

**LOCAL AGENCY FORMATION COMMISSION
COUNTY OF KERN, STATE OF CALIFORNIA**

Teleconference
Meeting of April 29, 2020

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 meeting called to order at 5:22 p.m. Chair Rivera presiding.

ROLL CALL

Present: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner
Absent: Couch, Morris
Staff: Knox, Rice, Rojas
Counsel: Schroeter

APPROVAL OF MINUTES: (Agenda Item 3) April 1, 2020

Item 4/29/20-1: Approved as Presented

Chair Rivera presented the March minutes; Upon motion of Commissioner McGuire, seconded by Commissioner Fowler, IT IS ORDERED: The Minutes of the meeting of April 1, 2020 are approved as confirmed by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Couch, Morris

PUBLIC COMMENTS: (Agenda Item 4)

Item 4/29/20-2: None.

NOTICED PUBLIC HEARINGS: (Agenda Item 5)

Item 4/29/20-3: Approved as Presented - Resolution No. 20-08

(5a) PROCEEDING 1770: – WELDON REGIONAL WATER DISTRICT: FORMATION

Executive Officer Knox recommended the Commission adopt the environmental document, approve the formation of the proposed district contingent upon the results of the protest hearing and authorize the following conditions set by the Executive Officer:

- a) The Applicant has signed an agreement to actively defend or indemnify and hold harmless the Commission or its agents, officers and employees, from any liability or loss connected

with the approval of this proceeding.

- b) The name of the Water District shall be the Weldon Regional Water District.
- c) The applicant will be required to hold a Proposition 218 election prior to completion of formation.
- d) The removal of Rosedale-Rio Bravo Water Storage District owned parcels from inclusion in district boundaries.
- e) The applicant will revise the district boundary map and legal description before a Certificate of Completion will be recorded.
- f) The Board of Directors of the District is to be composed of five members elected as provided for in California Water District Law, Water Code Section 34000 et. seq.
- g) The initial Board of Directors will be elected pursuant to the Water Code sections 34700 et. seq.
- h) Pursuant to the applicable Water Code Sections the District is permitted to complete its duties and responsibilities outlined in the application.
- i) The powers of the proposed District will not include the authority to provide sewer service.
- j) The District will set the appropriations limit as soon as feasibly possible consistent with Government Code Section 57000.
- k) The effective formation date of the District will be determined by the filing of the certificate of completion by the LAFCo Executive Officer with the Kern County Recorder's office pursuant to the certification of the election results by the Board of Supervisors; and the Commission authorizes and directs the Executive Officer to file and record any and all documentation required by law in regards to this proceeding.

Upon motion of Commissioner Baugher, seconded by Commissioner Fowler, IT IS ORDERED: The Weldon Regional Water District Formation is approved as confirmed by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/29/20-4: Approved as Presented - Resolution No. 20-09

(5b) PROCEEDING: 1769 – WELDON REGIONAL WATER DISTRICT: SPHERE OF INFLUENCE DETERMINATION

Mr. Knox recommended that the Commission adopt the Sphere of Influence as presented including the adoption of the Mitigated Negative Declaration and conditions recommended by the Executive Officer. Upon motion of Commissioner Baugher seconded by Commissioner Sanders,

IT IS ORDERED: The Commission adopts as presented the Weldon Regional Water District Sphere of Influence by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/29/20-5: Approved as Presented - Resolution No. 20-10

(5c) PROCEEDING: 1765 – COUNTY SERVICE AREA 17: SPHERE OF INFLUENCE AMENDMENT

The Executive Officer recommended the Commission adopt, by resolution, the Sphere of Influence as presented and authorize all conditions recommended by the Executive Officer. Upon motion of Commissioner Fowler seconded by Commissioner Sanders, IT IS ORDERED: The Commission approves as presented the County Service Area 17: Sphere of Influence Amendment.

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/29/20-6: Approved as Presented - Resolution No. 20-11

(5d) PROCEEDING: 1764 - COUNTY SERVICE AREA 17: ANNEXATION NO. 13

The Executive Officer recommended the Commission approve the annexation to CSA 17 contingent upon the results of the protest hearing. Upon motion of Commissioner McGuire seconded by Commissioner Fowler, IT IS ORDERED: The Commission approves the Annexation No. 13 to County Service Area 17.

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/29/20-7: Approved as Presented - Resolution No. 20-12

(5e) KERN LAFCO 2020-2021 FINAL BUDGET: DETERMINATION

Mr. Knox recommended the Commission approve the final 2020-2021 Fiscal Year budget. Upon motion of Commissioner Fowler, seconded by Commissioner Sanders, IT IS ORDERED: The Fiscal Year 2020-2021 budget is approved by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

PUBLIC PROJECT REVIEW: (Agenda Item 6)

Item 4/29/20-8: None.

COMMISSION ITEMS: (Agenda Item 7)

Item 4/29/20-9: Approved as Presented - Resolution No. 20-13

(7a) PROCEEDING: 1763 – RESULTS OF PROTEST HEARING: REORGANIZATION: CITY OF BAKERSFIELD: ANNEXATION NO. 670 (MOHAWK NO. 2) & COUNTY SERVICE AREA 18: DETACHMENT “Q”

The Executive Officer recommended the Commission accept the results of the protest hearing and reaffirm the determination of the proposal. Upon motion of Commissioner McGuire, seconded by Commissioner Fowler, IT IS ORDERED: The Commission being presented with and hearing no protests, reaffirms the approval of City of Bakersfield: Annexation 670 (Mohawk No. 2) and County Service Area 18: Detachment “Q”.

GENERAL BUSINESS: (Agenda Item 8)

Item 4/29/20-10:

(8a) CLAIMS LIST 20-04

Upon motion of Commissioner McGuire, seconded by Commissioner Baugher, IT IS ORDERED: The general claims set forth in Claims List No. 20-04 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/1/20-11:

(8b) DEPUTY EXECUTIVE OFFICER- ANALYST JOB DESCRIPTION AND COMPENSATION

Mr. Knox recommended the Commission approve modification of the job title and job description of Senior Analyst. The new title/position would be Deputy Executive Officer/Senior Analyst effective immediately. Upon motion of Commissioner Fowler, seconded by Commissioner Sanders, IT IS ORDERED: The Commission approves the modification of title and job description of Senior Analyst to Deputy Executive Officer/Senior Analyst by the following votes:

AYES: Baugher, Fowler, McKibbin, McGuire, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Couch, Morris

Item 4/1/20-12:

(8c) ELECTRONIC MEETING OPTIONS AND COSTS

Executive Officer Knox informed the Commission iPads would not be a viable option due to the high cost. Commissioner Scrivner suggested that all Commissioners might not need new equipment because they could use their own. Mr. Knox agreed to perform a survey of the Commissioners and return with the results.

Item 4/29/20-13:

(8d) EXECUTIVE OFFICER MISCELLANEOUS ITEMS

- Executive Officer Knox informed the Commission LAFCO staff has been working remotely.
- Staff is working on new applications and reaching out to Cities to complete Municipal Service Reviews that are past the 5-year expiration.
- Mr. Rice requested the Surveyor's Office approve and accept electronic maps and signatures to accelerate the process.
- LAFCo website has new information and videos of LAFCo meetings.
- LAFCo legislative bills will not move forward at this time.
- The next meeting will be held by Conference Call May 27, 2020 at 5:15 PM.

CLOSED SESSION: (Agenda Item 9)

Item 4/29/20-14: None

ADJOURNMENT: (Agenda Item 10)

Item 4/29/20-15: Adjourned

There being no further business to come before the Commission. IT IS ORDERED: the meeting is adjourned at 6:25 p.m.

Secretary

Chairman