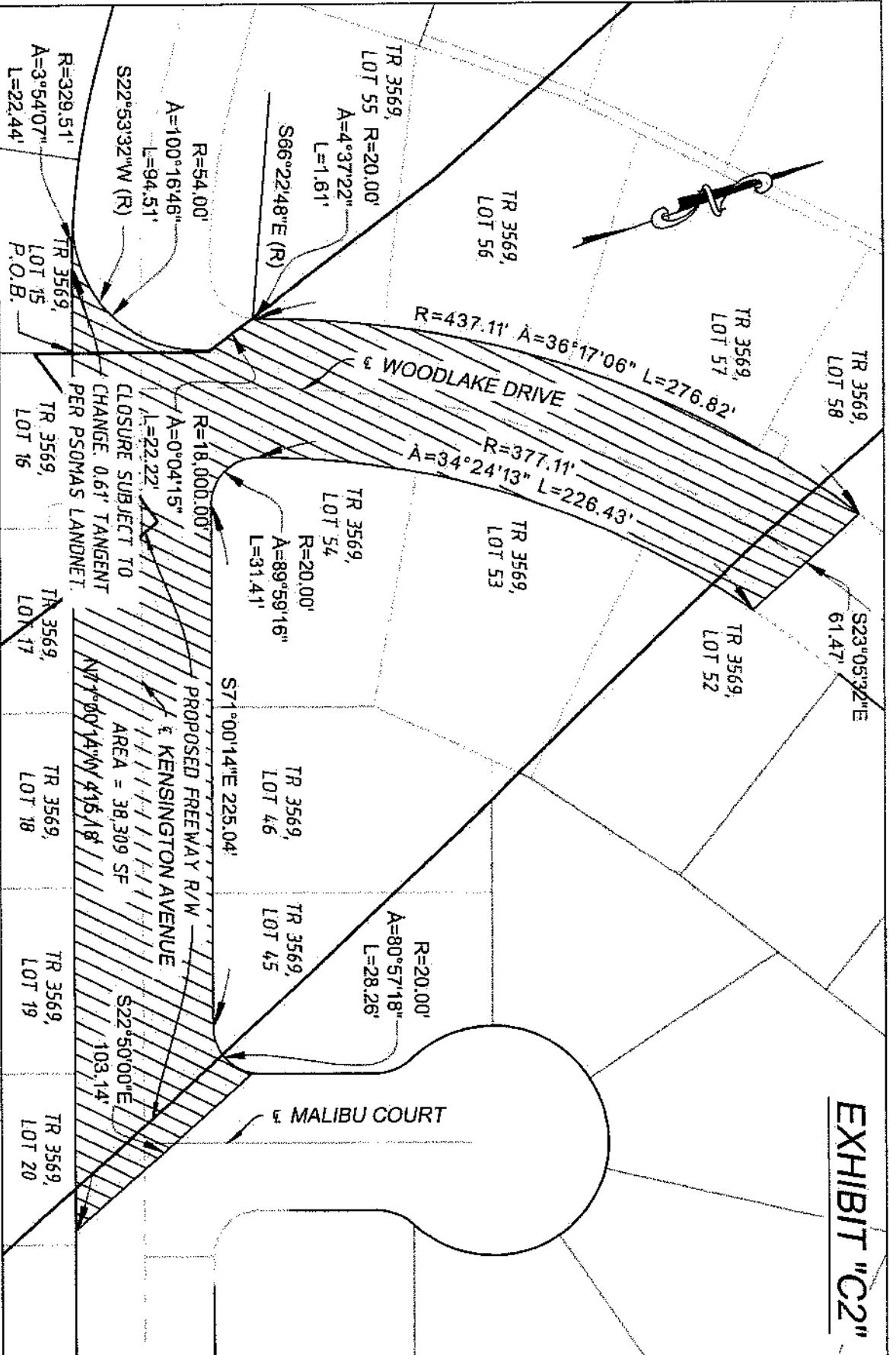
SHEET 3 OF 3

PREPARED BY:



Overland, Pacific, and Cutler, Inc.
4200 Truxtun Avenue, Suite 100
Bakersfield, CA 93309
Ph: 661-381-2440

EXHIBIT "C2"



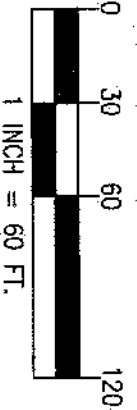
PREPARED BY:



Overland, Pacific, and Cutler, Inc.
4200 Truxtun Avenue, Suite 100
Bakersfield, CA 93309
Ph: 661-381-2440

LEGEND

- LIMITS OF PARCEL
- PROPOSED RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCRS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC CORNERS "BYPP" AND "WGPP" HAVING A BEARING OF NORTH $63^{\circ}14'53''$ WEST.

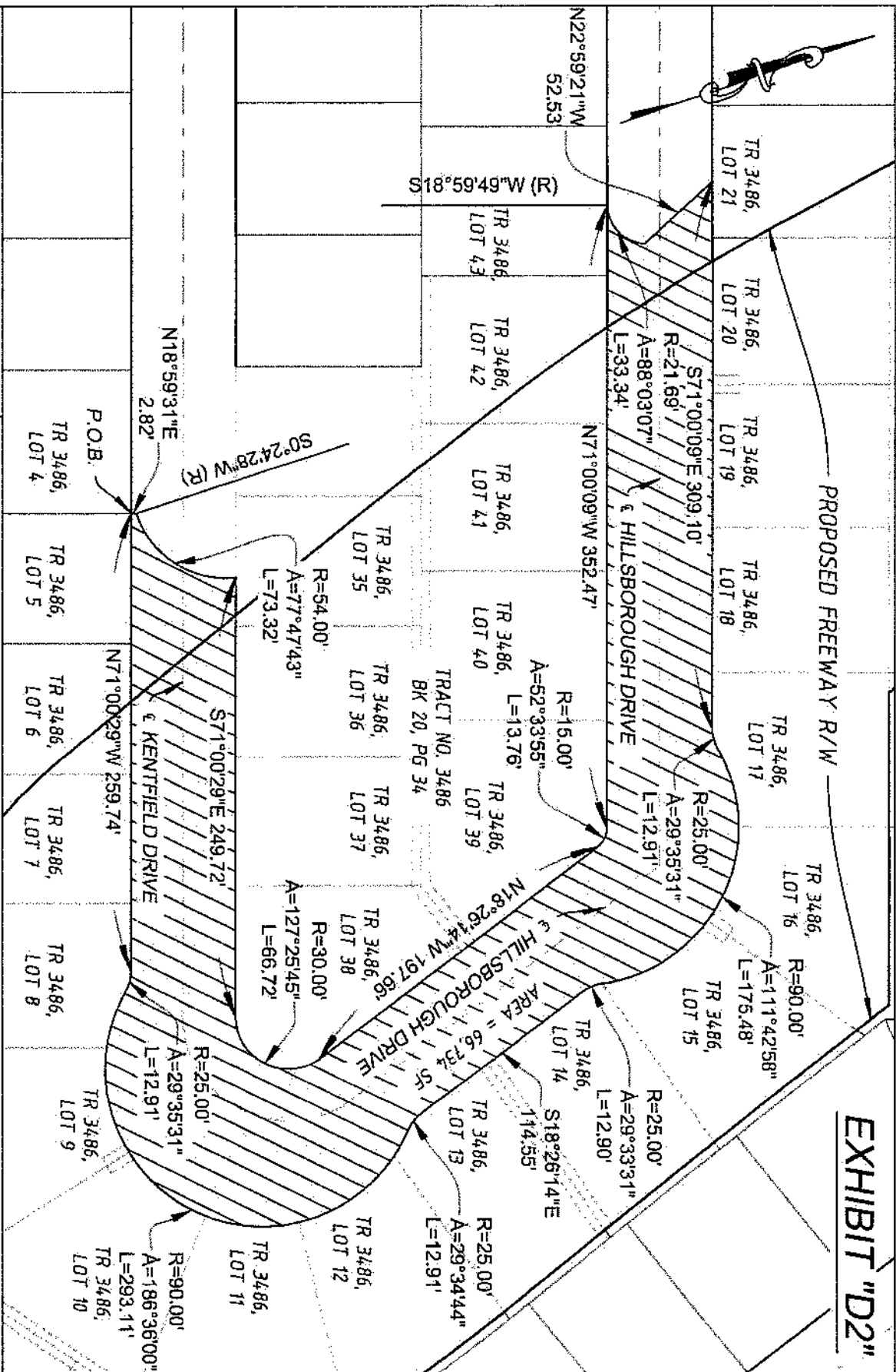
DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.999996406.

VACATION OF STREET RIGHT-OF-WAY

FEBRUARY 14, 2020

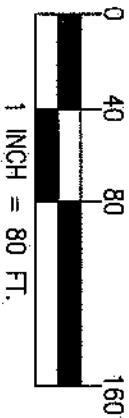
SHEET 3 OF 3

EXHIBIT "D2"



LEGEND

- LIMITS OF PARCEL
- PROPOSED RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC CORNERS "BVRP" AND "WGPP" HAVING A BEARING OF NORTH 63°14'53" WEST.

DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.999996406.

VACATION OF STREET RIGHT-OF-WAY

FEBRUARY 14, 2020

SHEET 3 OF 3

PREPARED BY:



Overland, Pacific, and Cutler, Inc.
4200 Truxtun Avenue, Suite 100
Bakersfield, CA 93309
Ph: 661-381-2440

EXHIBIT "E2"

PROPOSED FREEWAY R/W

AREA = 24, 694 SF

LA MIRADA DRIVE

P.O.C.

P.O.B.

TR 3334, LOT 5

TR 3334, LOT 6

TR 3334, LOT 7

TR 3334, LOT 8

TR 3334, LOT 9

TR 3334, LOT 10

TR 3334, LOT 31

TR 3334, LOT 32

TR 3334, LOT 33

TR 3334, LOT 34

TR 3334, LOT 35


TR 3334, LOT 36

TR 3334, LOT 37

Curved Alignment Data:

- $R=19,911.65'$, $A=0^{\circ}12'28''$, $L=72.22'$
- $S73^{\circ}30'03''E$, $96.03'$
- $N72^{\circ}46'48''E (R)$
- $N73^{\circ}30'03''W$, $55.82'$
- $R=229.99'$, $A=52^{\circ}58'00''$, $L=212.61'$
- $R=169.99'$, $A=52^{\circ}57'17''$, $L=157.11'$
- $N53^{\circ}32'40''E$, $141.60'$
- $R=169.99'$, $A=2^{\circ}07'44''$, $L=6.32'$
- $S19^{\circ}42'36''E$, $12.98'$
- $S37^{\circ}15'53''E$, $47.67'$
- $S37^{\circ}15'53''E (R)$
- $R=229.99'$, $A=0^{\circ}48'33''$, $L=3.25'$
- $S53^{\circ}32'40''N$, $141.56'$



PREPARED BY:  Overland, Pacific, and Cutler, Inc.
4200 Truxtun Avenue, Suite 100
Bakersfield, CA 93309
Ph: 661-381-2440

	LIMITS OF PARCEL
	PROPOSED RIGHT OF WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCS83, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC COR3 "BVP" AND "WGP". HAVING A BEARING OF NORTH 63°14'53" WEST.

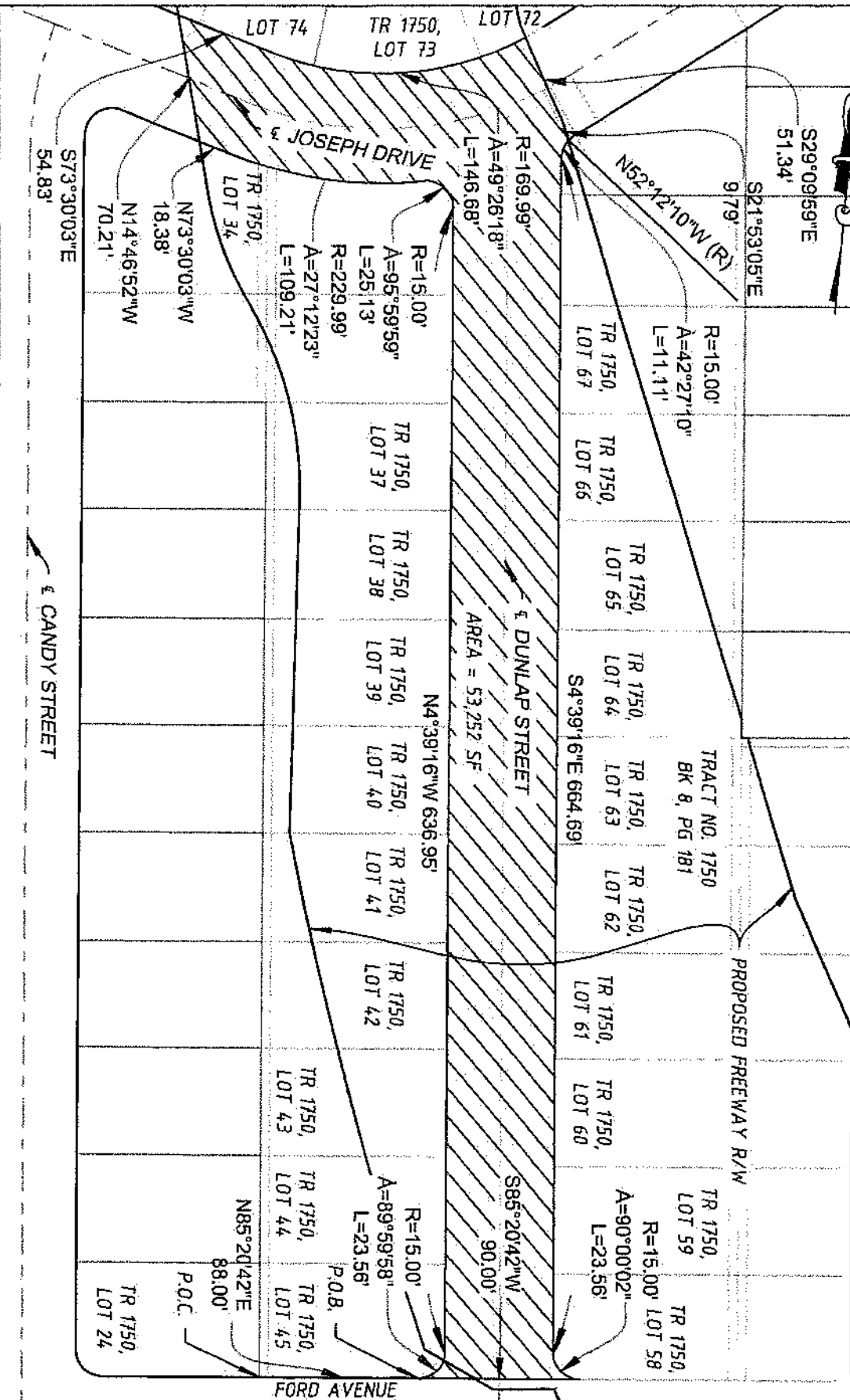
DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.999995406.

VACATION OF STREET RIGHT-OF-WAY

FEBRUARY 14, 2020

SHEET 3 OF 3

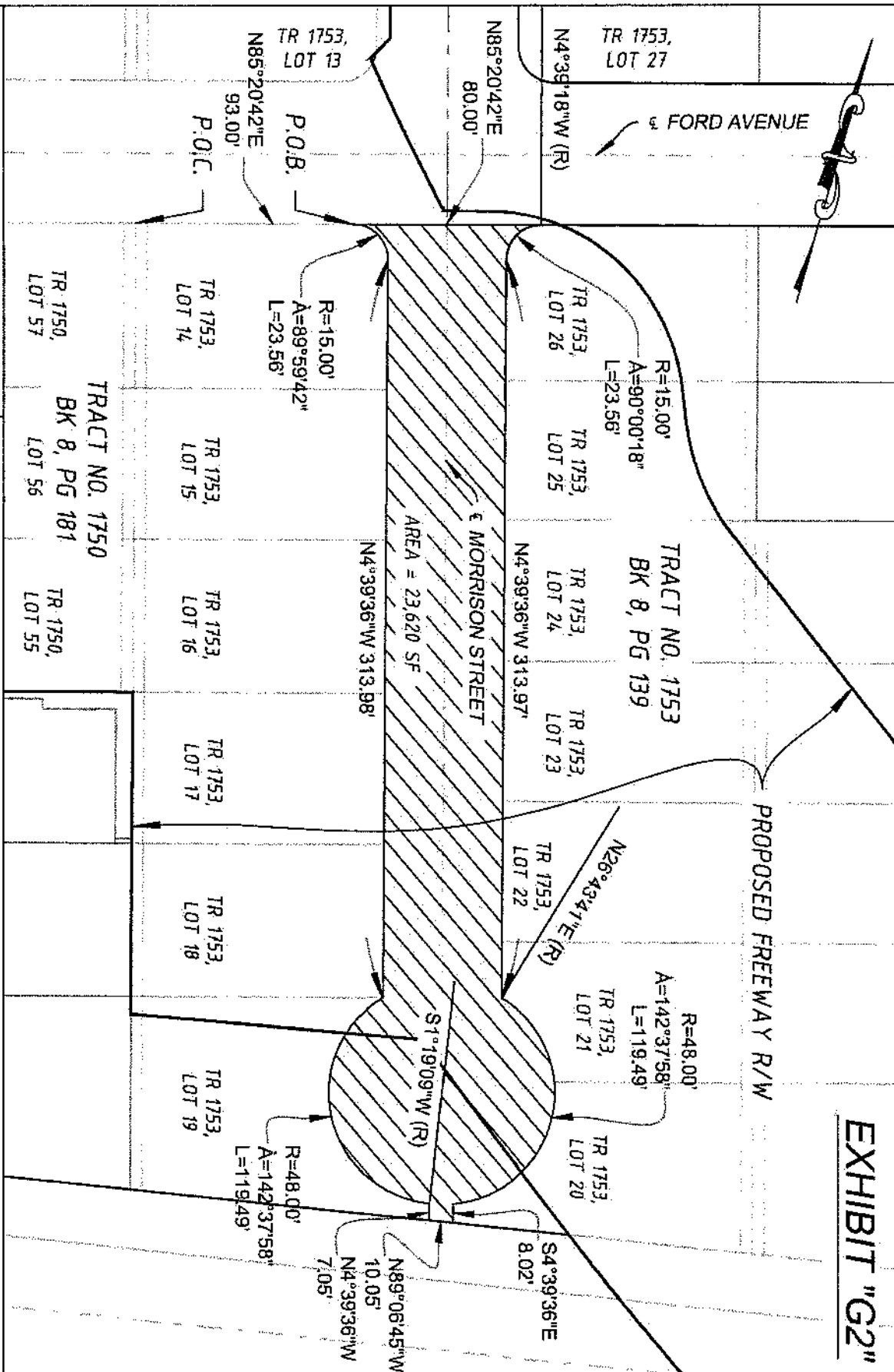
EXHIBIT "F2"



1 INCH = 80 FT.

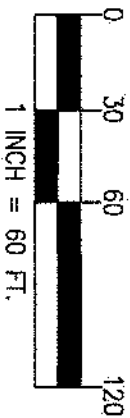
FEBRUARY 14, 2020
SHEET 3 OF 3

EXHIBIT "G2"



LEGEND

- LIMITS OF PARCEL
- PROPOSED RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



NOTES

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED UPON CCS&J, ZONE 5 (2004.00), AS DETERMINED BY A LINE BETWEEN CSRC CORNERS "BUPP" AND "WGPP" HAVING A BEARING OF NORTH 63°14'53" WEST.

DISTANCES SHOWN HEREIN ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE COMBINATION FACTOR OF 0.99996406.

VACATION OF STREET RIGHT-OF-WAY

FEBRUARY 14, 2020

SHEET 3 OF 3

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