

**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 May 25, 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 5:17 p.m. Chair Fowler presiding.

ROLL CALL

Present: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza
Absent: None
Staff: Knox, Menchaca, Moore, Rice
Counsel: Schroeter

Item 5/25/22-1: *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 Sanders, seconded by Commissioner McKibbin, IT IS ORDERED: The teleconference meeting requirements are approved as presented by the following votes:

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

Item 5/25/22-2: *Approved as Presented*

APPROVAL OF MINUTES: (Agenda Item 4a) April 27, 2022, Meeting

Chair Fowler presented the April minutes; Upon motion of Commissioner McKibbin, seconded by Commissioner Ayon, IT IS ORDERED: The April 27, 2022, Minutes are approved as presented by the following votes:

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

Item 5/25/22-3: None

PUBLIC COMMENTS: (Agenda Item 5)

No comments from the public were presented.

NOTICED PUBLIC HEARINGS:

Item 5/25/22-4: *Approved as Presented - Resolution No. 22-11*

PROCEEDING 1792: CITY OF DELANO & COUNTY SERVICE AREA 72 PROPOSAL:

City of Delano Annexation No. 55 & County Service Area (CSA) 72 Dissolution (Agenda Item 6a)

Executive Officer Knox recommended that the Commission consider the Environmental document adopted by the applicant and approve the proposal as presented, with conditions by the Executive Officer, subject to protest hearing. Chris Mynk, City of Delano Interim Community Development Director, spoke in agreeance to the recommendation and announced he was there to answer any questions on behalf of the City of Delano. Commissioner Zaragoza and Commissioner Ayon both had questions for Mr. Mynk of which he answered. Commissioners also asked the Executive Officer questions regarding the next process of this proposal. Upon motion of Commissioner Couch, seconded by Commissioner Ayon, IT IS ORDERED: City of Delano Annexation No. 55 & Dissolution of CSA 72 is approved, subject to protest hearing and conditions recommended by the Executive Officer, as presented by the following votes:

AYES: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

DETERMINATION PROCEEDING: (Agenda Item 7)

Item 5/25/22-5: *Approved as Presented - Reflected on May Minutes as Per Principal Act*

PROCEEDING 1770: WELDON REGINAL WATER DISTRICT PROPOSAL:

1770 Weldon Reginal Water District Formation Election Results (Agenda Item 7a)

Executive Officer Knox presented the Statement of Vote, Certification of Results for the landowner election, Certificate of Appointment in Lieu of Election and recommended that Commission consider the results to form the Weldon Water District. Executive Officer Knox stated the Agenda is incorrect in that this is resolved by Minute Order and not by Resolution per the state water code. Commissioner Zaragoza asked a question regarding when the project for formation started, and Executive Officer Knox noted that the applicants had been working on the project for over a dozen years. Upon motion of Commissioner Zaragoza, seconded by Commissioner Sanders, IT IS ORDERED: Election results and certificate of appointments are approved as presented by the following votes:

AYES: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

Item 5/25/22-6: *Approved as Presented - Resolution No. 22-12*

PROCEEDING 1803: CITY OF DELANO PROPOSAL:

1802 City of Delano Annexation No. 56 (Bhatti) (Agenda Item 7b)

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. Chris Mynk, City of Delano Interim Community Development Director, spoke in support of the project. Commissioner Zaragoza asked a question regarding the City's standards for the roads, and Chris Mynk stated that there would not be much of a difference with the County standards. Upon motion of Commissioner Couch, seconded by Commissioner Albright, IT IS ORDERED: City of Delano Annexation No. 56 is approved as presented by the following votes:

AYES: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

Item 5/25/22-7: Informational

PROCEEDING 1805: NORTH EDWARDS WATER DISTRICT PROPOSAL:

1805 North Edwards Water District Extension of Services (Agenda Item 7c)

Executive Officer Knox presented that the California Rural Water Association is assisting the district in providing water to multiple sites that have failing wells due to water quality. The Association is preparing a draft study that will recommend options to possibly annex multiple areas that will receive additional water supply from nearby resources. A plan to annex the Fountain Trailer Park and possibly some additional areas will be submitted soon.

Item 5/25/22-8: (Agenda Item 8)

COMMISSION ITEMS:

Chair Fowler recognized new Commissioner Saul Ayon, Councilmember with the City of McFarland and as Alternate Dick Albright, Councilmember for the City of Maricopa

GENERAL BUSINESS: (Agenda Item 9)

Item 5/25/22-9: Approved as Presented

EXPENSE LIST 22-04 (Agenda Item 9a)

Chair Fowler presented the accounts payable 22-04. Upon motion of Commissioner McKibbin, seconded by Commissioner Sanders, IT IS ORDERED: The general claims set forth in Expense List No. 22-04 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

Item 5/25/22-10: Approved as Presented

EXEMPT EMPLOYEE DESIGNATION (Agenda Item 9b)

Executive Officer Knox informed the Commission that the position of Deputy Executive Officer/Senior Analysts meets the definition of an exempt employee. It is Executive Officers recommendation to modify the Deputy Executive Officer/Analyst job description from Non-Exempt to Exempt status. Upon motion of Commissioner Sanders, seconded by Commissioner Zaragoza, IT IS ORDERED:

Exempt Employee designation for the Deputy Executive Officer/Analyst is approved as presented by the following votes:

AYES: Albright, Ayon, Couch, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

Item 5/25/22-11: *Approved by Alternate Motion*

CITIZEN ADVISORY COMMITTEE ON ANNEXATION DISSOLUTION (Agenda Item 9c)

Executive Officer Knox recommended that Commission consider providing a letter to the County Board of Supervisors supporting the dissolution of the Citizen Advisory Committee on Annexations at the Board of Supervisors next meeting held June 14, 2022. Becky Covington-Kaiser, landowner, realtor, and previous Chair of committee, spoke on keeping the committee intact and her opinion that it's valuable to the citizens of the county, county staff and the Supervisors. An objection letter from Barbara Fields, previous committee member, was read into the record by Executive Officer Knox. Commissioners Zaragoza and Ayon had question for Ms. Covington-Kaiser regarding the any steps made to approach Board of Supervisors and participation to resume committee. Commissioners Fowler and Albright made comments in support of keeping the committee. Commissioners Scrivner and Parlier made comments in support of the recent efforts by the City of Bakersfield and the County to provide inform effected residents and provide a transparent process. Couch and Scrivner both asked Attorney Tom Schroeder regarding conflict with voting on this matter both at LAFCo and at the Board of Supervisors. Tom answered that there is no conflict on the LAFCo side but encouraged them to look to County Counsel for guidance on any voting that takes place on the Board of Supervisors side. Commissioner Fowler made a motion to send a letter from the Commission to the Board of Supervisors recommending that they keep and not dissolve the Citizens Advisory Committee on Annexations. Upon motion of Commissioner Fowler, seconded by Commissioner Albright, IT IS ORDERED: Staff will send a letter requesting that the Board of Supervisors keep and not dissolve the Citizens Advisory Committee on Annexations approved by the following votes:

AYES: Albright, Ayon, Fowler, McKibbin, Parlier, Sanders, Zaragoza

NAYS: None

ABSTAIN: Couch, Scrivner

ABSENT: None

Item 5/25/22-12: *Informational*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9d)

- Special District Election new deadline June 30, 2022
- Attendance at CSDA Legislative Days in Sacramento
- Expense for Computer Purchases
- The next meeting will be June 22, 2022, with 4 City of Bakersfield Annexations expected.

Item 5/25/22-13:

CLOSED SESSION: (Agenda Item 10)

No closed session was held.

Item 5/25/22-14: Adjourned

ADJOURNMENT: (Agenda Item 11)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 6:56 p.m.

PM

Clerk

Blindkopf

Executive Officer