

**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 6, 2023

Pursuant to the Government Code § 54963. 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 5:14 p.m. Chair Sanders presiding.

**ROLL CALL**

Present: Ayon, Couch, Crump, Fowler, Gonzales, McKibbin, Sanders, Scrivner, Zaragoza  
Absent: None  
Staff: Knox, Menchaca, Rice  
Counsel: Tom Schroeter

**Item 12/6/23-1: *No Determination Required***

**VIDEO CONFERENCE EMERGENCY REQUEST (if necessary):** (Agenda Item 3)

*Chair Sanders announced Commissioners were present in-person, therefore the item is not necessary.*

**Item 12/6/23-2: *Approved as Presented***

**APPROVAL OF MINUTES:** (Agenda Item 4a) September 20, 2023, Meeting

*Chair Sanders presented the September minutes; Upon motion of Commissioner Couch, seconded by Commissioner Crump, IT IS ORDERED: The September 20, 2023, Minutes are approved as presented by the following votes:*

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

**Item 12/6/23-3: *No Public Comments***

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

*None*

**Item 12/6/23-4: *No Determination Required***

**DETERMINATION PROCEEDING:** (Agenda Item 6)

*None.*

\*It should be noted that at this time Chair Sanders turned it over to Executive Officer Knox who announced, at the request of Commissioner Couch, to move closed session to be heard at this time.

**Item 12/6/23-5: Informational**

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

5:17pm - Commission entered closed session.

\*5:38 pm Executive Officer Knox stepped out of closed session.

\*5:57 pm Executive Officer Knox was called back into closed session for discussion.

\*5:59 pm Executive Officer Knox stepped out of closed session.

\*6:01 pm Executive Officer Knox was called back into closed session for discussion.

6:02pm - Commission returned to open session.

**Item 12/6/23-6: Approved to Motion with Recommendations**

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

*Attorney Tom Schroeter opened the floor for Executive Officer compensation. Five (5) year term contract with severance pay, biweekly for twelve (12) months or less annual extension. Recommended the contract be sent to an HR attorney and brought back to the Commission for approval before it becomes effective. Salary increases 4% beginning January 1, 2024. Upon motion of Commissioner Crump to approve a 4% salary increase January 1, 2024, seconded by Commissioner Fowler, IT IS ORDERED: The Executive Officer will receive a 4% salary increase beginning January 1, 2024, approved as presented by the following votes:*

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

**Item 12/6/23-7: 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*

NOTICE OF PUBLIC HEARING: (Agenda Item 7)

**Item 12/6/23-8: Approved as Presented – Resolution No. 23-10**

PROCEEDING 1825: Sphere of Influence 5-Year Questionnaire - Review (Agenda Item 7b)

*Executive Officer Knox recommended the Commission re-affirm the Sphere of Influence 5-year reviews for the following Districts without change with Government Code Section 56425(g).*

- | <b>DISTRICT</b>                            | <b>DISTRICT</b>                                |
|--|--|
| - Arvin Community Services District        | - Mountain Meadows Community Services District |
| - Belridge Water Storage District          | - North Kern Cemetery District                 |
| - Berrenda Mesa Water District             | - North Kern Water Storage District            |
| - Buttonwillow Recreation & Parks District | - Shafter Recreation and Parks District        |
| - Kern Valley Hospital District            | - South Kern Cemetery District                 |
| - Lost Hills Water District                | - Tehachapi Resource Conservation District     |

*Upon Motion of Commissioner Ayon, seconded by Commissioner Zaragoza, IT IS ORDERED: The Sphere of Influence 5-year Review for the districts mentioned above are re-affirmed as presented by the following votes:*

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

\*It should be noted that at this time Tom Schroeter recused himself as he is City Attorney for Wasco.

**Item 12/6/23-9: *Approved as Presented – Resolution No. 23-11***

PROCEEDING 1971: City of Wasco – MSR (Agenda Item 7b)

*Executive Officer Knox recommended the Commission adopt resolution, the environmental document along with no amendments to Sphere of Influence at this time. Upon motion of Commissioner Scrivner seconded by Commissioner Couch, IT IS ORDERED: The City of Wasco – MSR is approve as presented by the following votes:*

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

\*It should be noted that at this time Tom Schroeter returned to the meeting.

COMMISSION ITEMS: (Agenda Item 8)

**Item 12/6/23-10: *Approved as Presented***

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. The term is for one (1) year. Vice Chair Ayon is next to take seat as Chair and next in line for Vice Chair is County. Commissioner Scrivner agreed to take the seat as vice chair. Commissioner Couch made a motion to nominate Saul Ayon as Chair and Zack Scrivner as Vice Chair. Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED: Saul Ayon was selected as Chair and Zack Scrivner as Vice Chair to serve for one term starting January 1, 2024, and ending December 31, 2024, approved as presented by the following votes:*

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

**Item 12/6/23-11: *Informational***

REPORT: DRAFT POLICY – MUNICIPAL SERVICES REVIEW (Agenda Item 8c)

*Executive Officer Knox informed the Commissioner the Policy Committee met right before the meeting and has recommended sending this to legal counsel for review before bringing it to the full commission.*

**GENERAL BUSINESS:** (Agenda Item 9)

**Item 12/6/23-12: *Approved as Presented***

**EXPENSE LIST 23-08** (Agenda Item 9a)

*Chair Sanders presented Expense List 23-08. Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED: The general claim set forth in Expense List No. 23-08 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES: Ayon, Couch, Crump, Fowler, Gonzales, McKibbin, Sanders, Scrivner,  
Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

**Item 12/6/23-13: *Approved as Presented***

**EXPENSE LIST 23-09** (Agenda Item 9b)

*Chair Sanders presented Expense List 23-09. Upon motion of Commissioner Scrivner, seconded by Commissioner Couch, IT IS ORDERED: The general claim set forth in Expense List No. 23-09 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES: Ayon, Couch, Crump, Fowler, Gonzales, McKibbin, Sanders, Scrivner,  
Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

**Item 12/6/23-14: *Approved as Presented***

**EXPENSE LIST 23-10** (Agenda Item 9c)

*Chair Sanders presented Expense List 23-10. Upon motion of Commissioner Gonzales, seconded by Commissioner Fowler, IT IS ORDERED: The general claim set forth in Expense List No. 23-10 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES: Ayon, Couch, Crump, Fowler, Gonzales, McKibbin, Sanders, Scrivner,  
Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: None

**Item 12/6/23-15: *Receive and File***

**2022-2023 AUDIT** (Agenda Item 9b)

*Executive Officer Knox advised the Commission that the Audit 2022-2023 performed by accounting firm Brown Armstrong confirmed accounting policies correspond with general accounting principles. Lindsey Zimmerman was present for any Commissioner questions. Ms. Zimmerman spoke to the results of the Audit reiterating that the Audit performance and fair statement of the numbers of the audit are correct. Ms. Zimmerman mentioned there were no issues*

or any other findings with the Audit. Executive Officer Knox recommended the commission receive and file the 2022-2023 Audit. No vote was conducted or necessary.

**Item 12/6/23-16: Approved as Presented**

2024 COMMISSION SCHEDULE (Agenda Item 9c)

*Executive Officer Knox recommended that the Commission approve the schedule of 10 meetings presented for 2024. Announcing that the January meeting will be cancelled due to no proceedings. Upon motion of Commissioner Couch, seconded by Commissioner Scrivner. IT IS ORDERED: The 2024 Commission Schedule is approved as presented by the following votes:*

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

**Item 12/6/23-17: Informational**

2023 LEGISLATION END OF SESSION REPORT: (Agenda Item 9f)

*Executive Officer Knox reported to the Commission that their packets included the report of the Bills addressed in a year. No questions were addressed.*

**Item 12/6/23-18: Informational**

LOST HILLS CSD WITHDRAWAL: (Agenda Item 9g)

*Executive Officer Knox informed the Commission that The Wonderful Company is preparing to move forward with a new map and legal description. Executive Officer Knox requested they withdraw and re-submit a new application. This will require LAFCo to go through the entire process again. The new proceeding will possibly come before the Commission in March or April of 2024 at the earliest. No vote necessary or required as Executive Officer Knox accepted the withdrawal and informed the Commission.*

\*6:27pm Commissioner Scrivner left the meeting.

\*6:27pm Commissioner Ayon stepped out of the meeting.

\*6:29pm Commissioner Ayon returned to the meeting.

**Item 12/6/23-19: Informational**

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9b)

- LAFCo Yearly Statistics

\*It should be noted that agenda items of CLOSED SESSION - 10a, 10b, and 10c were heard prior to Notice of Public Hearings.

**Item 12/6/23-20: Adjourned**

ADJOURNMENT: (Agenda Item 11)

*Chair Sanders announced the next meeting to be February 21, 2024. There being no further*

*business to come before the Commission, IT IS ORDERED: the meeting is adjourned 6:34 p.m.*

*Patty Menchaca*  
Clerk

*BlinKauf*  
Executive Officer