

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Zoom Meeting and Teleconference
Meeting of February 23, 2022

Due to the Coronavirus pandemic, Kern LAFCo held an in-person and Zoom/teleconference Commission meeting. Governor Newsom, by Executive Order N-29-20, modified the Brown Act to allow for meetings to be held remotely by videoconference.

Regular scheduled meeting called to order at 5:18 p.m. Chair Fowler presiding.

ROLL CALL

Present: Fowler, McKibbin*, Morris, Parlier*** Sanders, Scrivner, Zaragoza
Absent: Couch, Crump
Staff: Knox, L. Moore, R. Moore, Rice,
Counsel: Schroeter**

Item 2/23/22-1: *Approved as Presented.*

TELECONFERENCE MEETING REQUIRMENTS: (Agenda Item 3)

Chair Fowler presented the information regarding holding the February LAFCo meeting by Zoom and teleconference in addition to in person. *Upon motion of Commissioner Zaragoza, seconded by Commissioner Morris, IT IS ORDERED:* The teleconference meeting requirements are approved as confirmed by the following votes:

AYES: Fowler, Morris, Parlier, Sanders, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Couch, Crump, McKibbin

Item 2/23/22-2: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 4) January 26, 2022, Meeting

Chair Fowler presented the January minutes; *Upon motion of Commissioner Sanders, seconded by Commissioner Zaragoza, IT IS ORDERED:* The January 26, 2022, Minutes are approved as confirmed by the following votes:

AYES: Fowler, Morris, Parlier, Sanders, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Couch, Crump, McKibbin

Item 2/23/22-3: None.

PUBLIC COMMENTS: (Agenda Item 5)

No comments from the public were presented.

Item 2/23/22-4: Continued until agreement is reached by all parties involved

***It should be noted that Commissioner McKibbin joined the meeting at this time 5:32p.m.**

****It should be noted that Legal Counsel Tom Schroeter recused himself due to a potential conflict of interest stating that he had previously served as legal counsel for the City of McFarland and had worked on this proposal.**

PROCEEDING 1788: CITY OF MCFARLAND: ANNEXATION NO. 18 (Agenda Item 6a)

Mr. Knox informed the Commission that the City of McFarland and the McFarland Recreation and Park District were still working on issues between the City and the District related to the distribution of tax revenues. District General Manager Jeff Nichols and District Legal Counsel Beth Kuney with McFarland Recreation and Park District and City Manager/Police Chief Kenny Williams, Council Member Saul Ayon, Community Development Director Larry Ronk and Mayor Sally Tafoya with the City of McFarland all spoke regarding the distribution of tax revenues to build a new park in the proposed annexation area. The Commission, including Commissioner Zaragoza, Commissioner Scrivner, and Commissioner Morris asked questions regarding the timeframe, of an agreement their ability to come to an agreement as well as LAFCo's jurisdiction with this issue *Upon motion of Commissioner Morris, seconded by Commissioner Zaragoza, IT IS ORDERED:* The Commission approves the continuance of City of McFarland: Annexation No. 18 by the following votes:

AYES: Fowler, Morris, McKibbin, Parlier, Sanders, Scrivner, Zaragoza

NAYS: Parlier

ABSTAIN: None

ABSENT: Couch, Crump

*****It should be noted that Commissioner Parlier left the meeting at this time to attend a City Council meeting.**

Item 2/23/22-5: Approved as Presented - Resolution No. 22-04

PROCEEDING 1786: COUNTY SERVICE AREA 17: ANNEXATION NO. 15 PROTEST HEARING RESULTS (Agenda Item 6b)

The Executive Officer informed the Commission a protest hearing was held on February 22, 2022, via Zoom. No written or verbal protests were provided to LAFCo. The Executive Officer recommended the Commission accept the results of the protest hearing as a condition of approval of annexation. *Upon motion of Commissioner Morris, seconded by Commissioner Zaragoza, IT IS ORDERED:* The Commission approves as presented County Service Area 17: Annexation No. 15 following votes:

AYES: Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Couch, Crump, Parlier

Item 2/23/22-6: None

DETERMINATION PROCEEDING: (Agenda Item 7)

There are no proposals for this item.

Item 2/23/22-7:

COMMISSION ITEMS: (Agenda Item 8)

Executive Officer Knox announced the committee assignments for the Policy and Budget Committees. Commissioner Zaragoza asked questions regarding the scheduling of the Committee meetings and asked Mr. Knox to hold an orientation on each committees' responsibilities.

GENERAL BUSINESS: (Agenda Item 9)

Item 2/23/22-8: *Approved as Presented.*

EXPENSE LIST 22-01 (Agenda Item 9a)

Chair Fowler presented Claims List 22-01. *Upon motion of Commissioner McKibbin, seconded by Commissioner Sanders, IT IS ORDERED:* The general claims set forth in Expense List No. 22-01 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Couch, Crump, Parlier

Item 2/23/22-9: *Approved as Presented. Resolution 22-05*

CONFLICT OF INTEREST CODE MODIFICATION (Agenda Item 9b)

Executive Officer Knox presented the justification for modifying the current Conflict of Interest Code noting the addition of the Deputy Executive Officer position as well as the change to keep original Statement of Economic Interest forms with LAFCo instead of with the Clerk of the Board. *Upon motion of Commissioner Sanders, seconded by Commissioner McKibbin, IT IS ORDERED:* The modification of the Conflict-of-Interest Code is approved, by the following votes:

AYES: Fowler, McKibbin, Morris, Sanders, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Couch, Crump, Parlier

Item 2/23/22-10: *Informational.*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9c)

- Interviews have begun for the Clerk position.
- Nominations have been requested for the Special District regular and alternate seats.
- Sphere of Influence reviews for Cities and Special Districts have been started.
- Only new potential legislation affecting LAFCo is a proposed Assembly Bill regarding the formation of Community Service Districts.
- The next meeting will be March 23, 2022.

Item 2/23/22-11:

CLOSED SESSION: (Agenda Item 10)

No closed session was held.

Item 2/23/22-12: Adjourned

ADJOURNMENT: (Agenda Item 10)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 6:19 p.m.

R. Moon

Secretary

Barbara Fowler

Chairman