

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Zoom Meeting and Teleconference
Meeting of April 28, 2021

Due to the Coronavirus pandemic, Kern LAFCo did not hold in person Commission meeting. Governor Newsom, by Executive Order N-29-20, modified the Brown Act to allow for meetings to be held by teleconference.

Regular scheduled meeting called to order at 5:19 p.m. Chair Scrivner presiding.

ROLL CALL

Present: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
Absent: Couch, Fowler, Sanders
Staff: Knox, Moore, Rice, Rojas
Counsel: Schroeter

Item 4/28/21-1: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 3) March 24, 2021 Meeting

Chair Scrivner presented the March minutes; *Upon motion of Commissioner McKibbin, seconded by Commissioner Morris, IT IS ORDERED:* The March 24, 2021 Minutes are approved as confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Fowler, Sanders

Item 4/28/21-2: *None.*

PUBLIC COMMENTS: (Agenda Item 4)

Item 4/28/21-3: *Approved as Presented. - Resolution No. 21-02*

NOTICED PUBLIC HEARINGS: (Agenda Item 5)

KERN LAFCO 2021-2022 FINAL BUDGET: DETERMINATION (Agenda Item 5a)

Mr. Knox recommended the Commission approve the final 2021-2022 Fiscal Year budget. Upon motion of *Commissioner Morris*, seconded by *Commissioner McKibbin*, IT IS ORDERED: The Fiscal Year 2021-2022 budget is approved by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Fowler, Sanders

Item 4/28/21-4: *Approved as Presented - Resolution No. 21-03*

**It should be noted that without objection the Executive Officer requested that agenda item 5b and*

6a be heard together.

PROCEEDING 1777: BUENA VISTA WATER STORAGE DISTRICT SPHERE OF INFLUENCE AMENDMENT (Agenda Item 5b)

Mr. Knox recommended that the Commission consider and adopt the environmental document prepared by the District and approve the Sphere of Influence Amendment to Buena Vista Water Storage District with conditions recommended by Executive Officer. *Upon motion of Commissioner Baugher, seconded by Commissioner Morris, IT IS ORDERED:* The Buena Vista Water Storage District Sphere of Influence Amendment is approved and confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-5: *Approved as Presented - Resolution No. 21-04*

PROCEEDING 1781: CITY OF BAKERSFIELD: ANNEXATION 679 & COUNTY SERVICE AREA 71 DETACHMENT “R” (Agenda Item 5c)

Executive Officer Knox recommended the Commission consider the environmental document adopted by the applicant, do not waive notice, hearing and protest hearing and approve Annexation No. 679 (Rosedale No. 13) with detachments from CSA 71 and approve the proposed reorganization subject to conditions recommended by the Executive Officer. *By unanimous vote, IT IS ORDERED:* The City of Bakersfield Annexation No. 679 and County Service Area 71 Detachment “R” are approved and confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-6: *Approved as Presented - Resolution No. 21-05*

PROCEEDING 1782: CITY OF BAKERSFIELD ANNEXATION NO. 680 & COUNTY SERVICE AREA 29 (Agenda Item 5d)

Executive Officer Knox recommended that the Commission determine that the criteria for annexation of an unincorporated island under section 56375.3. has been met and no exclusions have been identified or presented accordingly, the Commission approve Annexation No. 680 (Harris No. 5) into the City of Bakersfield, dissolution of CSA 29 and waive protest proceedings with conditions recommended by the Executive Officer. *Upon motion of Commissioner Parlier, seconded by Commissioner McKibbin, IT IS ORDERED:* The City of Bakersfield Annexation No. 680 (Harris No. 5) and the dissolution of County Service Area 29 are approved as confirmed by the following votes:

AYES: Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: Baugher

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-7: *Approved as Presented - Resolution No. 21-06*

PROCEEDING 1783: CITY OF BAKERSFIELD ANNEXATION NO. 691 & COUNTY SERVICE AREA 11- KERN SANITATION AUTHORITY (Agenda Item 5e)

Mr. Knox recommended that the Commission consider the environmental document adopted by the applicant, do not waive notice, hearing and protest hearing and approve Annexation No. 691 (Cottonwood No. 5) with detachments from CSA 11 and KSA “D” with conditions recommended by the Executive Officer. Upon motion of *Commissioner Parlier*, seconded by *Commissioner Morris*, IT IS ORDERED: The City of Bakersfield Annexation No. 691 (Cottonwood No. 5) and the dissolution of County Service Area 11 are approved as confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Fowler, Sanders

Item 4/28/21-8: *Approved as Presented - Resolution No. 21-07*

DETERMINATION PROCEEDING: (Agenda Item 6)

PROCEEDING 1778: BUENA VISTA WATER STORAGE DISTRICT ANNEXATION NO .1 (Agenda Item 6a)

Executive Officer Knox recommended that the Commission consider the environmental document adopted by the applicant. It is further recommended that the Commission approve Annexation No. 1 to the Buena Vista Water Storage District with the requirement of notice, hearing and protest hearing be waived and subject to conditions recommended by Executive Officer. Upon motion of *Commissioner Baugher*, seconded by *Commissioner Morris*, IT IS ORDERED: The Buena Vista Water Storage District Annexation No.1 is approved as confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Fowler, Sanders

Item 4/28/21-9: *Approved as Presented - Resolution No. 21-08*

PROCEEDING 1784: CITY OF BAKERSFIELD ANNEXATION NO. 704 (Agenda Item 6b)

Executive Officer Knox recommended that Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Annexation No. 704 (Panama No. 25) with conditions recommended by the Executive Officer. Upon motion of *Commissioner Baugher*, seconded by *Commissioner Parlier*, IT IS ORDERED: The City of Bakersfield Annexation No.704 (Panama No. 25) is approved and confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Fowler, Sanders

Item 4/28/21-10: *Approved as Presented - Resolution No. 21-09*

PROCEEDING 1785: CITY OF BAKERSFIELD ANNEXATION NO. 702 (Agenda Item 6c)

Mr. Knox recommended that Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Annexation No. 702 (Panama No. 24) with conditions recommended by the Executive Officer. Upon motion of *Commissioner Baugher*, seconded by *Commissioner McKibbin*, IT IS ORDERED: The City of Bakersfield Annexation No. 702 (Panama No. 24) is approved as confirmed by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-11: *None.*

COMMISSION ITEMS: (Agenda Item 7)

Item 4/28/21-12: *Approved as Presented.*

GENERAL BUSINESS: (Agenda Item 8)

CLAIMS LIST 21-03 (Agenda Item 8a)

Chair Scrivner presented Claims List 21-03. Upon motion of *Commissioner Morris*, seconded by *Commissioner McKibbin*, IT IS ORDERED: The general claims set forth in Claims List No. 21-03 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-13: *Informational.*

CALIFORNIA LEGISLATION AB 1581 (Agenda Item 8b)

Mr. Knox informed the Commission of the contents of AB 1581. This is the yearly omnibus bill sponsored by CALAFCO for the purpose of clarifying the Cortese Knox Hertzberg Act with items that are non-controversial. The letter has already been submitted to the Assembly Local Government Committee in support. As per local policy, a copy was provided to the chair upon submission. Mr. Knox provided the letter of support to the Commission. Any future legislation that is controversial, will come before the Commission for a vote before action is taken.

Item 4/28/21-14: *Informational.*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 8c)

- Executive Officer Knox requested permission to send out a Request for Proposal (RFP) for audit services to both accounting firms inside Kern County and outside Kern. This will create more competition and provide the Commission with more choices.
- There may be a possibility of the Governor changing his order regarding public gatherings that would allow us to meet in person again. There is a possibility that we could use a hybrid

approach where there is an in-person meeting with a Zoom option for those who cannot attend in person. I will share more when I get the opportunity.

Item 4/28/21-15: Approved as Presented.

CLOSED SESSION: (Agenda Item 9)

PUBLIC EMPLOYMENT: ASSISTANT TO THE EXECUTIVE OFFICER (Agenda Item 9a)

The Commission adjourned to closed session to discuss the new position of Assistant to the Executive Officer. Mr. Schroeter reported that the following action was taken in closed session. Upon motion of *Commissioner Morris*, seconded by *Commissioner Baugher*, IT IS ORDERED: The position Assistant to the Executive Director is approved. The position will be effective on July 1, 2021.

AYES: Baugher, Crump, McKibbin, Morris, Parlier, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Fowler, Sanders

Item 4/28/21-16: Adjourned

ADJOURNMENT: (Agenda Item 10)

- The next meeting will be May 26, 2021.

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 7:04 p.m.

Secretary

Chairman