

**KERN LOCAL AGENCY FORMATION COMMISSION
STATE OF CALIFORNIA
MINUTES**

Kern Council of Governments (KernCOG) Conference Room
1401 19th Street Suite 300
Bakersfield CA 93301

In-Person, Zoom and Teleconference
Meeting of August 24, 2022

Pursuant to the Government Code § 54963. et seq., meetings were held both at a physical location and by video/teleconference to attend to any health and safety concerns of the panelist and/or participants.

Regular scheduled meeting called to order at 5:15 p.m. Chair Fowler presiding.

ROLL CALL

Present: *Albright, Ayon, Couch, Fowler, Parlier, Scrivner, Zaragoza
Absent: McKibbin, Sanders
Staff: Knox, Menchaca, Rice
Counsel: Schroeter

Item 8/22/22-1: *Approved as Presented*

TELECONFERENCE MEETING REQUIRMENTS: (Agenda Item 3)

Chair Fowler presented the information regarding holding the May LAFCo Meeting by Zoom and teleconference in addition to in person. Upon motion of Commissioner Couch, seconded by Commissioner Ayon, IT IS ORDERED: The teleconference meeting requirements are approved as presented by the following votes:

AYES: Ayon, Couch, Fowler, Parlier, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: *Albright, McKibbin, Sanders

Item 8/22/22-2: *Approved as Presented*

APPROVAL OF MINUTES: (Agenda Item 4a) June 22, 2022, Meeting

Chair Fowler presented the June minutes; Upon motion of Commissioner Couch, seconded by Commissioner Ayon, IT IS ORDERED: The June 22, 2022, Minutes are approved as presented by the following votes:

AYES: Ayon, Couch, Fowler, Parlier, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: *Albright, McKibbin, Sanders

***Albright was present via zoom however was not confirmed as Commissioner Crump's alternate.**

Item 8/22/22-3: None

PUBLIC COMMENTS: (Agenda Item 5)

No comments from the public were presented.

***Mr. Rice announced that Albright was attending as the city alternate for Crump and should be included in the vote.**

****It should be noted that Agenda item 7b was heard at this time.**

COMMISSION ITEMS: (Agenda Item 7b)

Item 8/22/22-4: *Approved as Presented*

SPECIAL DISTRICT MEMBER AND ALTERNATE:

Results from Special District Election for regular seat and alternate as required in Government Code Section 56325 (c)

Executive Officer Knox recommended that the Commission accept the results of the Special District Election and seat Karen Sanders as Special District Member and Carlos Chavira as Alternate Special District Member as a quorum of votes was reached, ballots were counted resulting in the most votes in favor of Karen Sanders, with Alternate seat Carlos Chavira, for a four-year term ending in 2026. Commissioner Couch made a motion to move recommendation to approve and confirm Karen Sanders as Special District Member and Carlos Chavira as Alternate Special District Member. Upon motion of Commissioner Couch, seconded by Commissioner Zaragoza, IT IS ORDERED: Special District Member Karen Sanders with Alternate seat Carlos Chavira is approved as presented by the following votes:

AYES: Albright, Ayon, Couch, Fowler, Parlier, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: McKibbin, Sanders

***Upon the conclusion of Agenda item 7b, Executive Officer Knox welcomed Commissioner Carlos Chavira and he was seated on the Commission to be included to vote.**

***Attorney Tom Schroeter explained the Law regarding Island Annexations and the responsibility of the Commissioner.**

***Commissioner Zaragoza made a referral that the Policy Committee be activated to address the lack of a definition for “substantially surrounded.”**

***Executive Officer Knox announced that a full presentation of the continued items must be made, unless any of the Commission that did not attend the June 22, 2022, meeting had not watched the video included in the August Agenda Packet.**

***Commissioner Fowler, Commissioner Scrivner, Commissioner Parlier and Commissioner Couch all indicated they watched the video. Commissioner Chavira indicated he did not.**

***Executive Officer Knox continued with his full presentation.**

NOTICED PUBLIC HEARINGS:

Item 8/22/22-5: *Approved as Presented – Resolution No. 22-16*

CONTINUED: PROCEEDING 1798: City of Bakersfield Annexation No. 705 (Panama No. 26) Island Annexation Process (Agenda Item 6a)

Executive Officer Knox recommended that the Commission consider the Notice of Exemption adopted by the applicant and approve the proposal subject to conditions recommended by the Executive Officer waiving notice and protest hearing. Upon motion of Commissioner Couch, seconded by Commissioner Zaragoza, IT IS ORDERED: City of Bakersfield Annexation No. 705 (Panama No. 26) is approved as presented by the following votes:

AYES: Ayon, Couch, Albright, Parlier, Scrivner, Zaragoza, Chavira
NAYS: Fowler
ABSTAIN: None
ABSENT: McKibbin

Item 8/22/22-6: *Approved as Presented - Resolution No. 22-17*

CONTINUED: PROCEEDING 1801: CITY OF BAKERSFIELD PROPOSAL:

1801 City of Bakersfield Annexation No. 697 (Taft No. 03) Island Annexation Process (Agenda Item 6b)

Executive Officer Knox recommended that the Commission consider the Notice of Exemption adopted by the applicant and approve the proposal subject to conditions recommended by the Executive Officer waiving notice and protest hearing. Upon motion of Commissioner Couch, seconded by Commissioner Albright, IT IS ORDERED: City of Bakersfield Annexation No. 697 (Taft No. 03) Island Annexation Process is approved as presented by the following votes:

AYES: Ayon, Couch, Albright, Parlier, Scrivner, Zaragoza, Chavira
NAYS: Fowler
ABSTAIN: None
ABSENT: McKibbin

Item 8/22/22-7: *Approved as Presented - Resolution No. 22-18*

PROCEEDING 1806: SPHERE OF INFLUENCE 5-YEAR QUESTIONNAIRE - REVIEW:

1806 Sphere of Influence 5-Year Questionnaire – Review (Agenda Item 6c)

Executive Officer Knox recommended that the Commission re-affirm the Sphere of Influence 5-year reviews on for the following Districts without change with Government Code Section 56425(g).

<u>DISTRICT</u>	<u>DISTRICT</u>
Bear Valley Community	Mojave Public Utility
Boron Community Services	North Kern South Tulare Hospital
Delano Mosquito Abatement	Northwest Kern Resource
East Niles Community Services	Stallion Springs Community
Golden Hills Community	Tehachapi Valley Healthcare
Kern County Citrus Pest	West Side Mosquito & Vector
Kern Mosquito & Vector	

Chair Fowler presented the item. Upon motion of Commissioner Couch, seconded by
69-14

Commissioner Fowler, IT IS ORDERED: The Sphere of Influence 5-Year Review for the districts mentioned above are re-affirmed as presented by the following votes:

AYES: Ayon, Couch, Albright, Fowler, Parlier, Scrivner, Zaragoza, Chavira
NAYS: None
ABSTAIN: None
ABSENT: McKibbin

COMMISSION ITEMS: (Agenda Item 7)

Item 7a was presented to the Commission towards the end of the meeting. Item 7b was presented to the Commission at the beginning of the meeting.

GENERAL BUSINESS: (Agenda Item 8)

Item 8/22/22-8: Approved as Presented

EXPENSE LIST 22-06 (Agenda Item 8a)

Chair Fowler presented accounts payable 22-06. Upon motion of Commissioner Couch seconded by Commissioner Ayon, IT IS ORDERED: The general claims set forth in Expense List No. 22-06 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Ayon, Couch, Albright, Fowler, Parlier, Scrivner, Zaragoza, Chavira
NAYS: None
ABSTAIN: None
ABSENT: McKibbin

Item 8/22/22-9: Approved as Presented

EXPENSE LIST 22-07 (Agenda Item 8b)

Chair Fowler presented accounts payable 22-07. Upon motion of Commissioner Couch, seconded by Commissioner Albright, IT IS ORDERED: The general claims set forth in Expense List No. 22-07 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Ayon, Couch, Albright, Fowler, Parlier, Scrivner, Zaragoza, Chavira
NAYS: None
ABSTAIN: None
ABSENT: McKibbin

Item 8/22/22-10: Approved to Motion -

LEGAL SERVICES – REQUEST FOR PROPOSAL (Agenda Item 8c)

Executive Officer Knox recommended the Commission select alternate legal counsel to represent LAFCo in situations where lead counsel is not appropriate. Mr. Doug Gosling (Braun Gosling) and Mr. Isaac St. Lawrence (McMurtrey Hartsock Worth and St. Lawrence) both gave brief presentations of their law background and why they should be selected as alternate counsel. Commissioner Couch made a motion to hire both as alternate legal counsel. Upon motion of Commissioner Couch, seconded by Commissioner Zaragoza, IT IS ORDERED: Commission directed staff to negotiate an agreement with both law firms and bring back to Commission for approval by the following votes:

AYES: Ayon, Couch, Albright, Fowler, Parlier, Scrivner, Zaragoza, Chavira
NAYS: None
ABSTAIN: None
ABSENT: McKibbin

Item 8/22/22-11: Approved as Presented -

CLEANING SERVICES – REQUEST FOR PROPOSAL (Agenda Item 8d)

Executive Officer Knox recommended the Commission approve the Executive Officer to contract with Clean Bright cleaning service with immediate start date of cleaning services for office at 5300 Lennox Ave, Suite 303, Bakersfield, CA 93309. Upon motion of Commissioner Couch, seconded by Commissioner Ayon, IT IS ORDERED: Clean Bright cleaning services is approved as presented by the following votes:

AYES: Ayon, Couch, Albright, Fowler, Parlier, Scrivner, Zaragoza, Chavira
NAYS: None
ABSTAIN: None
ABSENT: McKibbin

***Chair Fowler stepped down as Chair**

***Commissioner Zach Scrivner took over as Chair**

Item 8/22/22-12: Approved to Motion -

RESTRICTED PUBLIC MEMBER AND ALTERNATE: (Agenda Item 7a)

Executive Officer Knox recommended the Commission appoint a Restricted Public Member and appoint an Alternate Restricted Public Member for another 4-year term. Barbara Fowler introduced herself to the Commission and expressed why she should be chosen as Restricted Public Member. The other three applicants did not attend this meeting. Commissioner Chavira made motion to nominate Barbara Fowler. Upon motion of Commissioner Chavira, seconded by Commissioner Couch, IT IS ORDERED: Barbara Fowler was appointed as Restricted Public Member for another 4-year term ending in 2026 approved as presented by the following votes:

AYES: Couch, Scrivner, Chavira
NAYS: None
ABSTAIN: None
ABSENT: None

Commissioner Couch made motion to retain Jose Gonzales as Alternate Public Member. Upon motion of Commissioner Couch, seconded by Commissioner Chavira, IT IS ORDERED: Jose Gonzalez was appointed as Alternate Public Member for another 4-year term ending in 2026 approved as presented by the following votes:

AYES: Couch, Scrivner, Chavira
NAYS: None
ABSTAIN: None
ABSENT: None

***Chair Fowler returned to meeting and assumed Chair duties.**

Item 8/22/22-13: Informational

LEGISLATIVE UPDATE Agenda Item 8e)

Executive Officer Knox advised the Commission of Senate Bill SB 938 signed by the Governor

Item 8/22/22-14: Informational

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 8f)

- State Water Board - Ground water issues.
- Additional Sphere of Influence Reviews for next meeting
- Annexation applications slow in coming to staff.
- Community Service District to be dissolved.
- CALAFCo Fall Conference – 6 reserved
- Thanks to Michael Heimer for helping today while Mr. Rice attended remotely
- The next meeting will be September 28, 2022

Item 8/22/22-15:

CLOSED SESSION: (Agenda Item 10)

None

Item 8/22/22-16: Adjourned

ADJOURNMENT: (Agenda Item 11)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 6:49 p.m.

Patty Monchaca
Clerk


Executive Officer