

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Zoom Meeting and Teleconference
Meeting of January 26, 2022

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 remotely by videoconference.

Regular scheduled meeting called to order at 5:20 p.m. Chair Fowler presiding.

ROLL CALL

Present: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza
Absent: Parlier
Staff: Knox, L. Moore, R. Moore, Rice,
Counsel: Schroeter

Item 1/26/22-1: *Approved as Presented.*

TELECONFERENCE MEETING REQUIRMENTS: (Agenda Item 3)

Chair Fowler presented the information regarding holding the January LAFCo meeting by teleconference instead of in person. Executive Officer Knox explained the need for the teleconference citing the rise in covid 19 cases. *Upon motion of Commissioner Scrivner, seconded by Commissioner Couch,* IT IS ORDERED: The teleconference meeting requirements are approved as confirmed by the following votes:

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

Item 1/26/22-2: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 4) December 1, 2021 Meeting

Chair Fowler presented the December minutes; *Upon motion of Commissioner Morris, seconded by Commissioner Sanders,* IT IS ORDERED: The December 1, 2021 Minutes are approved as confirmed by the following votes:

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

Item 1/26/22-3: None.

PUBLIC COMMENTS: (Agenda Item 5)

No comments from the public were presented.

Item 1/26/22-4: Continued

***It should be noted that Legal Counsel Tom Schroeter recused himself due to a potential conflict of interest stating that he had previously served as legal counsel for the City of McFarland and had worked on this proposal.**

PROCEEDING 1788: CITY OF MCFARLAND: ANNEXATION NO. 18 (Agenda Item 6a)

Mr. Knox informed the Commission that the City of McFarland and the McFarland Recreation and Park District had agreed to a continuance of the proposal to work out some issues between the City and the District. Jeff Nichols and Beth Kuney with McFarland Recreation and Park District and Kenny Williams and Sally Gonzalez with the City of McFarland all spoke to confirm their support of the continuance. The Executive Officer recommended the Commission continue the hearing to the February 23, 2022 LAFCo Commission meeting. *Upon motion of Commissioner Couch, seconded by Commissioner McKibbin, IT IS ORDERED:* The Commission approves the continuance of City of McFarland: Annexation No. 18 by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Parlier

Item 1/26/22-5: Approved as Presented - Resolution No. 22-01

PROCEEDING 1786: COUNTY SERVICE AREA 17: ANNEXATION NO. 15 (Agenda Item 6b)

Executive Officer Knox recommended that the Commission consider the environmental document adopted by the applicant, waive notice, and approve Annexation No. 15 subject to notice, hearing and protest hearing with conditions recommended by the Executive Officer. *Upon motion of Commissioner Sanders, seconded by Commissioner Couch, IT IS ORDERED:* The County Service Area 17: Annexation No.15 is approved as confirmed by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Parlier

DETERMINATION PROCEEDING: (Agenda Item 7)

Item 1/26/22-6: Approved as Presented - Resolution No. 22-02

PROCEEDING 1786: NORTH OF THE RIVER SANITARY DISTRICT: ANNEXATION NO. 112/County Service Area 71 Divestiture of Service (Agenda Item 7a)

Executive Officer Knox informed the Commission that the District General Manager recently requested that Parcel B be excluded from the two areas originally requested for annexation.

He also noted that CSA 71 provides sewer planning services to the area therefore the CSA needs to be divested of the services from the annexation area. He recommended that the Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Parcel A and exclude Parcel B of Annexation No. 112 and CSA Divestiture of Service with conditions recommended by the Executive Officer. *Upon motion of Commissioner McKibbin, seconded by Commissioner Couch*, IT IS ORDERED: The North of the River Sanitary District: Annexation No. 112/County Service Area 71: Divestiture of Service is approved as confirmed by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Parlier

Item 1/26/22-7: Continued

PROCEEDING 1793: LOST HILLS UTILITY DISTRICT: ANNEXATION NO. 20 (Agenda Item 7b)

***It should be noted that Legal Counsel Tom Schroeter recused himself due to a potential conflict of interest stating that he serves as legal counsel for the District.**

Mr. Knox informed the Commission that both the District and landowner have requested a continuance of the proposal. The Executive Officer recommended the Commission continue the hearing to the March 23, 2022 LAFCo Commission meeting. *Upon motion of Commissioner Couch, seconded by Commissioner Morris*, IT IS ORDERED: The Commission approves the continuance of Lost Hills Utility District: Annexation No. 20 by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Parlier

Item 1/26/22-8: Approved as Presented - Resolution No. 2-03

PROCEEDING 1796: COUNTY SERVICE AREA 60: Annexation 11 (Agenda Item 7c)

Executive Officer Knox recommended that Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Annexation No. 11 with conditions recommended by the Executive Officer. *Upon motion of Commissioner Morris, seconded by Commissioner Zaragoza*, IT IS ORDERED: The County Service Area 60: Annexation 11 is approved and confirmed by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Parlier

Item 1/26/22-9:

COMMISSION ITEMS: (Agenda Item 8)

Commissioner Zaragoza asked the Executive Officer about standing committees. Mr. Knox stated there are two standing committees. The Chair picks who sits on which Committee and that he would research the answer and work with the Chair to select new members.

Chair Fowler took an information pole of the Commission regarding Zoom vs in person meetings. Mr. Knox indicated that he would research holding a hybrid of in-person and videoconference at the KernCOG meeting room where the technology is available.

GENERAL BUSINESS: (Agenda Item 9)

Item 1/26/22-10: *Approved as Presented.*

EXPENSE LIST 21-11 (Agenda Item 9a)

Chair Fowler presented Claims List 21-11. *Upon motion of Commissioner Couch, seconded by Commissioner Morris, IT IS ORDERED:* The general claims set forth in Expense List No. 21-11 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 1/26/22-11: *Approved as Presented.*

EXPENSE LIST 21-12 (Agenda Item 9b)

Chair Fowler presented Claims List 21-12. *Upon motion of Commissioner Morris, seconded by Commissioner McKibbin, IT IS ORDERED:* The general claims set forth in Expense List No. 21-12 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 1/26/22-12: *Informational.*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9c)

- Staff will begin reviewing spheres of influence for each city and special district as required by the Cortese Knox Hertzberg.
- Staff will begin the process for the one of the Commission Special District seats along with an alternate.
- The search for a Commission Clerk has begun.
- The Weldon Water District formation will be going to election April 29, 2022 through the

County Elections Department.

- The Executive Officer is continuing to follow proposed LAFCo legislation through the CSDA Legislative Committee.
- The Executive Officer is continuing to seek funding to initiate the dissolution of the Kern Valley Resource Conservation District which is inactive.
- Staff will be requesting Statement of Economic Interest forms from public members and from the agencies of all the other Commission members.
- The next meeting will be February 23, 2022.

Item 1/26/22-13:

CLOSED SESSION: (Agenda Item 10)

The Commission adjourned to Closed Session.

The Commission returned from Closed Session reporting that the minutes of the December 1, 2021 Closed Session had been unanimously approved. *Upon motion of Commissioner McKibbin, seconded by Commissioner Sanders,*

Item 1/26/22-12: Adjourned

ADJOURNMENT: (Agenda Item 10)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 6:31 p.m.



Secretary



Chairman