

**KERN LOCAL AGENCY FORMATION COMMISSION  
STATE OF CALIFORNIA  
MINUTES**

Kern Council of Governments (KernCOG) Conference Room  
1401 19<sup>th</sup> Street Suite 300  
Bakersfield CA 93301

In-Person, Zoom and Teleconference  
Meeting of December 7, 2022

Pursuant to the Government Code § 54953. 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 5:15 p.m. Chair Fowler presiding.

**ROLL CALL**

Present: Ayon, Crump, Fowler, McKibbin, Parlier, Sanders, Scrivner, Zaragoza  
Absent: Couch  
Staff: Knox, Menchaca, Rice  
Counsel: Schroeter

**Item 12/7/22-1: Approved as Presented**

**TELECONFERENCE MEETING REQUIRMENTS:** (Agenda Item 3)

*Chair Fowler presented information regarding holding the December LAFCo Meeting by Zoom, teleconference and in person. Upon motion of Commissioner Sanders, seconded by Commissioner McKibbin, IT IS ORDERED: The teleconference meeting requirements criteria was met and approved as presented by the following votes:*

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

**Item 12/7/22-2: Approved as Presented**

**APPROVAL OF MINUTES:** (Agenda Item 4a) September 28, 2022, Meeting

*Chair Fowler presented the September minutes; Upon motion of Commissioner Crump, seconded by Commissioner Zaragoza, IT IS ORDERED: The September 28, 2022, Minutes are approved as presented by the following votes:*

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

**Item 12/7/22-3: None**

**PUBLIC COMMENTS:** (Agenda Item 5)

*No comments from the public were presented.*

**Item 12/7/22-4: Approved as Presented - Resolution No. 22-21**

PROCEEDING 1808: STATE CONTROLLER INACTIVE LIST: (Agenda Item 6a)

*Executive Officer Knox recommended that the Commission accept the State Controller’s Office list on inactive Special Districts provided by Gov. Code Section 56879 (SB 448), including Kern Valley Resource Conservation District. Upon motion of Commissioner Sanders, seconded by Commissioner Crump, IT IS ORDERED: The State Controller Inactive List provided by Gov. Code Section 56879 (SB 448) including Kern Valley Resource Conservation District is accepted and approved as presented by the following votes:*

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

NOTICE OF PUBLIC HEARING: (Agenda Item 7)

**Item 12/7/22-5: Approved as Presented - Resolution No. 22-22**

PROCEEDING 1809: KERN VALLEY RESOURCE CONSERVATION DISTRICT DISSOLUTION: (Agenda 7a)

*Executive Officer Knox recommended that the Commission consider the Environmental Document adopted as lead agency and approve the dissolution of Kern Valley Resource Conservation District per State Controller’s Office inactive Special Districts list provided by Gov. Code Section 56879 (SB 448). Upon motion of Commissioner McKibbin, seconded by Commissioner Sanders, IT IS ORDERED: Kern Valley Resource Conservation District is dissolved and approved as presented by the following votes:*

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

COMMISSION ITEMS: (Agenda Item 8)

**Item 12/7/22-6: Approved to Motion**

APPOINTMENT OF CHAIR AND VICE CHAIR: (Agenda Item 8a)

*Executive Officer Knox informed the Commission of the standard practice of selecting a Chair and Vice Chair. Commissioner Scrivner made a motion to nominate Karen Sanders as Chair and Saul Ayon as Vice Chair. Upon motion of Commissioner Scrivner, seconded by Commissioner Zaragoza, IT IS ORDERED: Karen Sanders was selected as Chair and Saul Ayon as Vice Chair to serve for a term starting January 1, 2023, and ending December 31, 2023, approved as presented by the following votes:*

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

**Item 12/7/22-7: Informational**

REPORT: DEFINITION OF SUBSTANTIALLY SURROUNDED (CONTINUED): (Agenda Item

8b)

*Executive Officer Knox advised the Commission of postponement of Policy Committee meeting until the new Chair is seated and Policy Committee members are appointed.*

**Item 12/7/22-8: Informational**

RECOGNITION: COMMISSIONER PARLIER FOR HIS YEARS OF SERVICE ON KERN LAFCo (Agenda Item 8c)

*Commissioner Scrivner spoke on the work that Commissioner Parlier and he did that made impact to LAFCo throughout the years. Commissioner Parlier was presented with a plaque to commemorate his service.*

GENERAL BUSINESS: (Agenda Item 9)

**Item 12/7/22-9: Approved as Presented**

EXPENSE LIST 22-09 (Agenda Item 9a)

*Chair Fowler presented accounts payable 22-09. Upon motion of Commissioner Scrivner, seconded by Commissioner Zaragoza, IT IS ORDERED: The general claims set forth in Expense List No. 22-09 are approved for payment, and the Chairman is authorized to certify said list by the following votes:*

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

**Item 12/7/22-10: Approved as Presented**

EXPENSE LIST 22-10 (Agenda Item 9b)

*Chair Fowler presented accounts payable 22-10. Upon motion of Commissioner McKibbin, seconded by Commissioner Sanders, IT IS ORDERED: The general claims set forth in Expense List No. 22-10 are approved for payment, and the Chairman is authorized to certify said list by the following votes:*

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

**Item 12/7/22-11: Approved as Presented**

2023 COMMISSION SCHEDULE (Agenda Item 9c)

*Executive Officer Knox recommended that the Commission approve the schedule of 10 meetings presented for 2023. Upon motion of Commissioner Ayon, seconded by Commissioner Zaragoza, IT IS ORDERED: The 2023 Commission Schedule of 10 meetings is approved as presented by the following votes:*

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

**Item 12/7/22-12: Approved as Presented**

LEGISLATION AFFECTING MEETING PROCEDURE (Agenda Item 9d)

*Executive Officer Knox recommended that the Commission approve use of AB 2449 to hold hybrid meetings and develop a system for Commissioners to notify LAFCo of their absence or attendance in-person or by video/teleconference and continue to meet at the KernCoG conference room. Commissioner Zaragoza made a motion to accept AB 2449 to hold hybrid meetings and continue meetings at KernCOG. Upon motion of Commissioner Zaragoza, seconded by Commissioner Sanders, IT IS ORDERED: The use of AB 2449 to hold hybrid meetings at KernCoG and develop a system for Commissioners to notify LAFCo of their absence or attendance in-person or by video/teleconference is approved as presented by the following votes:*

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

**Item 12/7/22-13: Informational**

REPORT: CITY OF BAKERSFIELD GENERAL PLAN (Agenda Item 9e)

*Executive Officer Knox informed the Commission that the City of Bakersfield has requested this item be continued until the January meeting. Gary Hallen, Assistant City Manager for the City of Bakersfield spoke and advised to the reasons the City requested the continuance.*

**Item 12/7/22-14: Informational**

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9f)

- CALAFCO Fall Conference overview
- Announcement of Commissioner Chavira winning Taft City Council seat, now ineligible to serve on LAFCo
- LAFCo website
- Audit with Brown Armstrong to be completed by January
- Creation of a Community Service District – Lost Hills
- LAFCo Yearly Statistics

**6:15pm - Commission entered into closed session.**

\*6:45 pm Commissioner Parlier left the meeting.

**7:16pm - Commission returned to open session.**

**Item 12/7/22-15: Informational**

PUBLIC EMPLOYMENT: EVALUATION OF EXECUTIVE OFFICER PER GOVERNMENT CODE § 54957 (B) (1). (Closed Session Agenda Item 10a)

*Chair Fowler announced that the Commission gave Executive Officer Knox an above standard performance rating and thanked him for his efforts on the subjects brought to the Commission.*

**Item 12/7/22-16: Approved to Motion**

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54954 (f) (Closed Session Agenda Item 10b)

*Chair Fowler opened the floor for Executive Officer compensation and upon motion of Commissioner McKibbin to approve a 6% salary increase, seconded by Commissioner Scrivner, IT IS ORDERED: The Executive Officer will receive a 6% salary increase beginning immediately, approved as presented by the following votes:*

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

**Item 12/7/22-17: Informational**

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 (Closed Session Agenda Item 10c)

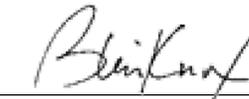
*No reportable action*

**Item 12/7/22-18: Adjourned**

ADJOURNMENT: (Agenda Item 11)

*There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 7:20 p.m.*

  
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Clerk

  
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Executive Officer