

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

Board of Supervisors' Chambers
1115 Truxtun Ave
Bakersfield, California
Meeting of December 4, 2019

Regular meeting called to order at 5:01 p.m. in the Board of Supervisors' Chambers County Administrative Building, 1115 Truxtun Avenue, Bakersfield, California, 93301. Chair McKibbin presiding.

Present: Baugher, Couch, Gleason, Gonzalez, McKibbin, Morris, Rivera, Sanders

Staff: Knox, Rice, Rojas

Counsel: Schroeter

Absent: Fowler, McGuire, Scrivner

APPROVAL OF MINUTES: (Agenda Item 3) October 23, 2019

Item 12/4/19-1: Approved as Presented

Chair McKibbin presented the October minutes; Upon motion of Commissioner Couch, seconded by Commissioner Morris, IT IS ORDERED: The Minutes of the meeting of October 23, 2019, are approved as confirmed by the following votes:

AYES: Baugher, Couch, Gleason, Gonzalez, McKibbin, Morris, Rivera, Sanders

NAYS: None

ABSTAIN: None

ABSENT: Fowler, McGuire, Scrivner

PUBLIC COMMENTS: (Agenda Item 4)

Item 12/4/19-2: None.

NOTICED PUBLIC HEARINGS: (Agenda Item 5)

Item 12/4/19-3 Resolution No. 19-30

(5a) PROCEEDING: 1751 - KERN SANITATION AUTHORITY: ANNEXATION NO. 01 & COUNTY SERVICE AREA NO. 11: DETACHMENT "A" OF (PROTEST HEARING)

Executive Officer Knox stated the annexation of Kern Sanitation Authority and detachment of County Service Area 11 was approved at the October 2019 meeting contingent on the results of the protest hearing. No protests were presented to the Commission and the protest hearing was closed on December 2, 2019. It is recommended that the Commission accept the protest hearing results.

Upon motion of Commissioner Baugher, seconded by Commissioner Couch, IT IS ORDERED: The Commission accepts the protest hearing results as presented for Kern Sanitation District: Annexation No. 01 and County Service Area No. 11: Detachment “A” by the following votes:

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

Item 12/4/19-4: Resolution No. 19-31

(5b) PROCEEDING: 1758 - COUNTY SERVICE AREA NO. 34: ANNEXATION NO. 1 (PROTEST HEARING)

Executive Officer Knox stated the annexation of County Service Area No. 34 was approved at the October 2019 meeting contingent on the results of the protest hearing. No protests were presented to the Commission and the protest hearing was closed on December 2, 2019. It is recommended that the Commission accept the protest hearing results. Upon motion of Commissioner Sanders, seconded by Commissioner Baugher, IT IS ORDERED: The Commission accepts the protest hearing results as presented for CSA No. 34: Annexation No. 1 by the following votes.

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

PUBLIC PROJECT REVIEW: (Agenda Item 6)

12/4/19-5: Resolution No. 19-32

(6a) PROCEEDING: 1755 - CITY OF BAKERSFIELD: ANNEXATION 685 (WASHINGTON NO. 06) & COUNTY SERVICE AREA 18: DETACHMENT “A”

Executive Officer Knox recommended that the Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing, and approve the annexation for the City of Bakersfield and detachment for County Service Area 18. Upon motion of Commissioner Couch, seconded by Commissioner Baugher, IT IS ORDERED: The Commission approves as presented the City of Bakersfield: Annexation No. 685 (Washington No. 06) and County Service Area 18: Detachment “A” by the following votes.

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

COMMISSION ITEMS: (Agenda Item 7)

Item 12/4/19-6: Resolution No. 19-33

(7a) PROCEEDING: 1747 - SHAFTER-WASCO IRRIGATION DISTRICT: ANNEXATION NO. 10- RESOLUTION CONDITION STATUS REGARDING PROPOSITION 218 ELECTION PURSUANT TO GOVERNMENT CODE § 56884

Executive Officer Knox stated the annexation of Shafter-Wasco Irrigation District Area was approved at the June 2019 meeting contingent on the results of the 218 Election. It is recommended that the Commission accept the results of the 218 Election. Upon motion of Commissioner Couch, seconded by Commissioner Morris, IT IS ORDERED: The Commission approves as presented the Shafter-Wasco Irrigation District: Annexation No. 10 by the following votes:

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

GENERAL BUSINESS: (Agenda Item 8)

Item 12/4/19-7: Approved as Presented

(8a) CLAIMS LIST 19:09

Upon motion of Commissioner Sanders, seconded by Commissioner Couch, IT IS ORDERED: The general claims set forth in Claims List No. 19-09 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 12/4/19-8:

(8b) 2020 COMMISSION MEETING SCHEDULE

Upon motion of Commissioner Gonzalez, seconded by Commissioner Couch, IT IS ORDERED: The 2020 meeting schedule is approved.

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

Item 12/4/19-9:

(8c) CALAFCO DUES STRUCTURE MODIFICATION AND INCREASE

The Executive Officer informed the Commission of the CALAFCO dues structure and modification passed by a wide margin at the CALAFCO conference in October. The Kern LAFCo due will increase by 58% or \$3,940. Executive Officer Knox suggested (3) choices regarding the new fee structure.

- 1.) Accept dues structure and pay full cost.
- 2.) Negotiate Kern LAFCo dues to a lower fee.
- 3.) Drop out of CALAFCO.

The Executive Officer recommended the Commission approve an offer of \$1,000 above last year's dues. Upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED: The offer of \$1,000 above last year's CALAFCO dues will be presented to CALAFCO as confirmed by the following votes:

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

Item 12/4/19-10: Receive and File

(8d) 2018-2019 AUDIT

The Executive Officer stated that the audit was very successful. Brown Armstrong found no issues or unusual transactions. Rosalva Florez, accountant for Brown Armstrong, was asked by the Executive Officer to speak to the Commission from the podium. Ms. Florez affirmed to the Commission that Kern LAFCo's financial statements were accurate. Ms. Florez recommended that LAFCo add a category for pension liabilities in the 2020-2021 budget. The Executive Officer recommended the Commission receive and file the 2018-2019 audit. The Executive Officer supported the recommendation requesting a new category for pension liabilities into the 2020-2021 budget. Upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED: The Commission approves as presented to receive and file the 2018-2019 audit and add a pension liabilities category into the 2020-2021 budget.

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

Item 12/4/19-11: Informational

(8e) EXECUTIVE OFFICER MISCELLANEOUS ITEMS

- Executive Officer Knox presented a summary of LAFCo’s activities during the previous year.
- The Executive Officer Knox and Mr. Schroeter, LAFCo Counsel are creating a policy document regarding the timely destruction of documents that will be presented to the Commission for approval when complete.
- LAFCo leases office space in a building that is entering escrow and may soon have a new property owner.
- The Executive Officer asked Patty Poire, planning manager for Kern County Ground Authority to give a presentation on the Sustainable Groundwater Management Act (SGMA) at the next Commission meeting.
- Five Southern California LAFCo’s have asked Kern LAFCo to join them in a pooled Request for Proposal (RFP) for audit services. Pooling our audits may provide a significant savings for Kern LAFCo by joining the RFP.
- Next meeting is scheduled for Wednesday, January 22, 2020.

CLOSED SESSION: (Agenda Item 9)

Item 12/4/19-12: Evaluation of Executive Officer per Government Code § 54957 (b) (1).

The Commission adjourned to closed session to conduct Mr. Knox’s evaluation. The Commission returned from closed session and Commissioner Couch stated the Commission approved a 4% raise for Mr. Knox. Upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED: The Commission approves a 4% salary increase for the Executive Officer.

AYES: Baugher, Couch, Gleason, Gonzalez, McKibbin, Morris, Rivera, Sanders

NAYS: None

ABSTAIN: None

ABSENT: Fowler, McGuire, Scrivner

ADJOURNMENT: (Agenda Item 10)

Item 12/4/19-13: Adjourned

There being no further business to come before the Commission. IT IS ORDERED: the meeting is adjourned at 5:31 p.m.

Secretary

Chairman