

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Zoom Meeting and Teleconference
Meeting of May 26, 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 5:20 p.m. Chair Scrivner presiding.

ROLL CALL

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

Item 5/26/21-1: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 3) April 28, 2021 Meeting

Chair Scrivner presented the April minutes; *Upon motion of Commissioner Fowler, seconded by Commissioner McKibbin, IT IS ORDERED:* The April 28, 2021 Minutes are approved as confirmed by the following votes:

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

Item 5/26/21-2: *None.*

PUBLIC COMMENTS: (Agenda Item 4)

**It should be noted Commissioner Morris joined the meeting.*

Item 5/26/21-3: *Approved as Presented. - Resolution No. 21-10*

NOTICED PUBLIC HEARINGS: (Agenda Item 5)

PROCEEDING 1781: CITY OF BAKERSFIELD: ANNEXATION NO. 679 (ROSEDALE NO. 13)
- COUNTY SERVICE AREA 71: DETACHMENT "R" PROTEST HEARING RESULTS (Agenda Item 5a)

The Executive Officer informed the Commission a protest hearing was held on May 24, 2021 via Zoom. No written or verbal protests were provided to LAFCo. The Executive Officer recommended the Commission accept the results of the protest hearing as a condition of approval of annexation. *Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED:* The Commission approves as presented City of Bakersfield: Annexation No. 679 following votes:

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

NAYS: None
ABSTAIN: None
ABSENT: None

Item 5/26/21-4: *Approved as Presented - Resolution No. 21-11*

PROCEEDING 1783: CITY OF BAKERSFIELD: ANNEXATION NO. 691 (COTTONWOOD NO. 5) - COUNTY SERVICE AREA 11: DETACHMENT “B” - KERN SANITATION AUTHORITY: DETACHMENT “D” PROTEST HEARING RESULTS (Agenda Item 5b)

Mr. Knox informed the Commission a protest hearing was held on May 24, 2021 via Zoom. No written or verbal protests were provided to LAFCo. The Executive Officer recommended the Commission accept the results of the protest hearing as a condition of approval of annexation. *Upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED:* The Commission approves as presented City of Bakersfield: Annexation No. 691 by the following votes:

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

Item 5/26/21-5: *Approved as Presented - Resolution No. 21-12*

DETERMINATION PROCEEDING: (Agenda Item 6)

PROCEEDING 1786: CITY OF BAKERSFIELD: ANNEXATION NO. 700 (SOUTH UNION NO. 17) (Agenda Item 6a)

Executive Officer Knox recommended that the Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Annexation No. 700 (South Union No. 17) with conditions recommended by the Executive Officer. *Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED:* The City of Bakersfield: Annexation No.700 is approved as confirmed by the following votes:

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

Item 5/26/21-6: *Approved as Presented - Resolution No. 21-13*

PROCEEDING 1787: CITY OF BAKERSFIELD ANNEXATION NO. 703 (LANDCO NO. 04) (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. 703 (Landco No. 04) with conditions recommended by the Executive Officer. *Upon motion of Commissioner Sanders, seconded by Commissioner Couch, IT IS ORDERED:* The City of Bakersfield: Annexation No.703 (Landco No. 04) is approved and confirmed by the following votes:

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

Item 5/26/21-7: None.

COMMISSION ITEMS: (Agenda Item 7)

Item 5/26/21-8: *Approved as Presented.*

GENERAL BUSINESS: (Agenda Item 8)

CLAIMS LIST 21-04 (Agenda Item 8a)

Chair Scrivner presented Claims List 21-04. *Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED:* The general claims set forth in Claims List No. 21-04 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 5/26/21-9: Informational.

ELECTION OF PUBLIC MEMBER SEAT (Agenda Item 8b)

Executive Officer Knox informed the Commission Stuart Baugher has resigned. The process for filling the public member seat as outlined in the Cortese Knox Hertzberg Act calls for an election by specific members of the Commission. First, the Commission shall cause a notice of vacancy to be posted as provided in Section 56158. A copy of this notice shall be sent to the clerk or secretary of the legislative body of each local agency within the county. Final appointment to fill the vacancy may not be made for at least 21 days after the posting of the notice. Second, LAFCo staff will supply application forms to anyone interested in applying for the public member seat. Third, the Public Member shall thereafter be appointed by members of the Commission representing cities, counties, and special districts.

Item 5/26/21-10: Informational.

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 8c)

- I will have the results of the request for Hardship reduction in dues from CALAFCO soon. This will be going to their Executive Committee in the near future.
- I applied to the County for reimbursement of COVID related expenses in the amount of approximately \$26,000. The largest expense was attributed to the purchase of a computer server. The Federal guidelines that approve certain types of spending which include:
 - *Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.*
- The Governor's plans regarding opening California from COVID restrictions on June 15th have not been finalized, which is causing confusing for LAFCo and other local agencies.

Notices will have to be sent out 21 days before the June 23rd meeting which will be a conflict if the Governor's orders require in person meetings. The path forward is to be consistent with public notifications and hold the June Kern LAFCo Commission meeting by Zoom. The Commission is dark in July. Unless the Governor's plan changes again, the August 25th meeting will be held in person, back in the Board of Supervisors chambers.

- The next meeting will be June 23, 2021.

Item 5/26/21-11: *None.*

CLOSED SESSION: (Agenda Item 9)

Item 5/26/21-12: *Adjourned*

ADJOURNMENT: (Agenda Item 10)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 5:45 p.m.

Secretary

Chairman