

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

**Board of Supervisors' Chambers
1115 Truxtun Ave
Bakersfield, California
Meeting of January 23, 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 Mello presiding.

Present: *Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders

Staff: Knox, Munoz, Rice

Counsel: Schroeter

Absent: McGuire, Scrivner

Item 1/23/19-1:

MINUTES OF DECEMBER 5, 2018

APPROVED AS PRESENTED

Upon motion of Commissioner Fowler, seconded by Commissioner Morris, IT IS ORDERED: The Minutes of the meeting of December 5, 2018 are approved.

AYES: Fowler, McKibbin, Mello, Morris, Rivera, Sanders.

NAYS: None

ABSTAIN: None

ABSENT: Couch, McGuire, Scrivner

Item 1/23/19-2:

PUBLIC COMMENTS

None

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

Item 1/23/19-3: Resolution No. 19-01

CITY OF BAKERSFIELD: ANNEXATION NO. 658 (TAFT NO. 2)

NOTICE OF EXEMPTION;

UNINHABITED;

**100% LANDOWNER CONSENT, NOTICE, HEARING, PROTEST HEARING WAIVED
SUBJECT TO CONDITION RECOMMENDED BY EXECUTIVE OFFICER;**

APPROVED AS PRESENTED

The report and recommendation of the Executive Officer dated January 23, 2019, recommending the Commission approve the proposed annexation subject to CONDITION RECOMMENDED BY EXECUTIVE OFFICER, is on file; a copy of the same and a copy of the application have been received by each Commissioner and legal counsel.

The Executive Officer recommended the Commission note that they have considered the

Notice of Exemption adopted by the City for Annexation 658 for this area; that the area within the proposed annexation is uninhabited and approve the annexation, subject to the following:

CONDITIONS RECOMMENDED BY EXECUTIVE OFFICER:

“The applicant has signed an agreement to actively defend or indemnify and hold harmless the Kern County Local Agency Formation Commission or its agents, officers, and employees, from any liability or loss connected with the approval of: City of Bakersfield Annexation 658.”

The following exhibit was presented and received in evidence:

Exhibit No. 1: Map showing the boundaries of the proposed annexation. (Applicant’s exhibit.)

Accordingly, and with reference to Minute Item 1/23/19-3, there being no objections to the findings of fact set out in the Report and Recommendation, and all of the testimony and exhibits received, and being duly advised in the premises, on motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED: The above numbered and entitled resolution approving said annexation subject to CONDITIONS RECOMMENDED BY EXECUTIVE OFFICER was adopted by the following votes.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders.

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 1/23/19-4: Resolution No. 19-02

CITY OF BAKERSFEILD: ANNEXATION NO. 676 (VERDUGO NO.3)

NORTH OF THE RIVER SANITARY DISTRICT NO. 1: ANNEXATION NO. 109

COUNTY SERVICE AREA NO. 71: DETACHMENT M

(REORGANIZATION)

NOTICE OF EXEMPTION;

UNINHABITED;

100% LANDOWNER CONSENT, NOTICE, HEARING, PROTEST HEARING WAIVED;

SUBJECT TO CONDITION RECOMMENDED BY EXECUTIVE OFFICER;

APPROVED AS PRESENTED

The report and recommendation of the Executive Officer dated January 23, 2019 recommending the Commission approve the proposed reorganization subject to CONDITION RECOMMENDED BY EXECUTIVE OFFICER, is on file; a copy of the same and a copy of the application have been received by each Commissioner and legal counsel.

The Executive Officer recommended the Commission note that they have considered the Notice of Exemption adopted by the City for Annexation 676 and the Notice of Exemption for the detachment from County Service Area 71 for this area; that the area within the proposed reorganization is uninhabited and approve the reorganization, subject to the following:

CONDITIONS RECOMMENDED BY EXECUTIVE OFFICER:

The applicant has signed an agreement to actively defend or indemnify and hold harmless the Kern County Local Agency Formation Commission or its agents, officers, and employees,

from any liability or loss connected with the approval of: City of Bakersfield Annexation No. 676 and North of the River Sanitary District No. 1 Annexation 109.

The following exhibit was presented and received in evidence:

Exhibit No. 1: Map showing the boundaries of the proposed reorganization. (Applicant's exhibit.)

Accordingly, and with reference to Minute Item 1/23/19-4, there being no objections to the findings of fact set out in the Report and Recommendation, and all of the testimony and exhibits received, and being duly advised in the premises, upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED: The above numbered and entitled resolution approving said reorganization subject to CONDITIONS RECOMMENDED BY EXECUTIVE OFFICER was adopted by the following votes.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 123/19-5:

INACTIVE DISTRICT LIST DISSOLUTION

STATE CONTROLLER INACTIVE DISTRICT LIST (SB 448):

ROSEDALE RIO-BRAVO CONSERVATION DISTRICT

18 COUNTY SERVICE AREAS

APPROVED AS PRESENTED

The Executive Officer informed the Commission that Rosedale Rio-Bravo Resource Conservation District has been not confirmed as inactive by the State Controller's office, but meets every other criteria and intent of the law for inactive status. County Service Areas (CSA) No. 12.3, 12.4, 12.5, 12.7, 12.8, 12.10, 12.11, 12.12, 12.13, 33, 35, 41, 57, 70, 75, 77, 84 and 90, are considered to be inactive by the State Controller's office. The Executive Officer recommended the Commission consider the Notice of Exemption adopted by the applicant and approve the dissolution of both items. Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED: The recommendation by the Executive Officer was adopted by the following votes.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 1/23/19-6:

COMMISSION ITEMS:

None

Item 1/23/19-7:
CLAIMS LIST 19-01:
APPROVED AS PRESENTED

Upon motion of Commissioner Rivera, seconded by Commissioner Fowler,
IT IS ORDERED: The general claims set forth in Claims List No. 19-01 are approved for payment, and the Chairman is authorized to certify said list.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders.

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 1/23/19-8:
CONFIRMATION OF CHAIR AND APPOINTMENT OF VICE CHAIR:
CONFIRMED AS PRESENTED

The Executive Officer asked the Commission to confirm Vice Chair McKibbin as the Chair and to choose a Vice Chair. Commissioner Rivera nominated City Member Commissioner Morris to the position of Vice Chair, the nomination was seconded by Commissioner Sanders. IT IS ORDERED: Commissioner McKibbin is confirmed as Chair and City Member Commissioner Morris is appointed as Vice Chair.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders.

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 1/23/19-9:
PETITION SUBMITTAL – PROPOSED FORMATION WELDON REGIONAL WATER DISTRICT:
INFORMATIONAL

The Executive Officer informed the Commission that LAFCo is in the process of reviewing a new application for the formation of Weldon Water District.

Item 1/23/19-10:
CLOSED SESSION:
PUBLIC EMPLOYMENT – EVALUATION OF EXECUTIVE OFFICER PER GOVERNMENT CODE SECTION 54957(b)(1);
CONTINUED

Commissioner Couch asked the Commission to continue this item to the February meeting, to make sure that absent Commissioners can join the closed session. Upon motion of Commissioner Couch, seconded by Commissioner Sanders, IT IS ORDERED: The closed session will be postponed until the February LAFCo meeting.

AYES: Couch, Fowler, McKibbin, Mello, Morris, Rivera, Sanders.

NAYS: None

ABSTAIN: None

ABSENT: McGuire, Scrivner

Item 1/23/19-11:
ADJOURNMENT

There being no further business to come before the Commission. IT IS ORDERED:
The meeting is adjourned at 5:29 p.m.

Secretary

Chairman