

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

Hybrid In-Person/Video/Teleconference Meeting
To be held at Kern Council of Governments (KernCOG)
1401 19th Street Suite # 300
Bakersfield, CA 93301
Meeting of **December 7, 2022** - 5:15 p.m.

David Couch - Kern County BOS	<u>ALTERNATE COMMISSIONERS</u>
Zack Scrivner - Kern County BOS	Phillip Peters - Kern County BOS
Chris Parlier - City of Bakersfield	Patty Gray - City of Bakersfield
John Crump - City of Maricopa	Dick Albright - City of Maricopa
Saul Ayon - City of McFarland	Vacant - Special District
Gary McKibbin** - Special District Member	Jose Gonzalez - Public Member
Karen Sanders - Special District Member	Virginia Mello - Public Member
Vince Zaragoza - Public Member	
Barbara Fowler* - Public Member	
*Chair **Vice Chair	

AGENDA

SPECIAL NOTICE REGARDING REMOTE PUBLIC PARTICIPATION DUE TO COVID-19.

Pursuant to the Government Code § 54963. et seq., meetings will be held both at a physical location and by video/teleconference to attend to any health and safety concerns of the panelist and/or participants. The LAFCo Commission, staff and public may choose to participate in-person, phone or by video conference using the following:

Please use the link below to join the webinar:

<https://us06web.zoom.us/j/87327148476?pwd=WGI0NS93ZmV2QTYzejBuRnlGeUNDZz09>

Dial in Number (669) 900-6833 Passcode: 7161076 Webinar ID: 873 2714 8476

Members of the public who wish to make written comments during the meeting please email the Clerk at: clerk@kernlafco.org. Every effort will be made to read your comment into the record. If a comment is received after the comment portion of the meeting but before the meeting is adjourned, the comment will still be included as a part of the record of the meeting but will not be read into the record.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **TELECONFERENCE MEETING REQUIREMENTS**
 - a. BROWN ACT REQUIREMENTS FOR REMOTE ACCESSED MEETING *Vote Required*
Discussion and possible minute action: Meeting protocol: a motion to hold the board meeting in-person and by videoconference pursuant to Assembly Bill 361 and Government Code § 54953 (e) and finding that there is a proclaimed state of emergency to affirm that a local official have recommended measures to promote social distancing, all as required by AB 361 and § 54953 (e). (Minutes)
4. **APPROVAL OF THE MINUTES**
 - a. [SEPTEMBER 28, 2022, MEETING MINUTES](#) *Vote Required*

5. **PUBLIC COMMENTS**

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. Speakers are limited to two minutes. Please state your name and address for the record before making your presentation.

6. **DETERMINATION PROCEEDING**

a. **1808 – STATE CONTROLLER INACTIVE LIST** *Vote Required*

Accept list pursuant to Government Code Section 56879. (a) On or before November 1, 2018, and every year thereafter, the Controller shall create a list of special districts that are inactive, as defined in Section 56042, based upon the financial reports received by the Controller pursuant to Section 53891.

(b) The commission shall initiate dissolution of inactive districts by resolution within 90 days of receiving notification from the Controller pursuant to subdivision (a), unless the commission determines that the district does not meet the criteria set forth in Section 56042.

(c) The commission shall dissolve inactive districts. The commission shall hold one public hearing on the dissolution of an inactive district pursuant to this section no more than 90 days following the adoption of the resolution initiating dissolution.

7. **NOTICED PUBLIC HEARINGS**

a. **1809 – KERN VALLEY RESOURCE CONSERVATION DISTRICT DISSOLUTION** *Vote Required*

Consideration of dissolution for the Kern Valley Resource Conservation District. The District was acknowledged by the State Controller’s office and determined by Kern LAFCo to be inactive and eligible for a streamlined dissolution process as outlined in SB 448. (Resolution)

8. **COMMISSION ITEMS:**

a. **APPOINTMENT OF CHAIR AND VICE CHAIR** *Vote Required*

b. **REPORT: DEFINITION OF SUBSTANTIALLY SURROUNDED (CONTINUED)** *Informational*

Discussion with Chair regarding referral to Policy Committee to postpone meeting until after new Chair and Policy Committee are seated.

c. **RECOGNITION: Commissioner Parlier for his years of service on Kern LAFCo.** *Informational*

9. **GENERAL BUSINESS**

a. **APPROVAL OF MONTHLY EXPENSE LIST NO. 22-09** *Vote Required*

b. **APPROVAL OF MONTHLY EXPENSE LIST NO. 22-10** *Vote Required*

c. **2023 COMMISSION SCHEDULE**..... *Vote Required*

Approval of Commission meeting schedule for 2023

d. **LEGISLATION AFFECTING MEETING PROCEDURE** *Informational*

e. **REPORT: CITY OF BAKERSFIELD GENERAL PLAN** *Informational*

f. **EXECUTIVE OFFICER MISCELLANEOUS ITEMS** *Informational*

10. **CLOSED SESSION:**

- a. PUBLIC EMPLOYMENT: Evaluation of Executive Officer per Government Code § 54957 (b) (1).
- b. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54954. (f). Agency designated representative: Chairperson; Unrepresentative employee; Executive Officer.
- c. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION Paragraph (1) of subdivision (d) of Section 54956.9 Name of case: Kern Water Bank Authority et al. vs Kern Local Agency Formation Commission

11. **ADJOURNMENT**

Next scheduled meeting **JANUARY 25, 2023**

NOTE TO THE PUBLIC

CAMPAIGN CONTRIBUTION - If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of \$250 or more to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308). This statement is not a comprehensive summary of the section.

DISABILITY ACCOMODATIONS - A request for disability-related accommodations should be made to the Executive Officer no later than 8 days before the need for the accommodation.

For additional information on the above items please contact the Kern Local Agency Formation Commission at 5300 Lennox Ave Suite 303, Bakersfield CA 93309, or phone us at 661-716-1077
