

**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, and Videoconference
Meeting of October 16, 2024

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 5:24 p.m. Chair Ayon presiding.

ROLL CALL

Present: Ayon, *Bruen, Couch, Flores, Fowler, Arias (Alternate), McKibbin, Zaragoza
Absent: Clark
Staff: Knox, Menchaca, Rice
Counsel: Gosling

* *Commissioner Bruen was not able to be heard during the entire meeting and did not vote on any items due to technical difficulties.*

Item 10/16/24-1: No Determination Required

INVOCATION: (Agenda Item 2)

Chair Ayon announced the invocation would be led by Mr. Gary Hallen.

Item 10/16/24-2: Approved to Motion

VIDEO CONFERENCE EMERGENCY REQUEST (if necessary): (Agenda Item 4)

*Executive Officer Knox recommended that the Commission approve Commissioner Bruen to attend via video conference. Commissioner Fowler made a motion to approve Commissioner Bruen via video. Upon the motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, **IT IS ORDERED:** Commissioner Bruen's attendance via video conference is approved as motioned by the following votes:*

AYES: Ayon, Couch, Flores, Fowler, Arias, McKibbin, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Clark

* *Commissioner Bruen was in attendance via video conference but was not able to be heard due to technical difficulties.*

Item 10/16/24-3: Approved as Presented

APPROVAL OF MINUTES: (Agenda Item 5) September 18, 2024, Meeting

*Chair Ayon presented the September minutes; Upon motion of Commissioner **Flores**, seconded by Commissioner **Couch**, **IT IS ORDERED:** September 18, 2024, Minutes are approved as presented by the following votes:*

AYES: Ayon, Couch, Flores, Fowler, McKibbin, Zaragoza
NAYS: None
ABSTAIN: Arias
ABSENT: Clark

* *Commissioner Bruen was in attendance but was not able to be heard due to technical difficulties.*

Item 10/16/24-4: No Public Comments

PUBLIC COMMENTS: (Agenda Item 6)

None

Item 10/16/24-5: No Determination Required

DETERMINATION PROCEEDING: (Agenda Item 7)

None

* *6:00 p.m. Commissioner Bruen left the meeting.*

NOTICE OF PUBLIC HEARING: (Agenda Item 8)

Item 10/16/24-6: Approved to Motion - Resolution 24-12

1828 City of Bakersfield Annexation No. 711 (Taft Hwy No. 4) (Agenda Item 8a)

Executive Officer Knox recommended the Commission consider the Environmental document adopted by the applicant and approve the proposal as presented, subject to conditions recommended by the Executive Officer, not waiving notice, hearing, and protest hearing. Mr. Knox revealed the condition of approval. LAFCo requires the City to provide evidence that the Williamson Act issue is resolved before the annexation is completed. The City of Bakersfield has written a letter stating that, regardless of which properties are under the Williamson Act, the City will assume maintenance of those contracts from the County. Commissioner Arias made a motion to approve the annexation. Upon motion of Commissioner Arias, seconded by Commissioner Couch, IT IS ORDERED: The City of Bakersfield Annexation No. 711 (Taft Hwy No. 4) is approved as motioned by the following votes:

AYES: Ayon, Couch, Flores, Arias, McKibbin, Zaragoza
NAYS: Fowler
ABSTAIN: None
ABSENT: Bruen, Clark

Item 10/16/24-7: No Determination Required

COMMISSION ITEMS: (Agenda Item 9)

None

GENERAL BUSINESS: (Agenda Item 10)

Item 10/16/24-8: Approved as Presented

EXPENSE LIST 24-09 (Agenda Item 10a)

Chair Ayon presented Expense List 24-09. Upon motion of Commissioner Couch, seconded by Commissioner Flores, IT IS ORDERED: The general claim set forth in Expense List No. 24-09 is approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Ayon, Couch, Flores, Fowler, Arias, McKibbin, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Bruen, Clark

Item 10/16/24-9: *Approved as Presented*

Office Lease Agreement (Agenda Item 10b)

Executive Officer Knox recommended the Commission approve the 6-month lease agreement as presented. Chair Ayon called for a motion but was interrupted by questions from Commissioners. When questions ceased, Chair Ayon went to the Clerk to call for a vote. In review of the meeting video of October 16, 2024, there was no formal first and second motion made. The vote on the Executive Officers recommendation was unanimous. IT IS ORDERED: The 6-month lease agreement is approved as written by the following votes:

AYES: Ayon, Couch, Flores, Fowler, Arias, McKibbin, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Bruen, Clark

Item 10/16/24-10: *Informational*

Request for Signature – SB 1209 (Cortese) Indemnification (Agenda Item 10c)

Executive Officer Knox informed the Commission that SB 1209 has been signed by the governor without addressing issues brought up in the Kern LAFCo letter. Mr. Knox will be in contact with CALAFCO who sponsored the bill to see if concerns were addressed. No vote conducted or necessary.

Item 10/16/24-11: *Informational*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 10d)

- Large Meeting in December with multiple Annexations, Chair nominations, meeting schedule & Evaluations
- Elections – Good luck to those running
- Possible large Meeting for January
- E.O. Evaluation method change
- Indian Wells Valley Water District Update
- 2025 Meeting Schedule with multiple options

* *Commissioner Arias suggested the Chair recommend a legal review to see if there is any conflict between Executive Officer Knox operating KernCOG and Kern LAFCo.*

* *Chair Ayon recommended the legal review. No vote conducted or necessary.*

* *Chair Ayon asked the Executive Officer if there needs to be a closed session.*

* *Executive Officer Knox indicated no closed session needed at this time. (Minutes for Closed Session of May 15, 2024, will be approved at the next closed session meeting).*

Item 10/16/24-12: *No Determination Required*

CLOSED SESSION: (Agenda Item 11)

None

Item 10/16/24-13: Motion to Adjourn

ADJOURNMENT: (Agenda Item 12)

*Chair Ayon announced the next meeting to be December 4, 2024. There being no further business to come before the Commission. Upon motion of Commissioner **Zaragoza**, seconded by Commissioner **Fowler**, IT IS ORDERED: The meeting is adjourned at 6:22 p.m. by the following votes:*

AYES: Ayon, Couch, Flores, Fowler, Arias, McKibbin, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Bruen, Clark

Patty Manchaca

Clerk

Blair Knaf

Executive Officer