

**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 December 4, 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 5:19 p.m. Chair Ayon presiding.

ROLL CALL

Present: Ayon, Clark, Couch, Flores, Fowler, Gonzales, McKibbin, Zaragoza
Absent: Bruen
Staff: Knox, Menchaca, Rice
Counsel: Schroeter

Item 12/4/24-1: *No Determination Required*

INVOCATION: (Agenda Item 2)

Chair Ayon announced the invocation would be led by Mr. Bud Rice.

Item 12/4/24-2: *No Determination Required*

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

Chair Ayon announced Commissioners were present in-person, therefore the item is not necessary.

Item 12/4/24-3: *Approved as Presented*

APPROVAL OF MINUTES: (Agenda Item 5) October 16, 2024, Meeting

*Chair Ayon presented the October minutes; Upon motion of Commissioner **Flores**, seconded by Commissioner **Couch**, IT IS ORDERED: The October 16, 2024, Minutes are approved as presented by the following votes:*

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

Item 12/4/24-4: *No Public Comments*

PUBLIC COMMENTS: (Agenda Item 6)

None

Item 12/4/24-5: *No Determination Required*

DETERMINATION PROCEEDING: (Agenda Item 7)

None

NOTICE OF PUBLIC HEARING: (Agenda Item 8)

Item 12/4/24-6: *Approved as Presented - Resolution 24-13*

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

*Executive Officer Knox informed the Commission that a protest hearing was held on Tuesday December 3, 2024, at the Kern LAFCo office. Executive officer Knox recommended the Commission accept and approve the results of the protest hearing, as there were no protests filed therefore failed. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Couch**, IT IS ORDERED: The City of Bakersfield Annexation No. 711 (Taft Hwy No. 4) Protest Hearing Results is approved as presented by the following votes:*

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

* 5:30pm Commissioner Flores stepped out of the meeting for a minute and returned.

Item 12/4/24-7: *Approved as Presented - Resolution 24-14*

1830 City of Bakersfield Annexation No. 714 (Snow No. 17) North of River Sanitary District Annexation 116 & CSA 71 Detachment “W” Island Annexation Process (Agenda Item 8b)

*Executive Officer Knox recommended that the Commission consider the Notice of Exemption adopted by the applicant and approve the proposal subject to conditions recommended by the Executive Officer waiving notice and protest hearing. Gary Hallen, Assistant City Manager and Jose Fernandez, Associate Planner answered Commissioner questions on behalf of the City of Bakersfield. Upon motion of Commissioner **Couch**, seconded by Commissioner **Clark**, IT IS ORDERED: The City of Bakersfield Annexation No. 714 (Snow No. 17) North of River Sanitary District Annexation 116 & CSA 71 Detachment “W” Island Annexation Process is approved as presented by the following votes:*

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

Item 12/4/24-8: *Approved as Presented - Resolution 24-15*

1831 City of Bakersfield Annexation No. 717 (Zerker No. 2) North of River Sanitary District Annexation 117 & CSA 71 Detachment “X” (Agenda Item 8c)

*Executive Officer Knox recommended that the Commission consider the Notice of Exemption adopted by the applicant and approve the proposal subject to conditions recommended by the Executive Officer not waiving notice and protest hearing. Gary Hallen, Assistant City Manager and Jose Fernandez, Associate Planner answered Commissioner questions on behalf of the City of Bakersfield. Upon motion of Commissioner **Couch**, seconded by Commissioner **Fowler**, IT IS ORDERED: The City of Bakersfield Annexation No. 717 (Zerker No. 2) North of River Sanitary District Annexation 117 & CSA 71 Detachment “X” is approved as presented by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, Gonzales, McKibbin, Zaragoza
NAYS: None

ABSTAIN: None
ABSENT: Bruen

COMMISSION ITEMS: (Agenda Item 9)

Item 12/4/24-9: *Approved to Motion*

APPOINTMENT OF CHAIR AND VICE CHAIR: (Agenda Item 9a)

*Executive Officer Knox informed the Commission of the standard practice of selecting a Chair and Vice Chair. The term is for one (1) year. Commissioner Fowler made a motion to nominate Jeff Flores as Chair and Vince Zaragoza as Vice Chair. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Couch**, IT IS ORDERED: Jeff Flores was selected as Chair and Vince Zaragoza as Vice Chair to serve for one term starting January 1, 2025, and ending December 31, 2025, approved as motioned by the following votes:*

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

Item 12/4/24-10: *Approved to Motion*

2025 MEETING SCHEDULE: (Agenda Item 9b)

*Executive Officer Knox recommended the Commission approve one of two proposed schedules. Option A is the 3rd Wednesday and Option #B is the 4th Wednesday while keeping the November/December. Option #A moves the last meeting to the third Wednesday of November (19th) 2025. Chair Ayon made a motion for Option #A. Upon motion of Commissioner **Ayon**, seconded by Commissioner **Clark**, IT IS ORDERED: The 2025 Commission Schedule Option #A- 3rd Wednesday of the month with the last meeting to fall on third Wednesday of November and Dark in December is approved as motioned by the following votes:*

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

Item 12/4/24-11: *Approved to Motion*

REPORT: MANAGEMENT OF MULTIPLE AGENCY COMPATIBILITY (Agenda Item 9c)

*Attorney Tom Schroeter presented his findings on the Commission's request for a legal review of potential conflict of joint management of LAFCo and Kern COG. Mr. Schroeter explained his research and reported no conflict on whether the two positions are incompatible. Mr. Schroeter recommended the Commission make a request to the County Counsel to request an opinion from the state's Attorney General on the incompatibility or lack of some of the two offices. There was discussion by the Commission and Chair Ayon made a motion to bring back this item in January as to how and whether to proceed with Attorney General's question request. Upon motion of Commissioner **Couch**, seconded by Commissioner **Fowler**, IT IS ORDERED: Continue item to January as to how and whether to proceed with Attorney General's question request is approved as motioned by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, Gonzales, McKibbin, Zaragoza
NAYS: None

ABSTAIN: None
ABSENT: Bruen

GENERAL BUSINESS: (Agenda Item 10)

Item 12/4/24-12: *Approved as Presented*

EXPENSE LIST 24-10 (Agenda Item 10a)

*Chair Ayon presented Expense List 24-10. Upon motion of Commissioner **Couch**, seconded by Commissioner **Flores**, IT IS ORDERED: The general claim set forth in Expense List No. 24-10 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

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

Item 12/4/24-13: *Approved as Presented*

HOLIDAY SCHEDULE MODIFICATION (Agenda Item 10b)

*Executive Officer Knox recommended the Commission approve the addition of Veterans Day to future holiday schedules. Upon motion of Commissioner **Flores**, seconded by Commissioner **Fowler**, IT IS ORDERED: The addition of Veterans Day to the holiday schedule is approved as written by the following votes:*

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

* 6:20pm Commissioner McKibbin stepped out of the meeting and returned at 6:22pm.

Item 12/4/24-14: *Informational*

LOST HILLS COMMUNITY SERVICE DISTRICT ELECTION RESULTS: (Agenda Item 10c)

Executive Officer Knox reported to the Commission that not all conditions were met for the formation of the Lost Hills CSD has failed. The vote for the formation passed by a majority vote. The parcel tax did not receive the two-thirds vote required. The proceeding will be terminated once the official letter from Elections is received. No vote conducted or necessary.

Item 12/4/24-15: *Informational*

2024 END OF YEAR RECAP: (Agenda Item 10d)

Deputy Executive Officer/Senior Analyst Rice presented to the Commission a list of projects and accomplishments that Staff has completed in the last 12 months and a listing of what is to come in the next twelve months. No vote conducted or necessary.

Item 12/4/24-16: Informational

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 10e)

- McFarland Annexation 19 - Condition
- Grand Jury introductory into LAFCo's authority and operations
- Remote work policy to be submitted to Policy Committee
- Executive Officer Knox on CSDA Legislature Committee 2025 legislative year.
- 2023-2024 Audit almost complete - coming January
- Rebecca Moore taking time off

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

Item 12/4/24-17: Continued

CLOSED SESSION: (Agenda Item 11)

- a. PUBLIC EMPLOYMENT: Evaluation of Executive Officer per Government Code § 54957 (b) (1).
- b. Conference with Labor Negotiators pursuant to GC. § 54954. (f). Agency designated representative: Chairperson; Unrepresentative employee; Executive Officer.

*Executive Officer Knox directed questions to Commissioner Couch. Commissioner Couch made a motion to bring closed session to the January meeting at 4pm prior to regular scheduled meeting. Upon motion of Commissioner **Couch**, seconded by Commissioner **Zaragoza**, IT IS ORDERED: Closed session will start at 4:00pm January 15, 2025, prior to regular scheduled meeting approved as motioned by the following votes:*

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

Item 12/4/24-18: 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, Gonzales, McKibbin, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Bruen

Patty Menchaca

Clerk

Blair Knox

Executive Officer