

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

**Board of Supervisors' Chambers
1115 Truxtun Ave
Bakersfield, California
Meeting of May 22, 2019**

Regular meeting called to order at 5:00 p.m. in the Board of Supervisors' Chambers County Administrative Building, 1115 Truxtun Avenue, Bakersfield, California, 93301. Chair McKibbin presiding.

Present: Baugher, Couch, Fowler, McKibbin, Mello, Morris, Scrivner

Staff: Knox, Rice, Rojas

Counsel: Schroeter

Absent: McGuire, Rivera, Sanders

Item 5/22/19-1:

APPROVAL OF MINUTES: APRIL 24, 2019

APPROVED AS PRESENTED

Chair McKibbin presented the April minutes; Upon motion of Commissioner Couch, seconded by Commissioner Mello, IT IS ORDERED: The Minutes of the meeting of April 24, 2019, are approved as confirmed by the following votes:

AYES: Couch, Fowler, McKibbin, Mello, Morris, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-2:

PUBLIC COMMENTS:

None

Item 5/22/19-3:

COMMISSION ITEMS:

7th seat Public Member Appointment / 7th seat Public Member Alternate Appointment / 9th seat Public Member Alternate Appointment / Policy Committee Appointments / Budget Committee Appointments:

**It should be noted that Commissioner Mello stepped down from the dais.*

Item 5/22/19-4: Resolution No. 19-14
PUBLIC MEMBER APPOINTMENT
CONFIRMED

Chair McKibbin, requested that the Executive Officer Knox outline the 7th seat Public Member Commissioner voting procedure. Executive Officer Knox, summarized that the appointing authorities' seats filled by Supervisor Members, City Members and Special District Members are the only voting authorities for the 7th seat Public Member. A quorum of four (4) is required to pass.

Upon motion of nomination of Stuart Baugher, by Commissioner Scrivner, seconded by Commissioner Couch, IT IS ORDERED: Stuart Baugher, will serve as the 7th seat Public Member for the next four years as confirmed by the following votes:

AYES: Couch, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: Fowler, Mello

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-5: Resolution No. 19-15
ALTERNATE PUBLIC MEMBER APPOINTMENT
CONFIRMED

Chair McKibbin, requested that the Executive Officer Knox outline the 7th seat Alternate Public Member Commissioner voting procedure. Executive Officer Knox, summarized that the appointing authorities' seats filled by Supervisor Members, City Members and Special District Members are the only voting authorities for the 7th seat Alternate Public Member. A quorum of four (4) is required to pass.

Upon motion of nomination of Vince Zaragoza, by Commissioner Scrivner, seconded by Commissioner Couch, IT IS ORDERED: Vince Zaragoza, will serve as the 7th seat Alternate Public Member for the next four years as confirmed by the following votes:

AYES: Couch, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: Fowler, Mello

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-6: Resolution No. 19-16
ALTERNATE RESTRICTED PUBLIC MEMBER APPOINTMENT
CONFIRMED

Chair McKibbin, requested that the Executive Officer Knox outline the 9th seat Alternate Public Member Commissioner voting procedure. Executive Officer Knox, summarized that the appointing authorities' seats filled by Supervisor Members and Special District Members are the only voting authorities for the 9th seat Alternate Public Member. A quorum of three (3) is required to pass.

Upon motion of nomination of Jose Gonzalez, by Commissioner Couch, seconded by Commissioner Scrivner, IT IS ORDERED: Jose Gonzalez, will serve as the 9th seat Alternate Public Member for the next four years as confirmed by the following votes:

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

**It should be noted that Commissioner Baugher joined the meeting at this time.*

Item 5/22/19-7:

**COMMITTEE ASSIGNMENTS:
POLICY COMMITTEE APPOINTMENTS:**

Chair McKibbin appointed Commissioner Couch, Commissioner Fowler, Commissioner Rivera and Commissioner Sanders to the Policy Committee.

Item 5/22/19-8:

BUDGET COMMITTEE APPOINTMENTS:

Chair McKibbin appointed Commissioner Baugher, Commissioner McGuire, Commissioner McKibbin and Commissioner Scrivner to the Budget Committee.

Item 5/22/19-9: Resolution No. 19-17

**PROCEEDING: 1737
CITY OF ARVIN: MUNICIPAL SERVICES REVIEW
NOTICE OF EXEMPTION;
ADOPTED AS PRESENTED**

Chair McKibbin presented the proceeding and Executive Officer Knox summarized his Report and Recommendation. Upon motion of Commissioner Couch, seconded by Commissioner Baugher, IT IS ORDERED: The City of Arvin Municipal Service Review and LAFCo Notice of Exemption is adopted as presented by the following votes:

AYES: Baugher, Couch, McKibbin, Scrivner
NAYS: Fowler
ABSTAIN: Morris
ABSENT: McGuire, Rivera, Sanders

** It should be noted that Legal Counsel Tom Schroeter left the meeting at this time.*

Item 5/22/19-10:

PROCEEDING: 1740

**CITY OF ARVIN: 5 YEAR REVIEW & SPHERE OF INFLUENCE AMENDMENT
NEGATIVE DECLARATION;**

CONDITION NO. 1: INDEMNITY AGREEMENT;

CONDITION NO. 2: PROVISION OF FIRE SERVICES;

CONDITION NO. 3: TAX AGREEMENT WITH COUNTY;

CONDITION NO. 4: CONDITIONS NO. 2 & 3 MUST BE RESOLVED BY 2020;

CONTINUED TO JUNE MEETING

Chair McKibbin presented the proceeding and Executive Officer Knox provided his Report and Recommendation. During public comments, Tracy Leach representing Kern Citizens for Energy, spoke regarding the petroleum industry's concern with Arvin's request for SOI expansion as it relates to future annexations that could affect access to mineral rights and production. Jake Raper, Arvin City Planner, spoke from the podium requesting that the Commission approve the SOI due to staff changes and the confusion it would cause if they were to inherit the project. Commissioner Fowler asked Mr. Knox if this amendment has a fire contract in place. Mr. Knox reported that there is a difference of opinion between the county and the city as to the current status of the fire contract. Commissioner Couch, moved for a continuance to provide additional time for the County and City to clarify the status of the fire contract, seconded by Commissioner Fowler, IT IS ORDERED: The City of Arvin: 5-Year Review & Sphere of Influence Amendment will be continued to the June 26, 2019, meeting, confirmed by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Scrivner

NAYS: None

ABSTAIN: Morris

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-11: Resolution No. 19-18

PROCEEDING: 1747

**SHAFTER-WASCO IRRIGATION DISTRICT: SPHERE OF INFLUENCE
AMENDMENT**

NOTICE OF EXEMPTION;

CONDITION: INDEMNITY AGREEMENT

APPROVED AS PRESENTED

Executive Officer Knox provided his Report and Recommendation, recommending approval of the Sphere of Influence (SOI) Amendment. Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED: The Commission approves as presented the Shafter-Wasco Irrigation District SOI Amendment by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-12: Resolution No. 19-19

PROCEEDING: 1748

SHAFTER-WASCO IRRIGATION DISTRICT: ANNEXATION NO. 10

NOTICE OF EXEMPTION;

CONDITION: INDEMNITY AGREEMENT

CONDITION: APPROVAL DEPENDENT OF OUTCOME OF PROTEST HEARING

APPROVED AS PRESENTED

Executive Officer Knox provided his Report and Recommendation, recommending approval of Annexation No. 10. Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED: The Commission approves as presented the Shafter-Wasco Irrigation District Annexation No. 10, by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-13: Resolution No. 19-20

PROCEEDING: 1750

LAMONT PUBLIC UTILITES DISTRICT: ANNEXATION NO. 31

REQUEST OF WAVIER OF HEARING, NOTICE AND PROTEST HEARING;

100% LAND OWNER CONSENT;

NOTICE OF EXEMPTION;

CONDITION: INDEMNITY AGREEMENT

APPROVED AS PRESENTED

Executive Officer Knox provided his Report and Recommendation, recommending wavier of hearing, notice and protest hearing and approval of the Annexation No. 31. Upon motion of Commissioner Couch, seconded by Commissioner Baugher, IT IS ORDERED: The Commission approves as presented the Lamont Public Utility District, Annexation No. 31, by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-14:
CLAIMS LIST 19-05:
APPROVED AS PRESENTED

Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED: The general claims set forth in Claims List No. 19-05 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Rivera, Sanders

Item 5/22/19-15:
OFFICE LEASE UPDATE
INFORMATIONAL

Executive Officer reported current status of facility negotiations.

Item 5/22/19-16:
EXECUTIVE OFFICER MISCELLANEOUS ITEMS
INFORMATIONAL

CALAFCo Conference- October 30- November 1

Item 5/22/19-17:
CLOSED SESSION

None

Item 5/22/19-18
ADJOURNMENT

There being no further business to come before the Commission. IT IS ORDERED: the meeting is adjourned at 5:51 p.m.

Secretary

Chairman