

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION (LAFCO)
COUNTY OF KERN, STATE OF CALIFORNIA**

In the Matter of:

City of Bakersfield
Annexation 680 (Harris No.05) &
CSA 29 Dissolution
- REORGANIZATION -
- ISLAND ANNEXATION PROCESS -

Proceeding No. 1782

**NOTICE OF HEARING
(G. C. § 56661)**

NOTICE IS HEREBY GIVEN:

1. The Executive Officer of the Local Agency Formation Commission (LAFCo) County of Kern, has set the date, time and place for a public hearing upon the proposal hereinabove entitled.
2. Regularly scheduled meeting: Wednesday the 28th day of April 2021, commencing at the hour of 5:15 p.m. of said day or as soon thereafter as the matter may conveniently be heard. **ATTENTION:** Kern LAFCo will not be holding in person Commission meeting. Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, ordering social distancing measures, and providing a waiver of Brown Act procedures requiring physical presence of members, staff and public; to maintain compliance and protect the health of all this meeting will be held by web and teleconference only. No physical location will be available for this meeting; **TO ACCESS/PARTICIPATE IN THE COMMISSION MEETING PLEASE USE THE FOLLOWING LINK:**
<https://zoom.us/j/96066381165?pwd=Z2VYTE9mKytjUCtkRjROekZlZndkZz09>
Alternately, the public may listen to the meeting by dialing (669) 900-6833 and entering WEBINAR ID - 960 6638 1165# when prompted.
3. The reason (listed on the application) for the proposed change of organization is: The annexation was initiated by the City of Bakersfield to allow for the use of City services.
4. One hundred and thirty-two parcels are surrounded by the City of Bakersfield. It would better serve the community if public services to the area were the responsibility of the same provider as the surrounding areas. The County has requested dissolution of CSA 29.
5. As a responsible agency, LAFCo will be reviewing the environmental documentation, adopted by the lead agency.
6. The proposal area is generally located: along the north and south sides of Harris Road and the east and west sides of Akers Road.
7. Due to the proposed territory being an unincorporated island, surrounded by city, and if the Commission finds that the annexation meets all criteria, the protest hearing will be waived pursuant to Government Code 56375.3(a) of the Cortese-Knox-Hertzberg Reorganization Act of 2000. Property owners and residence will not have a venue to protest this action.
8. This notice satisfies the requirement of Government Code § 56661 & 57025.

Complete details of this proposal are available, please inquire at info@kernlafco.org or call (661) 716-1076

Please send all correspondence to: Kern LAFCo
5300 Lennox Ave Suite 303
Bakersfield CA 93309

Dated: March 31, 2021

Blair Knox
Executive Officer

Government Code § 56652. Each application shall be in the form as the commission may prescribe and shall contain all of the following information:

- (a) A petition or resolution of application initiating the proposal.
- (b) A statement of the nature of each proposal.
- (c) A map and description, acceptable to the executive officer, of the boundaries of the affected territory for each proposed change of organization or reorganization.
- (d) Any data and information as may be required by any regulation of the commission.
- (e) Any additional data and information, as may be required by the executive officer, pertaining to any of the matters or factors which may be considered by the commission.
- (f) The names of the officers or persons, not to exceed three in number, who are to be furnished with copies of the report by the executive officer and who are to be given mailed notice of the hearing.

Government Code § 56658. (b) (1) Immediately after receiving an application and before issuing a certificate of filing, the executive officer shall give mailed notice that the application has been received to each affected local agency, the county committee on school district organization, and each school superintendent whose school district overlies the affected territory. The notice shall generally describe the proposal and the affected territory. The executive officer shall not be required to give notice pursuant to this subdivision if a local agency has already given notice pursuant to subdivision (c) of Section 56654.

Government Code § 56375.3. (a) In addition to those powers enumerated in Section 56375, a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:

- (1) The change of organization or reorganization is initiated on or after January 1, 2000.
- (2) The change of organization or reorganization is proposed by resolution adopted by the affected city.
- (3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).
- (b) Subdivision (a) applies to territory that meets all of the following requirements:
 - (1) It does not exceed 150 acres in area, and that area constitutes the entire island.
 - (2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - (3) It is surrounded in either of the following ways:
 - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
 - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
 - (4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
 - (A) The availability of public utility services.
 - (B) The presence of public improvements.
 - (C) The presence of physical improvements upon the parcel or parcels within the area.
 - (5) It is not prime agricultural land, as defined by Section 56064.
 - (6) It will benefit from the change of organization or reorganization or is receiving benefits from the annexing city.
 - (7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
 - (8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.
- (c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:
 - (1) Is unincorporated territory.
 - (2) Contains at least 100 acres.
 - (3) Is surrounded or substantially surrounded by incorporated territory.
 - (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.
- (d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.

Government Code § 56375.4. The authority to initiate, conduct, and complete any proceeding pursuant to subdivision (a) of Section 56375.3 does not apply to any territory that, after January 1, 2014, became surrounded or substantially surrounded by the city to which annexation is proposed, except for islands that were created after January 1, 2014, as a result of boundary adjustments between two counties.

Government Code § 56375.5. Every determination made by a commission regarding the matters provided for by subdivisions (a), (m), and (n) of Section 56375 and by subdivision (a) of Section 56375.3 shall be consistent with the spheres of influence of the local agencies affected by those determinations.