



7. **DETERMINATION PROCEEDING**

- a. **1861 GREENFIELD COUNTY WATER DISTRICT - Continued:** ..... *Vote Required*

**Annexation No. 50**

This proposal is to annex approximately 50.74 acres of land located East of Highway 99, South of Hoskings Road and West of South H. This annexation was initiated by the district to annex a parcel at the landowner’s request for the purpose of obtaining a supply of domestic water where no other source of domestic water is reasonably available. This proposal has 100% landowner consent. The applicant has requested that notice, hearing, and protest hearing be waived. **(Resolution)**

8. **NOTICED PUBLIC HEARINGS**

- a. **Proposed Final Budget 2026-2027** ..... *Vote Required*

Consideration of the 2026-2027 proposed final Budget. The budget for Kern LAFCo is determined by the Commission and funded by fees, the County of Kern, the incorporated cities in Kern County, and the independent special districts for which Kern LAFCo is designated as the Principal County. With each category of agency paying one-third (1/3) of the budget. A final budget is required to be adopted by June 15<sup>th</sup> per G.C. § 56381et seq. **(Resolution)**

- b. **1870 Lamont Storm Water District:** ..... *Vote Required*

**Protest Hearing Results - Dissolution**

The dissolution of the Lamont Storm Water District was approved by the Commission at the March 18, 2026, Commission meeting. A Conducting Authority (Protest hearing) will be completed pursuant to Government Code Section 56375.3, on April 13, 2026. From 10:00 a.m. to 1:00 p.m. at the Lamont Public Utility District, Board Room in Lamont. **(Resolution)**

- c. **1865 City of Delano:**..... *Vote Required*

**Municipal Services Review**

Update of 2007 Municipal Service Review for the City of Delano. Analysis of current management and services provided and information regarding current and potential Sphere of Influence boundary adjustments in accordance with GC. § 56425 . **(Resolution)**

9. **COMMISSION ITEMS**

- a. Commissioner comments, questions, referrals or announcements

- b. **RESTRICTED PUBLIC MEMBER AND ALTERNATE** ..... *Vote Required*

**Interview and Selection of Restricted Public Member and Restricted Public Member & Alternate Applicants. (Resolution) NOTE: vote required by special district and county members only**

10. **GENERAL BUSINESS**

- a. **Approval of Monthly Expense List No. 26-03**..... *Vote Required*

- b. **Special District Seat and Alternate Election Results** ..... *Vote Required*

- c. **LAFCo Response to County General Plan Housing Update** ..... *Vote Required*

- d. **City Select Committee Appointment of City Representation** ..... *Informational*

- e. **State Legislative Report** ..... *Informational*

f. Executive Officer Miscellaneous Items ..... Informational

11. **ADJOURNMENT**

Next scheduled meeting **Wednesday, May 20, 2026**

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**NOTE TO THE PUBLIC**

**CAMPAIGN CONTRIBUTION** - If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of \$250 or more to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with LAFCo staff as to the requirements of the Political Reform Act (Gov. Code § 84308). This statement is not a comprehensive summary of the section.

**DISABILITY ACCOMODATIONS** - A request for disability-related accommodations should be made to the Executive Officer no later than 8 days before the need for the accommodation.

For additional information on the above items please contact the Kern Local Agency Formation Commission at 5300 Lennox Ave Suite 303, Bakersfield CA 93309, or phone us at 661-716-1076
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**KERN LOCAL AGENCY FORMATION COMMISSION  
STATE OF CALIFORNIA  
MINUTES**

Kern Council of Governments (Kern COG) Conference Room  
1401 19<sup>th</sup> Street Suite 300  
Bakersfield, CA 93301  
In-Person and Videoconference  
Meeting of March 18, 2026

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 was called to order at 5:18 p.m., with. Chair Zaragoza presiding.*

**ROLL CALL**

Present: Perez (alternate for Ayon), Peters (alternate for Couch), Endicott, Flores, Fowler, McKibbin, Zaragoza  
Absent: Clark, Gonzales  
Staff: Knox, Menchaca, Munoz  
Counsel: Schroeter

**Item 03/18/26-1: No Determination Required**

**INVOCATION:** (Agenda Item 2) Led by *Commissioner Zaragoza*

**Item 03/18/26-2: No Determination Required**

**VIDEO CONFERENCE EMERGENCY REQUEST** (if necessary): (Agenda Item 4)

*Chair Zaragoza announced that Commissioner Endicott was present via teleconference. Attorney Tom Schroeter announced that Commissioner Endicott was under standard provision therefore no vote conducted or necessary.*

**Item 03/18/26-3: Approved as Presented**

**APPROVAL OF MINUTES:** (Agenda Item 5) February 18, 2026, Meeting

*Chair Zaragoza presented the February minutes; Upon motion of Commissioner **Fowler** seconded by Commissioner **McKibbin**, IT IS ORDERED: February 18, 2026, Minutes are approved as presented by the following votes:*

AYES: Perez, Peters, Endicott, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Clark, Gonzales

**Item 03/18/26-4: No Public Comments**

**PUBLIC COMMENTS:** (Agenda Item 6)

*None*

DETERMINATION PROCEEDING: (Agenda Item 7)

**Item 03/18/26-5: Continued**

1861 Greenfield County Water District Annexation No. 50

*Executive Officer Knox announced to the Commission this item will need to be continued again because the original application relied on a Notice of Exemption for CEQA compliance purposes. LAFCo confirmed that there is planned development on the proposed annexation property and the City of Bakersfield created a Mitigated Negative Declaration for the project. A copy of the MND is in our possession, however, a revised resolution from the district is needed to complete the application. It has yet to be provided. No vote conducted or necessary.*

NOTICE OF PUBLIC HEARING: (Agenda Item 8)

**Item 03/18/26-6: Approved as Presented**

2026-2027 Annual Preliminary Budget (Agenda Item 8a)

*Executive Officer Knox recommended the Commission accept the Preliminary Budget and provide directions to submit a final budget. Commissioner Zaragoza suggested increasing the budget allocation for memberships an additional \$5,000. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, IT IS ORDERED: The 2026-2027 Annual Preliminary Budget is approved with the increased allocation for memberships of \$5,000 as presented by the following votes:*

AYES: Perez, Peters, Endicott, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Clark, Gonzales

**Item 03/18/26-7: Approved as Motioned**

1870 Lamont Storm Water District: Dissolution (Agenda Item 8b)

*Executive Officer recommended that the Commission adopt the environmental document and approve the Dissolution of Lamont Stormwater District with conditions as presented. Remaining funds will be held in abeyance for the period of six months from the date of conditional approval (Gov. Code Section 56885.5 (B)). After the period ends, any asset owned by the District will be transferred to the County of Kern to be used for stormwater services to benefit the area in which the funds were collected. The County of Kern will serve as the successor agency. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, IT IS ORDERED: 1870 Lamont Storm Water District Dissolution is approved as motioned by the following votes:*

AYES: Perez, Peters, Endicott, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Clark, Gonzales

\* 5:56pm Commissioner Flores stepped away and returned a couple minutes later.

COMMISSION ITEMS: **Informational**

**Item 03/18/26-8:**

\* Commissioner Fowler announced the upcoming conclusion of her term as a Restricted Public

Member on the Board in April, noting that the April meeting will be her final meeting. Her departure will create a vacancy on the Board, requiring the appointment of a replacement.

GENERAL BUSINESS: (Agenda Item 10)

**Item 03/18/26-9:        *Approved as Presented***

EXPENSE LIST 26-02 (Agenda Item 10a)

*Chair Zaragoza presented Expense List 26-02. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, IT IS ORDERED: The general claim set forth in Expense List No. 26-02 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES:            Perez, Peters, Flores, Fowler, McKibbin, Zaragoza  
NAYS:            None  
ABSTAIN:        None  
ABSENT:         Clark, Gonzales, Endicott

\*        *6:11pm Commissioner Endicott exited the meeting (via videoconference) during discussion of Agenda Item 10a.*

**Item 03/18/26-10:      *Approved as Presented***

Destruction of Documents: Disposal of Archived Commission Records (Agenda Item 10b)

*Executive Officer Knox advised the Commission that included in their packet was a list of documents put together by Rebecca Moore for destruction. Mr. Knox recommended the Commission approve the documents as presented. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, IT IS ORDERED: The Destruction of Documents: Disposal of Archived Commission Records is approved as presented by the following votes:*

AYES:            Perez, Peters, Flores, Fowler, McKibbin, Zaragoza  
NAYS:            None  
ABSTAIN:        None  
ABSENT:         Clark, Gonzales, Endicott

**Item 03/18/26-11:      *Informational***

Workplace Violence Protection Plan Adoption and Training Continued (Agenda Item 10c)

*Executive Officer Knox reminded Commissioners to complete training. No vote conducted or necessary.*

**Item 03/18/26-12:      *Informational***

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 10d)

- Form 700 reminder
- Ethic Certificate reminder
- Final Budget
- Special District Election Ballots deadline April 1<sup>st</sup>.

**Item 03/18/26-13: Adjournment**

ADJOURNMENT: (Agenda Item 11)

*Chair Zaragoza announced the next meeting being April 15, 2026. There being no further business to come before the Commission. IT IS ORDERED: The meeting is adjourned at 6:17 p.m.*

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Clerk

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Executive Officer

DRAFT

# **Proceeding No. 1861**

## **GREENFIELD COUNTY** **WATER DISTRICT** **Annexation No. 50**

### Report & Presentation Documents

- [Report & Recommendation](#)
- [LAFCo Resolution \(DRAFT\)](#)

### Application Packet

- [Application Form](#)
- [Plan for Providing Services](#)
- [Resolution of Application](#)
- [Environmental Documentation](#)
- [Exhibit A – Legal Description](#)
- [Exhibit B – Map](#)
- [Waiver of Notice, Hearing and Protest Hearing](#)
- [District-Landowner Annexation Agreement](#)

### Supporting Documentation

- [MND & General Planning Document](#)
- [Report of Auditor](#)
- [Certificate of Filing](#)

BEFORE THE LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF KERN, STATE OF CALIFORNIA

In the Matter of

Proceeding No. 1861

GREENFIELD COUNTY WATER DISTRICT:  
ANNEXATION NO. 50

REPORT AND RECOMMENDATION  
January 22, 2026

In the above-entitled matter the staff report and the recommendation of the Executive Officer are respectfully submitted as follows:

**PROPOSAL BACKGROUND AND ANALYSIS:**

On August 28, 2025, the Greenfield County Water District (GCWD) submitted an application for Annexation No. 50 to Kern LAFCo. The application was deemed complete on December 9, 2025. The process required by the Cortese-Knox-Hertzberg Reorganization Act of 2000 has been followed including notices to affected agencies and any notices and publications required by law.

This proposal is to annex approximately 50.74 acres in one uninhabited vacant area generally located at: 2029 Hosking Avenue, Bakersfield CA 93307

The proceeding is to annex a parcel at the landowner's request for the purpose of obtaining a supply of domestic water where no other source of domestic water is reasonably available. The surrounding properties include vacant properties and Highway 99.

This proposed annexation is within the District's sphere of influence.

The area has been planned for in the City's General Plan: C-2/Commercial Combining

Kern Board of Supervisors have provided Resolution 2011-119 which using the Auditor's Report determined that the annexation area does not require a tax agreement as per Section 99 of the Revenue and Tax Code.

The parcel included in this annexation is not considered prime farmland or in the Williamson Act. The area is not within or adjacent to a Disadvantaged Unincorporated Community (DUC). The annexation of these properties will not result in additional water usage and is accounted for in the Kern River Groundwater Sustainability Plan.

This proposal has 100% landowner consent. The applicant has requested that notice, hearing and protest hearing will be waived as by Gov. Code §56662.

**STANDARD INDEMNITY AGREEMENT CONDITION:**

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 this proceeding approval.

**ENVIRONMENTAL IMPACT STATEMENT:**

Greenfield County Water District, as the lead agency, has prepared and filed a Notice of Exemption for this project. The Commission has been given a copy of the District's environmental document to review.

**TAXATION:**

No change in taxes will occur with this annexation.

**RECOMMENDATION:**

It is recommended that the Commission consider the environmental document filed by the district.

It is further recommended that the Commission approve Annexation No. 50 to the Greenfield County Water District with the requirement of notice, hearing and protest hearing be waived and subject to conditions recommended by Executive Officer. (Resolution)

Respectfully Submitted

A handwritten signature in cursive script, appearing to read "Blair Knox".

Blair Knox  
Executive Officer

The following are the considerations required by Gov. Code §56668:

a) POPULATION AND POPULATION DENSITY; LAND AREA AND LAND USE; PER CAPITA ASSESSED VALUATION; TOPOGRAPHY, NATURAL BOUNDARIES, AND DRAINAGE BASINS; PROXIMITY TO OTHER POPULATED AREAS; THE LIKELIHOOD OF SIGNIFICANT GROWTH IN THE AREA, AND IN ADJACENT INCORPORATED AND UNINCORPORATED AREAS, DURING THE NEXT 10 YEARS.

The property proposed for annexation has 100% landowner consent. This area is uninhabited. The surrounding areas are vacant. The area is expected to have infill growth. There is no unusual topography. This area is served by the Tulare Lake (drainage basin).

ASSESSED VALUATION: Secured: \$ 1,516,211      Unsecured: \$ 0.00

b) THE NEED FOR ORGANIZED COMMUNITY SERVICES

Essential governmental services and controls now provided, or which may be provided in the future by local governmental agencies within subject territory include the following:

Type	Now provided by:	After proposed action future needs provided by:
<b>Planning</b>	City of Bakersfield	Same
<b>Parks and Recreation</b>	City of Bakersfield	Same
<b>Library</b>	County of Kern	Same
<b>Police Protection</b>	City of Bakersfield	Same
<b>Fire Protection</b>	City of Bakersfield	Same
<b>Streets</b>	Bakersfield/CalTRANS	Same
<b>Flood Control</b>	County of Kern	Same
<b>Sweeping</b>	City of Bakersfield	Same
<b>Lighting</b>	City of Bakersfield	Same
<b>Sewerage</b>	City of Bakersfield	Same
<b>Water</b>	None	City of Bakersfield
<b>Refuse</b>	City of Bakersfield	Same

c) THE EFFECT OF THE PROPOSED ACTION AND OF ALTERNATIVE ACTIONS ON ADJACENT AREAS, ON MUTUAL SOCIAL AND ECONOMIC INTERESTS AND ON THE LOCAL GOVERNMENTAL STRUCTURE OF THE COUNTY.

No negative impacts on the area associated with the proposed annexation have been identified. The alternative action would be to not annex the area to the Greenfield County Water District. The alternative would be for the property to have it's own well and water supply.

d) THE CONFORMITY OF BOTH THE PROPOSAL AND ITS ANTICIPATED EFFECTS WITH BOTH THE ADOPTED COMMISSION POLICIES ON PROVIDING PLANNED, ORDERLY EFFICIENT PATTERNS OF URBAN DEVELOPMENT AND THE POLICIES AND PRIORITIES SET FORTH IN SECTION 56377.

The proposal is consistent with local adopted Commission policies and Government Code §56377

e) THE EFFECT OF THE PROPOSAL ON MAINTAINING THE PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURAL LANDS AS DEFINED BY SECTION 56016

*“AGRICULTURAL LANDS” MEANS LANDS CURRENTLY USED FOR THE PURPOSE OF PRODUCING AN AGRICULTURAL COMMODITY FOR COMMERCIAL PURPOSES, AND LEFT FALLOW UNDER A CROP ROTATIONAL PROGRAM OR LAND ENROLLED IN AN AGRICULTURAL SUBSIDY OR SET-ASIDE PROGRAM”*

This proposal does not convert prime agricultural lands as defined by Gov. Code § 56016. As no commercial agricultural commodities are contained in the annexation there will be no changes to production or operations. Parcels within this proposed annexation are currently in the Williamson Act.

f) THE DEFINITENESS AND CERTAINTY OF THE BOUNDARIES OF THE TERRITORY.

The boundary of the proposed annexation conforms to the Assessor’s parcel.

g) A REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 65080 AND CONSISTENCY WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS

No conflicts have been identified with the County’s General Plan, Regional Transportation Plan or any Specific Plans.

h) THE SPHERE OF INFLUENCE OF ANY LOCAL AGENCY WHICH MAY BE APPLICABLE TO THE PROPOSAL BEING REVIEWED

- BAKERSFIELD CITY**
- GREATER BAKERSFIELD SEPARAT.-GRADE**
- GREENFIELD UNION ELEM. SCHOOL**
- KERN COUNTY CITRUS PEST CONTROL DIST.**
- KERN COUNTY WATER AGENCY**
- KERN COUNTY, ZONE NO. 17 WATER AGENCY**
- KERN COUNTY, ZONE NO. 19 WATER AGENCY**
- KERN DELTA WATER**
- KERN JT(14,15,26,36,54) COMM. COLLEGE**
- KERN JT-SFID (SAFETY,REPAIR,IMP), JT(15,36,54) COMM. COLLEGE**
- KERN MOSQ & VECTOR CONTRL**
- KERN UNION HIGH SCHOOL**
- PANAMA/ BUENA VISTA ELEM. SCHOOL**
- SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DIST.**
- SOUTH KERN PUBLIC CEMETERY**

There will be functional overlap with the Kern Delta Water District and Kern County Water Agency. Kern Delta provides water for agricultural purposes. Kern County Water Agency manages water supplies from State and Federal water conveyance systems.

i) COMMENTS OF ANY AFFECTED LOCAL AGENCY OR OTHER PUBLIC AGENCY:

A notice was sent to affected local agencies. No comments were received. A copy of the proposal was sent to the Kern Council of Governments (KernCOG) County Assessor, County Planning and County Surveyor comments were received and used for this report. A copy of the map along with a memo was sent to Kern Council of Governments for review. No negative comments were received.

j) THE ABILITY OF THE NEWLY FORMED OR RECEIVING ENTITY TO PROVIDE THE SERVICES WHICH ARE THE SUBJECT OF THE APPLICATION TO THE AREA, INCLUDING

THE SUFFICIENCY OF REVENUES FOR THOSE SERVICES FOLLOWING THE PROPOSED BOUNDARY CHANGE.

The applicant has submitted a plan outlining the services to be provided. Water services provided by the District are fee based

k) TIMELY AVAILABILITY OF WATER SUPPLIES ADEQUATE FOR PROJECTED NEEDS AS SPECIFIED IN GOV CODE SECTION 65352.5

The District has the ability to supply water to this area now and in the future. The area falls within the Kern River Groundwater Sustainability Agency and is restricted by the Kern River Groundwater Sustainability Plan.

l) THE EXTENT TO WHICH THE PROPOSAL WILL AFFECT A CITY AND THE COUNTY IN ACHIEVING THEIR RESPECTIVE FAIR SHARE OF THE REGIONAL HOUSING NEEDS.

This proposal will have no effect on the City or County in achieving their fair share of the regional housing needs.

m) ANY INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS, VOTERS OR RESIDENTS OF THE AFFECTED TERRITORY.

100% of the property owners have consented to being included in the District.

n) ANY INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS.

This proposal is consistent with existing land use designations.

o) THE EXTENT TO WHICH THE PROPOSAL WILL PROMOTE ENVIRONMENTAL JUSTICE (FAIR TREATMENT OF PEOPLE OF ALL RACES CULTURES, AND INCOMES WITH RESPECT TO THE LOCATION OF PUBLIC FACILITIES AND THE PROVISION OF PUBLIC SERVICES).

The project does not result in unfair treatment with respect to the location of public facilities and provision of public services.

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

In the Matter of:  <b>GREENFIELD COUNTY WATER DISTRICT: ANNEXATION NO. 50</b>	<b>Resolution No. 26-XX</b>  <b>Proceeding No. 1861</b>  <b>Minute Book 73</b>
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I, Blair Knox, Executive Officer, of the LOCAL AGENCY FORMATION COMMISSION, COUNTY OF KERN, STATE OF CALIFORNIA, hereby certify that the following resolution, proposed by Commissioner **XXXX**, seconded by Commissioner **XXXX**, was duly adopted by the Commission at an official meeting thereof held on the **15<sup>th</sup> day of April 2026**, by the following vote:

AYE:           XXXX  
NAYE:         XXXX  
ABSTAIN:     XXXX  
ABSENT:      XXXX

\_\_\_\_\_  
Blair Knox, Executive Officer

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RESOLUTION MAKING DETERMINATION  
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**Whereas**, pursuant to the Government Code § 54963. et seq., meetings were held both at a physical location and by video conference to attend to any health and safety concerns of the panelist and/or participants;

**Whereas** pursuant to Government code § 56658. a proposal for the annexation of territory to the Greenfield County Water District (“APPLICANT”), designated as Annexation No. 50, was initiated by Resolution of Application to the Local Agency Formation Commission of Kern County (“COMMISSION”);

**Whereas** on April 15, 2026, the COMMISSION held a public meeting on the proposed Resolution of Application submitted by the APPLICANT;

**Whereas** pursuant to Government code § 56662, the APPLICANT's application has requested for waiver of hearing, notice and protest hearing;

**Whereas** pursuant to Government code § 56046, the proposed territory is uninhabited;

**Whereas**, pursuant to Government code § 56662 (3)(b), the application for annexation has 100% land owner consent;

**Whereas** pursuant to Government code § 56658, (b) all affected public agencies were notified;

**Whereas** pursuant to Government code § 56665, the Executive Officer prepared a Report and Recommendation considering all the factors in conformance with Government code § 56668;

**Whereas** on said 15<sup>th</sup> day of 2026, this Commission considered the Mitigated Negative Declaration, adopted by the lead agency;

**Whereas** the COMMISSION is fully advised in the premises; now therefore, be it

***Resolved that the Local Agency Formation Commission, County of Kern, State of California, on behalf of its members, finds and determines as follows:***

1. *specific reference is hereby made to all the papers, documents, files and proceedings heretofore and now taken, had and filed in this matter have been and now are in all respects as required by law with particular reference to Minute Item 04/15/26-X as appears upon the official minutes of the proceedings of this COMMISSION;*
2. *all of the proceedings heretofore and now taken and had in this matter have been and now are in all respects as required by law;*
3. *the facts set forth in the Executive Officer Report and Recommendation, presented to the COMMISSION are true;*
4. *Notice, hearing and protest hearing have been waived;*

5. *the territory proposed for annexation is uninhabited (less than 12 registered voters);*

6. *the annexation will be in the best public interest;*

7. *the application has 100% landowner consent;*

8. *the Mitigated Negative Declaration, findings and mitigation and monitoring plan was reviewed and adopted;*

9. *the proposed affected territory, is all within the County of Kern, State of California,*

10. *pursuant to the authority granted by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, said territory set forth in the Application for Proceeding on Resolution, by Legislative body, filed herein on January 07, 2026, hereby assigned to the territory proposed to be annexed the following distinctive short form designation, to wit: "Greenfield County Water District: Annexation No. 50, particularly described and delineated in Exhibit "A", attached hereto and by reference made apart hereof; is hereby approved and subject to the following conditions:*

a. *the APPLICANT has signed an agreement to actively defend or indemnify and hold harmless the COMMISSION or its agents, officers, and employees, from any liability or loss connected with the approval of this proceeding; and*

11. *the COMMISSION authorizes and directs the Executive Officer to file and record all documentation required by law upon completion of all directives set forth in regard to this proceeding.*

KERN LOCAL AGENCY FORMATION COMMISSION

**Application for Annexations, Detachments and Reorganizations**

(Attach additional sheets as necessary)



Application Type: check all that apply

- Annexation     Consolidation     Detachment     Dissolution     Formation  
 Incorporation     Merger     Name Change     Reorganization     Subsidiary District

1. Type of Application:

- Local Agency (*resolution*)     Land Owner (*petition*)     Registered Voter (*petition*)     Other

2. Name of Application: (The name should match the title on the map and legal description)

- A. List the reference name that identifies the subject agency and type of reorganization: *e.g. Annexation No. XX. If more than one agency involved, include all agencies with corresponding reorganization reference: e.g. Agency Name 1: Annexation No. XX, Agency Name 2: detachment X, etc...*

*Greenfield County Water District  
Annexation 50*

- B. List all proposed service and boundary changes for this application:

*Addition of water service. No boundary changes.*

3. Nature of proposal: (Why is this proposal being filed?)

*The landowner has requested annexation to the District for the purpose of obtaining a supply of domestic water and no other source of domestic water is reasonably available.*

4. Describe the acreage and general location: (description will be used on notices and publications)

- A. Number of proposed areas (acres of each area) & (total acreage):

*Number of proposed areas: 1                      Total acreage: approximately 50.74 gross acres*

- B. Describe the general location; (include streets, direction, postal address if available, and Accessor Parcel Number/s)

*2029 Hosking Avenue, Bakersfield, CA 93307      APN: 514-030-25-3*

5. Land Use - Present and Future:

- A. Describe the current physical land use of the proposed area? E.G. vacant, residential, agriculture, etc.

*vacant*

- B. Describe any planned development that would result from or be facilitated by this proposed boundary change.

*The approximately 29.53-acre site will be developed in two phases for commercial development with landscaping. Phase one includes approximately 7.68 acres and phase two includes approximately 21.85 acres.*

	<p>C. Describe the current physical land use of the area <u>surrounding</u> the proposal: E.G. vacant, residential, commercial, industrial, agriculture, etc. <i>vacant</i></p>
6.	<p><u>Zoning - Present and Future:</u> A. List the existing County/City zoning land use designation/s. <i>C-2/Commercial Combining</i></p> <hr/> <p>B. List and attach adopted pre-zoning. (CITIES ONLY - mark attachment 6B) <i>N/A</i></p>
7.	<p><u>Conformity with County and City General Plans:</u> A. List the existing County General Plan designation/s for the proposal area. <i>C-2/C.O.</i></p> <hr/> <p>B. List the City general plan designation for the area (CITIES ONLY). <i>N/A</i></p> <hr/> <p>C. Do the proposed uses conform with the above listed plans? <input checked="" type="radio"/> YES <input type="radio"/> NO If "NO"; please explain: <i>Yes</i></p>
8.	<p><u>Criteria for Determination without Notice and Hearing (Gov. Code § 56662)</u> A. Is the affected area uninhabited territory? <input checked="" type="radio"/> YES <input type="radio"/> NO "Uninhabited territory" means territory within which there reside fewer than 12 registered voters. Gov. Code §56079.5 Provide any notations indicating possible voters. (LAFCo will verify registered voters with most current election data) <i>Yes, this parcel is vacant and unimproved</i></p> <hr/> <p>B.- PETITION Is the <u>petition</u> signed by all of the owners of land within the affected territory? OR <input checked="" type="radio"/> YES <input type="radio"/> NO</p> <p>C.- RESOLUTION Do all (100%) of the Land Owner/s consent to the reorganization? <input checked="" type="radio"/> YES <input type="radio"/> NO If "YES"; attach letter/s of consent for each land owner (include land owner name, Assessor Parcel Number/s) or any additional documents that would be satisfactory to the commission, that all the owners of land within the affected territory have given their written consent to the proposal. Label the attachment/s 8C-1, 8C-2, etc.</p>
9.	<p><u>Conformity with Spheres of influence:</u> Is the proposal area within the sphere of influence of the annexing agency? <input checked="" type="radio"/> YES <input type="radio"/> NO</p>

If "NO"; include a proposal to amend the agency's sphere of influence.

Provide the following:

- (1) agency resolution/petition
- (2) sphere of influence amendment application
- (3) sphere of influence amendment map.

10. Impact on Agriculture:

A. Is the affected property "Agricultural Lands" as defined in Gov. Code §56016?

1) Is the affected property currently producing a commercial agricultural commodity?

YES  NO

2) Is the affected property fallow under a crop rotational program?

YES  NO

3) Is the affected property enrolled in an agricultural subsidy or set-aside program?

YES  NO

B. Is the affected property "Prime Agricultural Lands" as defined in Gov. Code §56064?

YES  NO

If "YES" to any of A or B above; provide an explanation as to the reasoning for possible removal of the property from agriculture status.

C. Is any portion of the property within a Land Conservation Act contract? (Williamson Act)

YES  NO

1) If "YES"; provide the contract number and the date the contract was executed.

Contract No. Contract Date:

2) If "YES"; has a notice of non-renewal been filed?  YES  NO

Non-renewal filing Date:

D. Will the city succeed to the contract pursuant to Section 51243? (CITIES ONLY).

YES  NO

If "YES"; has County Planning been notified and agree with the modification?

YES  NO

If "YES"; please provide documentation from County Planning regarding any modification agreement.

11. Impact on Open Space:

Is the affected property Open Space land as defined in Gov. Code §65560(h)(1-6)?

YES  NO

If "YES"; please provide an explanation as to the reasoning for possible removal of the property from open space status.

12. Relationship to Regional Housing Goals and Policies: (CITIES ONLY)

Will this proposal result in or facilitate a credit/debit towards the City's most recent Regional Housing Need Allocation (RHNA) number provided by Kern Council of Governments?

YES  NO

If "YES"; has County Planning been notified and agree with the allocation modification?

YES  NO

	<p>If "YES"; please provide documentation from County Planning regarding any RHNA allocation modification agreement.</p>
13.	<p><u>Population:</u>          B. Provide the population of residents within the affected area: Zero (0)          C. List the number of existing dwelling units within the proposal area: Zero (0)          D. Describe the type of existing dwelling units within the proposal area i.e. house, apartment, etc:  <i>N/A</i></p>
14.	<p><u>Dependability of Water Supply for Projected Needs &amp; Existing Water Plans:</u>          A. Will the proposal result in or facilitate an increase in water usage?  <div style="text-align: right;"><input checked="" type="radio"/> YES      <input type="radio"/> NO</div> <p>If "YES"; please provide the projected amount of increase and identify any resources that would be a factor in the support of the proposal i.e. Master Water Plans, Expansion Plans, etc. <i>The estimated water use during construction will be 19 acre-feet (AF). Phase one has a maximum anticipated water demand of 4.88 acre-feet per year (AFY). Phase two has a maximum anticipated water demand of 16.08 AFY. The total maximum anticipated water use is 20.96 AFY or 39.81 equivalent dwelling units (EDU's) at full build out.</i></p> <p>* If necessitated: attach a statement from the retail water purveyor that describes the timely availability of potable water supplies that will be adequate for the projected needs.</p>         B. Is the proposal area within the boundaries of an Adjudicated Basin as per California Department of Water Resources (DWR) Bulletin 118?      <input type="radio"/> YES      <input checked="" type="radio"/> NO          If "YES"; please provide the name of the Adjudicated Basin? <i>SJV/ Kern sub-basin</i></p> C. Is the proposal area within the boundaries of an identified Critically Overdraft Basin as per California Department of Water Resources (DWR) Bulletin 118? <input checked="" type="radio"/> YES <input type="radio"/> NO If "YES"; please provide the name of the Basin? <i>5-022.14</i> D. Is the proposal area within the boundaries of a Groundwater Stainability Area (GSA)? <div style="text-align: right;"><input checked="" type="radio"/> YES      <input type="radio"/> NO</div> <p>If "YES"; please provide the name of the Groundwater Stainability Area (GSA)?  <i>Kern River Groundwater Sustainability Agency</i></p> E. Is the proposal area within the boundaries of a Groundwater Stainability Plan (GSP)? <div style="text-align: right;"><input checked="" type="radio"/> YES      <input type="radio"/> NO</div> <p>If "YES"; please provide the name of the Groundwater Stainability Plan (GSP)?  <i>Kern River GSA GSP</i></p>
15.	<p><u>Environmental Impact of the Proposal</u>          A. What type of environmental document has been prepared?  <input checked="" type="radio"/> Notice of Exemption (NOE)  <input type="radio"/> Negative Declaration (ND) - Include all Studies and Reports  <input type="radio"/> Mitigated Negative Declaration (MND) - Include all Studies and Reports  <input type="radio"/> Environmental Impact Report (EIR) - Include Full Report</p>

If necessitated: attach the lead agency's resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations."  
Include a copy of receipt for Fish and Game payment.

B. Who is the "lead agency" for this proposal?

Agency: Greenfield County Water District

Contact Name: Nick Cooper

Title: Manager

Address: 551 Taft Highway

City: Bakersfield

State: CA Zip Code: 93307

email: ncooper@greenfieldcwd.org

Phone Number: 6618310989

C. Was LAFCo notified/involved with the CEQA process prior to an environmental document as identified ?

YES  NO

The Lead Agency's decision whether to prepare an ND, MND, or an EIR is binding on all Responsible and Trustee Agencies, except in unusual circumstances (PRC Section 21080.1(a); State CEQA Guidelines Section 15050(c)). Therefore, a Lead Agency is required to consult with and involve all Responsible and Trustee Agencies throughout the CEQA process. First, the Lead Agency must consult with Responsible and Trustee Agencies prior to determining whether a negative declaration or an EIR is required for a project (PRC Section 21080.3(a); State CEQA Guidelines Section 15063(g)). If a Lead Agency determines an EIR is required for a project, the Lead Agency must send a Notice of Preparation to all Responsible and Trustee Agencies, who will then specify to the Lead Agency "the scope and content of the environmental information that is germane to the statutory responsibilities" of that agency in connection with the proposed project and which must be included in the EIR (PRC Section 21080.4; State CEQA Guidelines Section 15082(b)).

16. Property Tax/Bonded Indebtedness

A.  There will be no exchange of property tax

Master property tax exchange agreement should apply. (CITIES ONLY- Provide Letter)

Other agreement is to be negotiated.

B. Will the proposal area assume any existing bonded indebtedness upon annexation?

YES  NO

If "YES"; how will the indebtedness be repaid? (e.g. property taxes, special tax, assessments, service fees):

C. Are their plans to establish any new special taxes, fees, or assessment districts in order to pay for new or extended service(s) to the proposal area?

YES  NO

If "YES"; describe which services and status of new funding source(s):

17.	<u>Plan for Services</u>
A.	Description of services to be extended to the affected area. (Please use Plan for Services form provided in the application packet) List the services that are to be provided by your agency and provide in detail any services's that your agency is authorized to provide but will be provided by another agency.
B.	Indicate any improvements or upgrading of infrastructure regarding roads, sewers, water, facilities or other conditions that will be a result of the proposal. <i>See enclosed Plan for Providing Services</i>
C.	What effects, if any, would annexation of this territory have on the existing level of city/district services (i.e. need for additional emergency service personnel or construction of new facilities, etc.)? <i>None or less than significant</i>
D.	How will these services be financed? Include both capital improvements, maintenance and operation? <i>By landowner</i>
E.	Are any services currently being provided in the affected area that the planned (proposed) services will now be providing i.e. overlapping services? <input type="radio"/> YES <input checked="" type="radio"/> NO If "YES"; has the current providing agency/s been contacted and an agreement been reached regarding service delivery between all agencies involved? <input type="radio"/> YES <input type="radio"/> NO If "YES"; please provide a "letter of overlapping agreement" or a "resolution for detachment" of the affected area or a "resolution of dissolution" of a special district, from the current service provider/s board, commission or council.
F.	If detachment, indicate any services which will no longer be available to the affected area and who will take over provision of these services. <i>N/A</i>
18.	<u>Services Provided by other Public Agencies</u>
A.	Are there any Cities or Special Districts whose services will require that they be annexed, detached or dissolved due to your agency providing services? (include County Service Areas) <input type="radio"/> YES <input checked="" type="radio"/> NO If "YES"; list public agency/ies name, type of service/s in question and specify if annexation, detachment or dissolution is required for each public agency:
B.	If "YES" to 9-A; has the public agency/ies been informed of the proposal? <input type="radio"/> YES <input checked="" type="radio"/> NO
19.	<u>Boundaries</u>
A.	Why are these particular boundaries being used? <i>The landowner seeks to annex for service.</i>
B.	Does the proposed boundary create an island, peninsula or curricula? please provide letter of justification? <input type="radio"/> YES <input checked="" type="radio"/> NO

If "YES"; please provide a letter of justification.

C. Is the affected area adjacent to a Disadvantaged Unincorporated Community?  
 YES  NO

If "YES" and a annexation greater than ten (10) acres is proposed, please answer the following questions:

1) Has an application to annex the DUC been filed in the past five (5) years?  
 YES  NO

If "YES"; provide date of application:

2) Is there written evidence that a majority of registered voters within the affected territory are opposed to annexation?  
 YES  NO

If "YES"; attach documentation.

20. Final Comments

A. Describe any conditions that should be included in LAFCo's resolution of approval. *Terms and Conditions of Annexation, Exhibit C to Annexation Agreement.*

B. Provide any other comments or justifications regarding the proposal.

21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCo notice of hearing and staff report.

A. Name: Nick Cooper email: ncooper@greenfieldcwd.org  
Title: Manager Phone: (661) 831-0989

B. Name: Robert Kuhs email: rkuhs@lebeauthelen.com  
Title: Legal Counsel to GCWD Phone: (661) 325-8962

C. Name: email:  
Title: Phone:

22. Contact Person

Who should be contacted if there are questions about this application?

A. Name: Robert G. Kuhs email: rkuhs@lebeauthelen.com  
Title: Attorney Phone: (661) 325-8962

Signature Field:



**SAVE FORM AS PDF OR PRINT TO PDF AND EMAIL TO:  
[deo@kernlafco.org](mailto:deo@kernlafco.org) or [eo@kernlafco.org](mailto:eo@kernlafco.org)**

LAFCo Internal Use Only

- Municipal Service Review on File
- Municipal Service Review is Current
- Municipal Service Review Requires Updating
- Master Tax Agreement on File
- Master Tax Agreement is Current
- Sphere of Influence Requires Amendment

**PLAN FOR PROVIDING SERVICES - GREENFIELD COUNTY WATER DISTRICT - ANNEXATION NO. 50**

<u>SERVICE</u> Only provide information on services authorized for applying district	<u>CURRENT PROVIDER</u> Agency which presently provides services	<u>BEGIN DATE</u> City/District Will Provide Services		<u>FINANCED</u> Indicate How Services Provided By City/District will be Financed (i.e., general tax rate or special assessment)
		Upon Annexation	Future Date (Specify)	
Planning	City of Bakersfield			
Parks & Rec.	Bakersfield Parks & Recreation			
Library	Kern County Library			
Police Protection	Central Area Satellite Office			
Fire Protection	Station 5			
Streets	City of Bakersfield			
Construction				
Maintenance	City of Bakersfield			
Sweeping	City of Bakersfield			
Lighting	City of Bakersfield			
Flood Control	None			
Sewerage	City of Bakersfield			
Water	None	Greenfield County Water District	6 months	Landowners have paid the initial annexation fee. Installation, inspection, and connection fees for setting water meters will be paid for by the developer or homeowner, as appropriate. Monthly usage fees will be charged after connection to service.
Other -				

Please provide the following information, when applicable, only for services which will be provided by the applicant City/District.

<u>Service</u>	<u>Location</u> Indicate location from which service will be provided (i.e., nearest fire station, library, etc.)	<u>Service Level Capacity</u> Indicate frequency and availability of service (i.e., street sweeping, emergency services response time, recreational programs, etc.)
Police	Central Area Satellite Office 2 miles North – White Lane and Hughes Road	Full time – 24 hours per day
Fire	Kern County Fire Department, Greenfield Station 312 Taft Hwy (Between So. H & Union Ave.)	Full time
Parks and Recreation	Stiern Park 1-1/2 miles North on Monitor Street	Normal
Library	Eleanor Wilson Branch – 1901 Wilson Road	General hours of operation
Construction/Maintenance - Sweeping  Construction/Maintenance – Lighting/Refuse Collection	Currently provided by City Construction and Maintenance Division	Once per month
Sewer	City of Bakersfield Sewer, Trunkline	Full time
Water	Main Water Line at 2029 Hosking Avenue - Greenfield County Water District	Full time
Other		

1. What effects, if any, would annexation of this territory have on the existing level of city/district services (i.e., need for additional emergency service personnel or construction of new facilities, etc.)? The parcel can be served from adjacent water mains. Additional water distribution facilities may be required to serve the territory depending on final approved development plans.
2. Would city/district require any upgrading or change on facilities to serve affected territory (roads, fire hydrants, mains, etc.)? If so, would city/district or residents be responsible for financing? See response to No. 1 above. Cost of additional facilities would be borne by developer or homeowner, as appropriate.
3. Indicate and explain existing zoning in affected territory. Vacant land that is zoned C-2/Commercial Combining.
4. Indicate and explain proposed pre-zoning in area. (List effects on present land use that would occur as a result of annexation such as maintenance of livestock on property, etc.). None. Land is vacant.
5. List city/district services that area will directly or indirectly benefit from, such as decrease in fire insurance rate, shorter emergency response time, use of community facilities, etc. Annexation will provide a water supply to areas that are not already receiving a water supply.
6. Please provide the following information relative to city/district and county taxes: List tax rate(s) in area. No change in taxes.
7. Would effected area be subject to any bonded indebtedness of the city/district: If so, explain. No.
8. How will the difference in tax rates affect a house with a market value of \$50,000.00? No change in tax rates.
9. Is the proposed area subject to a Williamson Act Contract? No.

RESOLUTION NO. 2025-02  
RESOLUTION OF APPLICATION  
(Annexation No. 50)

WHEREAS, the Board of Directors of Greenfield County Water District proposes the annexation of a contiguous parcel totaling 50.74 acres, more or less, of uninhabited real property, including APN 514-030-25 (*commonly known as 2029 Hosking Ave.*) by **GREENFIELD COUNTY WATER DISTRICT**, a county water district organized and existing by virtue of the provisions of the County Water District Law Division 12 of the Water Code (Water Code §§ 30000 et seq.) (**District**) and the **Landowner** identified in Recitals A and B below.

RECITALS

- A. **CROSSINGS AT HOSKING, LLC**, a California limited liability company is the record owner of a fee simple interest in and to the uninhabited real property, being a portion of APN 514-030-25, Lots 1 through 6 of Tract Map 7348, constituting about 7.68 acres.
- B. **ORBIS FINANCIAL, LLC**, a California limited liability company, as to an undivided 67.1825% interest, **AAXIOS FINANCIAL, LLC**, a California limited liability company, as to an undivided 4.3750% interest, **TOM TOOMA** and **MARTA TOOMA**, husband and wife, as joint tenants, as to an undivided 3.4425% interest, and **KAMIES M. ELHOUTY**, a married man, as his sole and separate property, as to an undivided 25.00% interest, are the record owners of a fee simple interest in and to the uninhabited real property, being a portion of APN 514-030-25, the Designated Remainder of Tract Map 7348, constituting about 21.85 acres. The land described in Recitals A and B is collectively referred to as the “**Land**” and the owners are collectively referred to as the “**Landowner.**”
- C. The Land is outside but contiguous to the District’s boundaries and within the District’s Sphere of Influence.
- D. Landowner desires that the District annex the Land and the District is willing to annex the Land on the following terms, covenants, and conditions; and

WHEREAS, the District desires to apply for annexation of the hereinafter described territory to the Local Agency Formation Commission of the County of Kern (“**LAFCO**”) in accordance with Government Code section 56654; and

WHEREAS, the District has determined the following facts and matters:

- 1. This proposal serves several purposes. It facilitates compliance with the Sustainable Groundwater Management Act. Additionally, the Landowner has requested annexation to the District for the purpose of obtaining a supply of water to support current and future development. The property is located at the Southwest corner of South H Street and Hosking Avenue, and no other source of water is reasonably available.

2. The counties, cities, and districts that may be affected by the annexation are:

City of Bakersfield  
Greenfield Union School District  
Kern Joint Union High School District  
Kern Community College District  
Kern County Water Agency  
Kern Mosquito Abatement District  
County Service Area No. 12.3  
San Joaquin Valley Air Pollution Control District  
Kern Delta Water District

3. The territory proposed to be annexed is uninhabited as that term is defined in Government Code section 56046.
4. The description of the territory covered by the application is set forth in **Exhibit A** and attached hereto and incorporated by reference.
5. The territory proposed to be annexed is within the District's Sphere of Influence. A map of the District showing the present boundaries of the District, the proposed annexation, and their relation one to the other, is attached as **Exhibit B** to this Resolution.
6. The Landowner has agreed to the annexation. The District therefore requests that LAFCO not require a notice of hearing or election. The District also requests a waiver of conducting a protest hearing.
7. The Landowner has entered into an Annexation Agreement with the District setting the terms and conditions of the annexation (Gov. Code § 56886), which are attached hereto as **Exhibit C**. The District requests that LAFCO adopt and approve the terms and conditions.
8. The District makes this proposal for change of organization pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and requests that LAFCO authorize proceedings for annexation in accordance therewith.

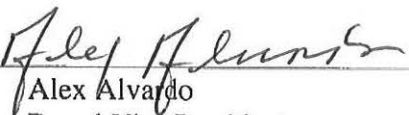
The proposed annexation consists of approximately 29.53 acres of unimproved land located at the Southwest corner of South H Street and Hosking Avenue, which the District is annexing for the purposes of facilitating compliance with the Sustainable Groundwater Management Act and providing the Landowner with a water supply to supply current and future development ("project"). On July 11, 2025, the District, as the lead agency, approved and posted with the County of Kern a Notice of Exemption after the project was determined to have no potential for significant impacts under the Categorical Exemption Class 19-15319 (a) and (b). A copy of the NOE is attached hereto as **Exhibit D**. Any future development will be the subject of separate CEQA analysis.

NOW THEREFORE, BE IT RESOLVED by the District Board of Directors as follows:

1. The foregoing recitals are true and correct.
2. The District's legal counsel and staff are directed to take all steps necessary to complete the annexation.
3. The District requests that LAFCO conduct proceedings for the foregoing proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code § 56000 et seq.).

PASSED, APPROVED, and ADOPTED this 11 day of August, 2025.

GREENFIELD COUNTY WATER DISTRICT

By:   
Alex Alvarado  
Board Vice President

ATTEST:

  
Nick Cooper, Secretary

STATE OF CALIFORNIA )  
COUNTY OF KERN )

I, Nick Cooper, Secretary of the Board of Directors, Greenfield County Water District, Bakersfield, California, hereby certify the foregoing and annexed to be a full, true, and correct copy of the original Resolution No. 2025-02 on file in this office and that I compared the same with the original.

WITNESS my hand and seal this 11 day of August, 2025.

ATTEST:

  
\_\_\_\_\_  
Nick Cooper, Secretary

## TERMS AND CONDITIONS

1. In accordance with the District's Resolution No. 14-01, the Landowner shall, either (a) provide the District with an adequate supply of recharged surface water to meet the anticipated needs of the Land when fully developed, as reasonably determined by the District, or (b) secure at the Landowner's expense a determination by the Board of Directors of the District, based on a water supply assessment prepared by the District's Consulting Engineer and the District's Counsel, that the District will likely have surplus water available, in addition to the water required to meet the full development demand of the Lands then within the District's boundaries, to meet the full development demand of the Land subject to this annexation request, as provided in paragraph 3 of Resolution No. 14-01.

2. In partial satisfaction of the requirement set forth in paragraph 1, the Landowner, on the Effective Date, shall execute, cause to be notarized and deliver to the District with authorization to record, the District's form of Agency Agreement for overlying lands in the form attached to the Annexation Agreement as Exhibit B. The Landowner shall offer to dedicate without cost to the District, (a) any wells, pumps, tanks and appurtenant equipment used for the production of groundwater on the Land and (b) future water well sites, tank sites and pipeline easements reasonably required by the District to provide water service to the Land. If the Land is encumbered by one or more deeds of trust, the Landowner shall procure the consent, subordination and joinder of the trustees and beneficiaries of those deeds of trust to the Agency Agreement for overlying lands (Exhibit B) and to any dedications of water wells as provided above.

3. On or before Annexation is complete the Landowner shall: 1) cease using all existing water wells on the Land, 2) consider all such wells to be abandoned and 3) comply with all state and local rules, to the satisfaction of state and local officials, in removing or causing to be removed all water wells on the Land.

4. The Landowner acknowledges the District's current policies with respect to the Landowner's obligation to provide an adequate water supply for the Land (Resolution No. 14-01), construct mainline extensions, pay Connection Fees and comply with the District's Standards for Water System Construction as they now exist and as they may be amended by the District in the future. Any future commitment on the part of the District to provide water service to the Land will depend on the Landowner's compliance with these policies and standards as they now exist and as they may be amended by the District in the future.

5. The District's consent to this annexation shall not be construed as a commitment by the District to provide water service to the Land. Any future commitment on the part of the District to provide water service to the Land subject to this annexation shall depend on the compliance by Landowner, or its successors and assigns with District rules, regulations and policies referred to in paragraphs 1, 2 and 3 as they exist now and as they may be amended by the District in the future.

## EXHIBIT C

Notice of Exemption

Appendix E  
7/14/2025

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044  
  
County Clerk  
County of: Kern  
1115 Truxton Ave  
Bakersfield CA 93301

From: (Public Agency): Greenfield County Water District  
551 Taft Highway  
Bakersfield CA 93307  
  
BY: AMEE Y. ESPINOZA DEPUTY  
AUDITOR CONTROLLER COUNTY CLERK

Project Title: Annexation No 50

Project Applicant: Greenfield County Water District

Project Location - Specific:  
Hoskings Ave. and South H St

Project Location - City: Bakersfield Project Location - County: Kern

Description of Nature, Purpose and Beneficiaries of Project:

Annexation 50 includes the a 50.74 ac area that is within the Water District's Sphere of Influence. The annexation is consistent with the density allowed by the current Commercial General Plan designation and C-2 CD (Commercial Combing) zoning classification. The extension of utility services to the existing facilities would allow the Water District to serve the existing facilities. The annexation will allow the Water District to provide potable water to the undeveloped parcel with no potable water. The parcel meets current density allowed by the City of Bakersfield. The annexation will allow the District to extend services to these small parcels. Annexation of this parcel is for purposes of in-fill.

Name of Public Agency Approving Project: Greenfield County Water District

Name of Person or Agency Carrying Out Project: same as above

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Class 19- 15319 (a) and(b)
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

See attached

Lead Agency  
Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? • Yes No

Signature: [Signature] Date: 7/11/2025 Title: General Manager

- Signed by Lead Agency
- Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

Notice of Environmental Document  
Posted by County Clerk on 07/14/2025  
and for 30 days thereafter, pursuant to  
Section 21152(C), Public Resources Code

**Reasons Why Project Is Exempt**

**The annexation will allow the Water District to provide potable water to the undeveloped parcel with no potable water. The parcel meets current density allowed by the City of Bakersfield. The annexation will allow the District to extend services to these small parcels. Annexation of this parcel is for purposes of in-fill.**

15319. ANNEXATIONS OF EXISTING FACILITIES AND LOTS FOR EXEMPT FACILITIES Class 19 consists of only the following annexations: (a) Annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. (b) Annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures. Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

Exhibit "A"  
Legal Description  
Greenfield County Water District  
Annexation No. 50

Portions of Lots 30, 31 and 32 in the Southeast quarter of Section 25 and portions of Lots 1, 2 and 3 in the Northeast quarter of Section 36, Township 30 South, Range 27 East, M.D.M., in the City of Bakersfield, County of Kern, State of California, per Sales Map No. 1 of Lands of J.B. Haggin in Section 25, Township 30 South, Range 27 East, M.D.M. recorded May 3, 1889, and Sales Map No. 1 of Lands of J.B. Haggin in Section 36, Township 30 South, Range 27 East, M.D.M., recorded May 3, 1889 in the office of the Kern County Recorder, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 36, being the intersection of Hosking Avenue and South H Street, also being the Northwest corner of the Annexation No. 46 of the Greenfield County Water District;

- 1) Thence South 00° 36' 52" West, along the East line of said section, and the West boundary of said Annexation, 1,322.15 feet to the Southwest corner of said Annexation, also being a point on the North boundary of Annexation No. 0 of said district;
- 2) Thence North 89° 09' 43" West, along the North boundary of said Annexation 0 and Annexation No. 29 of said district, 1,244.42 feet to the East right of way State Highway No. 99 (VI-KER-99);
- 3) Thence along said right-of-way, North 11° 34' 14" West, 1,386.83 feet;
- 4) Thence continuing along said right-of-way, North 11° 30' 35" West, 1,317.43 feet to the South boundary of Annexation No 19 of said district;
- 5) Thence along said line, South 89° 13' 30" East, 44.41 feet to the West boundary of Annexation No. 42 of said district;

Thence continuing along said boundary through the following eight (8) courses:

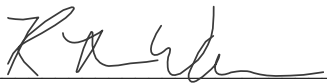
- 6) South 16° 05' 41" East, 477.74 feet;
- 7) South 19° 29' 59" East, 286.02 feet;
- 8) South 35° 00' 00" East, 224.30 feet;
- 9) South 55° 00' 00" East, 315.30 feet;
- 10) South 74° 14' 54" East, 266.55 feet;
- 11) South 77° 44' 37" East, 1.07 feet;
- 12) South 74° 07' 04" East, 149.56 feet;
- 13) North 00° 57' 45" East, 10.24 feet to the right-of-way per Record of Survey 3560, recorded August 5, 2016 in Book 30 of Record of Surveys at Pages 111 and 112, in the office of the Kern County Recorder;  
Thence along said right-of-way through the following three (3) courses:
- 14) South 78° 00' 00" East, 263.73 feet;
- 15) South 89° 11' 36" East, 74.96 feet;
- 16) South 00° 48' 25" West, 27.01 feet to the North right-of-way per Grant Deed recorded May 13, 2011 as Document No. 000211063089, Official Records;
- 17) Thence along said right-of-way, South 89° 11' 36" East, 406.79 feet to the East line of said Section 25, also being the centerline of South H Street and the West boundary of Parcel 1 of said Annexation No 19;
- 18) Thence South 00° 37' 00" West, along said last lines, 60.00 feet to the POINT OF BEGINNING.


**CHECKED BY**

Containing 50.74 acres, more or less

**KERN COUNTY SURVEYOR'S OFFICE**

11/25/2025

  
R. Brandon Walker, P.L.S. 8832

  
10/9/2025



**EXHIBIT "B"**  
**MAP OF**  
**GREENFIELD COUNTY WATER DISTRICT**  
**ANNEXATION NO. 50**  
**IN SECTIONS 25 & 36, T.30S., R.27E., M.D.B. & M.**  
**CITY OF BAKERSFIELD, KERN COUNTY, CALIFORNIA**  
**50.73 ACRES**

**LEGEND**

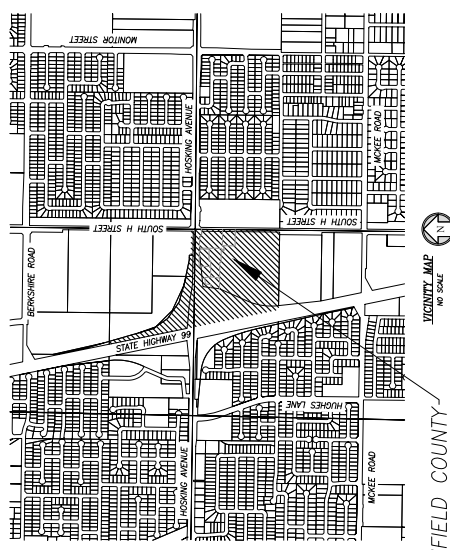
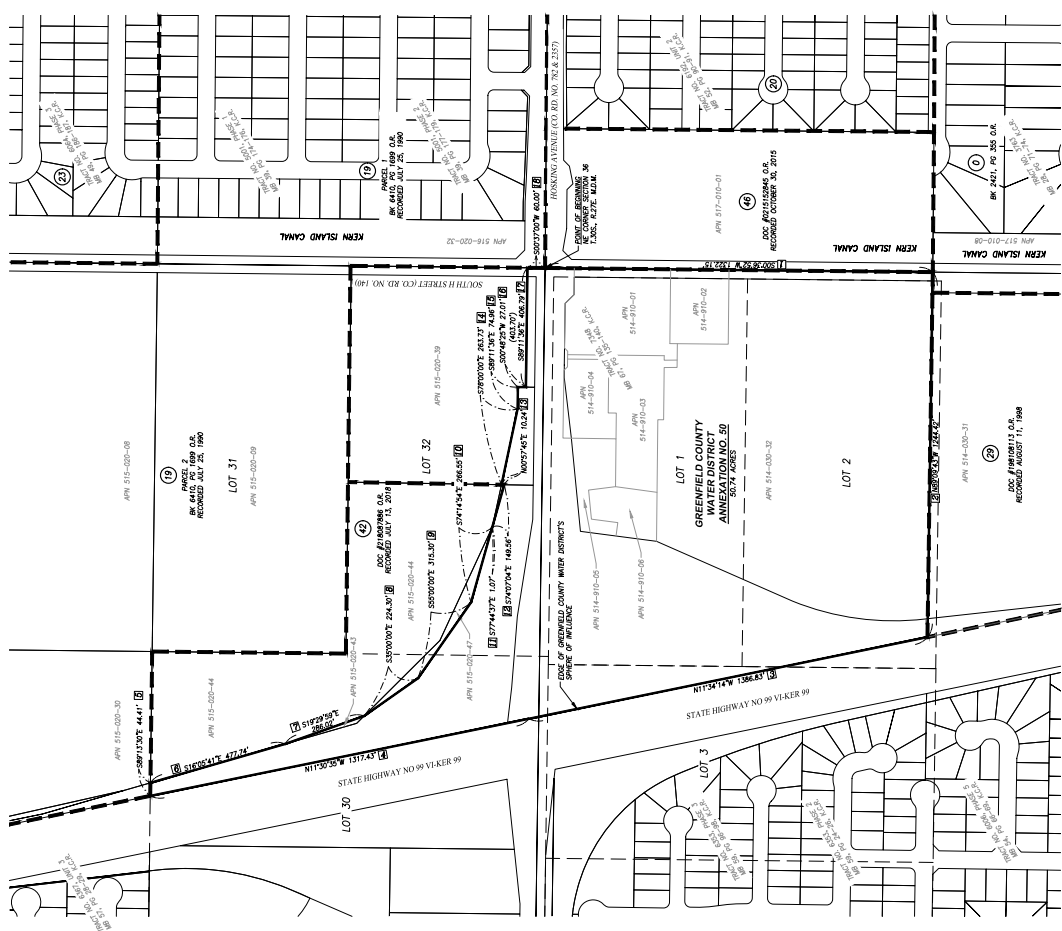
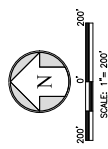
--- PROPOSED GREENFIELD COUNTY WATER DISTRICT ANNEXATION BOUNDARY  
 - - - - - EXISTING GREENFIELD COUNTY WATER DISTRICT ANNEXATION BOUNDARY  
 --- EXISTING PROPERTY BOUNDARY OR RIGHT OF WAY  
 ( ) GREENFIELD COUNTY WATER DISTRICT ANNEXATION DESIGNATION NUMBER  
 ( ) NUMBERED COURSE PER LEGAL DESCRIPTION  
 APN ASSESSOR'S PARCEL NUMBER  
 LOT XX LOT NUMBER

LOT NUMBER PER SALES MAP NO. 1 OF LANDS OF J.B. HAGGIN IN SECTION 25, T.30S., R.27E., M.D.B. & M. OF LANDS OF J.B. HAGGIN IN KERN COUNTY, RECORDED AND PER MAP NO. 1 OF LANDS OF J.B. HAGGIN IN SECTION 36, T.30S., R.27E., M.D.B. RECORDED MAY 3, 1989, IN THE OFFICE OF THE KERN COUNTY RECORDER

BK BOOK  
 DOC DOCUMENT  
 K.C.R. KERN COUNTY RECORDS  
 MB MAP BOOK  
 PG PAGE  
 O.R. OFFICIAL RECORDS

CHECKED BY  
 KEENE COUNTY SURVEYOR'S OFFICE  
 1/28/2025  
 Approved By: *[Signature]*

*[Signature]*  
 R. BRANDON WALKER, P.E. 8532 DATE 1/28/2025



GREENFIELD COUNTY  
 WATER DISTRICT  
 ANNEXATION NO. 50

NO.	DATE	BY	DESCRIPTION



MAP OF  
 GREENFIELD COUNTY WATER  
 DISTRICT  
 ANNEXATION NO. 50  
 IN SECTIONS 25 & 36, T.30S., R.27E.,  
 CITY OF BAKERSFIELD, KERN COUNTY,  
 CALIFORNIA



GREENFIELD COUNTY WATER DISTRICT  
 ANNEXATION NO. 50  
 1-800-999-7398  
 6430  
 1-800-999-7398  
 6430  
 1-800-999-7398  
 6430

PROJECT NO.: 240087
DRAWN BY:
CHECKED BY:
DATE:
SHEET NO.:

# Greenfield County Water District

551 TAFT HIGHWAY      PHONE (661) 831-0989  
BAKERSFIELD, CALIFORNIA 93307


August 21, 2025

Local Agency Formation Commission  
Attention: Blair Knox, Executive Officer  
5300 Lennox Avenue, Suite 303  
Bakersfield, CA 93309-1662

Re:    Greenfield County Water District Annexation No. 50  
      Waiver of Notice, Hearing and Protest Hearing

Dear Mr. Knox:

Greenfield County Water District formally requests that the Local Agency Formation Commission process the above-referenced annexation by waiving notice, hearing and protest hearing (or conducting authority proceedings) pursuant to section 56663 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The waiver of notice, hearing and protest hearing is based on the fact that we have received 100% consent from the property owners of the affected territory exclusive of the State of California Department of Transportation which owns certain land within the affected territory.

  
\_\_\_\_\_  
Alex Alvarado, Vice President, Board of Directors,  
Greenfield County Water District

**ANNEXATION AGREEMENT**  
**(Annexation No. 50)**  
[2029 Hosking Ave; APN 514-030-25]

**THIS AGREEMENT (Agreement)** is executed in duplicate on April 23, 2025, (**Effective Date**) by and between **GREENFIELD COUNTY WATER DISTRICT**, a county water district organized and existing by virtue of the provisions of the County Water District Law, Division 12 of the Water Code (Water Code §§ 30000 et seq.) (**District**), and the **Landowner** identified in Recitals A and B below. Landowner and District are referred to individually as a **"Party"** and collectively as the **"Parties."**

**RECITALS**

- A. **CROSSINGS AT HOSKING, LLC**, a California limited liability company is the record owner of a fee simple interest in and to the uninhabited real property, being a portion of APN 514-030-25, Lots 1 through 6 of Tract Map 7348, constituting about 7.68 acres and more particularly described in Exhibit A-1 attached hereto.
- B. **ORBIS FINANCIAL, LLC**, a California limited liability company, as to an undivided 67.1825% interest, **AAXIOS FINANCIAL, LLC**, a California limited liability company, as to an undivided 4.3750% interest, **TOM TOOMA** and **MARTA TOOMA**, husband and wife, as joint tenants, as to an undivided 3.4425% interest, and **KAMIES M. ELHOUTY**, a married man, as his sole and separate property, as to an undivided 25.00% interest, are the record owners of a fee simple interest in and to the uninhabited real property, being a portion of APN 514-030-25, the Designated Remainder of Tract Map 7348, constituting about 21.85 acres and more particularly described in Exhibit A-2 attached hereto. The land described in Exhibits A-1 and A-2 is collectively referred to as the **"Land"** and the owners are collectively referred to as the **"Landowner."**
- C. The Land is outside but contiguous to the District's boundaries and within the District's Sphere of Influence.
- D. Landowner desires that the District annex the Land and the District is willing to annex the Land on the following terms, covenants, and conditions.

**AGREEMENT**

1. **Initiation of Proceedings; Joinder with Other Proceedings.** The District shall initiate proceedings under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code § 56000 et seq.) on the following conditions:

- a. Landowner provides the District with all the information necessary to complete the documents and forms required by the Kern County Local Agency Formation Commission ("**LAFCO**"), including, but not limited to, legal descriptions of the Land, plats of the Land, proof of ownership of the Land and title policies of the Land as may be required by LAFCO and the District, including the District's Resolution of Application, LAFCO's Application for Proceeding on Resolution by Legislative Body, plan for providing services, water supply assessment, environmental assessment,

negative declaration, mitigated negative declaration or environmental impact report, as appropriate under the California Environmental Quality Act ("CEQA").

b. Landowner performs all the terms and conditions set forth in paragraphs 2, 3 and 4.

c. At District's election, District may require the Landowner, at its cost, to provide the Cumulative District Annexation Map, in electronic format, showing all prior District annexations and proposed Annexation No. 50, or the District may direct the District's Consulting Engineer to prepare same at the Landowner's cost.

d. Either the District or LAFCO may, in its discretion, join annexation of the Land with other annexation proceedings within the District's Sphere of Influence.

2. **Terms and Conditions.** District's current standard terms and conditions for annexation (Gov. Code § 56886) are attached hereto as **Exhibit C.** Landowner acknowledges that the District in its discretion may require additional or different terms and conditions for annexation.

3. **Costs.**

a. **Description of Costs.** All costs to be incurred by the District in connection with the annexation of the Land shall be paid in advance by the Landowner, including, but not limited to, filing fees, the District's Consulting Engineer fees, the District's Counsel legal fees, publication and posting fees, recording fees and fees charged by LAFCO, the County of Kern and the State Board of Equalization. In addition, the Landowner shall pay the District, for District employee time expended on the annexation at the rate of \$100 per hour, including construction check fees, and the District's Consulting Engineer time expended on the annexation at rates charged to the District, including plan check fees.

b. **Deposit.** The Landowner or its predecessor has paid \$19,500 towards costs and fees. The Landowner shall make additional deposits as requested by the District so that the District at all times has on deposit sufficient funds to cover the anticipated costs and fees of the District in connection with the annexation of the Land, including costs incurred by the District in assisting the Landowner in securing an adequate water supply for the intended development of the Land in accordance with District Resolution No. 14-01. If the Landowner fails to maintain on deposit sufficient funds as requested by the District, the District may immediately cease, and instruct LAFCO to cease, the pending annexation proceeding for the Land. The Landowner agrees that the District shall be entitled to apply the deposit to pay costs incurred by the District prior to the Effective Date, including fees charged by the District's Counsel to prepare this Agreement.

4. **Provision of Water Supply; Agency Agreement; Dedications; Deeds of Trust.**

a. **Provision of Water Supply.** In accordance with the District's Resolution No. 14-01, Landowner shall, either (i) provide the District with an adequate supply of recharged surface water to meet the anticipated needs of the Land when fully

developed, as reasonably determined by the District, or (ii) secure at Landowner's expense a determination by the Board of Directors of the District, based on a water supply assessment prepared by the District's Consulting Engineer and the District's Counsel that the District will likely have surplus water available, in addition to the water required to meet the full development demand of the Lands then within the District's boundaries, to meet the full development demand of the Land, as provided in paragraph 3 of Resolution No. 14-01.

b. **Agency Agreement.** Landowner, on the Effective Date, shall execute, cause to be notarized and deliver to the District with authorization to record, an Agency Agreement for Overlying Lands designating and appointing the District its sole and exclusive agent to divert, treat if necessary and deliver all water derivative of the Kern Island Rights and overlying groundwater rights which are part and parcel of the overlying lands and does hereby grant to the District on their behalf and on behalf of those who may succeed to their title to all or any part of the Kern Island Rights and overlying lands the sole and exclusive right to extract, treat if necessary and distribute such water for consumptive use on the Lands and to exercise all Kern Island Rights and overlying water rights belonging to the lands for consumptive use thereon in the form attached hereto as **Exhibit B.**

c. **Dedications.** Landowner shall offer to dedicate to the District, at no cost to the District, (i) any wells, pumps, tanks and appurtenant equipment used for the production of groundwater on the Land and (ii) future water well sites, tank sites, and pipeline easements reasonably required by the District to provide water service to the Land.

d. **Deeds of Trust.** If the Land is encumbered by one or more deeds of trust, Landowner shall procure the consent, subordination and joinder of the trustees and beneficiaries of those deeds of trust to the Agency Agreement for Overlying Lands (Exhibit B) and to any dedications of water wells as provided above.

5. **Disclaimers by District.**

a. **No District Obligation to Construct.** Nothing in this Agreement shall obligate the District to design, finance or construct any facilities to deliver water to the Land. Landowner acknowledges the District's current policies with respect to Landowner's obligation to provide an adequate water supply for the Land (Resolution No. 14-01), construct mainline extensions, pay Connection Fees and comply with the District's Standards for Water System Construction. Any future commitment on the part of District to provide water service to the Land will depend on Landowner's compliance with these policies and standards as they exist now and as they may be amended by the District in the future.

b. **No District Warranties Concerning Future Water Supply.** The District makes no warranties or representations, express or implied, concerning the validity, accuracy, life, term or longevity of a determination by the Board of Directors of the District, made under paragraph 3 of Resolution No. 14-01, that surplus water will likely be available to meet the full development demand of the Land. Even though the Board of Directors of



If to Landowner:

Crossings At Hosking, LLC  
9810 Brimhall Road  
Bakersfield, CA 93312

Orbis Financial, LLC  
1260 41st Avenue, Suite O  
Capitola, CA 95010

Aaxios Financial, LLC  
9320 Chesapeake Drive, Suite 116  
San Diego, CA 92123

Tom Tooma  
Marta Tooma  
c/o Laguna Business Services  
19881 Brookhurst Street, Suite C299  
Huntington Beach, CA 92646

Kamies M. Elhouty  
2580 Autumn Ridge Drive  
Thousand Oaks, CA 91362

**10. Termination of Agreement.** Either Party may terminate this Agreement on 15 days prior written notice. Following termination, the District shall apply any of the funds remaining in the deposit to unpaid or unreimbursed District costs and refund any remaining balance to Landowner.



**11. Short Form.** On the Effective Date, the Parties shall execute and cause to be notarized a Memorandum of Annexation Agreement in the form attached hereto as **Exhibit D**, Landowner shall then deliver the Memorandum to the District with authorization to record, and the District shall then record the Memorandum.

**12. Authority to Sign.** Each natural person executing this Agreement on behalf of a Party does hereby covenant and warrant that (a) the Party is a duly authorized and existing entity, (b) the Party has full right and authority to enter into this Agreement, and (c) each person signing on behalf of such Party is authorized to do so.


**13. Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, with respect to the subject matter of this Agreement. Each Party acknowledges that no representations, inducements, promises or agreements have been made by or on behalf of any Party except those covenants and agreements obtained in this Agreement. No agreement, statement or promise not contained in this Agreement shall be valid and binding.

The Parties have executed this Agreement on the Effective Date.

GREENFIELD COUNTY WATER DISTRICT

By:   
Terry Redwine, President  
Alex Alvarado, Vice  
By:   
Nick Cooper, Secretary

CROSSINGS AT HOSKING, LLC, a  
California limited liability company

By:   
Anthony Olivier, Its Manager

ORBIS FINANCIAL, LLC, a California  
limited liability company

By: \_\_\_\_\_  
Martin Boone, Its Manager

AAXIOS FINANCIAL, LLC, a California  
limited liability company

By: \_\_\_\_\_  
Joe Salas, Its Manager

\_\_\_\_\_  
TOM TOOMA

\_\_\_\_\_  
MARTA TOOMA

\_\_\_\_\_  
KAMIES M. ELHOUTY

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By: Martin Boone  
Martin Boone, Its Manager

AAXIOS FINANCIAL, LLC, a California  
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By: \_\_\_\_\_  
Joe Salas, Its Manager

\_\_\_\_\_  
TOM TOOMA

\_\_\_\_\_  
MARTA TOOMA

\_\_\_\_\_  
KAMIES M. ELHOUTY

District reserves the right to sell and the Landowner reserves the right to buy from the District water not derivative of the Kern Island Rights and the overlying rights of the overlying lands under rules and regulations of the District pertaining to the purchase and sale and delivery of water.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement on the day and year first hereinabove written.

GREENFIELD COUNTY WATER DISTRICT

CROSSINGS AT HOSKING, LLC, a  
California limited liability company

By \_\_\_\_\_  
Terry Redwine, President

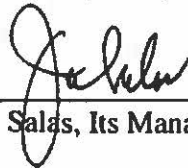
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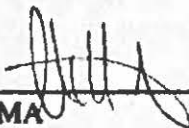
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\_\_\_\_\_  
TOM TOOMA

\_\_\_\_\_  
MARTA TOOMA

  
\_\_\_\_\_  
KAMIES M. ELHOUTY

**LEGAL DESCRIPTION  
OF LAND TO BE ANNEXED  
(APN 514-030-25, portion)**

Being Lots 1 through 6 of Tract Map No. 7348 recorded May 28, 2024, in Map Book 67, at Pages 135 through 140, in the Office of the Kern County Recorder. Also being a portion of the Northeast Quarter of Section 36, Township 30 South, Ranch 27 East, Mount Diablo Base and Meridian, in the City of Bakersfield, County of Kern, State of California.

**EXHIBIT A-1**

**LEGAL DESCRIPTION  
OF LAND TO BE ANNEXED  
(APN 514-030-25, portion)**

**Being the Designated Remainder Tract Map No. 7348 recorded May 28, 2024, in Map Book 67, at Pages 135 through 140, in the Office of the Kern County Recorder. Also being a portion of the Northeast Quarter of Section 36, Township 30 South, Ranch 27 East, Mount Diablo Base and Meridian, in the City of Bakersfield, County of Kern, State of California.**

**EXHIBIT A-2**

## TERMS AND CONDITIONS

1. In accordance with the District's Resolution No. 14-01, the Landowner shall, either (a) provide the District with an adequate supply of recharged surface water to meet the anticipated needs of the Land when fully developed, as reasonably determined by the District, or (b) secure at the Landowner's expense a determination by the Board of Directors of the District, based on a water supply assessment prepared by the District's Consulting Engineer and the District's Counsel, that the District will likely have surplus water available, in addition to the water required to meet the full development demand of the Lands then within the District's boundaries, to meet the full development demand of the Land subject to this annexation request, as provided in paragraph 3 of Resolution No. 14-01.

2. In partial satisfaction of the requirement set forth in paragraph 1, the Landowner, on the Effective Date, shall execute, cause to be notarized and deliver to the District with authorization to record, the District's form of Agency Agreement for overlying lands in the form attached to the Annexation Agreement as Exhibit B. The Landowner shall offer to dedicate without cost to the District, (a) any wells, pumps, tanks and appurtenant equipment used for the production of groundwater on the Land and (b) future water well sites, tank sites and pipeline easements reasonably required by the District to provide water service to the Land. If the Land is encumbered by one or more deeds of trust, the Landowner shall procure the consent, subordination and joinder of the trustees and beneficiaries of those deeds of trust to the Agency Agreement for overlying lands (Exhibit B) and to any dedications of water wells as provided above.

3. On or before Annexation is complete the Landowner shall: 1) cease using all existing water wells on the Land, 2) consider all such wells to be abandoned and 3) comply with all state and local rules, to the satisfaction of state and local officials, in removing or causing to be removed all water wells on the Land.

4. The Landowner acknowledges the District's current policies with respect to the Landowner's obligation to provide an adequate water supply for the Land (Resolution No. 14-01), construct mainline extensions, pay Connection Fees and comply with the District's Standards for Water System Construction as they now exist and as they may be amended by the District in the future. Any future commitment on the part of the District to provide water service to the Land will depend on the Landowner's compliance with these policies and standards as they now exist and as they may be amended by the District in the future.

5. The District's consent to this annexation shall not be construed as a commitment by the District to provide water service to the Land. Any future commitment on the part of the District to provide water service to the Land subject to this annexation shall depend on the compliance by Landowner, or its successors and assigns with District rules, regulations and policies referred to in paragraphs 1, 2 and 3 as they exist now and as they may be amended by the District in the future.

## EXHIBIT C

# NEGATIVE DECLARATION

The City of Bakersfield Community Development Department has completed an initial study (attached) of the possible environmental effects of the following-described project and has determined that a Negative Declaration is appropriate. It has been found that the proposed project, as described and proposed to be mitigated (if required), will not have a significant effect on the environment. This determination has been made according to the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Bakersfield's CEQA Implementation Procedures.

**PROJECT NO. (or Title):** General Plan Amendment No. 21-0179

**COMMENT PERIOD BEGINS:** April 25, 2022

**COMMENT PERIOD ENDS:** May 25, 2022

**MITIGATION MEASURES** (*included in the proposed project to avoid potentially significant effects, if required*):

## **Air Quality Impact Mitigation Measures:**

1. Prior to grading plan approval, the applicant/developer shall submit documentation to the Planning Division that they are compliant with air quality control measures and rules required by the San Joaquin Valley Air Pollution Control District. The documentation shall specify that the Project has complied with the SJVAPCD's Indirect Source Rule (Rule 9510).

## **Biological Resources Impact Mitigation Measures:**

2. Prior to ground disturbance, the applicant/developer shall have a California Department of Fish and Wildlife (CDFW) approved wildlife biologist ("qualified biologist") survey the location for species (i.e., Tipton kangaroo rat, San Joaquin kit fox, San Joaquin antelope squirrel, and Bakersfield cactus) covered under the Metropolitan Bakersfield Habitat Conservation Plan incidental take permit for urban development and comply with the mitigation measures of the permit. Survey protocol shall be that recommended by CDFW. The applicant/developer shall be subject to additional mitigation measures recommended by the qualified biologist. A copy of the survey shall be provided to the Planning Division and wildlife agencies no more than 30 days prior to ground disturbance.
3. Prior to ground disturbance, a focused survey for burrowing owl shall be submitted to California Department of Fish and Wildlife (CDFW) and Planning Division by the applicant/developer. The survey shall follow the methodology developed by the California Burrowing Owl Consortium (CBOC 1993).

If the survey results identify the presence of burrowing owl nests, prior to grading (including staging, clearing, and grubbing), surveys for active nests shall be conducted by a qualified wildlife biologist no more than 30 days prior to the start of any ground disturbance and in a sufficient area around the work site to identify any nests that are present and to determine their status. A sufficient area means any nest within an area that could potentially be affected directly and/or indirectly by the project. In addition to direct impacts, such as nest destruction, nests might be affected by noise, vibration, odors, and movement of workers or equipment. If the Project applicant identifies active nests, CDFW shall be notified and recommended protocols for mitigation shall be followed, and a copy of the mitigation protocols shall be submitted to Planning Division.

If any ground disturbing activities occur during the burrowing owl nesting season (approximately February 1 through August 31), and potential burrowing owl burrows are present within the project footprint,

avoidance measures shall be implemented. In the event that burrowing owls are found, the applicant/developer shall follow CDFW protocol for mitigation and comply with the provisions of the Migratory Bird Treaty Act.

**Cultural Resources Impact Mitigation Measures:**

4. Prior to construction and as needed throughout the construction period, a construction worker cultural awareness training program shall be provided to all new construction workers within one week of employment at the project site. The training shall be prepared and conducted by a qualified cultural resources specialist.
5. During construction, if cultural resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified cultural resource specialist that meets the Secretary of the Interior's Professional Qualification Standards can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required. These additional studies may include avoidance, testing, and excavation. All reports, correspondence, and determinations regarding the discovery shall be submitted to the California Historical Resources Information System's Southern San Joaquin Valley Information Center at California State University Bakersfield.
6. During construction, if human remains are discovered, further ground disturbance shall be prohibited pursuant to California Health and Safety Code Section 7050.5. The specific protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Health and Safety Code Section 7050.5, Public Resources Code 5097.97, and Senate Bill 447 shall be followed. In the event of the discovery of human remains, at the direction of the county coroner, Health and Safety Code Section 7050.5(c) shall guide Native American consultation.

**Paleontological Resources Mitigation Measures:**

7. During construction, if paleontological resources are encountered during construction or ground disturbance activities, all work within 50 feet of the find shall immediately cease and the area cordoned off until a qualified paleontological resource specialist can evaluate the find and make recommendations. If the specialist determines that the discovery represents a potentially significant paleontological resource, additional investigations may be required. These additional studies may include fossil salvage. Ground disturbance in the vicinity of the discovery site (within 50 feet) shall not resume until the resource-appropriate measures are implemented or the materials are determined to be less than significant.

# INITIAL STUDY ENVIRONMENTAL ANALYSIS

1. **Project** (*Title & No.*): General Plan Amendment No. 21-0179
2. **Lead Agency** (*name and address*): City of Bakersfield  
Development Services Department  
1715 Chester Avenue  
Bakersfield, California 93301
3. **Contact Person** (*name, title, phone*): Cassandra Gale, Principal Planner  
(661) 326-3411
4. **Project Location:** The project is located within a portion of a 28.8-acre parcel (APN: 514-030-25) in southeast, Bakersfield, California. The project site is located on the southwest corner of Hosking Avenue and South H Street.
5. **Applicant** (*name and address*): BOMAR Partners, LLC  
Attn: Anthony Olivieri  
9810 Brimhall Road  
Bakersfield, CA 93312
6. **General Plan Designation:** LR (Low Density Residential)
7. **Zoning:** R-1 (One Family Dwelling)
8. **Description of Project** (*describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.*):

BOMAR Partners, LLC (property owner and applicant), is proposing a multi-use commercial development on ±28.8 gross acres located at the southwest corner of Hosking Avenue and South H Street. The request includes four components:

1. General Plan Amendment (GPA) of the land use element of the *Metropolitan Bakersfield General Plan* (General Plan) from LR (Low Density Residential) to GC (General Commercial) on ±21.4-acres;
2. Zone Change (ZC) from an R-1 (One Family Dwelling) zone classification to C-2/PCD (Regional Commercial/Planned Commercial Development) on ±21.4-acres;
3. Site plan consisting of general commercial uses consistent with the C-2/PCD zone classification on ±21.4- acres; and
4. Parcel Map to subdivide the entire 28.8-acre project site into various parcels to accommodate the commercial development.

The Project would be the development of 241,375 square feet of commercial space, with associated parking and improvements. The Project will include four retail buildings totaling 238,175 square feet, and one 3,200 square foot quick serve restaurant with a drive thru. The Applicant is proposing the project on a speculative basis, meaning that the future building occupants are not known at this time. As is customary in retail leasing, building users often to do not express interest in

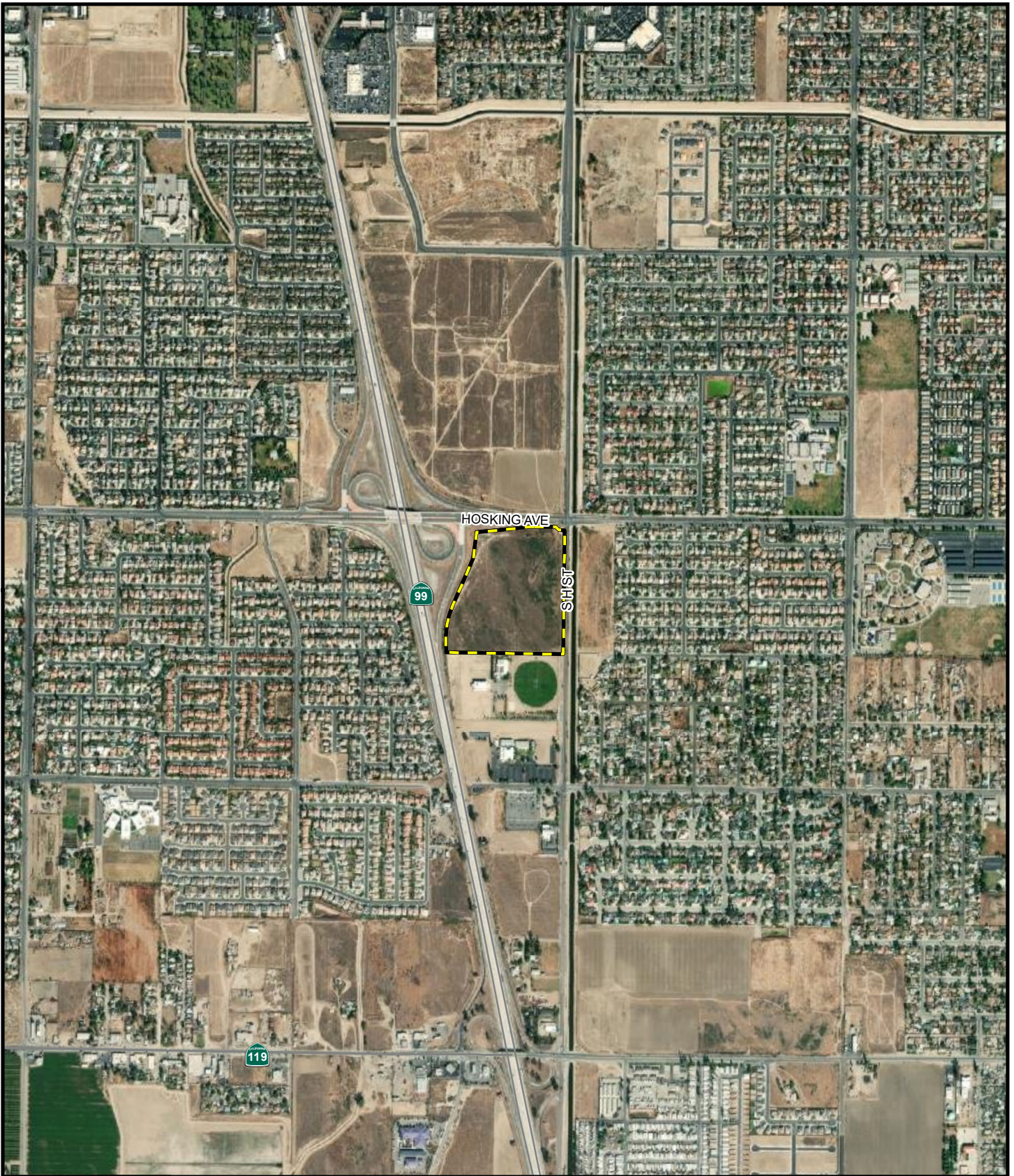
leasing a building until the entitlements are in place and a construction schedule is assured to know when the building would be available for occupancy.

**9. Environmental setting** (briefly describe the existing onsite conditions and surrounding land uses):

The proposed Project site is currently vacant and is bounded by vacant commercial land to the north; South H Street, Kern Island canal, and commercial land to the east; religious facility to the south; and State Route-99 to the west.

**10. Other public agencies whose approval is anticipated to be required** (e.g., permits, financing approval or participation agreement):

Agency	Approvals and Decisions
<b>Subsequent City of Bakersfield Approvals</b>	
Development Services Department and Public Works Department	<ul style="list-style-type: none"> <li>• Issue grading permits.</li> <li>• Issue building permits.</li> <li>• MBHCP Compliance</li> <li>• Accept public right-of-way dedications</li> <li>• Approve road improvement plans.</li> <li>• Issue encroachment permits</li> <li>• Approve proposed sewer connections and improvements.</li> </ul>
<b>Other Agencies – Subsequent Approvals and Permits</b>	
Regional Water Quality Control Board	<ul style="list-style-type: none"> <li>• Issue a Construction Activity General Construction Permit.</li> <li>• Confirm Compliance with National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements.</li> </ul>
San Joaquin Valley Air Pollution Control District	<ul style="list-style-type: none"> <li>• Approve Indirect Source Rule compliance</li> </ul>
Greenfield Water District	<ul style="list-style-type: none"> <li>• Approve proposed water connections and improvements.</li> </ul>



**Vicinity Map**

 Project Site

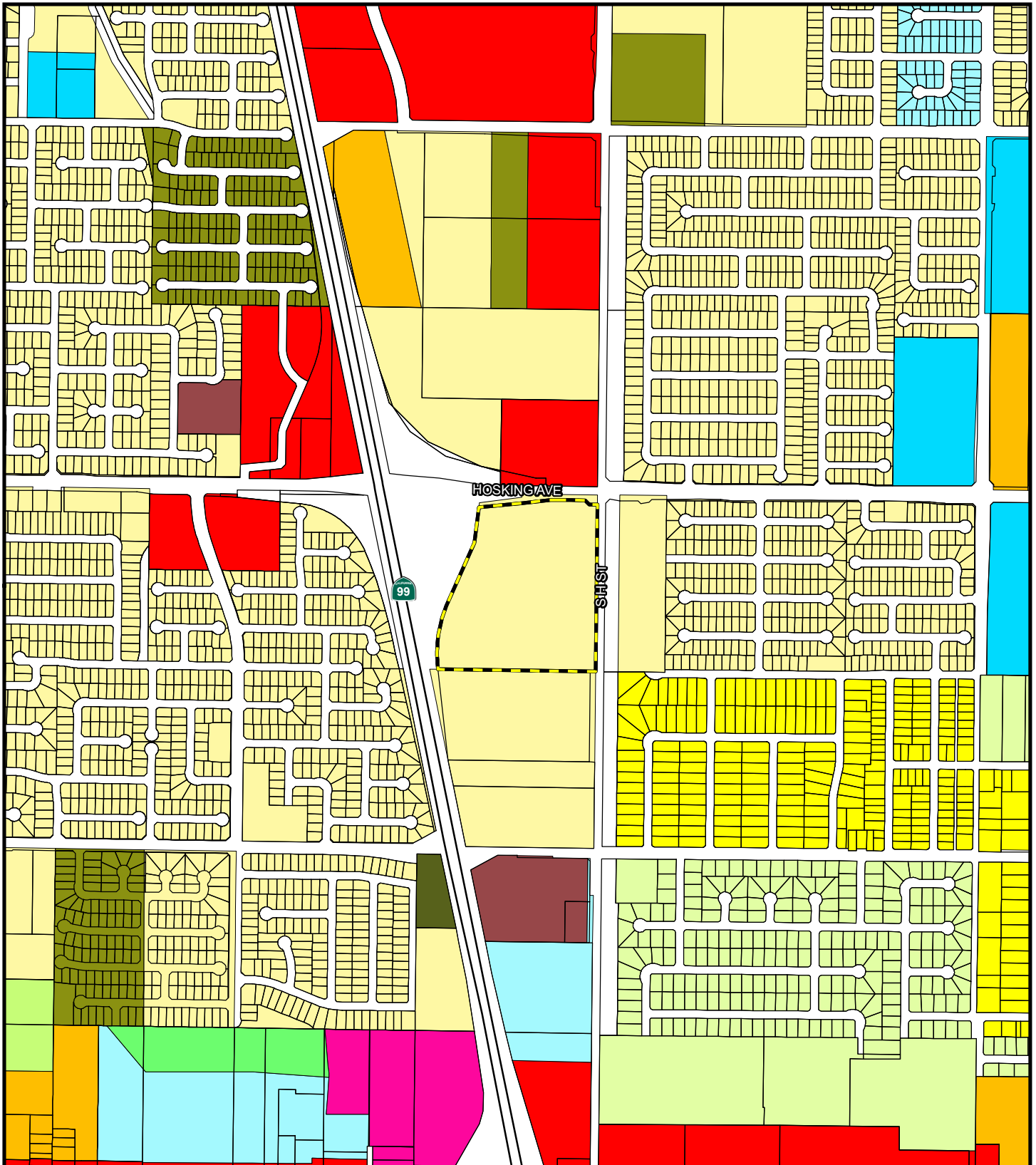


0 Miles 0.25

QK Sources: Kern County  
ESRI Source: Esri, Maxar,



**Figure 1-2**



### Metropolitan Bakersfield General Plan Map



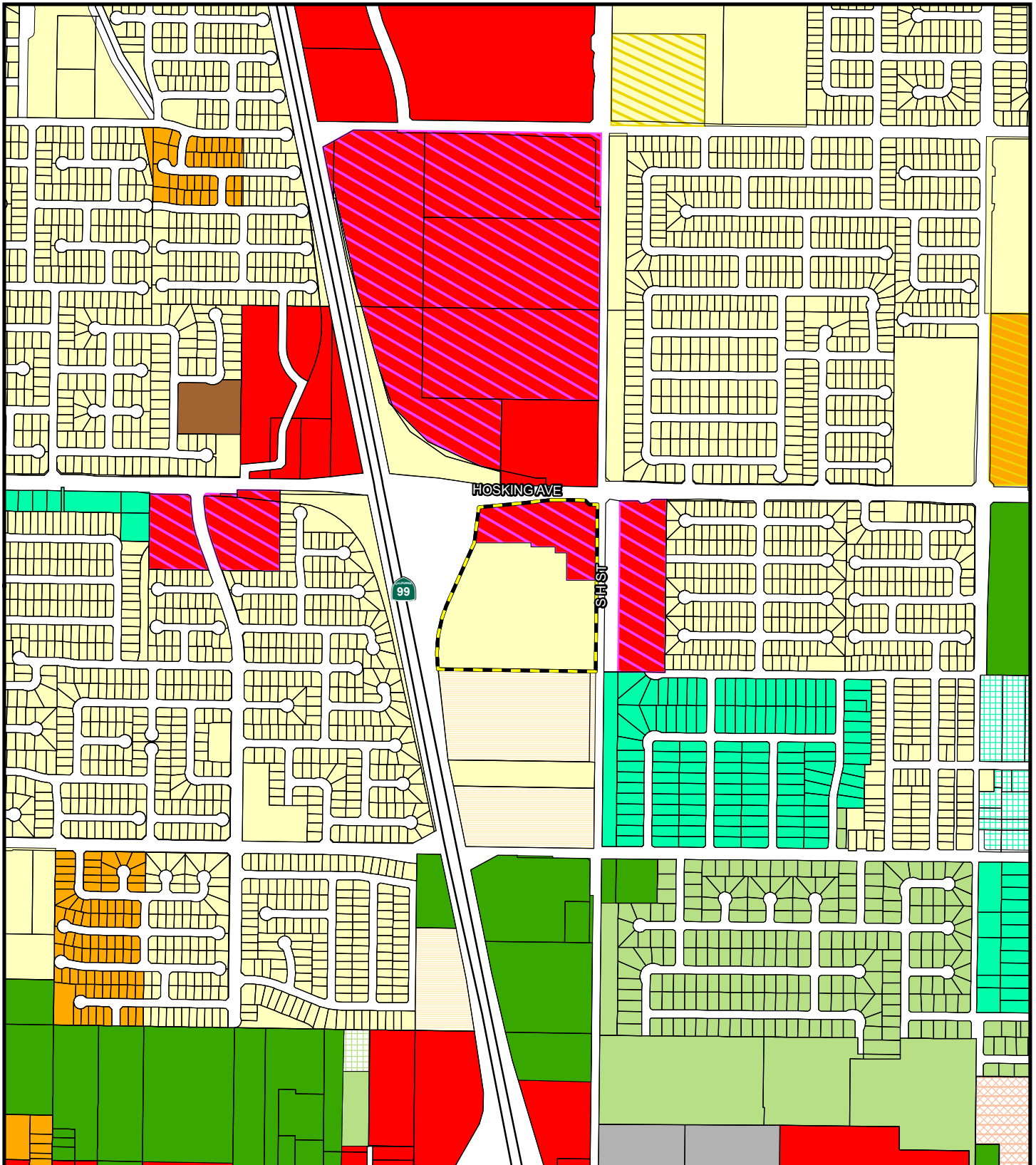
Figure 1-3

- |  |   |
|--|---|
|  Suburban Residential                                     |  Rural Residential                                 |
|  Estate Residential+Minimum 1 Net acre/Unit               |  General Commercial+None                           |
|  Low Medium Density Residential                           |  Highway Commercial+None                           |
|  High Medium Density Residential                          |  Public and Private Schools+None                   |
|  Low Medium Density Residential / Low Density Residential |  Parks and Recreation Facilities+None              |
|  Low Density Residential                                  |  Intensive Agriculture+Minimum 20 Acre Parcel Size |
|  Suburban Residential / Low Density Residential           |  Project Site                                      |



0 Feet 1,000

QK Sources: Kern County  
ESRI



### City of Bakersfield Zoning Map

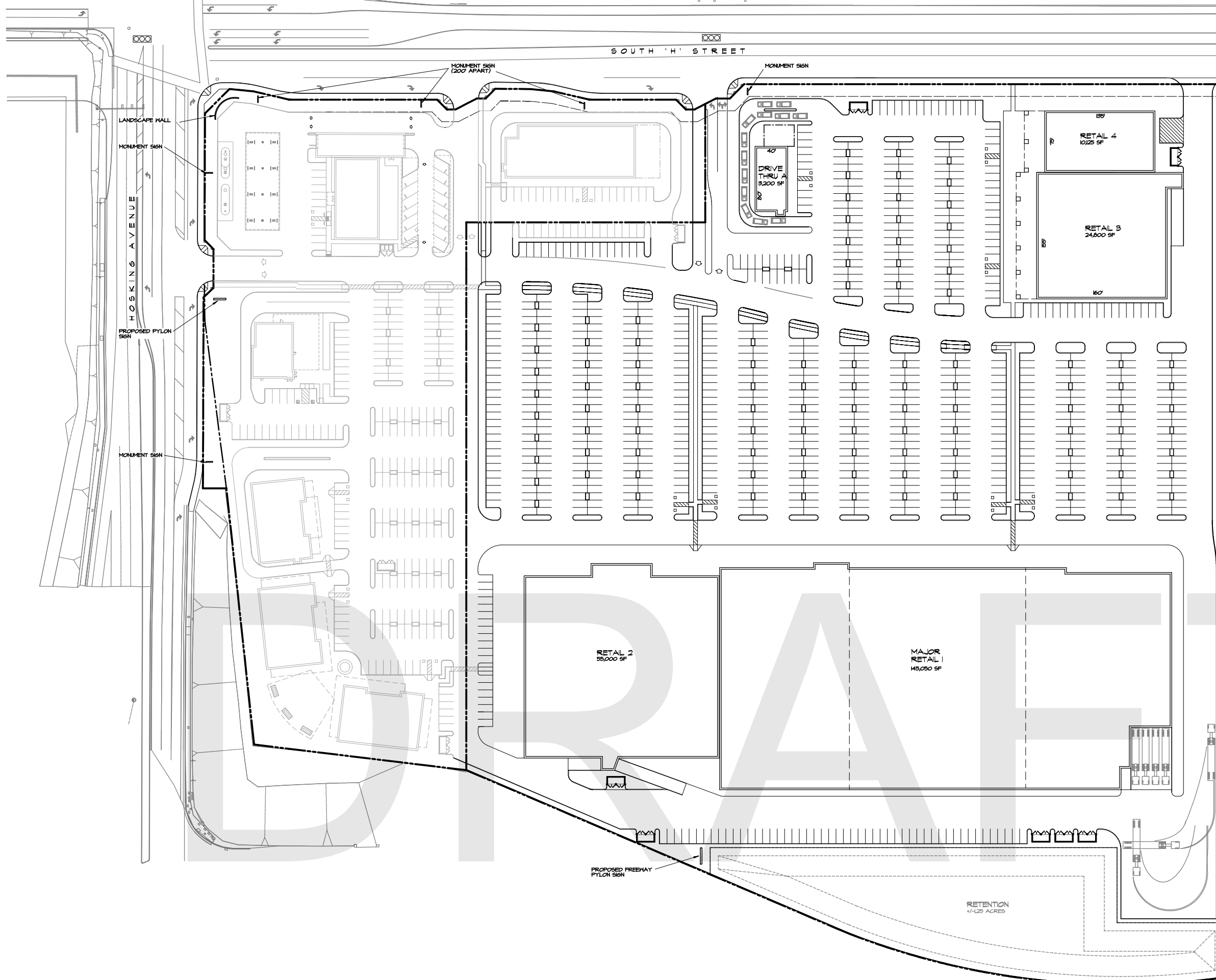


- C-2 Commercial
- C-2 Combining
- M-1 Light Manufacturing
- A Agricultural
- OS Open Space
- E Estate One Family Dwelling
- E-1A Estate One Family Dwelling - 1 acre minimum
- R-S Residential Suburban
- R-S-1A Residential Suburban - 1 acre minimum
- R-1 One Family Dwelling
- R-1-CH One Family Dwelling - Church Overlay
- R-1/P.U.D. Combining
- R-2 Limited Multiple Family Dwelling Zone
- R-2/P.U.D. Combining
- MH Mobile Home
- Project Site



0 1,000  
Feet

QK Sources: Kern County  
ESRI

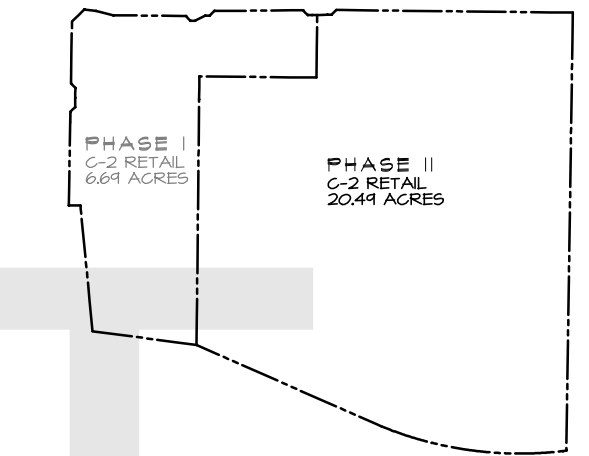


**PHASE II BUILDING AREAS**

MAJOR RETAIL 1:	145,050 SF
RETAIL 2:	55,000 SF
RETAIL 3:	24,800 SF
RETAIL 4:	10,125 SF
DRIVE-THRU A:	3,200 SF
<b>TOTAL PHASE II BUILDING AREA:</b>	<b>241,375 SF</b>

**PARKING ANALYSIS**

PHASE II PARKING REQUIRED	
MAJOR RETAIL 1 (145,050 SF/ 250 PER TENANT):	580 SPACES
RETAIL 2 (55,000 SF/ 300):	183 SPACES
RETAIL 3 (24,800 SF/ 300):	83 SPACES
RETAIL 4 (10,125 SF/ 300):	34 SPACES
DRIVE-THRU A (3,200 SF/ 75):	43 SPACES
<b>PHASE II PARKING REQUIRED:</b>	<b>923 SPACES</b>
PHASE II PARKING PROVIDED	
STANDARD OFF-STREET (9'x18'):	956 SPACES
ACCESSIBLE (9'x20' / 12'x18' WITH 5' AISLE):	14 SPACES
DRIVE-THRU CREDIT (2 SPACES PER):	2 SPACES
<b>TOTAL PARKING PROVIDED:</b>	<b>972 SPACES</b>



**PHASING DIAGRAM**



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

As indicated by the checklist on the following pages, the project would result in potentially significant impacts with respect to the environmental factors checked below (*Impacts reduced to a less than significant level through the incorporation of mitigation are not considered potentially significant.*):

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology / Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation / Traffic
- Utilities / Service Systems
- Mandatory Findings of Significance

**ENVIRONMENTAL DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project **could** not have a significant effect on the environment, and a **negative declaration** will be prepared.
- I find that although the proposed project **could** have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **mitigated negative declaration** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **environmental impact report** is required.
- I find that the proposed project **may** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect has been (1) adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An **environmental impact report** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project **could** have a significant effect on the environment, because all potentially significant effects have been (1) analyzed adequately in an earlier **environmental impact report or negative declaration** pursuant to applicable legal standards, and (2) avoided or mitigated pursuant to that earlier **environmental impact report or negative declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



\_\_\_\_\_  
Signature

04/25/2022

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kassandra Gale

Printed name

## **EVALUATION OF ENVIRONMENTAL IMPACTS:**

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significant.



Environmental Checklist and Analysis

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS:</b> Would the project;				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. **Less-than-significant impact.** The project is located within the City limits on the southwest corner of Hosking Avenue and South H Street. The existing visual environment in the area adjacent to the project is vacant land with nearby residential uses. The project does not conflict with any applicable vista protection standards, scenic resource protection requirements or design criteria of federal, state, or local agencies. The project site is located within an area having slopes from 0 to 5 %. The area is not regarded or designated within the Metropolitan Bakersfield General Plan as visually important or "scenic." The construction of commercial uses at the site would be in character and compatible with existing urban land uses in the vicinity of the site and is a natural extension of the urban growth occurring in the project area. Therefore, the project would not have a substantial adverse effect on a scenic vista, and impacts are less than significant.
- b. **No impact.** There are no trees, rock outcrops, or historic buildings located at the project site. Additionally, the project is not located adjacent to or near any officially designated or potentially eligible scenic highways to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (Caltrans 2017). The closest section of highway eligible for state scenic highway designation is State Route (SR) 14 (Caltrans 2017) located in Kern County over 60 miles to the east. Therefore, the project would not substantially damage scenic resources, including, but not limited to, trees, rock outcrops, and historic buildings within a state scenic highway.
- c. **Less-than-significant impact.** Please refer to responses I.a, I.b, and I.d. As described, the project site consists of and is surrounded by vacant land. Therefore, the project would not substantially degrade the existing visual character or quality of the site and its surroundings.
- d. **Less-than-significant impact.** This project involves incremental urban growth within the City of Bakersfield's jurisdiction. This project would be required to comply with City development standards, including Bakersfield Municipal Code Title 17 Zoning, Title 15 Buildings and Construction, and the California Code of Regulations Title 24 (Building Standards Code).



Together, these local and state requirements oblige project compliance with current lighting standards that minimize unwanted light or glare to spill over into neighboring properties. Therefore, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project;

a. Convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forestland or conversion of forest land to non-forest?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. **No impact.** The Project site is designated as Grazing Land by the Farmland Mapping and Monitoring Program (DOC 2022a). Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use.
- b. **No impact.** The Project site is currently zoned C-2/PCD and R-1 for commercial and residential uses and is not under a Williamson Act contract. Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract.
- c. **No impact.** As discussed in II.b, the Project site is zoned for commercial and residential uses. The proposed zone change would create commercial zoning throughout the Project site. There are no forest lands, timberland, or timberland zoned Timberland Production lands on the Project site.



Therefore, the Project would not conflict with existing zoning for, or cause rezoning of forest land or timberland, or timberland zoned Timberland Production.

- d. **No impact.** There are no forestlands on the Project site. Therefore, the project would not result in the loss of forestland or conversion of forest land to non-forest.
- e. **No impact.** Please refer to responses II.a through II.d. This project proposes commercial development in an area designated for urban development by the General Plan. There are no agricultural or forestlands in proximity to the project that would experience conflicts in operation due to the proposed development. Therefore, the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**III. AIR QUALITY:**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

- a. **Less-than-significant impact with mitigation incorporated.** The project is located within the San Joaquin Valley Air Pollution Control District ("SJVAPCD"). As such, air quality impacts from the Project are controlled through policies and provisions of the SJVAPCD and the General Plan. The SJVAPCD has adopted an Air Quality Attainment Plan (AQAP) and is required to submit a "Rate of Progress" document to the California Air Resources Board ("CARB") that demonstrates past and planned progress toward reaching attainment for all criteria pollutants.

The SJVAPCD requires local jurisdictions to design all developments in ways that reduce air pollution from vehicles, which is the largest single category of air pollution in the San Joaquin Valley and from other stationary sources. They do so through the permitting authority under the New and Modified Stationary Source Review Rule (Rule 2201) and the Authority to Construct and Permit to Operate (Rule 2010). Other regulations and policy that require compliance with air



quality strategies for new commercial developments include, but are not limited to, Title 24 efficiency standards, Title 20 appliance energy efficiency standards, 2005 building energy efficiency standards, Assembly Bill 1493 motor vehicle standards, and compliance with the General Plan Air Quality Conservation Element.

An Air Quality Impact Assessment ("AQIA") (Trinity Consultants 2022) was completed for the Proposed Project. The AQIA concluded that the proposed emissions from the Project are below the SJVAPCD's established emissions impact thresholds, and that the primary source of emissions from the Project will be motor vehicles that are licensed through the State of California and whose emissions are already incorporated into the CARB San Joaquin Valley Emissions Inventory. Therefore, the project would not conflict with, or obstruct implementation of, the applicable air quality plan.

As shown in the following table, the SJVAPCD has established specific criteria pollutants thresholds of significance for the operation of specific projects.

<b>SJVAPCD Significance Thresholds for Criteria Pollutants (Construction and Operational)</b>	
<b>Air Pollutant</b>	<b>Tons/Year</b>
CO	100
Reactive Organic Gas (ROG)	10
Nitrogen Oxides (NOX)	10
Sulfur Oxides (SOX)	27
PM <sub>10</sub>	15
PM <sub>2.5</sub>	15

Source: Trinity Consultants 2022.

Construction of the project would result in air pollutant emissions. Emissions from construction would result from fuel combustion and exhaust from equipment as well as vehicle traffic, grading, and the use of toxic materials (e.g., lubricants). The following table provides estimated construction emissions from the project. It was assumed in developing construction emission calculations that: 1) exposed areas would be watered three times per day and 2) construction vehicle speeds would be reduced to less than 15 mile per hour.

<b>Construction Emissions (Short-Term)</b>						
<b>Emissions Source</b>	<b>Pollutant (tons/year)</b>					
	<b>ROG</b>	<b>NOX</b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>
<b>Unmitigated</b>						
2022	0.23	2.03	1.93	0.01	0.49	0.23
2023	0.31	2.53	3.05	0.01	0.44	0.18
2024	1.76	0.13	0.20	0.00	0.01	0.01
<b>Maximum Annual Emissions</b>	<b>1.76</b>	<b>2.53</b>	<b>3.05</b>	<b>0.01</b>	<b>0.49</b>	<b>0.23</b>
<b>Mitigated</b>						
2022	0.23	2.03	1.93	0.01	0.33	0.16
2023	0.31	2.53	3.05	0.01	0.44	0.18
2024	1.76	0.13	0.20	0.00	0.01	0.01
<b>Maximum Annual Emissions</b>	<b>1.76</b>	<b>2.53</b>	<b>3.05</b>	<b>0.01</b>	<b>0.44</b>	<b>0.18</b>
SJVAPCD Threshold	10	10	100	27	15	15
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Trinity Consultants 2022.

As shown in the above table, construction emissions are not predicted to exceed SJVAPCD significance thresholds levels.



Project operations would also result in air pollutant emissions. The main source of emissions would be from vehicular traffic associated with the Project site. The following table provides estimated operational emissions from the project.

Operational Emissions						
Emissions Source	Pollutant (tons/year)					
	ROG	NOX	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
<b>Unmitigated</b>						
Retail	6.37	5.45	40.40	0.08	7.84	2.15
<b>Mitigated</b>						
Retail	6.16	4.98	37.07	0.07	6.91	1.90
<b>SJVAPCD Threshold</b>	<b>10</b>	<b>10</b>	<b>100</b>	<b>27</b>	<b>15</b>	<b>15</b>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: Trinity Consultants 2022.

As shown in the above table, operational emissions are also not predicted to exceed SJVAPCD significance thresholds levels. Because the project develops more than 2,000 square feet of commercial space, it must comply with the SJVAPCD's Indirect Source Rule ("ISR") (Rule 9510). Mitigation Measure 1 requires that the project comply with SJVAPCD air quality control measures and rules, including the ISR. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan, and impacts are less than significant.

- b. **Less-than-significant impact.** Under SJVAPCD's Guidance for Assessing and Mitigating Air Quality Impacts ("GAMAQI"; SJVAPCD 2015), any project that would have individually significant air quality impacts would also be considered to have significant cumulative air quality impacts. Impacts of local pollutants are cumulatively significant when the combined emissions from the project and other planned projects exceed air quality standards. The following table shows the project's contribution to cumulative emissions calculated for both Kern County and the greater San Joaquin Valley Air Basin ("SJVAB").

Cumulative Emissions						
Emissions Inventory	Pollutants (tons/year)					
	ROG	NOX	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Kern County – 2020 <sup>1</sup>	21,535.0	15,877.5	27,338.5	511.0	13,651.0	3,723.0
SJVAB – 2020	108,113.0	74,204.5	162,425.0	2,847.0	96,652.0	21,535.0
Project	6.16	4.98	37.07	0.07	6.91	1.90
Project % of Kern	0.029%	0.031%	0.136%	0.014%	0.051%	0.051%
Project % of SJVAB	0.006%	0.007%	0.023%	0.002%	0.007%	0.009%

<sup>1</sup>Latest inventory available as of August 2021.

Source: Insight 2017.

As shown in the above table, the project does not pose a significant increase to estimated cumulative emissions for criteria pollutants in nonattainment within Kern County and the greater SJVAB. The project's regional contribution to cumulative impacts would be negligible (well less than 1% for all pollutants under consideration) and therefore, the project's contribution is not cumulatively considerable.

Additionally, the GAMAQI, citing CEQA Guidelines Section 15064(h)(3), states on page 66 that "[a] Lead Agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a



previously approved plan or mitigation program, including, but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located" (SJVAPCD 2015).

Mitigation Measure 1 in this MND require compliance with air quality control measures and rules required by the SJVAPCD, which include, but are not necessarily limited to, SJVAPCD Rule 2010 (Permits Required), SJVAPCD Rule 2201 (New and Modified Stationary Source Review Rule), SJVAPCD Rule 4102 (Nuisance), and SJVAPCD Rule 9510 (Indirect Source Rule), each of which is discussed at length in the AQIA prepared for the project (Trinity Consultants 2022).

Because the air quality modeling indicates that project's regional contribution to cumulative impacts would be negligible and the project would comply with the requirements of the SJVAPCD attainment plans and rules, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. Impacts are less than significant.

- c. **Less-than-significant impact.** Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved that expose sensitive receptors to sustained exposure to any pollutants present. Examples of the types of land use that are sensitive receptors include retirement facilities, hospitals, and schools. The most sensitive portions of the population are children, the elderly, the acutely ill, and the chronically ill, especially those with cardiorespiratory diseases. The closest sensitive receptors to the project site would be residential uses 0.06 miles west of the Project site; however, the residential uses will be separated from the Project by State Route-99. There are no schools within 0.25 miles of the project site (Trinity Consultants 2022). Therefore, the project would not expose sensitive receptors to substantial pollutant concentrations, and impacts are less than significant.
- d. **Less-than-significant impact.** Because the Project consists of retail and commercial uses that do not include activities listed in Table 6 of the GAMAQI as a source that would create objectionable odors, the Project is not expected to be a source of objectionable odors. The AQIA concludes that the project does not exceed any screening trigger levels to be considered a source of objectionable odors or odorous compounds (Trinity Consultants 2022). Therefore, the project would not create objectionable odors affecting a substantial number of people, and impacts are less than significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project;				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. **Less than significant with mitigation incorporated.** The project site has the potential to result in significant impacts to some special-status wildlife species, but no listed special-status plant species were found on the site during reconnaissance-level surveys for the project (QK 2021).

The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan ("MBHCP") and associated Section 10(a)(1)(b) and Section 2081 permits issued by the U.S. Fish & Wildlife Service ("USFWS") and the California Department of Fish and Wildlife ("CDFW"), respectively. The project is also subject to Incidental Take Permit ("ITP") No. 2081-2013-058-04 and associated Mitigation Monitoring and Reporting Program. These documents are hereby incorporated by reference. Terms of these permits require applicants for all development projects within the plan area to pay habitat mitigation fees and notify agencies prior to grading in areas covered under the permit.

The current MBHCP expires on June 1, 2023. To ensure take of covered species does not occur after the expiration date, fees must be paid no later than January 1, 2023 and all covered



activities must be completed by the MBHCP expiration date. As determined by the City, only projects ready to be issued an urban development permit, grading plan approval, or building permit will be eligible to pay fees under the current MBHCP. Early payment or pre-payment of MBHCP fees shall not be allowed. The ability of the City to issue urban development permits is governed by the terms of the MBHCP. Urban development permits issued after the 2023 expiration date may be subject to a new or revised Habitat Conservation Plan, if approved, or be required to comply directly with requests of the USFWS and the CDFW.

The MBHCP does not cover the protection of burrowing owls ("BUOW"). However, BUOW is a migratory bird species protected by international treaty under the Migratory Bird Treaty Act ("MBTA") of 1918 (16 United State Code 703-711). The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed in 50 Code of Federal Regulations ("CFR") Part 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR Part 21). Sections 3503, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs.

Mitigation Measure 2 requires a survey and compliance with mitigation measures outlined in the ITP prior to ground disturbance for any special-status wildlife species (aside from Blunt-Nosed Leopard Lizard) that have the potential to occur at the project site. Mitigation Measure 3 requires a focused survey for burrowing owl and measures in coordination with CDFW if BUOW are found onsite. With implementation of Mitigation Measures 2 and 3, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.

- b. **No impact.** There is no riparian habitat or other sensitive natural communities located at the site (QK 2021). This project is also not located within, or adjacent to, the Kern River riparian habitat area. Therefore, the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community.
- c. **No impact.** There are no wetlands, as defined by Section 404 of the federal Clean Water Act, located at the project site, and no features identified as wetlands categories are found in the National Wetlands Inventory within the project area (QK 2021). Therefore, the project would not have a substantial adverse effect on federally-protected wetlands.
- d. **Less-than-significant with mitigation incorporated.** It was concluded that the project would not interfere with wildlife movement (QK 2021). The project is not within the Kern River floodplain (noted as a wildlife corridor in the MBHCP), or along a canal which has been identified by the USFWS as a corridor for native resident wildlife species. There is the potential during construction to temporarily affect nursery sites such as dens and burrows. Project construction could cause the direct destruction of a nursery site or cause enough of an indirect disturbance to cause special-status wildlife to abandon a nursery site. However, Mitigation Measures 2 and 3 require preconstruction surveys and, if necessary, additional mitigation recommended by a qualified biologist and CDFW to reduce potential impacts to nursery sites. With the implementation of Mitigation Measures 2 and 3, the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- e. **Less-than-significant impact.** It was concluded that the project site does not contain any biological resources that are protected by local policies (QK 2021). The MBHCP, which address biological impacts for the Metropolitan Bakersfield General Plan Area, has been adopted as



policy and is implemented by ordinance. The Project will be required to comply with the MBHCP. Therefore, the project would not conflict with any local policies or ordinances protecting biological resources.

- f. **Less than significant with mitigation incorporated.** Please refer to responses IV.a, IV.d, and IV.e. With implementation of Mitigation Measures 2 and 3, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES:</b> Would the project;				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. **No Impact.** A Phase I Cultural Resources Survey (ASM 2021) was completed for the Project by a qualified cultural resources specialist. It has been concluded that the project site does not contain historical resources (ASM 2021). Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.
- b. **Less than significant with mitigation incorporated.** It has been concluded that the project site does not contain any known archaeological resources (ASM 2021). However, there is still the potential to unearth previously unknown archaeological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. Mitigation Measure 4 requires that construction workers are provided with cultural awareness training. Mitigation Measure 5 requires ceasing work and investigating any discovery in the event that previously unknown archaeological resources are unearthed during construction. With the implementation of Mitigation Measures 4 and 5, the project would not cause a substantial adverse change in the significance of an archaeological resource.
- c. **Less than significant with mitigation incorporated.** There are no known human remains found at the project site (ASM 2021). The project could inadvertently uncover or damage previously unknown human remains. Mitigation Measure 6 requires that if any human remains are found at the site during construction, work would cease and the remains would be handled pursuant to applicable law. With implementation of Mitigation Measure 6, the project would not significantly disturb any human remains.



Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**VI. ENERGY:** Would the project;

- a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

**Discussion**

- a. **Less than significant impact.** Project construction would require temporary energy demands typical of other commercial projects that occur throughout the state and this development's construction would not result in inefficient or unnecessary consumption of energy resources beyond typical commercial construction. All new construction within the City of Bakersfield must adhere to modern building standards, including California Code of Regulations Title 24, which outlines energy efficiency standards for new commercial buildings to ensure that they do not wastefully, inefficiently, or unnecessarily consume energy. Therefore, the project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- b. **Less than significant impact.** There is no adopted plan by the City of Bakersfield for renewable energy or energy efficiency. As mentioned above, all new development projects within the City are required to adhere to modern building standards related to energy efficiency. Additionally, the City encourages applicants and developers to go beyond the required standards and make their developments even more efficient through programs such as LEED, or Leadership in Energy and Environmental Design, which is a green building rating system that provides a framework to create healthy, highly efficient, and cost-saving green buildings. Other encouraged programs available to applicants and developers are Title 20 appliance energy efficiency standards and 2005 building energy efficiency standards. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**VII. GEOLOGY AND SOILS:** Would the project;

- a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.



ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. The following discusses the potential for the project to expose people or structures to substantial adverse effects because of various geologic hazards. The City is within a seismically active area. According to the *Metropolitan Bakersfield General Plan*, major active fault systems border the southern portion of the San Joaquin Valley. Among these major active fault systems include the San Andreas, Breckenridge-Kern County, Garlock, Pond Poso, and White Wolf faults. There are numerous additional smaller faults suspected to occur within the Bakersfield area, which may or may not be active. The active faults have a maximum credible Richter magnitude that ranges from 6.0 (Breckenridge-Kern County) to 8.3 (San Andreas). Potential seismic hazards in the planning area involve strong ground shaking, fault rupture, liquefaction, and landslides.
  - i. **No Impact.** Ground rupture is ground deformation that occurs along the surface trace of a fault during an earthquake. According to the California Department of Conservation's Earthquake Zones of Required Investigation map, the project site is not located within an earthquake fault zone. Therefore, the project would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault.
  - ii. **Less than significant impact.** The City is within a seismically active area. Future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code (specifically Seismic Zone 4, which has the most stringent seismic construction requirements in the United States), and to adhere to all modern earthquake construction standards. Therefore, the project would not expose people or structures to potential substantial adverse effects involving strong seismic ground shaking.
  - iii. **Less than significant impact.** The most common seismic-related ground failure is liquefaction and lateral spreading. In both cases, during periods of ground motion caused by an event such as an earthquake, loose materials transform from a solid state to near-liquid state because of increased pore water pressure. Such ground failure generally requires a high water table and poorly draining soils in order for such ground



failure to occur. According to the Geotechnical Engineering Investigation Report prepared for the Project (Krazen & Associates 2022), the project site's soils consist of:

- Upper Soils (6-12 inches): loose silty sand
- From 3-4.5 feet: medium dense to dense silty sand
- Below 4 to 5.5 feet: alternating layers of medium dense to dense silty sand

Public supply wells in Kern County are at depths between 600 and 800 feet below land surface (USGS 2016) and therefore, groundwater levels are not close enough to the ground surface to result in sufficiently saturated soils suitable for liquefaction. As a result, the potential for liquefaction at the project site is low. In addition, future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction.

- iv. **No impact.** In Kern County, the common types of landslides induced by earthquake occur on steeper slopes found in the foothills and along the Kern River Canyon; in these areas, landslides are generally associated with bluff and stream bank failure, rockslide, and slope slip on steep slopes. The project site is relatively flat and level with no major changes in grade. Therefore, the project would not expose people or structures to potential substantial adverse effects involving landslides.
- b. **Less than significant impact.** Construction of the site would temporarily disturb soils, which could loosen soil however during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion. In addition, the relatively low precipitation in the project area (on average about 7 to 10 inches/year) results in surface runoff that is intermittent and temporary in nature. The erosion potential at the site, low average rainfall, and the fact that the soils are well drained does not make the project site susceptible to substantial soil erosion or loss of topsoil. Therefore, the project would not result in substantial soil erosion or the loss of topsoil.
- c. **Less than significant impact.** As discussed above, the project site's soils would not expose people or structures to potential substantial adverse effects involving seismic-related ground failure, including liquefaction, lateral spreading, or landslides.

Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water or excessive loading. Future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

- d. **Less-than-significant impact.** The soils identified on site, primarily silty sands, do not have a high potential to be expansive. Additionally, future structures proposed on the project site are required by state law and City ordinance to be constructed in accordance with the Uniform Building Code, including those relating to soil characteristics. Therefore, the project would not be located on expansive soil creating substantial risks to life or property.



- e. **No impact.** The project would not require the use of septic tanks or alternative wastewater disposal systems because the project would connect to existing City sewer services in the area. Therefore, there would be no impacts related to soils incapable of adequately supporting septic tanks or alternative waste water disposal systems.
- f. **Less than significant with mitigation incorporated.** A Paleontological Resources Technical Report was completed for the Project (PaleoServices 2021). Paleontological sensitivity is determined by the potential for a geologic unit to produce scientifically significant fossils. Because paleontological resources typically occur in the substratum soil horizon, surface expressions are often not visible during a pedestrian survey. Paleontological sensitivity is derived from known fossil data collected from the entire geologic unit. The project site is entirely underlain by alluvial fan deposits of late Holocene age, which presumably transition in the subsurface into older, Pleistocene-age deposits.

Due to the presence of alluvial deposits, there is the potential to unearth previously unknown paleontological resources at the site, and grading and other ground-disturbing activities have the potential to damage or destroy such resources. With the implementation of Mitigation Measure 7, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**VIII. GREENHOUSE GAS EMISSIONS:** Would the project;

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion**

- a. **Less than significant impact.** The project would generate an incremental contribution and, when combined with the cumulative increase of all other sources of greenhouse gases ("GHG"), could contribute to global climate change impacts. Although the project is expected to emit GHG, the emission of GHG by a single project into the atmosphere is not itself necessarily an adverse environmental effect. Rather, it is the increased accumulation of GHG from more than one project and many sources in the atmosphere that may result in global climate change. The resultant consequences of that climate change can cause adverse environmental effects. A project's GHG emissions typically would be relatively very small in comparison to state or global GHG emissions and, consequently, they would, in isolation, have no significant direct impact on climate change. Therefore, a project's GHG emissions and the resulting significance of potential impacts are more properly assessed on a cumulative basis.

On September 27, 2006, Assembly Bill 32 ("AB 32"), the California Global Warming Solutions Act of 2006 was enacted by the State of California which charges the California Air Resources Board ("CARB") with responsibility to monitor, regulate, and reduce GHG emissions. CARB defined the 1990 baseline emissions for California and adopted that baseline as the 2020 statewide emissions cap. In order for projects to conform with the goals of AB 32, at least a 29% reduction of GHG emissions from Business-as-Usual ("BAU") must be achieved. Subsequent legislation by the



California legislature included Senate Bill (SB) 32, which expanded upon AB 32 to reduce GHG emissions to 40% below the 1990 levels by 2030. The project's construction and operational GHG emissions were estimated and it was determined that the project would achieve at least a 29% reduction of GHG emissions (Trinity Consultants 2022). The unmitigated and mitigated GHG emissions are summarized in the following table:

Comparison of Unmitigated and Mitigated GHG Emissions (Metric Tons/Year)		
	BAU	Project Mitigated
CO <sub>2</sub> e <sup>1</sup>	12,331.88	7,048.51
Percent Reduction		42.8%

<sup>1</sup>CO<sub>2</sub>e = carbon dioxide equivalent

Source: Trinity Consultants 2022

According to the San Joaquin Valley Air Pollution Control District, for a project to conform to the goals of AB 32, at least a 29% reduction from the 2005 BAU period must be demonstrated. As shown in the above table, the project results in a 42.8% reduction in GHG emissions in comparison to BAU, which satisfies the AB 32-mandated 29% reduction. In addition, the project conforms to the requirements of SB 32 and surpasses the mandated 40% reduction by 2030. Therefore, the project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

- b. **Less than significant impact.** CARB is responsible for the coordination and administration of both federal and state air pollution control programs within California. As proposed, the project would not conflict with any statewide policy, regional plan, or local guidance or policy adopted for the purpose of reducing GHG emissions. The project would not interfere with the implementation of AB 32 and SB 375 because it would be consistent with the GHG emission reduction targets identified by CARB and the Scoping Plan. The project achieves BAU GHG emissions reduction equal to or greater than the 40% targeted reduction goal. Therefore, the project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHG.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS:</b> Would the project;				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion

a. **Less than significant impact.** The project proposes a commercial project consisting of retail and a quick serve restaurant, and therefore, does not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment and fuel tanks, and there is the potential for upset and accident conditions that could release such material into the environment. Such substances would be stored in temporary storage tanks/sheds that would be located at the site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose construction workers. All transport, storage, use, and disposal of hazardous materials used in the construction of the project would be in strict accordance with federal and state laws and regulations. During construction of the project, Material Safety Data Sheets (MSDS) for all applicable materials present at the site would be made readily available to onsite personnel. During construction, non-hazardous construction debris would be generated and disposed of at approved facilities for handling such waste. Also, during construction, waste disposal would be managed using portable toilets located at reasonably accessible onsite locations.

Day-to-day activities from the Project operations do not involve the routine transport, use, or disposal of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. Maintenance of commercial buildings would require the transport, storage, use, and/or disposal of hazardous materials such as paints, cleaners, oils, batteries, and pesticides. Building tenants are required to follow any instructions for use and storage provided on product labels carefully to prevent any accidents in the workplace. Users should also read product labels for disposal directions to reduce the risk of products exploding, igniting, leaking, mixing with other chemicals, or posing other hazards on the way to a disposal facility. Therefore, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

b. **Less than significant impact.** Please refer to response VIX.a. Therefore, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous material into the environment.

c. **Less than significant impact.** The AQIA concluded that the project would not expose sensitive receptors to substantial pollutant concentrations or result in other emissions that would adversely affect a substantial number of people (Trinity Consultants 2022). As mentioned above, the project would be required to adhere to all applicable federal and state laws and regulations



with respect to the handling of hazardous materials thus, impacts are considered less than significant.

- d. **No impact.** The EnviroStor (DTSC 2022) and Cortese (CalEPA 2021) lists pursuant to Government Code (GC) Section 65962.5 were reviewed. No portion of the project site is identified on either list, which provides the location of known hazardous waste concerns. Therefore, the project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- e. **No impact.** The project site is not located within the Kern County *Airport Land Use Compatibility Plan* area (Kern County 2012). The closest airport to the project site is the Bakersfield Municipal Airport, which is located approximately 2.63 miles southeast of the site. Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. The project is not located within a distance an airport land use plan or, where such a plan has not been adopted.
- f. **Less than significant impact.** Access to the site would be maintained throughout the construction period, and appropriate detours would be provided in the event of potential temporary road closures. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in a substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield, and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield 1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- g. **Less than significant impact.** The project site is not located within a “very high,” “high,” or “moderate” fire hazard severity zone (CalFire 2022). The site is surrounded by extensively developed land, and its vicinity is urban and does not possess high fuel loads that have a high potential to cause a wildland fire. The project site would be developed with hardscapes and irrigated landscaping, which would further reduce fire potential at the site. Therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY:</b> Would the project;				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



stream or river or through the addition of impervious surfaces, in a manner which would:

- d. Result in a substantial erosion or siltation on- or off-site?
- e. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
- f. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- g. Impede or redirect flood flows?
- h. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- i. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion

- a. **Less than significant impact.** Construction would include ground-disturbing activities. Construction of the site would temporarily disturb soils, which could loosen soils; however, during operation, the soils would be paved over with impervious surfaces such that the soils at the site would not be particularly susceptible to soil erosion.

The City owns and maintains a municipal separate storm sewer system (MS4). The project's operational urban storm water discharges are covered under the Central Valley Water Quality Control Board ("CVRWQCB") *National Pollutant Discharge Elimination System Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems* (Order No. R5-2016-0040; NPDES No. CAS0085324) (MS4 Permit) (CVRWQCB 2016). The MS4 Permit mandates the implementation of a storm water management framework to ensure that water quality is maintained within the City because of operational storm water discharges throughout the City, including the project site. By complying with the MS4 Permit, the project would not violate any water quality standards or waste discharge requirements.

- b. **Less than significant impact.** Potable water from the project would be supplied by the Greenfield County Water District. The District receives at least a portion of its supplies from groundwater sources. A Water Supply Assessment was completed for the Project (QK 2022), which evaluated the Project's water needs against the total water supply available based on the Greenfield Water District's most current Urban Water Management Plan ("UWMP"). By state law, current UWMPs do not need to address the Sustainable Groundwater Management Act (SGMA) or sustainable groundwater management at this time. It was concluded that District has sufficient existing capacity to service the project. Greenfield Water District has also provided a Will-Service letter for the Project. As a result, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c. The following discusses whether the project would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces.



- i. **Less than significant impact.** The project site does not contain any blue-line streams or other surface water features and therefore, the project would not alter the course of a river or stream. The project site would be graded and, as a result, the internal drainage pattern at the site would be altered from the baseline condition. Additionally, the project would result in increased impervious surfaces (i.e., building pads, sidewalks, asphalt parking area, etc.) at the site, which would reduce percolation to ground and result in greater amounts of storm water runoff concentrations at the site. If uncontrolled, differences in drainage patterns and increased impervious surfaces could result in substantial erosion or siltation on- or offsite. However, the project would be required to comply with the General Permit during construction and MS4 permit during operation. In order to comply with the MS4 Permit, the City requires compliance with adopted building codes, including complying with an approved drainage plan, which avoids on- and offsite flooding, erosion, and siltation problems. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite.
  - ii. **Less than significant impact.** Please refer to response X.c.i. Therefore, the project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or offsite.
  - iii. **Less than significant impact.** In order to comply with the City's MS4 Permit, the City requires compliance with an approved drainage plan that would avoid on- and offsite flooding thus, the project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
  - iv. **Less than significant impact.** A review of the Federal Emergency Management Agency (FEMA) National Flood Insurance Maps, shows the project site is located in Zone X, which is a minimal risk area outside the 1-percent and 0.2-percent-annual-chance floodplain. Therefore, the project would not impede or redirect flood flows.
- d. **Less than significant impact.** The City of Bakersfield is located within Central California and is not near a coastal environment that risks flood inundation. In addition, the City is not located within a tsunami zone as identified by the California Department of Conservation's Tsunami Map. As mentioned above, the project site is located in Zone X, which is a minimal risk area outside the 1-percent and 0.2-percent-annual-chance floodplain. The project site, like most of the City, is located within the Lake Isabella flood inundation area (Kern County 2017), which is the area that would experience flooding in the event that there was a catastrophic failure of the Lake Isabella Dam. There is an approved Lake Isabella Dam Failure Evacuation Plan (Kern County 2009) that establishes a process and procedures for the mass evacuation and short-term support of populations at risk below the Lake Isabella Dam. The City would utilize the Evacuation Plan to support its Emergency Operations Plans. Due to the project's location and implementation of related emergency safety plans, the project would not likely risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones.
- e. **Less than significant impact.** Please refer to response X.c.i. There is currently no adopted groundwater management plan for the project site or its vicinity. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING:</b> Would the project;				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. **No impact.** The project is a continuation of the existing urban development pattern of the City. The project does not include a long and linear feature, such as a freeway, railroad track, block wall, etc., that would have the potential to divide a community. Therefore, there is no impact.
- b. **No impact.** The project requires a General Plan Amendment ("GPA") to be consistent with the Metropolitan Bakersfield General Plan ("MBGP"), namely a change from LR (Low Density Residential) to GC (General Commercial). The project also requires a Zone Change ("ZC") to be consistent with the Zoning Ordinance, namely a change from R-1 (One Family Dwelling) to C-2/PCD (Regional Commercial/Planned Commercial Development), or a more restrictive district. If the GPA/ZC were to be approved by the City, the project would be consistent with both the MBGP and Zoning Ordinance. Therefore, the project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES:</b> Would the project;				
a. Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. **No impact.** The project site is not within the administrative boundaries of an oilfield and there are no oil wells found on the site (DOC 2022b). Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- b. **No impact.** The project site is currently designated LR and, if the GPA is approved, this designation would change to GC. No portion of the site is designated for a potential mineral



resource extraction use such as R-MP (Mineral and Petroleum). Therefore, the project would not result in the loss of availability of a locally-important mineral resource recovery site that is delineated in a local general plan, specific plan or other land use plan.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIII. NOISE:** Would the project result in:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion**

- a. **Less than significant impact.** A Noise Study was completed for the Project (WJVA 2022). The project would generate both short-term construction noise and operational noise. The first type of short-term construction noise would result from transport of construction equipment and materials to the project site, and construction worker commutes. These transportation activities would incrementally raise noise levels on access roads leading to the site. A one-time trip to move pieces of heavy equipment for grading and construction activities would result in single-event noise at a distance of 50 feet from a sensitive noise receptor that would reach a maximum level of 84 A-weighted decibels ("dBA"). Because the equipment would be left onsite for the duration of project construction, the one-time trip would not add to the daily traffic noise in the project vicinity. The total daily vehicle trips resulting from construction worker commutes would be minimal when compared to existing traffic volumes on the affected streets, and the long-term noise level change would not be perceptible.

The second type of short-term construction noise is related to noise generated during project construction. The site preparation and grading phase, which includes excavation and grading, tends to generate the highest noise levels because earthmoving equipment is the noisiest construction equipment. Construction noise levels during grading would be less than 70 dBA, which would not exceed the hourly noise level standard at the nearest sensitive uses. Construction noise would cease to occur once project construction is completed. The project will also be required to comply with the construction hours specified in the City Noise Ordinance, which states that construction activities are limited to the hours of 6:00 a.m. and 9:00 p.m. on weekdays, and between the hours of 8:00 a.m. and 9:00 p.m. on weekends.

Project operations would generate sound levels typical of commercial land uses, which would have to comply with Bakersfield Municipal Code regarding noise. Typical examples of noise sources associated with commercial land uses include HVAC/mechanical equipment, truck



deliveries, parking lot activities, drive thru operations, etc. It was determined that the noise levels at all points around the project site would experience noise level impacts that would be less than the City's daytime and nighttime maximum noise level standards of 75 dBA and 70 dBA.

Therefore, the project would not generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

- b. **Less than significant impact.** Some ground-borne vibration and noise would originate from earth movement and building activities during the project's construction phase. Ground-borne noise and vibration from construction activity would be mostly low to moderate. The operation of typical construction equipment would generate ground-borne vibrations that would not exceed guidelines that are considered unsafe for any type of buildings. Operation of the proposed neighborhood commercial use would not generate ground-borne vibration. Therefore, the project would not expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- c. **No impact.** The project site is not located within the Kern County Airport Land Use Compatibility Plan area or within the vicinity of a private airstrip (Kern County 2012). Therefore, the project would not result in a safety hazard or excessive noise for people residing or working in the project area.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XIV. POPULATION AND HOUSING:** Would the project result in:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion**

- a. **Less-than-significant impact.** The project proposes commercial services for residents of Bakersfield, and those traveling on the adjacent freeway. This project would accommodate the projected increase in Bakersfield's population by providing sufficient retail, food, and other commercial services for existing and future residents in Bakersfield. Therefore, the project would not induce substantial population growth in an area, either directly or indirectly.
- b. **No impact.** The project site consists of vacant land. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.



Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XV. PUBLIC SERVICES:** Would the project result in:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion**

a. The following discusses whether the project would result in substantial adverse physical impacts to public services. The need for additional public service is generally directly correlated to population growth and the resultant additional population's need for services beyond what is currently available.

- i. **Less than significant impact.** Fire protection services for the Metropolitan Bakersfield area are provided through a joint fire protection agreement between the City and County. Potential increase in services can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.
- ii. **Less than significant impact.** Police protection for the project would be provided by the Bakersfield Police Department. Potential increase in services can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.
- iii. **Less than significant impact.** The Project is proposed to accommodate existing and future residents within the City. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities,



the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.

- iv. **Less than significant impact.** The proposal does not include nor require the construction of recreational facilities, and park impact fees are not required for commercial and industrial land uses. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks.
- v. **Less-than-significant impact.** The project and eventual buildup of this area would result in an increase in maintenance responsibility for the City. Though the project may necessitate increased maintenance for other public facilities, this potential increase can be paid for by property taxes generated by this development. Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XVI. RECREATION:** Would the project result in:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion**

- a. **No impact.** Please refer to response XV.a.iv. Therefore, the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b. **No impact.** Please refer to response XV.a.iv. Therefore, the project would not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION:</b> Would the project result in:				
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

- a. **Less-than-significant impact.** The project would result in temporary construction-related traffic impacts. Construction workers traveling to and from the project site as well as construction material delivery would result in additional vehicle trips to the area's roadway system. Construction material delivery may require a number of trips for oversized vehicles that may travel at slower speeds than existing traffic and, due to their size, may intrude into adjacent travel lanes. These trips may temporarily degrade level of service on area roadways and at intersections. Additionally, the total number of vehicle trips associated with all construction-related traffic, including construction worker trips, could temporarily increase daily traffic volumes on local roadways and intersections. The project may require temporary lane closures or the need for flagmen to safely direct traffic on roadways near the project site. However, once the project is built, it would not result in any permanent traffic-related effects.

A Trip Generation Analysis was completed and reviewed by the Traffic Engineering Division of the Public Works Department (Ruetters & Schuler 2022), along with the proposed site plans. It was determined that the project has been designed in accordance with City development standards, and appropriate standard conditions of approval have been assigned to the project. The conditions include the dedication and improvement of streets, traffic control measures during construction, pedestrian access, and the payment of impact fees. Therefore, the project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

- b. **Less-than-significant impact.** Section 15064.3 of the updated California Code of Regulations ("CCR" or CEQA Guidelines), statewide application came into effect July 1, 2020. This CCR Section 15064.3(b) states:

Criteria for Analyzing Transportation Impacts.

- (1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area



compared to existing conditions should be presumed to have a less than significant transportation impact.

- (2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.
- (3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
- (4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

The Kern Council of Governments (Kern COG) Travel Demand Model was used to estimate regional Vehicle Miles Traveled ("VMT") with and without project conditions to determine if the project will have a significant VMT impact. Total regional VMT with and without project conditions was calculated, and is shown in the following table:

2021 Baseline Total Regional VMT		
Regional VMT without Project	Regional VMT with Project	Difference
46,341,915	46,245,634	(96,281)

By providing needed services to adjacent residential uses, the total regional VMT with project traffic is lower than the total without the project. Therefore, the project would not be in conflict or be inconsistent with CCR Section 15064.3(b).

- c. **Less-than-significant impact.** The project would have to comply with all conditions placed on it by the City Traffic Engineering Division in order to comply with accepted traffic engineering standards intended to reduce traffic hazards, including designing the roads so that they do not result in design feature hazards. The project is within the City limits and surrounded by compatible existing and planned land uses and land use designations. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses.
- d. **Less-than-significant impact.** There is the potential that, during the construction phase, the project would impede emergency access. For projects that require minor impediments of a short



duration (e.g., pouring a new driveway entrance), the project would be required to obtain a street permit from City Public Works. If a project requires lane closures and/or the diversion of traffic, then a Traffic Control Plan, subject to Public Works approval, would be required. During operations, the project would have to comply with all applicable City policies and requirements to ensure adequate emergency access. The need for such permits is determined by the Public Works Department during the permitting and construction phases of their permitting process. In addition, the site plans have been designed in accordance with all City development standards. Therefore, impacts are less than significant.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XVIII. TRIBAL CULTURAL RESOURCES:** Would the project result in:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?
- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

**Discussion**

- a. **Less than significant impact.** The project requires a GPA and therefore, request for consultation letters were sent to a list of tribal contacts received from the Native American Heritage Commission in compliance with Senate Bill 18 ("SB 18"). In the letters, the City stated that the applicable tribes may request consultation with the City regarding the preservation of, and/or mitigation of impacts to, California Native American cultural places in connection with the project. To date, none of the tribes have responded to the request. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed in the California Register of Historical Resources or in a local register of historical resources.
- b. **Less than significant impact.** Based on the results to date of the SB 18 consultation inquiry to applicable tribes, the City has determined that it is unlikely that tribal cultural resources will be found at the site. The site is currently extensively developed with existing buildings including prefabricated metal structures and residential buildings. There are no tribal cultural resources determined by the lead agency to be of significance onsite. Therefore, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency to be significant.



	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIV. UTILITIES AND SERVICE SYSTEMS:</b> Would the project result in:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. **Less-than-significant impact.** The project would require the construction of new water, storm water drainage, sewer facilities; above and/or belowground electrical facilities, natural gas facilities, and telecommunications (e.g., cable, fiber optics, phone, etc.) typical of residential development. Water, storm water, and sewer structures would have to be designed to meet the City's *Current Subdivision & Engineering Design Manual* (Bakersfield 1999). Compliance with the Design Manual would ensure that the such facilities would not result in significant environmental effects. Electrical, natural gas, and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that placement of new utilities to serve new construction would not have a significant effect on the environment. Therefore, the project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- b. **Less-than-significant impact.** The designated water purveyor is Greenfield Water District. The District has provided a letter stating that water service can be supplied in compliance with their current UWMP that accounts for normal, dray, and multiple dry years (QK 2022). Therefore, the project has sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.



- c. **Less-than-significant impact.** Wastewater as a result of the project would be treated at Waste Water Treatment Plant ("WWTP") No. 2, which is owned and operated by the City. WWTP No. 2 has an overall capacity of 25 MGD and a current available capacity of 11.3 MGD (Bakersfield 2019). WWTP No. 2 has sufficient capacity to serve the project. As a result, it has been determined that the wastewater treatment provider which serves or may serve the project has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- d. **Less-than-significant impact.** It is assumed that solid waste generated as a result of the project would be disposed at the Bena Landfill located at 2951 Neumarkel Road, Bakersfield, CA 93307. In accordance with city standards which are designed to achieve State waste stream reduction and recycling goals, the Solid Waste Division of Public Works will conduct a detailed review of the facility at the time of development to incorporate appropriate on-site trash facilities, subject to city approval. Therefore, the project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- e. **Less-than-significant impact.** By law, the project would be required to comply with federal, state, and local statutes and regulations, including those relating to waste reduction, litter control, and solid waste disposal.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRES:</b> Would the project result in:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

- a. **Less than significant impact.** The project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project is located in an urbanized area and access to the site would be maintained throughout the construction period. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in substantial alteration to the adjacent and area circulation system. The project is typical of urban development in Bakersfield, and is not inconsistent with the adopted City of Bakersfield Hazardous Materials Area Plan (Bakersfield



1997). This plan identifies responsibilities and provides coordination of emergency response at the local level to hazardous materials incidents. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

- b. **Less than significant impact.** As mentioned above, the project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. Additionally, the project site is relatively flat, not near wildlands, the site and its surrounding do not possess high fuel loads (i.e., lots of vegetation and other burnable material) to exacerbate wildfire risks and therefore, fire-related pollutant concentrations. Therefore, the project would not exacerbate wildfires and expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.
- c. **Less than significant impact.** The project is located within the Metropolitan Bakersfield city limits and the site, as well as the surrounding area, is extensively developed with existing infrastructure such as roads, power lines, utilities etc., to support the development of this project. Therefore, the project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- d. **Less than significant impact.** The project site is relatively flat, is not within a floodplain, and is not in a moderate- to high-risk area for wildfires. Therefore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**XXI. MANDATORY FINDINGS OF SIGNIFICANCE:** Would the project result in:

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Does the project have the potential to substantially degrade the quality of life of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**Discussion**

- a. **Less than significant with mitigation incorporated.** The project is subject to the terms of the Metropolitan Bakersfield Habitat Conservation Plan and associated Section 10(a)(1)(b) and Section 2801 permits issued to the City of Bakersfield by the U.S. Fish and Wildlife Service and the California State Department of Fish and Wildlife, respectively. Terms of the permit require applicants for all development projects within the plan area to pay habitat mitigation fees, excavate known kit fox dens, and notify agencies prior to grading. There are no important examples of the major periods of California history or prehistory found at the site. Therefore, the project, with the implementation of the identified conditions of approval, best management practices, and mitigation measures, would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- b. **Less than significant impact.** Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." This section further states that cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

Past, present, and future projects in proximity to the project were considered and evaluated as part of this Initial Study. Also, in addition to project specific impacts, this Initial Study considered the projects potential for incremental effects that are cumulatively considerable. As described in the responses above, there is no substantial evidence that there are cumulative effects associated with this project. In addition, any future development projects not identified above would be required to undergo a separate environmental analysis and mitigate any project- or site-specific potential impacts, as necessary. Therefore, impacts are less than significant.

- c. **Less than significant with mitigation incorporated.** As described in the responses above, the project, with mitigation, would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

**REFERENCE LIST**

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**Meeting Date:** July 21, 2022 **AGENDA:** 5.c  
**TO:** Chair Cater and Members of the Planning Commission  
**FROM:** Paul Johnson, Planning Director *PJ*  
**DATE:** July 14, 2022  
**WARD:** 7  
**FILE:** GPA/ZC 21-0179

**STAFF PLANNER:** Kassandra Gale, Principal Planner

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**REQUEST:** (1) General Plan Amendment to change land use designation from Low Density Residential (LR) to General Commercial (GC); and (2) Zone Change to change zone classification from R-1 (One-Family Dwelling) to C-2/PCD (Regional Commercial/Planned Commercial Development).

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**APPLICANT/OWNER:** Anthony Olivieri  
9810 Brimhall Road  
Bakersfield, CA 93312

**PROJECT LOCATION:** Southwest corner of Hosking Avenue and South H Street.

**APN:** 514-030-25

**PROJECT SIZE:** 21.4 acres of a 28.8-acre parcel **CEQA:** Mitigated Negative Declaration

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**EXISTING GENERAL PLAN DESIGNATION:** LR (Low Density Residential)

**EXISTING ZONE CLASSIFICATION:** R-1 (One Family Dwelling)

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**STAFF RECOMMENDATION:** (1) Adopt Resolution **ADOPTING** Mitigated Negative Declaration pursuant to Section 15074 of the California Environmental Quality Act; (2) adopt Resolution **APPROVING** general plan amendment to change the land use designation from LR to GC or more restrictive designation; and (3) adopt Resolution **APPROVING** the zone change from R-1 to C-2/PCD or a more restrictive classification and recommend same to City Council.

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**SITE CHARACTERISTICS:** The project site is vacant land. Surrounding properties are primarily developed as: *north* – vacant commercial land; *east* – South H Street, Kern Island canal, neighborhood commercial under construction; *south* – religious facility; and *west* – State Route 99.

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## BACKGROUND AND TIMELINE:

- December 19, 1990 – City Council approved pre-zoning on the subject property of R-1 (One-family dwelling) (Ordinance 3331).
- July 3, 1991 – The Kern Local Area Formation Commission (LAFCo) approved the annexation of the project site to the City of Bakersfield as part of Annexation No. 340 (Resolution 49-91).
- January 24, 2019 – City Council approved General Plan Amendment/Zone Change No. 16-0455 for: (1) a change in land use designation from Low Density Residential (LR) to General Commercial (GC)(Resolution No. 106-18) ; and (2) a change in zone classification from R-1 (One-Family Dwelling) to C-2/PCD (Regional Commercial/Planned Commercial Development) on the northern 7.5-acre portion of the parcel (Ordinance No. 4968).

## PROJECT ANALYSIS:

**General Plan Amendment/Zone Change (“GPA/ZC”).** The proposed request is intended to facilitate development of a regional commercial center up to 241,375 square feet on 21.4 acres. The applicant is proposing the project on a speculative basis, meaning that the future building occupants are not known at this time. Therefore, a site development plan will be submitted at a later date for consideration.

**Planned Commercial Development (“PCD”).** The PCD combining zone was requested because an associated site development plan has not been submitted or finalized for the development. The PCD combining zone is intended to allow for innovative design and diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while ensuring compliance with the General Plan and the intent of the municipal code. Should the current GPA/ZC be approved, your Commission will consider the Planned Development Review proposal at a regularly scheduled public hearing.

**Compatibility with Land Use Element.** Staff has reviewed the proposal for compatibility with the applicable goals and policies contained within the *Metropolitan Bakersfield General Plan* Land Use Element and finds the following:

Goal 2: Accommodate new development which provides a full mix of uses to support its population.

The project is consistent with this goal because the property owner determined the market is driving a need for commercial development in the project area.

Goal 3: Accommodate development which is compatible with and complements existing land uses.

The project is consistent with this goal because there is property zoned for commercial located to the north and east. In addition, State Route 99 borders the project site to the west. The proposed commercial zoning is consistent with the existing commercial designations in the immediate area and complements the State Route 99 corridor.

Goal 4: Accommodate new development which channels land uses in a phased, orderly manner and is coordinated with the provision of infrastructure and public improvements.

The necessary infrastructure is available to accommodate commercial development on the site, and if the project is approved, public improvements will be conditioned through fair-share payment of impact fees by the property owner. Therefore, the project is consistent with Goal 4.

Policy 16: Allow for the development of a variety of commercial uses, including those which serve residents (groceries, clothing, etc.), highway users, and tourists-visitors.

The project site is located near two existing arterial-designated roads (Hosking Avenue and South H Street) and State Route 99. The project allows for clustering of new commercial development in proximity to existing residential neighborhoods that is also accessible to highway users. Therefore, the project is consistent with Policy 16.

Policy 18: Require all new commercial designations be assigned to sites where the aggregate of all contiguous parcels designated for commercial use is no less than five (5) acres, except for approved specific plans, parcels to be developed for highway-oriented service uses at freeway on- and off-ramps, or where physical conditions are such that commercial is the only logical use of the property.

The project site consists of 21.4-acres. Therefore, the project is consistent with Policy 18.

Policy 28: Require that commercial development provide design features such as screen walls, landscaping and height, setback and lighting restrictions between the boundaries of adjacent residential land use designations so as to reduce impacts on residences due to noise, traffic, parking and differences in scale.

The developer will be required to comply with the City of Bakersfield adopted development standards. The project proposes a zone change from R-1 to C-2/PCD, which will require a Planned Development Review approval from the Planning Commission prior to construction. During review, the project will be required to comply with City development standards for screening, landscaping, height, setback, and lighting.

#### **ENVIRONMENTAL REVIEW AND DETERMINATION:**

Based upon an initial study, staff has determined that the proposed project, with mitigation measures, would not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (“MND”) was prepared for the project in accordance with the California Environmental Quality Act (“CEQA”). The MND was circulated for a 30-day public and agency review period from April 25, 2022, to May 25, 2022 (SCH No. 2022040491). In response to the circulation of the environmental document, City staff received comment letters from the Kern County Superintendent of Schools and the San Joaquin Valley Air Pollution Control District. The letters, a summary of the comments, and staff’s response are attached to this report.

**Environmental Conclusion.** The State CEQA Guidelines and the City of Bakersfield's CEQA Implementation Procedures have been followed in the evaluation of the environmental effects of this project. With mitigation, significant environmental impacts were not identified for the proposed project.

#### **PUBLIC NOTIFICATION:**

Public notice for the proposed project and environmental determination was advertised in *The Bakersfield Californian* and posted on the bulletin board in the City of Bakersfield Development Services Building, 1715 Chester Avenue, Bakersfield, California. All property owners within 300 feet of the project site were notified by United States Postal Service mail regarding this public hearing in accordance with city ordinance and state law. Signs are required as part of the public notification process and must be posted between 20 to 60 days before the public hearing date. Photographs of the posted signage and the Declaration of Posting Public Hearing Notice signed by the applicant are on file at the Planning Division.

**Comments Received.** As of this writing, no comments have been received in response to the Public Hearing Notice.

**Tribal Consultation.** In compliance with Senate Bill (“SB”) 18, staff mailed a letter notifying the American Indian Tribes of the proposed project and location of the site. The notice starts the 90-day consultation period required under SB 18. As of this writing, no tribal consultation has been requested.

## **CONCLUSIONS:**

**Consistency with Surrounding Development.** The project would allow for future regional commercial development near other commercially zoned areas, two arterial roads, and a freeway (State Route 99). It will also provide a buffer between State Route 99 and the existing residential areas further to the east. Therefore, the project is consistent with surrounding development.

**Consistency with General Plan/Zoning Ordinance.** The proposal is consistent with land use goals and policies as contained in the General Plan related to general commercial development, as noted above. Any future development proposed on the project site will be required to undergo a Planned Development Review consideration by your Commission, which will ensure consistency with City Development standards as put forth in the Zoning Ordinance.

**Recommendation.** Staff finds that the applicable provisions of CEQA have been complied with, and the proposal is compatible with the surrounding area, land use designation, and zoning ordinance.

Therefore, staff recommends your Commission: (1) adopt Resolution adopting Mitigated Negative Declaration pursuant to Section 15074 of the California Environmental Quality Act; (2) adopt Resolution approving the general plan amendment to change the land use designation from LR to GC; and (3) adopt Resolution approving change in zone classification from R-1 to C-2/PCD and recommend the same to City Council.

## **ATTACHMENTS:**

### Map Set

- Aerial
- Zone Classification
- General Plan Designation

### Mitigated Negative Declaration with Attachments

#### Technical Reports

- Air Quality Impact Analysis
- Biological Analysis Report
- Phase I Cultural Resource Survey
- Geotechnical Engineering Investigation
- Environmental Noise Assessment
- Paleontological Resources Technical Report
- Phase I Environmental Site Assessment
- Traffic Study
- Water Supply Assessment

#### Planning Commission Draft Resolutions

- MND Resolution with Attachments
- GPA Resolution with Attachments
- ZC Resolution with Attachments



December 10, 2025

Kern County Administrative Office  
1115 Truxtun Ave., 5<sup>th</sup> Floor  
Bakersfield, CA 93301

**Re: Greenfield County Water District Annex No. 50 / Proceeding No. 1861**

In accordance with Section 99 of the Revenue and Taxation Code, a jurisdictional change is being processed that affects the above-mentioned service area. To our knowledge, there is no exchange of property tax revenue from this annexation.

If you have any questions, please feel free to contact me at (661) 868-3515.

Sincerely,  
Aimee X. Espinoza  
Auditor-Controller-County Clerk

By 

Corina Camarillo  
Property Tax Division



ASSESSOR  
RECORDER

Laura Avila  
Kern County Assessor-Recorder

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## Memorandum

**TO:** Aimee X. Espinoza  
Auditor-Controller-County Clerk  
Attention: Janelle Austin  
Date: December 8, 2025

**FROM:** Laura Avila, Kern County Assessor-Recorder  
by: Yesenia Sifuentes, GIS Tech-I

**SUBJECT:** Jurisdictional Changes  
RE: Greenfield County Water District  
Annexation No. 50

Here is a copy of our report to LAFCO RE: Proceeding No. 1861 together with a report to you showing the breakdown of both Secured & Unsecured AV per TRA . Also included & itemized, are any Exemption Values, if applicable.

Values are Gross, unless noted.

If you require any additional information, please let us know.

**PROCEEDING No.** 1861

**Date:** December 8, 2025

**In the matter of:** Greenfield County Water District  
Annexation No. 50

**Total Assessed Value for Annexation  
Before Exemptions:** \$1,516,211

**Breakdown of Value per TRA:**

<u>TRA</u>	<u>Secured AV</u>	<u>Unsecured AV</u>	<u>Subv Exmpt AV</u>	<u>NonSubv Exmpt AV</u>
001-307	\$1,516,211	\$0	\$0	\$0

<b>ROLL</b>	<b>TOTAL_VALUE</b>
<b>1</b>	<b>1516211</b>
<b>3</b>	<b>0</b>
<b>4</b>	<b>0</b>
<b>6</b>	<b>0</b>
<b>SECD</b>	<b>1516211</b>
<b>UNSECD</b>	<b>0</b>
<b>TOTAL</b>	<b>1516211</b>

**REPORT OF KERN COUNTY ASSESSOR**

Jon Lifquist, Assessor-Recorder



**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
www.co.kern.ca.us/lafco/

Proceeding No. 1861  
In the Matter of: Greenfield County Water District  
Annexation No. 50

Date: 12/8/2025  
By: Yesenia Sifuentes  
GIS Tech-I

1. The number of assessment parcels within subject territory is: 7
2. Subject territory is within the following Tax Rate Area(s): 001-307, 001-252
3. Assessed valuation: (**Attach Sheet** Breakdown) Secured: \$ 1,516,211 Unsecured: \$ -
4. Do the subject territory boundaries correspond with lines of ownership in the last equalized assessment roll?  YES  NO
  - a. List APN of non-corresponding parcels:
5. Do the subject territory boundaries correspond with lines of ownership in the current assessment roll being prepared?  YES  NO
  - a. List APN of non-corresponding parcels:
6. Do the subject territory boundaries correspond with Tax Rate Area boundaries?  YES  NO
  - a. List APN of non-corresponding TRA's:
7. Identify all incorporated cities who's city limit boundary is within three (3) miles of subject territory:  
(If none, please enter word "NONE") NONE
8. Please **ATTACH SHEET** identifying all local agencies within, or partially within, the boundaries of the subject territory. (Including cities, special districts, school districts and county service areas)
9. Please **ATTACH SHEET** identifying the parcels within the subject territory:  
Include: Assessee name, billing name, APN, ATN, TRA, roll type, assessed values and exemptions
10. Please **ATTACH SHEET** identifying the surface owners within the subject territory:  
Include: Assessee name, billing name, and billing address
11. Please **ATTACH SHEET** identifying property owners outside the subject territory, within 300 feet:  
Include: Assessee name, billing name, and billing address
12. Additional requested information:
13. Please provide comments or recommendations: None

# KERN

## LOCAL AGENCY FORMATION COMMISSION

### Certificate of Filing

In the Matter of: Greenfield County Water District: Annexation No. 50	Proceeding No. 1861
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I, Blair Knox, Executive Officer of the Local Agency Formation Commission of the County of Kern, hereby certify that:

A proposal referenced and described above has been submitted to me and it has been found that:

- the proposal was initiated by a Resolution of Application;  
(G.C. §56650)
- the proposed territory has been found to be uninhabited;  
(G.C. §56046)
- all application contents as prescribed by law are presented;  
(G.C. §56652)
- all affected agencies have been notified; and  
(G.C. §56658)

It has been established that the application contains the information and data requested and required by this Commission and has been **accepted** for filing on 06 January, 2026 (G.C. §56651)

**Date of Hearing: Thursday, 29 January, 2026**

**Time of Hearing: 5:15 PM**

**Place of Hearing: Kern Council of Governments (KernCOG)**

**1401 19th Street Suite #300**

**Bakersfield, CA 93301**

Affected/Noticed Public Agencies:

This Certificate of Filing is issued pursuant to California Government Code §56658 (f). All time requirements for processing and consideration of this application specified by state law and the rules and regulations of this Commission shall become effective on the date of issuance of this certificate.

**Blair Knox**

Digitally signed by Blair Knox  
Date: 2026.01.07 11:39:17 -08'00'

Blair Knox, Executive Officer

# **Proposed Final Budget**

2026-2027

## Annual Proposed Final Budget

- [Proposed Final Budget Memo](#)
- [Proposed Final Budget](#)
- [LAFCo Resolution \(DRAFT\)](#)



**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

**DATE:** April 2026

**TO:** Kern LAFCo Commissioners

**FROM:** Blair Knox, Executive Officer

**RE: Justification of 2026–2027 Final Budget**

Changes from the initial budget are minimal. Below is an update of changes from the initial budget approved by the Commission to the proposed final budget. Further down the document is the preliminary budget justification which hasn't fundamentally changed.

### **Final Budget Updates**

1. During the hearing on the preliminary budget, there was a request to include an additional \$5,000 for potential trade association membership. This requested amount has been added to the Membership budget category.
2. An additional \$3,000 has been included for website accessibility compliance related to ADA and SB 707 requirements. The Commission had previously approved this additional funding to bring the LAFCo website into compliance through the website administrator, Streamline. This amount has been incorporated into the Professional Services budget category.

### **Preliminary Budget Justification**

The proposed 2026–2027 Kern LAFCo Preliminary Budget is included in your packet. State law requires adoption of a preliminary budget prior to the consideration and adoption of the final budget, which is due June 15, 2026.

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### **Overview**

The 2026–2027 budget continues the organizational and compliance focus established in previous years, particularly related to Municipal Service Reviews (MSRs), long-term restructuring considerations, and the associated analytical and technical workload.

The previous 2025-2026 budget called for four full-time staff and one part-time staff. The current year hasn't progressed as expected. LAFCo is currently staffed with three full-time positions and three part-time positions. The draft budget includes the cost of a fourth full-time

and one part-time employee, consistent with the structure used in the prior year. This allows for flexibility, especially with benefits if there are changes in staffing again. As with 2025–2026, completion of MSRs, feasibility evaluations, and technical mapping/GIS work are areas of expansion.

Discussions are currently taking place with Kern COG to handle a portion of our Geographic Information System (GIS) work. Those conversations have not yet developed into a proposal ready for presentation to the Commission. As such, Mr. Rice will not be phased out as quickly as hoped.

This budget was put together without the benefit of having numbers for the first half of 2025–2026 fiscal year as we are unable to close the books on December. The best attempt was put into this preliminary budget. Numbers may change in the final budget if additional information is available.

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## **Revenue**

### **User Fees**

User fee revenue increased in 2025–2026 due to a higher number of proceedings, and 2026–2027 is projected to remain slightly above traditional levels. The budget assumes no increase in fees consistent with recent activity. The fee schedule, which was updated last year, will remain the same.

### **Agency Contributions**

Agency contributions continue to be split among the County, Cities, and Special Districts. These totals will be adjusted based on available carryover from FY 2025–2026.

As in past years, the Commission may continue applying a portion of the carryover to reducing CalPERS unfunded liability. Last year the Commission used 50% of available carryover. Current CalPERS liability continues to reflect post-COVID market recovery, suggesting an opportunity to continue this more aggressive repayment strategy.

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## **Expenditures**

### **Salaries and FICA**

The budget reflects staffing at current levels. Salaries, benefits, and payroll-related taxes continue to represent approximately three-quarters of annual LAFCo spending. Cost

estimates for 2026–2027 reflect an updated pay rate for Rebecca Moore and room for the Commission to negotiate with the Executive Officer. All other positions will remain the same.

### **State Retirement / Unfunded Liability (PERS)**

Employer normal cost rates and amortization contributions remain similar to the prior fiscal year. Continued application of carryover toward unfunded liability repayment will reduce future obligations. As CalPERS financial numbers are two years behind, there should start to be a better outlook on unfunded liability numbers that were so depressed in the COVID years.

### **Employee Group Insurance**

Employee health benefit allowances remain unchanged. As in prior years, employees reimburse 20% of medical benefit expenditures, and unused portions of the annual allotment remain with LAFCo.

### **Workers' Compensation / General Liability Insurance**

Preliminary figures from SDRMA show continued increases in both categories, similar to the trend seen in 2025–2026.

### **Memberships**

This item includes membership in the California Special Districts Association (CSDA) and Kern County Special Districts Association (KCSDA) membership dues. An additional \$5,000 is again included to preserve flexibility regarding the potential reorganization of CALAFCO or participation in any successor statewide coordination effort.

### **Office Expense**

Covered are office supplies, equipment maintenance, and software subscriptions. Costs include ongoing replacement of standard technology replacement cycles. Utilization of AI in our daily work is starting to become commonplace and will continue to play a bigger role in the processing of proceedings and development of municipal service reviews. AI will be upgraded for three employees at a cost of \$30 per month.

### **Rents and Leases**

The new lease agreement recently approved requires a 6% increase in this fiscal year and 3% going forward. The current number reflects both the increase and expected Common Area Maintenance (CAM) estimates for 2026-2027.

## **Professional & Specialized Services**

This category includes stipends, audit services, legal counsel, HR support, bookkeeping, IT services, election and assessor data charges, and consulting services. Traditionally this budget category includes significantly more for legal services than is typically spent as a buffer against the possibility of litigation. IT is raising their prices and there is a possibility of GIS work being handled by Kern COG. Given the anticipated MSR workload, agency staff restructuring, the budget reflects an increase in professional service needs, consistent with prior discussions.

## **Transportation & Travel / Personal Vehicle Mileage**

Training, site visits, and coordination with cities and districts are expected to increase modestly with additional training for staff in new positions, prompting a corresponding adjustment in this category.

## **Reserve**

Commission policy requires a 10% reserve plus set-asides for accrued employee vacation and sick time. Due to leave usage and pay rate increases in the current fiscal year, total reserves will be substantially higher than the previous year.

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## ***Preliminary Recommendation***

Consistent with previous year's approach and in consideration of the fiscal analysis contained in the attached worksheets, staff recommends that the Commission:

1. Provide direction regarding the overall budget, including staffing vs. Kern COG
2. Continue allocating 50% of the FY 2025–2026 carryover to reduction of the CalPERS unfunded liability, as this strategy remains fiscally prudent and consistent with prior Commission action.
3. Direct staff to prepare the Final Budget for Commission consideration at the April 2026 meeting incorporating any adjustments identified during discussion of the Preliminary Budget.

**KERN LAFCO PROPOSED FINAL BUDGET FOR FISCAL YEAR 2026-2027**

INCOME	EXP	ADOPTED	ADOPTED	ADOPTED	ADOPTED	DRAFT	PROPOSED	%
		22-23	23-24	24-25	25-26	26-27	FINAL 26-27	
USER FEES		50,000	50,000	50,000	60,000	60,000	60,000	100.0%
AGENCY CONTRIBUTIONS		686,439	784,900	844,625	1,004,685	1,035,323	1,035,323	103.0%
<b>TOTAL REVENUE</b>		<b>736,439</b>	<b>834,900</b>	<b>894,625</b>	<b>1,064,685</b>	<b>1,095,323</b>	<b>1,103,323</b>	
<b>SALARIES &amp; EMPLOYEE BENEFITS</b>								
	6100							
SALARIES	6110	337,864	355,000	367,425	455,285	474,000	474,000	104.1%
FICA	6410	22,500	22,500	28,500	34,900	34,900	34,900	100.0%
UNFUNDED LIABILITY PERS	6430	71,000	69,000	93,000	93,000	93,000	93,000	100.0%
STATE RETIREMENT	6430	34,500	41,000	49,000	55,900	66,223	66,223	118.5%
EMP. GROUP INSURANCE	6510	77,475	102,000	104,500	143,000	140,000	140,000	97.9%
WORKERS COMP.	6600	1,400	1,400	1,800	2,800	3,200	3,200	114.3%
<b>SALARIES &amp; EMPLOYEE BENEFITS</b>		<b>544,739</b>	<b>590,900</b>	<b>644,225</b>	<b>784,885</b>	<b>811,323</b>	<b>811,323</b>	
<b>SERVICES &amp; SUPPLIES</b>								
	6800							
INSURANCE - GEN. LIABILITY	6900	7,000	7,100	8,500	8,500	9,300	9,300	109.4%
MEMBERSHIPS	7400	1,600	2,000	2,100	7,100	7,100	12,100	170.4%
OFFICE EXPENSE	7450	28,000	28,000	26,000	35,000	35,000	35,000	100.0%
PROF. & SPEC. SERVICES	7500	92,000	140,000	140,000	151,500	151,500	154,500	102.0%
PUBL. & LEGAL NOTICES	7600	6,000	6,000	5,000	5,000	5,000	5,000	100.0%
RENTS AND LEASES	7650	36,500	37,500	45,000	45,000	46,000	46,000	102.2%
SPECIAL DEPT. EXPENSES	7700	1,600	1,900	2,000	2,200	2,500	2,500	113.6%
TRANSPORTATION & TRAVEL	7740	16,000	18,000	18,000	21,000	23,000	23,000	109.5%
TT/PERSONAL VEHICLE MILE.	7750	3,000	3,500	3,800	4,500	4,600	4,600	102.2%
<b>SERVICES &amp; SUPPLIES TOTAL</b>		<b>191,700</b>	<b>244,000</b>	<b>250,400</b>	<b>279,800</b>	<b>284,000</b>	<b>292,000</b>	
		<b>736,439</b>	<b>834,900</b>	<b>894,625</b>	<b>1,064,685</b>	<b>1,095,323</b>	<b>1,103,323</b>	
TOTAL ANNUAL DIFF. %		105.2%	113.4%	107.2%	119.0%	102.9%	103.6%	
RESERVE %			10%	10%	10%	10%	10%	
RESERVE			\$ 83,490	\$ 89,463	\$ 106,469	\$ 109,532	\$ 109,532	102.9%
SICK AND VACATION			\$ 52,592	\$ 79,267	\$ 49,689	\$ 123,968	\$ 123,968	249.5%
<b>TOTAL</b>			<b>\$ 136,082</b>	<b>\$ 168,730</b>	<b>\$ 156,158</b>	<b>\$ 233,500</b>	<b>\$ 233,500</b>	<b>149.5%</b>

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

**In the Matter of:**

**Resolution No. 26-XX**

**ADOPTION OF KERN LOCAL AGENCY  
FORMATION COMMISSION 2026-2027  
PROPOSED FINAL BUDGET AS PER  
GOVERNMENT CODE § 56381**

**Proceeding No. ----**

**Minute Book 73**

I, Blair Knox, Executive Officer, of the LOCAL AGENCY FORMATION COMMISSION, COUNTY OF KERN, STATE OF CALIFORNIA, hereby certify that the following resolution, proposed by Commissioner **XXXX**, seconded by Commissioner **XXXX**, was duly adopted by the Commission at an official meeting thereof held on the 15<sup>th</sup> day of April 2026 by the following vote:

Aye:           XXXX

Nay:           XXXX

Abstain:       XXXX

Absent:        XXXX

\_\_\_\_\_  
Blair Knox, Executive Officer

-----  
**RESOLUTION MAKING DETERMINATION**  
-----

**Whereas**, the Commission held a public hearing in person, by Zoom and by teleconference on the proposed Fiscal Year 2026-2027 LAFCo Final Budget on April 15, 2026, pursuant to a notice of hearing which was published and posted;

**Whereas**, at said hearing, the Commission heard and received evidence, both oral and written regarding the proposal, and all person's present were given an opportunity to be heard; and

**Whereas**, the Commission is fully advised in the premises; now therefore, be it  
*Resolved that the Local Agency Formation Commission, County of Kern, State of California, on behalf of its members, finds and determines as follows:*

1. *specific reference is hereby made to all the papers, documents, files and proceedings heretofore and now taken, had and filed in this matter with particular reference to Minute Item 4/15/26-X, as appears upon the official minutes of the proceedings of this Commission;*
2. *all of the proceedings heretofore and now taken and had in this matter have been and now are in all respects as required by law;*
3. *pursuant to the authority granted by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Proposed Fiscal Year 2026-2027 LAFCo Final Budget is hereby approved as set forth in Exhibit A.*
4. *the Executive Officer of this Commission is authorized and directed to provide copies of this resolution in the manner provided by law.*

# **Proceeding No. 1870**

## LAMONT STORM WATER DISTRICT DISSOLUTION

### PROTEST HEARING RESULTS

Report & Presentation Documents

- [Protest Hearing Results Memo](#)
- [LAFCo Resolution \(DRAFT\)](#)



**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

## MEMO

To: LAFCo Commissioners

From: Blair Knox, Executive Officer

Date: April 15, 2026

Re: Protest Hearing Results for Lamont Storm Water District Dissolution 1870

---

The Commission has scheduled a protest hearing in connection with the dissolution of the Lamont Stormwater District, consistent with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act. A protest hearing is required with the dissolution of a special district regardless of unanimous consent or no objections submitted.

The close of the protest period occurs after the release of the agenda packet for the Commission meeting at which the protest hearing will be conducted. As a result, final protest tabulation information was not available at the time the agenda materials were prepared.

---

### Protest Hearing Process and Timing

- The Executive Officer of the Local Agency Formation Commission, County of Kern, set the date and time of a protest hearing on **Monday the 13<sup>th</sup> day of April 2026**, commencing at the hour of 10:00 a.m. to 12:00 p.m. of said day or as soon thereafter as the matter may conveniently be heard.
  - The location to be at the Lamont Public Utilities District at 8624 Segreue Road, Lamont CA 93541
  - The results of the protest hearing will be announced on April 15, 2026, Commission hearing. The protest hearing, set after the time of this report is required to be circulated, cannot be predetermined by the district or LAFCo Staff.
  - Protests received will be reviewed and tabulated following the close of the protest period.
  - Final protest results will be presented verbally at the Commission meeting when the protest hearing is conducted.
  - Based on the protest results presented, the Commission will determine the appropriate next procedural steps as required by law.
-

The following Government codes are relevant to Proceeding 1870:

§ 57078. In the case of any reorganization or change of organization, a majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be terminated if the commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent any of the following:

(b) In the case of inhabited territory, 50 percent or more of the voters residing in the territory.

§ 57091(a):

(B) Order the change of organization or reorganization subject to confirmation by the registered voters residing within the affected territory if written protests have been filed and not withdrawn by either of the following:

(i) At least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory.

(ii) At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory.

---

**RECOMMENDATION:** Accept results of the protest hearing for the Dissolution of the Lamont Stormwater District.

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

**In the Matter of:**

**Resolution No. 26-XX**

**LAMONT STORM WATER DISTRICT:  
DISSOLUTION**

**Proceeding No. 1870**

**PROTEST HEARING RESULTS**

**Minute Book 73**

I, Blair Knox, Executive Officer, of the LOCAL AGENCY FORMATION COMMISSION, COUNTY OF KERN, STATE OF CALIFORNIA, hereby certify that the following resolution, proposed by Commissioner **XXXX**, seconded by Commissioner **XXXX**, was duly adopted by the Commission at an official meeting thereof held on the **15th day of April 2026**, by the following vote:

AYES:        XXXX

NAYS:        XXXX

ABSTAIN:    XXXX

ABSENT:     XXXX

\_\_\_\_\_  
Blair Knox, Executive Officer

-----  
**RESOLUTION OF CONDUCTING AUTHORITY**  
-----

**Whereas**, 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;

**Whereas** pursuant to Government code § 56658. a proposal for the dissolution of territory to the Lamont Storm Water District (“APPLICANT”), was initiated by Resolution of Application to the Local Agency Formation Commission of Kern County (“COMMISSION”);

**Whereas**, pursuant to Government code § 57025, on March 23, 2026, a duly noticed public hearing upon said proposal was held before the COMMISSION;

**Whereas**, at said hearing, the COMMISSION heard and received evidence, both oral and written regarding the proposal, and all the people's present were given an opportunity to be heard;

**Whereas**, following said public hearing the COMMISSION, adopted Resolution of Determination No. 26-07 recorded in Minute book 73 of said COMMISSION. Said Resolution is attached hereto and is incorporated herein say this reference;

**Whereas**, pursuant to Government code § 57025, after duly mailed and published notice, the Executive Officer set Monday, April 13, 2026, at the hour of 10:00 a.m. (or as soon thereafter as the matter may be heard), to hold the protest hearing at Kern LAFCo;

**Whereas**, the COMMISSION is fully advised in the premises; now therefore, be it *Resolved that the Local Agency Formation Commission, County of Kern, State of California, on behalf of its members, finds and determines as follows:*

1. *specific reference is hereby made to all the papers, documents, files and proceedings heretofore and now taken, had and filed in this matter with particular reference to Minute Item 4/15/26-X, as appears upon the official minutes of the proceedings of this COMMISSION;*

2. *all of the proceedings heretofore and now taken and had in this matter have been and now are in all respects as required by law;*

3. *Prior to the conclusion of the protest hearing, XX/zero landowner protest and XX/zero registered-voter protest were documented.*

4. *Pursuant to the authority granted by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 said territory designated as "Lamont Storm Water District", is hereby ordered confirmed; and*

5. *The COMMISSION authorizes and directs the Executive Officer to file and record all documentation required by law regarding this proceeding.*

DRAFT

# **Proceeding No. 1865**

## CITY OF DELANO

### Municipal Service Review Update

- [LAFCo Resolution \(DRAFT\)](#)
- [Municipal Service Review \(DRAFT\)](#)

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

<b>In the Matter of:</b>	<b>Resolution No. 26-XX</b>
<b>CITY OF DELANO:</b>	<b>Proceeding No. 1865</b>
<b>MUNICIPAL SERVICE REVIEW</b>	<b>Minute Book 73</b>

I, Blair Knox, Executive Officer, of the LOCAL AGENCY FORMATION COMMISSION, COUNTY OF KERN, STATE OF CALIFORNIA, hereby certify that the following resolution, proposed by Commissioner **XXXX**, seconded by Commissioner **XXXX**, was duly adopted by the Commission at an official meeting thereof held on the **15<sup>th</sup> day of April 2026**, by the following vote:

AYE:           XXXX  
NAYE:         XXXX  
ABSTAIN:     XXXX  
ABSENT:      XXXX

\_\_\_\_\_  
Blair Knox, Executive Officer

-----  
**RESOLUTION MAKING DETERMINATION**  
-----

**Whereas** pursuant to Government Code § 56430 et. seq. the Commission has caused to be prepared a municipal service review (“MSR”) for the City of Delano;

**Whereas**, on December 9, 2025, City of Delano submitted a draft MSR;

**Whereas**, the MSR was reviewed to meet the criteria outlined pursuant to Government Code Section 56430 et. seq.;

**Whereas**, The City of Delano has not requested an amendment to the Sphere of Influence;

**Whereas**, on April 15, 2026, the Commission heard and received all evidence which was made, presented or filed, and all person's present were given the opportunity to be heard in respect to any matter relating to the MSR and

**Whereas**, the Commission is fully advised in the premises; now therefore, be it *Resolved that the Local Agency Formation Commission, County of Kern, State of California, pursuant to the authority provided by Government Code, Title 5, Division 3; Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and on behalf of its members, finds and determines as follows:*

1. *Specific reference is hereby made to all the papers, documents, files and proceedings heretofore and now taken, had and filed in this matter with particular reference to Minute Item 4/15/26-X, as appears upon the official minutes of the proceedings of this Commission.*
2. *All the proceedings heretofore and now taken and had in this matter have been and now are in all respects as required by law.*
3. *The City of Delano MSR underwent a comprehensive review of all the agencies that provide the identified service or services within the designated geographic area.*
4. *The MSR was assessed for various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence.*
5. *Pursuant to the authority granted by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 the City of Delano MSR including all written determinations included in the MSR, particularly described and delineated attached hereto and by reference made apart hereof is hereby approved.*
6. *The Commission authorizes and directs the Executive Officer to accept, file and record any and all documentation required by law.*

# DELANO AREA MUNICIPAL SERVICES REVIEW

## **Prepared for:**

City of Delano  
1015 11<sup>th</sup> Avenue  
Delano, CA 93215

Kern Local Agency Formation Commission  
5300 Lennox Avenue, Suite 303  
Bakersfield, CA 93309

## **Initial Draft:**

**QK**

901 East Main Street  
Visalia, CA 93292  
Contact: Steve Brandt, Project Manager  
Phone: (559) 733-0440

## **EDITS:**

Kern Local Agency Formation Commission Staff

April 2026

## **KERN LOCAL AGENCY FORMATION COMMISSION**

### **Commissioners**

Jeff Flores, Chair, County Government Official

David Couch, County Government Official

Andrae Gonzalez, Largest City Representative

Saul Ayon, City Officer Representative

Travis Endicott, City Officer Representative

Gary McKibbin, Special Districts Representative

Les Clark III, Special Districts Representative

Vince Zaragoza, Public Member – General

Barbara Fowler, Public Member - Restricted

Phillip Peters, County Government Official (Alternate)

Eric Arias, Largest City Representative (Alternate)

Maria Perez, City Officer Representative (Alternate)

Ginger Mello, Public Member – General (Alternate)

Jose Gonzalez, Public Member – Restricted (Alternate)

### **Staff**

Blair Knox, Executive Officer

Patty Menchaca, Analyst

Rochelle Munoz, Clerk/Administrative Assistant

Rebecca Moore, Assistant to the Executive Officer

Monya Jameson, MSR Analyst

**CITY OF DELANO**

**Council Members**

Liz Morris, Mayor

Mario Nunez, Mayor Pro Tem

Joe L. Alindajao, Esq.

Bryan Osorio

Salvador Solorio-Ruiz

DRAFT

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## LIST OF ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
ADF	average daily flow
AWOC	Agricultural Workers Organizing Committee
CIP	Capital Improvement Program
CKH Act	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
DAR	Dial-A-Ride
DART	Delano Area Rapid Transit
DBCP	1,2-dibromo-3-chloropropane
DEID	Delano-Earlimart Irrigation District
DPD	Delano Police Department
DUCs	Disadvantaged Unincorporated Communities
DWR	Department of Water Resources
EWMPs	efficient water management practices
FPPC	Fair Political Practices Commission
GAC	granular activated carbon
gpm	gallons per minute
GPSC	General Plan Steering Committee
GSA	Groundwater Sustainability Agency
HCM	Hydrogeologic Conceptual Model
HUD	United States Department of Housing and Urban Development
IS	Information Systems
ISO	insurance services organization
KCFD	Kern County Fire Department
LAFCo	Local Agency Formation Commission
LTF	Local Transportation Fund
mg	million gallons
mgd	million gallons per day
MSR	Municipal Service Review
NRPA	National Recreation and Park Association
ppb	parts per billion
SB	Senate Bill
SCADA	Supervisory Control and Data Acquisition System
SGMA	Sustainable Groundwater Management Act
SOI	Sphere of Influence
SR	State Route
SRF	State Revolving Fund
SSJMUD	Southern San Joaquin Municipal Utility District
STA	State Transit Assistance
STRR	South Tulare Richgrove Refuse, Inc.
TCaT	Tulare County Area Transit
TCP	1,2,3-Trichloropropane
TDA	Transportation Development Act
UFW	United Farm Workers of America

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UWMP  
WWTP

Urban Water Management Plan  
Wastewater Treatment Plant

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## SECTION 1 – INTRODUCTION

### ***1.0 - Executive Summary***

The City of Delano Municipal Service Review (MSR) was prepared for the Kern Local Agency Formation Commission (Kern LAFCo) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The MSR evaluates the City's ability to provide municipal services within its existing city limits and Sphere of Influence (SOI) and serves as the factual basis for future SOI amendments, annexations, and service reorganization decisions.

The analysis addresses six statutory determination areas, including growth projections, disadvantaged unincorporated communities, infrastructure and service capacity, financial ability, shared services, and governance/accountability. The City of Delano provides a full range of municipal services and has demonstrated a generally strong ability to meet existing service demands. Slower-than-projected population growth since 2020 has reduced near-term infrastructure pressure, while long-term planning anticipates growth to approximately 68,000 residents by 2045.

The City's utility systems—water, wastewater, sewer, and solid waste—are generally well planned and supported by active capital improvement programs. Public safety services, particularly police and fire protection, will require additional staffing, facilities, and long-term funding to maintain service levels as population increases. One disadvantaged unincorporated community within the SOI has been identified for future consideration should annexation opportunities arise.

Overall, the MSR finds that the City is capable of providing municipal services within its SOI, provided that planned capital investments, rate studies, staffing expansions, and interagency coordination remain priorities. No immediate SOI amendments are required at this time.

### ***1.1- Municipal Service Review Purpose***

The Municipal Service Review (MSR) is a comprehensive assessment of existing conditions pertaining to local government agencies' abilities to provide municipal services effectively and efficiently to residents. The form and content of an MSR are specified by requirements in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) and in the State of California's Local Agency Formation Commission (LAFCo) MSR Guidelines, published in August 2003.

The fundamental role of LAFCo is to implement the CKH Act, which was adopted into State law to encourage the logical, efficient, and most appropriate formation of local municipalities, service areas, and special districts. The CKH Act requires all LAFCo's, including the Kern Local Agency Formation Commission (Kern LAFCo), to prepare an MSR for its incorporated cities and special districts. MSRs are to be completed every five years.

This MSR was initiated to provide Kern LAFCo with the necessary and relevant information related to the operations and management of the municipal service providers within the City

of Delano's Sphere of Influence (SOI). Figure 1-1 shows the location of Kern County and the City of Delano.

Kern LAFCo desires to review the local governing landscape of the Delano area for service delivery and make recommendations that promote orderly growth and development while preserving surrounding agricultural and open space lands. The City of Delano last had an MSR conducted by Kern LAFCo in January 2007. The City is currently in the process of preparing an Update to its General Plan.

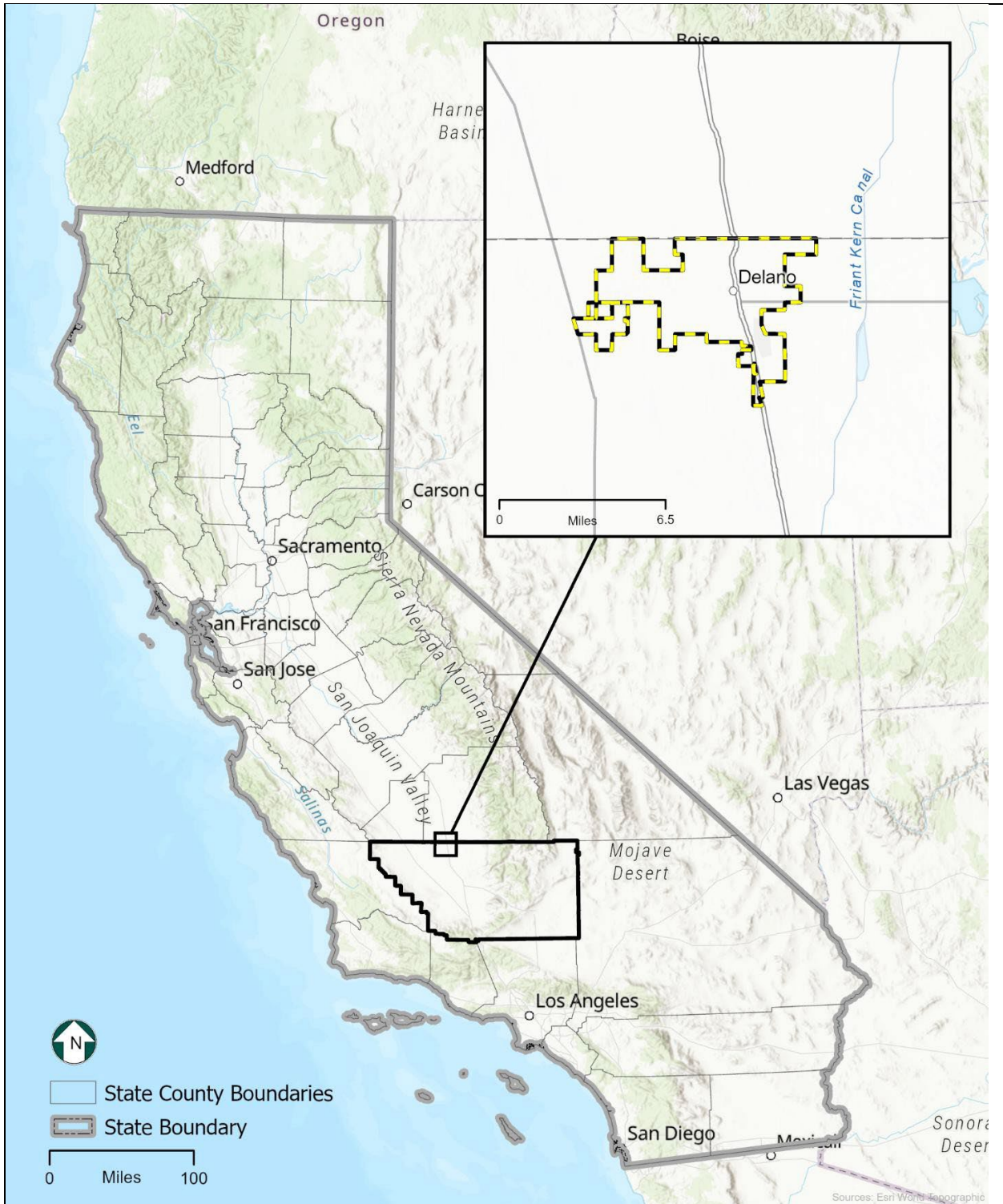
The existing Delano SOI and city limits are shown in Figure 1-2. Currently, there is no request from the City of Delano to amend the SOI. The new General Plan's planned development area will be completely within the existing SOI.

### **1.2 - MSR Preparation, Review, and Adoption Process**

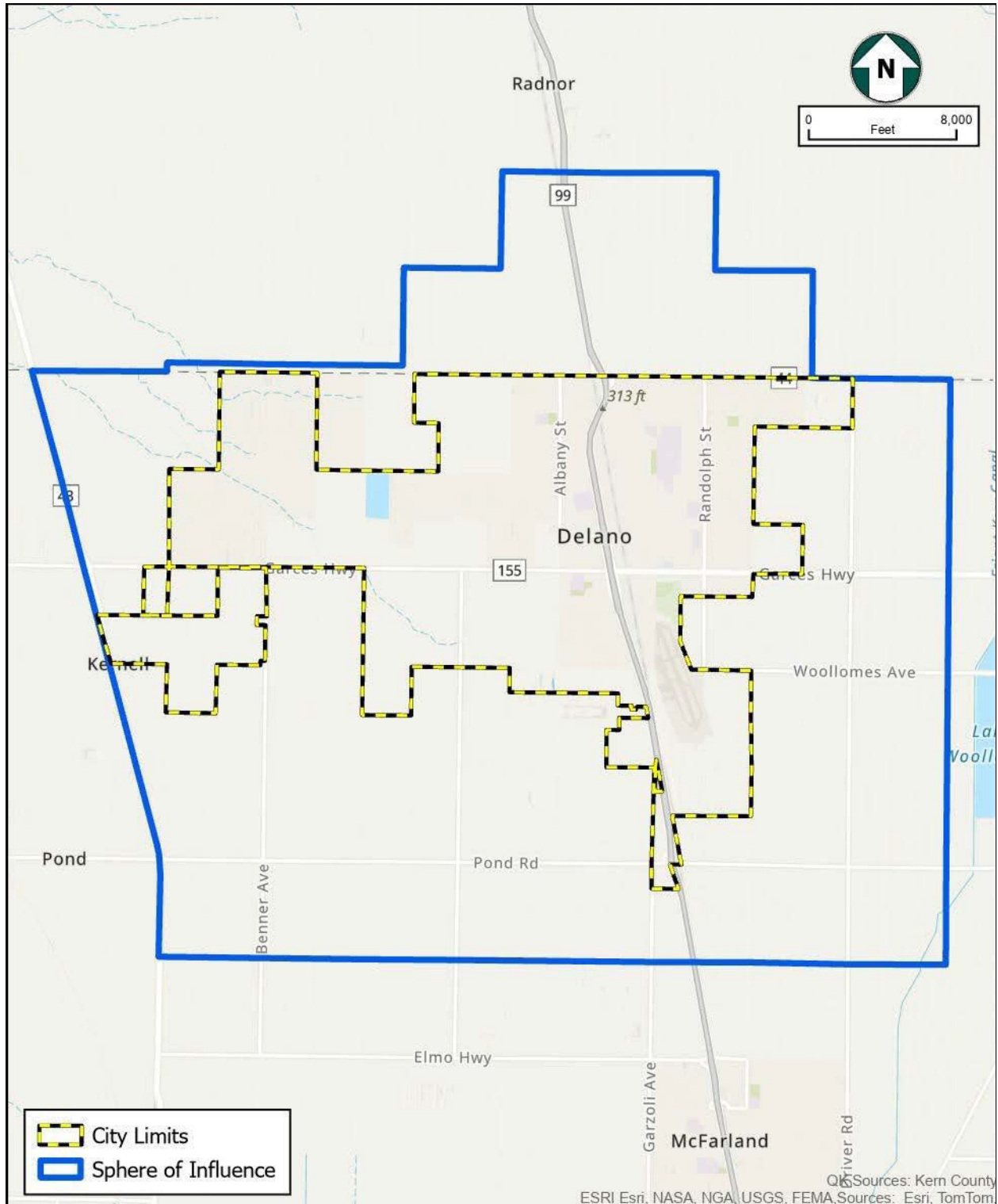
The process of developing the MSR began with QK, a consulting firm hired by the City of Delano, collecting planning documents, budgetary documents, and other records.

After review by City staff, an administrative draft was presented to LAFCo staff for their review. Edits required by LAFCo staff and were made to LAFCo staff's satisfaction prior to the public release of the draft MSR.

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**Figure 1-1  
Regional Location**



**Figure 1-2**  
**Existing Sphere of Influence and City Limits Map**

### **1.3 - Required Topic Areas of Analysis**

This MSR contains analysis and conclusions regarding six topic areas, referred to as Determinations, as set forth in the CKH Act. These areas of analysis focus on the essential operational and management aspects of the City of Delano and constitute a complete review of Delano's ability to meet the service demands of its residents and businesses. The six topic areas used for analysis in this MSR are:

- 1.3.1 Growth and Population Projections.
- 1.3.2 The Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence.
- 1.3.3 Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies.
- 1.3.4 Financial Ability to Provide Services.
- 1.3.5 Status of and Opportunities for Shared Facilities.
- 1.3.6 Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies.

An explanation of the specific operational and management aspects considered in each of these topic areas is provided below.

#### *1. Growth and Population Projections*

Service efficiency is linked to a service provider's ability to plan for the future needs of a city while also meeting existing service demands. This section reviews projected service demands and needs based upon existing and anticipated growth patterns and population projections. This is found in Section 2 – Growth and Population Projections.

#### *2. The Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence*

As defined by Water Code Section 79505.5, disadvantaged unincorporated communities may lack basic infrastructure, such as water, sewer, or fire protection, because they may have been overlooked due to their socioeconomic status. To promote equality and environmental justice in accordance with adopted local policy and Senate Bill 244, adopted in 2011, the proximity of any disadvantaged community to existing service providers is analyzed and discussed to determine if the community should be included in the SOI of the City. This is found in Section 3 – Disadvantaged Unincorporated Communities.

*3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies*

Infrastructure can be evaluated in terms of condition, capacity, availability, quality, and relationship to operational, capital improvement, and financial planning. This section assesses the adequacy and quality of the service providers' physical infrastructure and analyzes whether or not sufficient infrastructure and capital are in place (or planned for) to accommodate planned future growth and expansions. This is found in Section 4.1.

*4. Financial Ability to Provide Services*

This section analyzes the City's financial structure and health with respect to service provision. It considers rates, service operations, and other factors affecting the City's financial health and stability, including factors affecting the financing of needed infrastructure improvements and services. Compliance with existing State requirements relating to financial reporting and management is also discussed. This is found in Section 4.2.

*5. Status of and Opportunities for Shared Facilities*

Practices and opportunities that may help to reduce or eliminate unnecessary costs are examined in this section. Occurrences of facility sharing are listed and assessed for efficiency, and potential sharing opportunities that would serve to deliver services better are discussed. This is found in Section 4.3.

*6. Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies*

This section addresses the adequacy and appropriateness of the agency's existing boundaries and Sphere of Influence and evaluates the ability of the City to meet its service demands under its existing government structure. Also included in this section is an evaluation of compliance by the agency with public meetings and records laws. This is found in Section 4.4.

## **1.4 - LAFCo Powers**

LAFCo has the legislative authority to determine the SOI for the City of Delano. A SOI is a plan for a local agency's probable physical boundaries and service area. A boundary line represents the SOI on a map. The boundary line shows the territory expected to eventually be within the city limits, as determined by LAFCo. By this method, LAFCo makes policy statements about its intent for the probable future boundaries of a city. The preparation of an MSR is required prior to the amendment of a city or special district's SOI. There is currently no request for amendment of the SOI. The City also does not anticipate requesting a change to the SOI after the new General Plan is adopted.

## 1.5 - Key Considerations and Goals

The MSR will use the following goals to evaluate the potential government structure options for the Delano area:

1. **Efficient provision of municipal services.** The ultimate goal of the preferred governance structure should be an efficient operating structure and a stable fiscal basis required to effectively provide municipal services to the City of Delano.
2. **Adequate revenue sources.** The ability to provide municipal services at adequate levels hinges upon stable revenue streams linked to the services for which the revenues are being collected.
3. **Proactive approach to governance structure.** Government agency reorganization proposals (e.g., municipal incorporations, major annexations, etc.) are necessarily complex procedures requiring substantial effort from proponents, LAFCo, and the affected agencies. These reorganizations are often more complex when contemplated on a reactive basis rather than a proactive basis. Understanding a long-range approach to reorganization will assist in evaluating specific proposals to determine if they will bring the community closer to the desired result.
4. **Avoidance of intergovernmental conflicts or competition.** Conflicts between local jurisdictions over control and other impacts across jurisdictions, as well as competition for resources (e.g., fiscal revenue generators), often consume resources and weaken incentives to cooperate on important regional issues, such as transit service, water quantity and quality, air quality, and habitat conservation.
5. **Local preference.** There is often more than one feasible government structure that can potentially provide local municipal services. The residents and businesses of the community must have the opportunity to participate in choosing the method, especially since a governmental structure change will likely require some sort of election process for it to be implemented. Local preference may also include agreements between local agencies regarding where and how growth and development may occur within a region. These agreements have been identified within the CKH Act as important for consideration during the MSR and SOI update process. The Commission “shall give great weight to the agreement to the extent that *it is consistent with {LAFCO} commission policies...* (emphasis added)” (Government Code §56425(b)).

## 1.6 - Services Provided

The City of Delano is a general law city. State law and local ordinances require Delano to provide specific municipal services within its boundaries. The City of Delano has several divisions, covering many municipal services such as water, wastewater, sewer, solid waste, refuse, animal control, parks, graffiti, landscape, golf course, streets, garage, airport, and government buildings.

Table 1-1 lists the City's services within its city limits and services provided by school districts and special districts under LAFCo jurisdiction located in the Delano area.

**Table 1-1  
Services Provided**

<b>Municipal Service Type</b>	<b>Provider</b>
Water Production and Distribution	City of Delano
Water Conservation	City of Delano
Wastewater Treatment	City of Delano
Sewer Collection System	City of Delano
Refuse	City of Delano (service provided via STRR franchise)
Airport Services	City of Delano
Street Maintenance	City of Delano
Public Transportation	City of Delano
Police Service	City of Delano
Parks and Community Services	City of Delano
Fire Service	Kern County Fire Department (by City contract)
Recycling	South Tulare Richgrove Refuse, Inc. (STRR)
Mosquito Abatement	Delano Mosquito Abatement District
Cemetery	North Kern Cemetery District
Hospital	North Kern South Tulare Healthcare District
Irrigation District	Southern San Joaquin Municipal Utilities District
Elementary and Middle School	Delano Union Elementary District
High School	Delano Joint Union High School District
Community College	Bakersfield College Delano Campus
Community College	San Joaquin Valley College Delano Campus

## **SECTION 2 - GROWTH AND POPULATION PROJECTIONS**

### **2.1 - Introduction**

The purpose of this section is to evaluate service demand based on existing and anticipated growth patterns and population projections. The MSR Guidelines call for LAFCo to determine historical and projected growth and absorption patterns in relation to a service provider's boundaries and SOI. In addition, LAFCo is tasked with evaluating the impact and compatibility of such growth on and with land use plans, services, local government structures, and growth patterns.

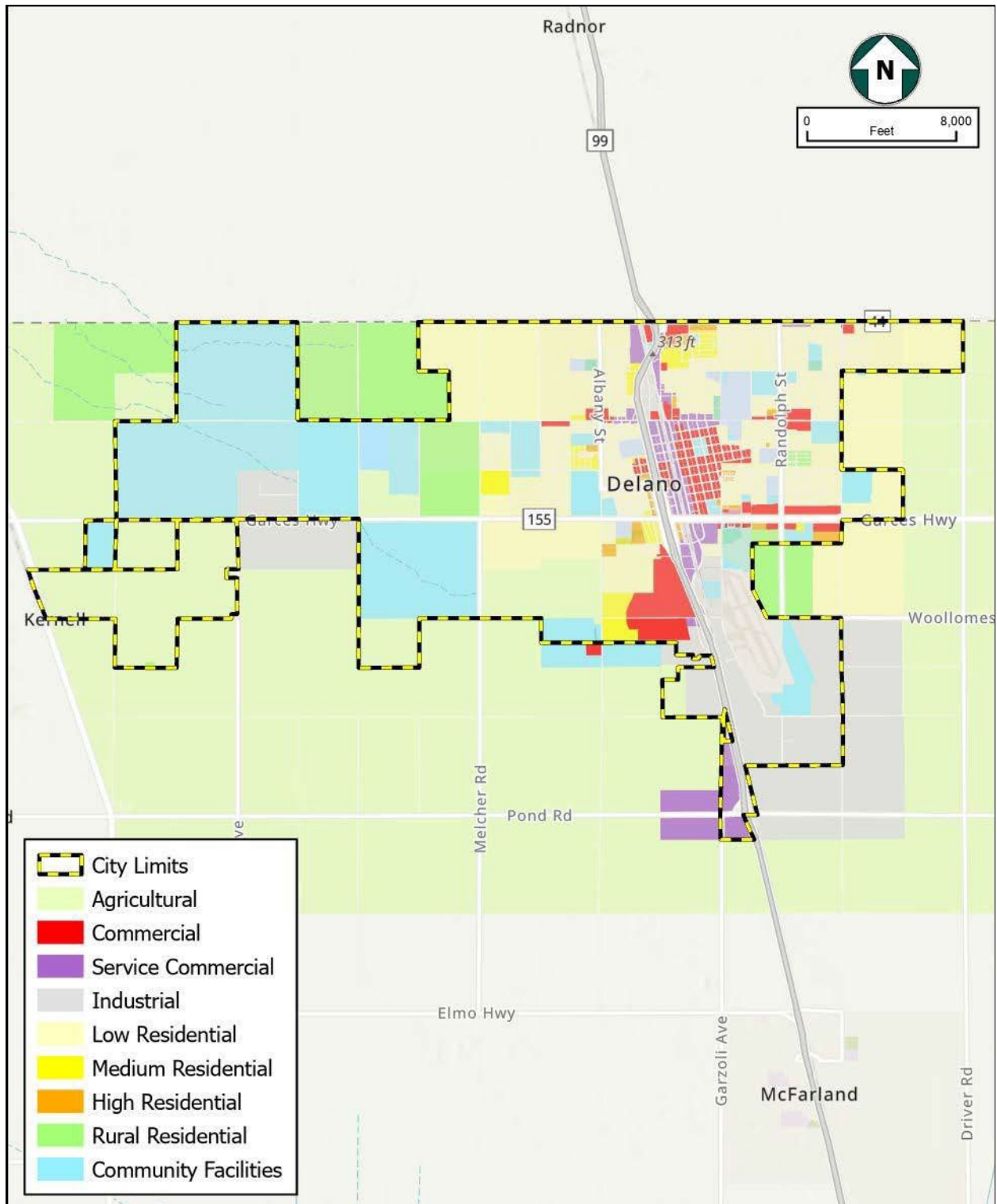
### **2.2 - History of Delano**

Delano's roots trace back to early encounters between explorers and the Yokuts of the San Joaquin Valley. Father Francisco Garces was the first known European to enter the region through Oak Creek Pass, where he founded a Yokuts village and conducted baptisms as early as 1776. Settlement expanded in the mid-19th century as farming emerged as the area's primary economic activity. Delano was formally founded on July 14, 1869, as a railroad town. The town was named after Columbus Delano, U.S. Secretary of the Interior. Delano was incorporated as a city in 1915. Agriculture has remained central to Delano's identity, with crops such as grapes, cotton, almonds, citrus, and alfalfa supported by irrigation wells developed in the early 1900s.

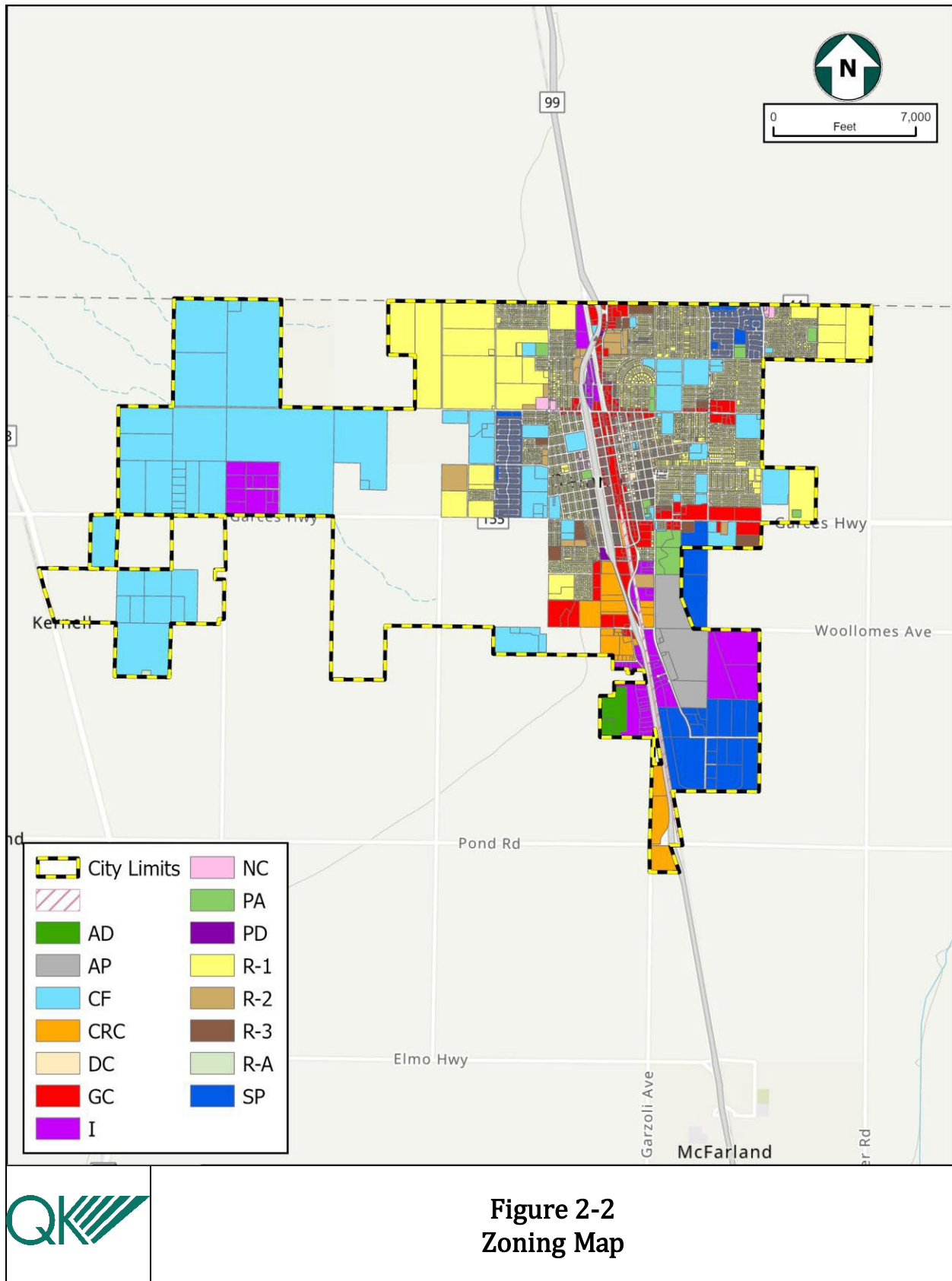
In more recent decades, construction of State Route 99 through the city reshaped Delano's physical layout and economic patterns, creating both opportunities and challenges that continue to influence planning efforts aimed at ensuring equitable access, cohesion, and service delivery on both sides of the freeway.

### **2.3 - Planning and Growth Projections**

The City of Delano General Plan was updated between 1997 and 2000 by the General Plan Steering Committee (GPSC). This committee consisted of representatives of City Staff, Planning Commission, Redevelopment Agency, City Council, Delano Union School District, Delano Chamber of Commerce, and community development residents. The General Plan was officially adopted in January of 2000 after a series of community stakeholder workshops, which ultimately created the City's future vision for the General Plan. The General Plan has been amended several times since its comprehensive update in 2005. A map depicting the currently planned land use designations is shown in Figure 2-1. A map depicting the City's zoning is shown in Figure 2-2.



**Figure 2-1**  
**Existing General Plan Land Use Designations**



**Figure 2-2  
Zoning Map**

The population estimates in the General Plan were generated utilizing historical growth rates and projected growth trends. Information available would allow these estimates to be updated accordingly. In Table 2-1, population estimates have been updated to account for the more recent population information available.

**Table 2-1  
City of Delano Growth Estimates**

Forecast Year	Source	Annual % Growth	Population Estimate
2020 (actual)	U.S. Census	.30%	51,428
2024 (actual)	U.S. Census	0.86%	53,198*

\*Estimates derived from the United States Census Bureau include prison populations for North Kern State Prison (NKSP) and Kern Valley State Prison (KVSP). \*Calculation:  $(53,198 - 51,428 = 1,770)$   
 $(1,770 / 51,428 = 0.03 \times 100 = 3.44 / 4 = 0.86\%)$

**Table 2-2  
City of Delano Assumed Growth Estimates**

Forecast Year	Source	Annual % Growth	Population Estimate
2035 (projected)	Master Plan	4.31%	78,517*
2045 (projected)	General Plan	1.32%	68,000**

The City of Delano June 2016 report entitled: Sanitary Sewer Collection System Master Plan included prison populations within the City of Delano. The Water Master Plan Report is expected to be published in the last quarter of 2025. \*Calculation:  $(78,517 - 53,198 = 25,319)$   $(25,319 / 53,198 = 0.476 \times 100 = 47.6 / 11 = 4.32\%)$  \*\*Calculation: Note: The 2035 figure (78,517) reflects a utility planning capacity scenario (sewer service population, inclusive of prison populations), whereas the 2045 figure (68,000) reflects the General Plan demographic projection for resident population. These baselines will be reconciled in the next General Plan update.  
 $(68,000 - 53,198 = 14,802)$   $(14,802 / 53,198 = 0.278 \times 100 = 27.8 / 21 = 1.32\%)$

Based on these updated figures, it is apparent that the City’s infrastructure planning would be able to support population growth beyond the 2045 horizon if current trends remain constant.

Based on the data currently available and supplemented using the 1.32 percent annual growth rate, the population in 2045 would be approximately 68,000 residents. Infrastructure planning estimates that the City would be acceptable as the infrastructure would be able to accommodate growth beyond the planning horizon date of 2035. It is assumed that the projected population growth rate will be amended again in the next General Plan Update before 2045.

## 2.4 - Anticipated Service Needs

The Delano area requires typical local municipal services, such as water, wastewater, sewer, solid waste, refuse, animal control, parks, graffiti, landscape, golf course, streets, garage, airport, police, and government buildings. The City adopted an updated General Plan in 2005 and continues to plan for services up to 2045. The corresponding master plans accommodate the City's future growth until 2035.

This Municipal Service Review will review water service, sewer, refuse, police protection, street maintenance, parks, recreation, animal control, and airport services. The outcome of the report will review the level of service in each area and analyze whether the City would have the ability to provide services to the annexation sites. The City conducts infrastructure master planning in the areas of water, sewer, wastewater treatment, and storm drainage.

Delano uses a multi-layered, integrated approach combining regulatory planning documents (Urban Water Management Plan [UWMP]), operational audits, asset/rate studies, development standards, and project-specific interventions to assess and determine the water system's current condition and the infrastructure required for its future reliability, safety, and expansion. Recommendations in the master plans include, but are not limited to:

- Development of three new wells to supply 2,300 gallons per minute (gpm).
- Meter replacement.
- Well rehabilitation.
- Well improvements for 22, 25, 32, and 42.
- Well 43 design.
- Utilize Sewer Impact Fees and/or developers for the cost of design and construction of trunk sewers required for new/future development.
- Allocate funding annually to replace existing sewer mains due to age and/or condition, estimated at 7,800 feet per year.
- Allocate funding for data collection to fill in missing manhole spatial information.
- Commission and study update in 10 years based on the current General Plan, with reassessments occurring on a three-year basis as assumptions and conditions change.

**The City's existing General Plan does not have policies for annexation of land into the city limits, but the proposed General Plan Policy Document Volume 2 has three policies regarding annexations.**

- Policy LC6 Initiation of Annexations
  - Consider initiation of the annexation of land into Delano when the following criteria are met: The capacity of the water, sewer, fire, and police services is adequate to service the area to be annexed or will be adequate at the time that development occurs. Annexation of additional land into the City is necessary to meet current land use needs. The territory to be annexed is contiguous to existing developed areas.

- Policy LC7 Plan for Services
  - Prepare and make publicly available a written Plan for Services that describes how urban services will be provided prior to initiating an annexation.
- Policy OC5 Annexation of Williamson Act Lands
  - Consider the annexation of Williamson Act lands only if such annexation is necessary to provide for logical urban development, job creation, or the provision of necessary municipal services.

## **2.5 - Determinations**

**Determination 2-1**—U.S. Census data indicates that the City had a 2020 population of 51,428 and increased to 53,198 by 2024. The General Plan adopted in 2005 had used an expected annual growth of 5.0 percent, but more recent Infrastructure Master Plans use an annual growth rate of 2.1 percent due to recent actual growth trends.

**Determination 2-2**—Based upon recent historical population trends from 2020 to 2024, the average annual growth rate was 0.86 percent for the City of Delano. Therefore, the current population is trending below the forecasts of the General Plan.

**Determination 2-3**—The City plans for future growth by implementing policies and standards set forth in its General Plan, which provides a policy base to guide future growth. The City's General Plan was updated in 2005, and in 2024, the City updated its 2045 General Plan Policy Document Volume 2 to attain the City's goals within its service area while accommodating its population growth.

**Determination 2-4**—The City contains policies in their proposed General Plan Policy Document Volume 2 that regulate future annexations.

## SECTION 3 - DISADVANTAGED UNINCORPORATED COMMUNITIES

### 3.1 - Overview

Disadvantaged Unincorporated Communities (DUCs) are defined as inhabited territory (12 or more registered voters) that constitutes all or a portion of a community outside the city limits with an annual median household income of or below \$80,119, which is less than 80 percent of the statewide annual median household income of \$100,149 in 2023 (Census Bureau - American Community Survey, 2023). Communities meeting this financial threshold were specifically identified as an area of concern by Senate Bill 244, adopted into State law in 2011. These communities may also lack essential municipal services such as water, wastewater, or stormwater drainage, as they may have been developed prior to infrastructure being installed in proximity to them. Furthermore, structural fire protection may be inconsistent in these areas due to a lack of agreements or memorandums of understanding that provide mutual aid from adjacent jurisdictions if there is a need. DUC applies to unincorporated areas within/contiguous to the SOI and not incorporated tracts.

Kern LAFCo has not adopted a policy or more specific definition of DUCs; therefore, the criteria within State law will be utilized. Pursuant to State law, LAFCo is required to identify any adjacent DUCs and determine if they should be included within any SOI amendment of an existing city or special district or potentially included during the consideration of any special district formation in the future (California Legislative Information, 2011).

As shown in Figure 3-1, most of the area within the city limits and the SOI has a range from low to median household income. Although these areas are below the median income level, the appropriate services are currently being provided. The community on Lytle Avenue next to the Kern Valley State Prison is unincorporated but within the City's SOI. This is the only community that qualifies as a DUC. Current aerial imagery shows the existence of overhead electrical powerlines and individual trash/recycle enclosures, but sewer and water service are not provided.

### 3.2 - Determinations

**Determination 3-1**—Census Block Groups within the City of Delano have a median household income below \$80,119 (80 percent of the statewide median household income).

**Determination 3-2**—There is one occupied residential community within the City's SOI that qualifies as a DUC due to the median household income being below 80 percent of the statewide average. When the next area near it is proposed for annexation, a survey should be conducted to determine community interest in annexation and additional urban services.

**Determination 3-3**—Should areas outside the city limits and within the City's SOI develop, they would be considered disadvantaged from service delivery and would be evaluated on a case-by-case basis when there is a neighborhood of 12 or more registered voters that could be included in a future annexation, per State law.

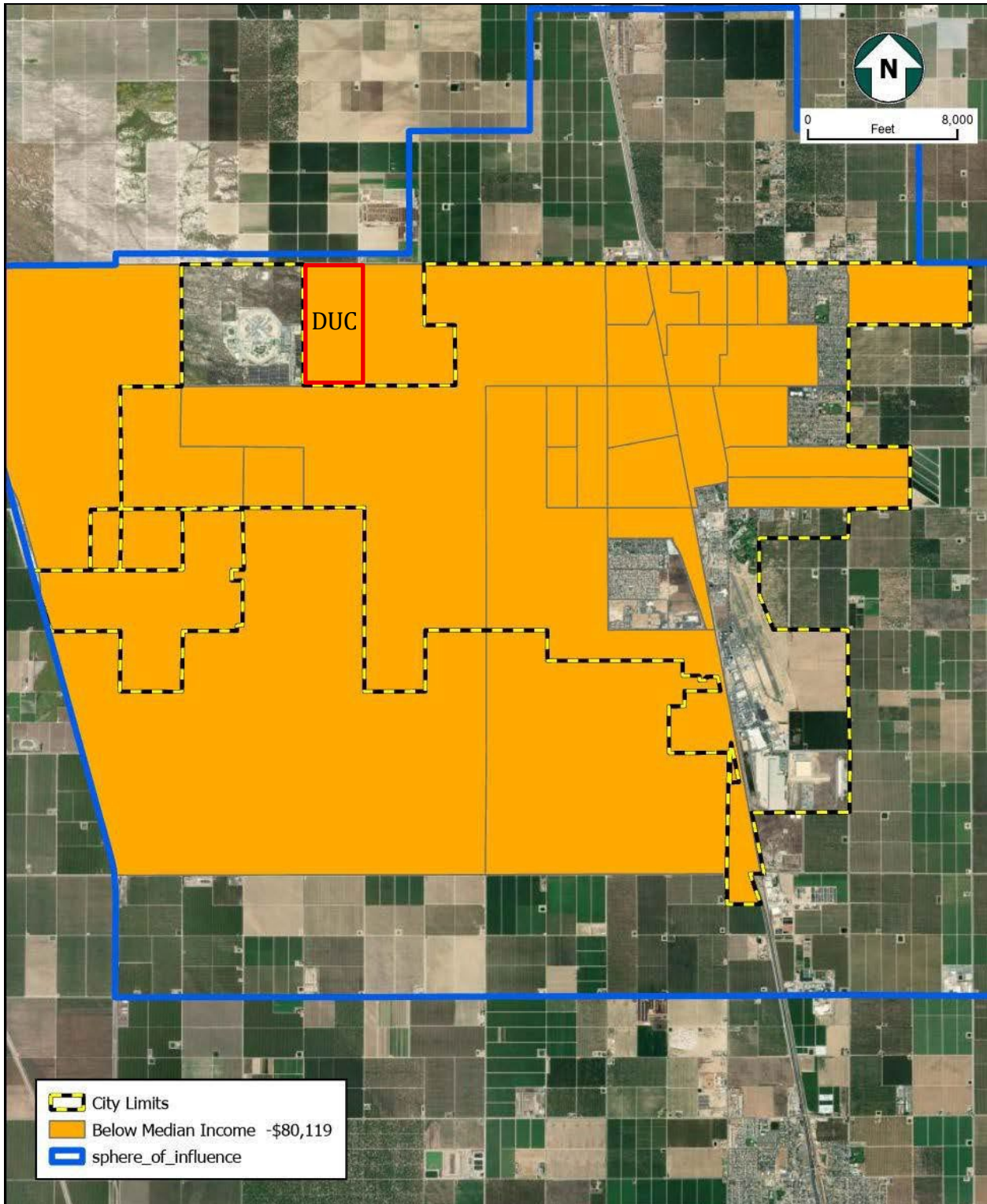


Figure 3-1  
Median Household Income (2025)

## SECTION 4 - CITY OF DELANO SERVICE REVIEW

### 4.0 - KEY FINDINGS: Service Strengths and Challenges

#### Services the City Provides Well

- **Water Supply and Distribution:** The City operates a reliable municipal water system with adequate current capacity, regulatory compliance, and proactive groundwater management, supported by significant recent capital investments.
- **Wastewater Collection and Treatment:** The wastewater treatment plant and sewer collection systems have sufficient capacity and completed upgrades to serve existing and planned development.
- **Streets and Transportation Infrastructure:** Roadway maintenance and traffic circulation improvements are supported by stable funding sources and a structured capital program.
- **Solid Waste and Refuse Services:** Outsourced collection services meet state regulatory requirements and provide consistent service delivery across the City.
- **Public Transportation:** Fixed-route, demand-response, and micro-transit services adequately support current transportation needs and regional connectivity.
- **Governance and Fiscal Management:** Transparent budgeting, diversified revenues, and an effective city manager–council structure support efficient service delivery.

#### Services Presenting Ongoing Challenges

- **Law Enforcement:** Police staffing ratios are below plan standards and will require additional personnel to maintain response times and service coverage as population increases.
- **Fire Protection:** Existing facilities are adequate for current needs, but long-term growth will require a new fire station, additional staffing, and sustainable funding.
- **Parks and Recreation:** Park acreage is below state and General Plan standards, necessitating future park acquisition, shared-use agreements, and capital funding.
- **Stormwater Drainage:** Additional regional basins and drainage infrastructure will be required to support future development, with funding dependent on impact fees and grants.
- **Enterprise Fund Sustainability:** Water and wastewater systems will require ongoing rate studies and Proposition 218 actions to address long-term capital and operational funding needs.
- One disadvantaged unincorporated community within the City's SOI lacks municipal water and sewer services and should be evaluated for annexation when development or community interest arises.

**4.1 - Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies**

The purpose of this section is to evaluate the infrastructure needs and deficiencies of the City of Delano in terms of availability of resources, capacity to deliver services, condition of facilities, planned improvements, service quality, and levels of service.

LAFCo is responsible for determining that an agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within the City and its SOI. LAFCo accomplishes this by evaluating whether resources and services are being expanded in line with increasing demands. These infrastructure and resource availability findings must be made when revisions to the SOI and annexations occur.

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4.1.1 - CAPITAL IMPROVEMENT PROGRAM

The City’s five-year Capital Improvement Program (CIP) is funded based on the availability of funds from various sources. Construction improvement purchases for the City consist of street improvements, stormwater projects, and public works infrastructure. The City conducts an adopted biennial budget every two years, and those results are reviewed annually by the Mayor and City Council. The latest adopted versions were for fiscal years 2023–2024 and 2024–2025 (City of Delano). Table 4-1 and Chart 4-1 list the funding amounts by category.

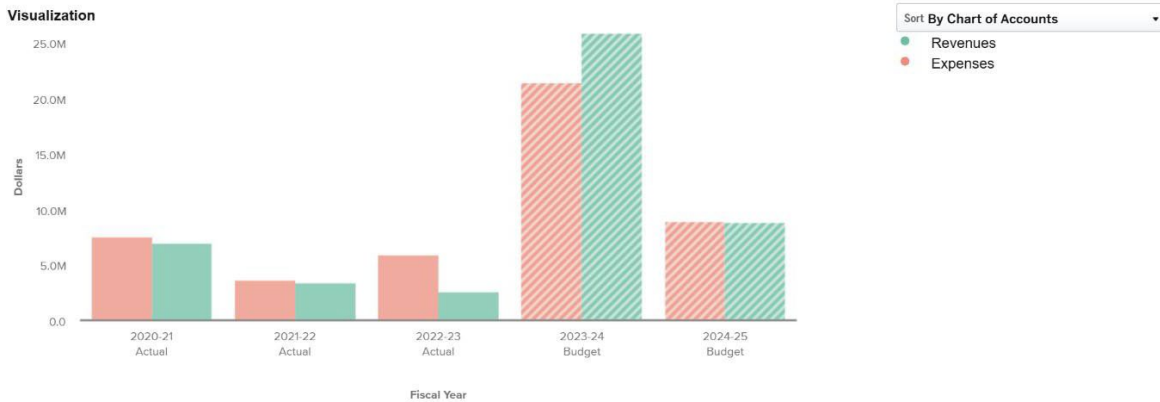
**Table 4-1**  
**Capital Improvement Program FY 2023-2024 and 2024-2025**

Overall Percentage	Project Funding
Government Capital Projects	\$19,849,307
Streets & Roads Capital Projects	\$9,477,604
Enterprise Funds Capital Projects	\$14,055,595
<b>Total</b>	<b>\$43,382,506</b>

Source: City of Delano Adopted Two-Year Annual Budget, FY 2023–24 and 2024–25

**Chart 4-1**  
**Capital Projects Fund Revenues and Expenditures**

FY 23/24 & FY24/25



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
Revenues	\$ 6,958,519	\$ 3,415,129	\$ 2,607,524	\$ 25,833,303	\$ 8,849,019
Transfers In	5,820,409	2,081,794	2,034,961	12,620,808	2,757,788
Grants	616,995	1,089,758	542,779	12,596,561	5,728,199
Other Revenues	0	0	13,508	0	0
Investment Earnings	1,742	0	-1,320	1,083	1,083
From Other Agencies	519,373	243,577	17,596	614,851	361,949
Expenses	7,570,078	3,619,924	5,891,381	21,448,161	8,940,027
Revenues Less Expenses	\$ -611,559	\$ -204,795	\$ -3,283,857	\$ 4,385,142	\$ -91,008

Data filtered by Types, CAPITAL PROJ and exported on July 24, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/PJ0g4pP4WzT>

The City has adopted related policies for the general budgeting process and provides department goals by identifying which new projects will be allocated for specific funding resources. Current and potential projects are listed in three categories of the CIP: Government Capital Projects, Streets and Roads Capital Projects, and Enterprise Funds Capital Projects. These categories are broken down into specific project categories for building improvements, parks and recreation, street conditions, landscaping, and underground utility infrastructure. The development of clear policies and quantifiable goals for the CIP would aid in its development for justified projects. The Two-Year Annual Budget evaluation determines the effectiveness of the CIP by tracking funding resources, total cost of the project, and project completion status.

City staff has already prepared an Adopted Biennial Budget for fiscal years 2026 and 2027; however, the specific project categories have not been stated in the report. The operating budget has been determined by numbers, with a proposed budget of \$118,541,157. The CIP categories will make up a smaller portion of the overall budget.

**Determination 4.1.1-1**—The City develops and adopts a Five-Year Capital Improvement Program that identifies key capital projects needed to improve public safety.

**Determination 4.1.1-2**—The updated Adopted Biennial Budget for fiscal years 2026 and 2027 will be able to determine which projects were completed through 2024–2025.

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## 4.1.2 - WATER

### **Summary of Prior MSR Findings**

The prior LAFCo MSR water information was produced in January 2006 and included a smaller growth population. The previous MSR indicated that the Kern County Water Basin is the subbasin from which the City collects and distributes water. The subbasin was in an overdraft condition. The Kern County Water Agency conveyed an annual drop in water surface elevation ranging from no change to a decrease of approximately 30 feet. In 2006, the City had nine wells, with a capacity of 775 gpm to 2,000 gpm, with an average of 1,284 gpm. Two of the wells were removed from production, well five and well 18, due to the presence of 1,2-dibromo-3-chloropropane (DBCP) and hydrogen sulfide. Wells four, 12, 14, 19, 20, 21, 22, and 24 remained active with a range of depth from (1,000–1,400 ft). The cumulative capacity of gpm was 10,275. The well system had the capacity to pump 14.8 million gallons per day (mgd) for domestic use and fire suppression. The City was able to store 4.6 million gallons above ground in storage tanks, and an additional 4.4 million gallons were stored for the North Kern Prison. Overall, the MSR estimated peak water demands twice the average; therefore, the City's well system could supply enough water to manage peak demands of 12.6 mgd.

### **Current Conditions**

The City completed an updated UWMP in August 2021, which identified minor information after the 2006 LAFCo MSR for the City of Delano. The document shows the extent of the existing water system. The City of Delano utilizes groundwater from the Kern County Subbasin and the Tulare Lake Groundwater Basin. The City actively uses 17 wells throughout the city limits and operates distribution lines to unincorporated areas within Tulare and Kern County. The City's pumping capacity is currently 22.18 mgd. Water is transported from wells to the consumers through the City's distribution system (pipe sizes ranging in diameter from four to 16 inches). The City maintains five storage reservoirs within the service area for a total capacity of 10.6 million gallons (mg), with a boosting capacity of 8,950 gpm, and 120 miles of distribution pipelines. The City's topography ranges from 285.12 feet to 336.11 feet above sea level with three pressure zones. All water facilities are monitored by a Supervisory Control and Data Acquisition System (SCADA). This system will activate wells and booster pumps based on the storage tank water levels. The system also tracks the pressure within certain locations in the distribution line, according to the City of Delano's 2021 UWMP.

In March 2014, the City of Delano was awarded \$4,896,000 in grant funds provided by the State of California Department of Water Resources (DWR), through Proposition 50 Chapter 6(b) grant program, to fund a water infrastructure project. The first water project consisted of installing and operating a biotta™ wellhead nitrate treatment system on City Well No. 35. In April 2015, the City amended the grant to increase it to \$4,952,028 to fund Well No. 35 to help the City's water demands and ensure sufficient supply for residents. Carollo is the developer of the biotta™ process and holds the patent pending on the technology. Carollo conducted a 12-month operation process of the facility, upon termination of which the City of Delano assumed operational responsibility. Given recent non-compliance with 1,2,3-

Trichloropropane (TCP) on four of its 15 wells, the City of Delano pursued financial assistance from the State's Proposition 1 (Assembly Bill 1471, Rendon) for drinking water grants and loans for public water system infrastructure improvements to meet safe drinking water standards. In June of 2020, the City was notified and awarded a \$5,000,000 grant for this project. The funding under this agreement was used to bring the City of Delano's water system into compliance with 1,2,3-Trichloropropane at Wells 26, 30, and 33. TCP mitigation design for wells 26, 30, and 33. Mitigation project to remove TCP from affected wells by use of the granular activated carbon (GAC) process.

In 2021, the City applied for a federal grant through the United States Department of Housing and Urban Development (HUD) for \$6,000,000.00 to fund a test well project entitled Test Well 42. The City drilled Test Well 42 located at Melcher and County Line, utilizing available funds to finance the design and the construction cost. The well site became equipped with an arsenic removal facility and with a distribution rate of 1,500 gpm. The City applied for another grant to support two existing well sites, including non-active Well 32 and active Well 22. In 2024, the City proposed a new project entitled Plant No. 6, which will serve as a new site for a blending tank and booster pump station. Utilizing existing resources, such as Well 32, will convey water from the existing discharge tanks through a 12-inch diameter blending pipeline to the new Plant No.6 site. Well site 22 will convey water as well through an existing arsenic treatment system and connect to a new blending tank through a 14-inch diameter pipeline. In 2025, a federal grant was approved by the appropriations committee for \$8,145,000; these funds will be allocated towards Well 32 construction costs.

The City's staff report dated January 21, 2025, indicates water facilities projects to be funded by the Project Development Impact Fees (AB 1600 Requirements). The Water Facilities Impact Fee is intended to provide the City with a funding source to construct future wells, tanks, treatment facilities, and some trunklines that are needed due to the impact of the new development. Besides these fees, the City is using a State Revolving Fund (SRF) loan to cover the costs of the wells, treatment, and storage. A portion of these fees (up to \$1,500,000) may be used to pay back the SRF loans. If not, enough revenue is developed from the fees, the Water Fund (water monthly service fees) may be used to pay back the loans. By June 30, 2025, the Water Impact Fee Fund balance is expected to be \$1,881,769.00.

### ***Kern County Groundwater***

In 2014, the Governor of California signed into law and passed the Sustainable Groundwater Management Act (SGMA). By June of 2017, the Groundwater Sustainability Agency (GSA) was formed to provide resources and long-term water management for local communities. Each GSA within the Kern Subbasin applied for and was granted exclusive GSA status for a portion of the Kern Subbasin under CWC §10723(c) and §10723.8. The Kern Subbasin Coordination Agreement was developed to establish the governance structure for the Kern Subbasin GSAs cooperative and coordinated exercise of authorities and responsibilities under SGMA. Each GSA has designated representative(s) to help lead or participate in coordination activities among GSAs, State agencies, local governments, local water suppliers, neighboring entities, non-governmental organizations, and other interested parties. Pursuant to Title 23 of the California Code of Regulations (CCR) §357.4(b)(1), a single point-

of-contact was established for the purposes of organizing the various coordination activities and ensuring cohesion between GSA activities.

The City of Delano is located in the North Basin Hydrogeologic Conceptual Model (HCM) area. The City’s GSA designation is under the Southern San Joaquin Municipal Utility District (SSJMUD GSA), which encompasses a total of 66,000 acres and borders the northern portion of the Tule Subbasin’s Delano-Earlimart Irrigation District (DEID GSA). The City of Delano and City of McFarland have a total of 6,073 acres, which is 9.2 percent of the total 66,000 acres. Per the 2025 Kern County Subbasin Groundwater Sustainability Plan Report, statistics indicated the following: the City’s drinking water is completely dependent on the retrieval of groundwater, and recycled water facilities permitted 7.2 mgd of discharge to 932 acres for irrigating fodder crops. The report further stated that in 2007, bore holes were drilled to collect soil samples and found groundwater at a depth of 122-150 feet, with oxidized conditions and containing arsenic concentrations below 10 parts per billion (ppb). Specifically for well sites 25 and 26, which had concentrations ranging from four to six ppb, which fall below the threshold of 10 ppb. Overall, the SSJMUD GSA has been managing groundwater by direct storage, conjunctive use, and water banking. The UWMP requires the status of specific efficient water management practices (EWMPs) suitable for the City.

The City’s FY 2025–2026 CIP has allocated water infrastructure projects for waterline replacements, meter replacement, water tank rehabilitations, various well rehabilitation improvements, and trunkline replacement. These projects will be funded by the Enterprise Fund as Capital Projects, as reflected in Charts 4-2 and 4-3 below, and identify the City’s existing and future projections.

**Table 4-2  
California Drinking Water Watch System Details: City of Delano**

Active Wells	Non-Active Wells	Test Well	Planned Well in CIP
Well 20	Well (1-12)	Well 42	Well 43
Well 22*	Well 14		
Well 24	Well 17		
Well 25	Well 18		
Well 26	Well 19		
Well 29	Well 21		
Well 30	Well 23		
Well 31	Well 32*		
Well 33			
Well 34			
Well 35			
Well 38			
Well 39			
Well 40			
Well 41			

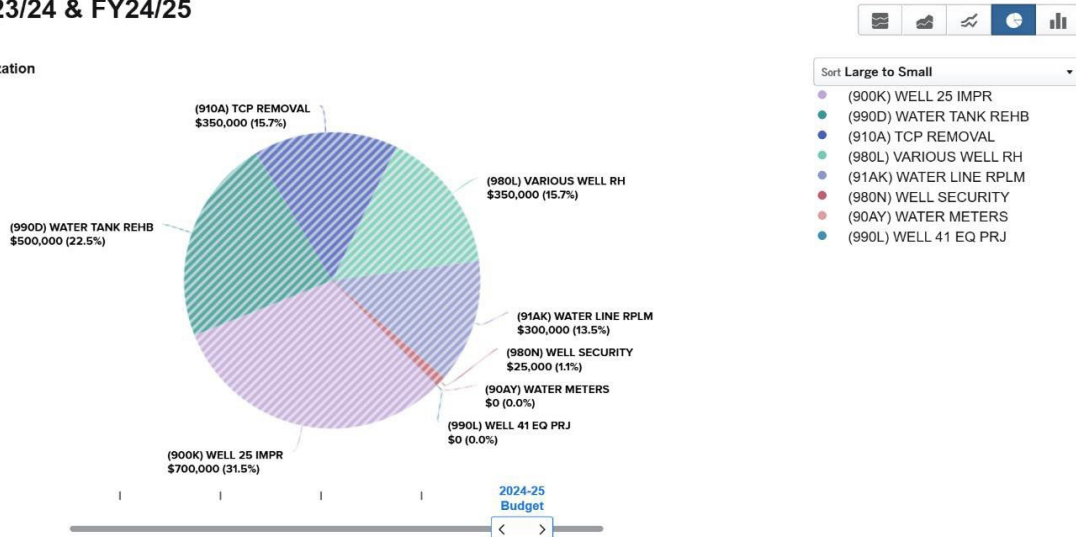
\* Future project to include Wells 22 and 32 as Plant No.6. Please see description in the current conditions section.

Source:[https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys\\_is\\_number=1737&tinwsys\\_st\\_code=CA&wsnumber=CA1510005](https://sdwis.waterboards.ca.gov/PDWW/JSP/WaterSystemDetail.jsp?tinwsys_is_number=1737&tinwsys_st_code=CA&wsnumber=CA1510005)

### Chart 4-2 Water Infrastructure Diagram of Capital Projects

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(900K) WELL 25 IMPR	\$ 0	\$ 0	\$ 0	\$ 700,000	\$ 700,000
(990D) WATER TANK REHB	0	0	0	500,000	500,000
(980L) VARIOUS WELL RH	0	0	0	350,000	350,000
(910A) TCP REMOVAL	0	0	0	350,000	350,000
(91AK) WATER LINE RPLM	0	0	9,900	300,000	300,000
(980N) WELL SECURITY	0	0	0	25,000	25,000
(90AY) WATER METERS	0	0	4,131	0	0
(990L) WELL 41 EQ PRJ	0	462	0	0	0
<b>Total</b>	<b>\$ 0</b>	<b>\$ 462</b>	<b>\$ 14,031</b>	<b>\$ 2,225,000</b>	<b>\$ 2,225,000</b>

Data filtered by CAPITAL PROJECTS, WATER FUND and exported on July 29, 2025. Created with OpenGov

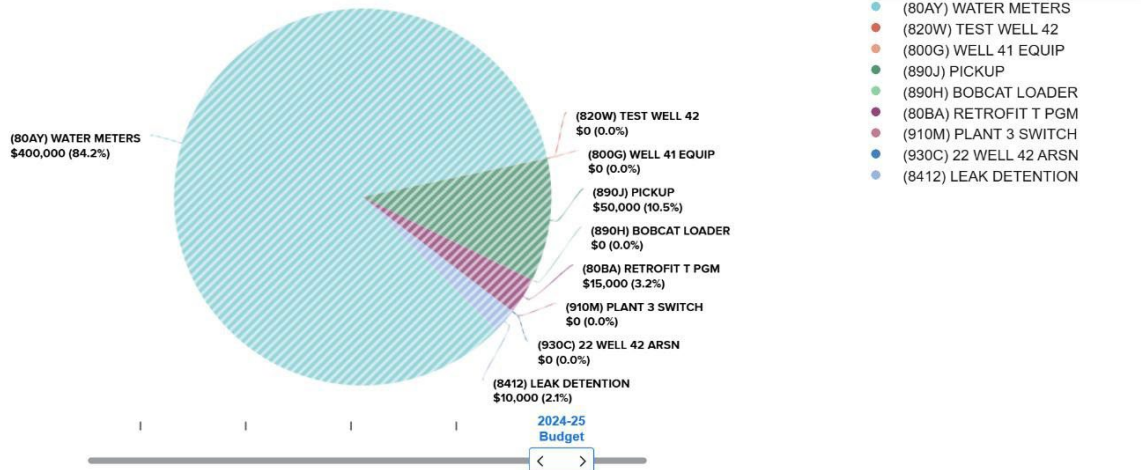
Source City of Delano: <https://stories.opengov.com/delanoca/published/dmBMZjCoq75>



**Chart 4-3**  
**Water Infrastructure Diagram of Capital Outlay Projects**

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(80AY) WATER METERS	\$ 340,918	\$ 291,747	\$ 0	\$ 400,000	\$ 400,000
(820W) TEST WELL 42	0	0	194,425	0	0
(800G) WELL 41 EQUIP	0	0	149,320	0	0
(890J) PICKUP	0	0	0	50,000	50,000
(890H) BOBCAT LOADER	0	0	0	95,000	0
(80BA) RETROFIT T PGM	9,680	7,729	10,100	15,000	15,000
(910M) PLANT 3 SWITCH	0	40,285	0	0	0
(930C) 22 WELL 42 ARSN	0	0	30,803	0	0
(8412) LEAK DETENTION	0	0	0	10,000	10,000
<b>Total</b>	<b>\$ 350,597</b>	<b>\$ 339,760</b>	<b>\$ 384,447</b>	<b>\$ 570,000</b>	<b>\$ 475,000</b>

Data filtered by CAPITAL OUTLAY, WATER FUND and exported on July 29, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/dmBMZjCoq75>

### WATER DEPARTMENT FUNDING

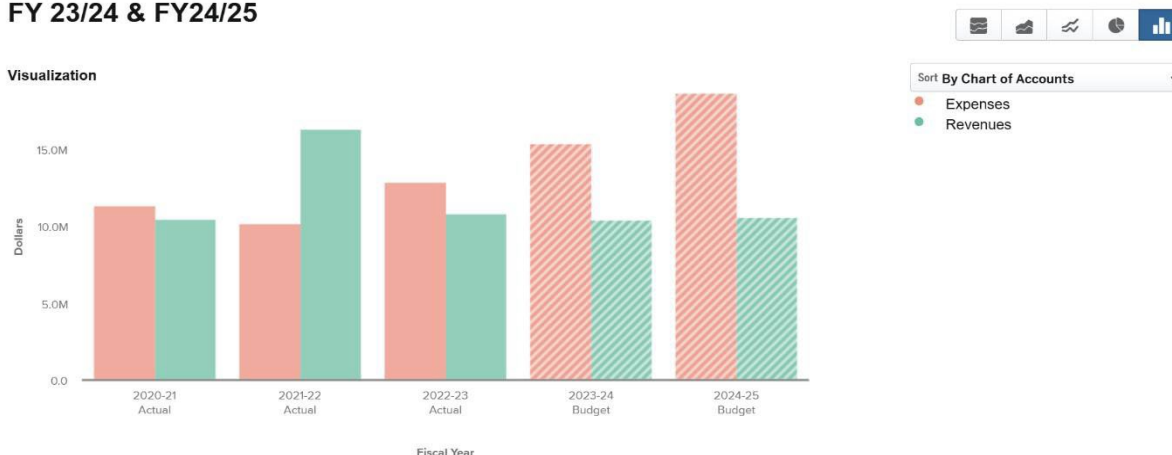
The City's water is budgeted through the Enterprise Funds Capital Project and later subsidized when appropriate through the Water Facilities Impact Fees (Fund 41). The Water Capital Improvement Plan, which is funded by various sources including system depreciation, water rates, connection (impact) fees, and capital reserves, is allocated based on its cash balances. See Chart 4-4.

### ABILITY TO SERVE ANNEXED POPULATION

Once the Water Master Plan is completed in FY 2025–2026, the City will have a better understanding of their population growth and how to provide appropriate water capacity services to annexed locations. However, the City has been prioritizing their water infrastructure needs based on identifying projects within the Enterprise Funds Capital Projects list from FY 2020 to FY 2026.

**Chart 4-4  
Water Fund and Impact Fees Combined**

FY 23/24 & FY24/25



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
► Revenues	\$ 10,514,061	\$ 16,386,985	\$ 10,828,069	\$ 10,421,110	\$ 10,634,160
► Expenses	11,364,053	10,221,833	12,913,304	15,394,136	18,647,365
<b>Revenues Less Expenses</b>	<b>\$ -849,992</b>	<b>\$ 6,165,152</b>	<b>\$ -2,085,235</b>	<b>\$ -4,973,026</b>	<b>\$ -8,013,205</b>

Data filtered by Types, Funds and exported on July 24, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqrult>

**Determinations**

**Determination 4.1.2-1**—The City operates a municipal water enterprise that services its residents within city limits, and outside city limits in Kern and Tulare Counties.

**Determination 4.1.2-2**—The City has adopted and implemented project improvements per the CIP, Enterprise Funds Capital Projects. These infrastructure improvements will better identify and enhance operations of the water system for future needs of the City in accordance with population projections.

**Determination 4.1.2-3**—The City is developing the Water Master Plan, which should be completed by FY 2025-2026. This report will provide accurate data and information based on the City’s existing assessment and future needs for water utility infrastructure.

**Determination 4.1.2-4**—Based on the City’s Water Fund and Impact Fees for FY 2024–2025, the City will initiate a comprehensive water cost-of-service and rate study in FY 2025–2026 to address the estimated \$8.01 million shortfall, followed by Proposition 218 proceedings as warranted.

### **4.1.3 - SEWER AND WASTEWATER TREATMENT PLANT**

#### **Summary of Prior MSR Findings**

Delano's WWTP is located at 1107 Lytle Avenue between Garces Highway and Cecil Avenue. The City collects and transmits all domestic and industrial wastewater to the City's WWTP. The plant also receives influent waste from the North Kern State Prison. The previous MSR stated the WWTP provides primary and secondary treatment with a capacity of 4.4 million mgd and receives 3.9 mgd per day of wastewater to be treated. The previous MSR also indicated that the plant has an adequate ability to sustain a growth of 62,845 population for the year 2020 with a capacity of 7.2 mgd. The report also describes the need to upgrade and expand equipment for the existing WWTP. The expansion will include a new effluent disposal gravity pipeline to convey the existing and projected effluent flows. During 2006, the WWTP indicated that the system would not have the capacity to service lands east of Driver Road.

#### **Current Conditions**

The City provides wastewater collection services by gravity flow pipelines to residential, commercial, and industrial users within city limits and in some unincorporated areas in Kern and Tulare County. As the UWMP stated, the City utilizes WWTP effluent by treating discharged water through percolation ponds and limits the amount of agricultural irrigation wastewater. The effluent from secondary treatment (undisinfected water) is used exclusively for agricultural irrigation of alfalfa and almond fields owned by the City. The components of WWTP consist of approximately 545,600 linear feet (103.3 miles) of four-inch to 36-inch gravity pipelines. Additional components include: a septage receiving station, two influent flow meters, one flow meter that measures the flow coming from North Kern State Prison, and a second flow meter that measures the combined wastewater directed to WWTP. The WWTP contains three primary clarifiers, two oxidation ditches, five secondary clarifiers, an effluent pump station, a sludge thickener, two anaerobic digesters, three aerobic sludge holding tanks, centrifuge facilities, eight soil-cement-lined sludge drying beds, two asphalt-lined sludge drying beds, four unlined storage ponds, two lined storage ponds, and 1,528 acres of farmland.

The City completed an updated UWMP in August 2021 that identified wastewater information after the 2006 LAFCo MSR for the City of Delano. The 2045 General Plan Policy Document describes current water capacities, such as the WWTP is 7.2 mgd, while the current average daily flow (ADF) is approximately 4.3 mgd, and peak flow remains near 6.5 mgd. Growth projections per the Sewer Master Plan of 78,517 by 2035 estimate a peak flow of 10.34 mgd and an estimated ADF of 6.30 mgd. Figure 4-1 shows the extent of the existing and proposed wastewater system.

The City's 2016 Sanitary Sewer Collection System Master Plan indicated two projects were needed to maintain sewer collection services. Both projects were completed, resulting in the installation of approximately 1,088 feet of 10-inch and 12-inch gravity sewer pipelines downstream of the existing sewer lift station on South Lexington Street, and south of Quinn, and approximately 9,736 feet of 36-inch sewer in West 11th Avenue, Matthews Avenue, and

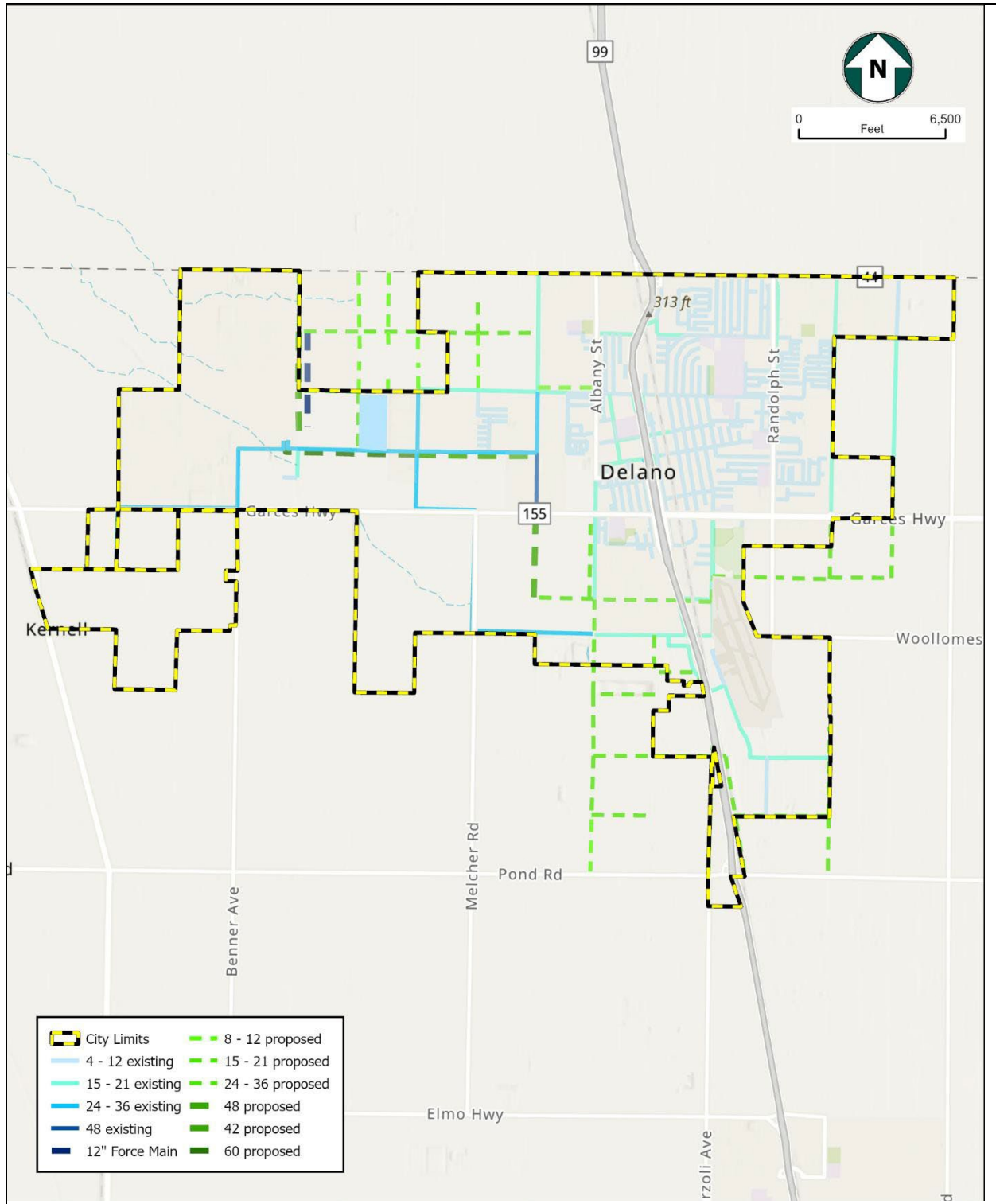
the Matthews Avenue alignment directly upstream of the WWTP, with a parallel 48-inch sewer pipeline.

The City's staff report dated January 21, 2025, indicates wastewater facilities projects related to the Project Development Impact Fees (AB 1600 Requirements):

- In 2010, the City completed the Wastewater Treatment Plant Expansion Project, nearly doubling its capacity at a cost of approximately \$30 million. However, the City needs additional trunk lines and lift stations to serve the new development expected over the next 20 years.
- The WWTP was funded by the SRF, a one percent interest loan from the State of California. These fees will be used to pay for the new development's share of cost (74 percent) from the loan, as well as pay for new trunk lines and lift stations. Other sources of funds for incomplete improvements would have to come from the Sewer Fund (sewer service monthly fees) paid by the users.
- As of June 30, 2025, the Sewer Impact Fee Fund balance is expected to be (\$254,362.00). The impact fees collected annually will be used to service the SRF loan, reimburse the General Fund for the purchase of 200 additional acres of effluent disposal land, finance new trunk lines, and lift stations needed as growth occurs.

#### ***SEWER AND WASTEWATER TREATMENT FUNDING***

The City's sewer and wastewater treatment is budgeted (Charts 4-5 and 4-6) through the City's Enterprise Funds for Capital Projects and Sewer Facilities Impact Fees (Fund 42). The Capital Improvement Plan, which is funded by various sources including sewer rates, connection (impact) fees, and capital reserves, is allocated based on their cash balances. The 2024 Annual Comprehensive Financial Report stated that the sewer funds' operating revenue increased by \$652 thousand compared to the prior year. Operating expenses in the current year increased \$1.7 million, or nine percent; operations remained consistent with meeting ongoing maintenance and maintaining sewer infrastructure needs.

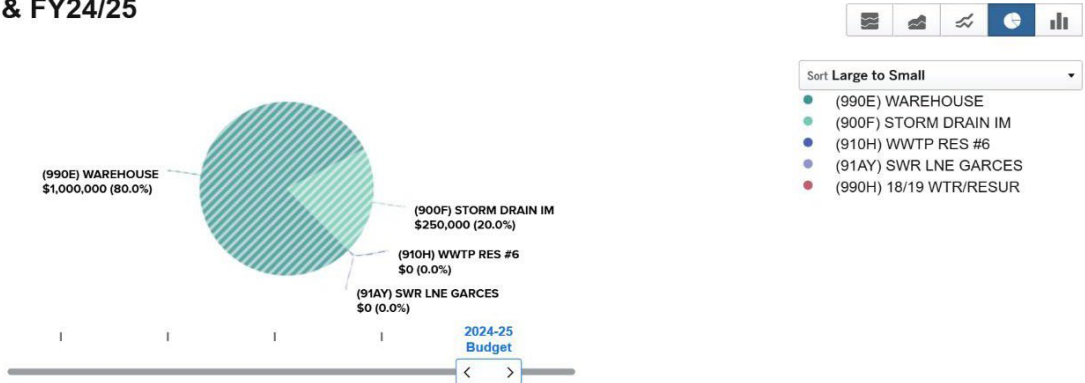


**Figure 4-1**  
**Delano Existing and Proposed Sewer System**

### Chart 4-5 Sewer and WWTP Infrastructure Diagram of Capital Projects

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(990E) WAREHOUSE	\$ 0	\$ 4,610	\$ 0	\$ 250,000	\$ 1,000,000
(900F) STORM DRAIN IM	0	0	0	250,000	250,000
(910H) WWTP RES #6	0	0	0	75,000	0
(91AY) SWR LNE GARCES	0	0	31,423	0	0
(990H) 18/19 WTR/RESUR	0	-1	0	0	0
<b>Total</b>	<b>\$ 0</b>	<b>\$ 4,609</b>	<b>\$ 31,423</b>	<b>\$ 575,000</b>	<b>\$ 1,250,000</b>

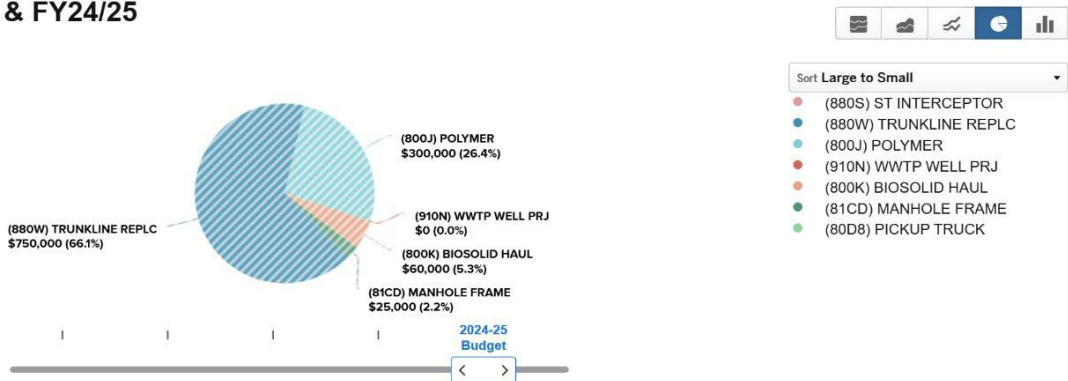
Data filtered by CAPITAL PROJECTS, SEWER/WWTP and exported on July 29, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqrult>

### Chart 4-6 Sewer and WWTP Diagram of Capital Outlay Projects

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(880S) ST INTERCEPTOR	\$ 0	\$ 0	\$ 0	\$ 2,405,595	\$ 0
(880W) TRUNKLINE REPLC	0	0	0	750,000	750,000
(800J) POLYMER	131,704	139,966	201,608	300,000	300,000
(910N) WWTP WELL PRJ	131,747	21,009	0	0	0
(800K) BIOSOLID HAUL	0	13,325	9,800	60,000	60,000
(81CD) MANHOLE FRAME	0	0	13,779	25,000	25,000
(80D8) PICKUP TRUCK	0	0	0	50,000	0
<b>Total</b>	<b>\$ 263,450</b>	<b>\$ 174,300</b>	<b>\$ 225,187</b>	<b>\$ 3,590,595</b>	<b>\$ 1,135,000</b>

Data filtered by CAPITAL OUTLAY, SEWER/WWTP and exported on July 29, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/KDefWda2Yqp>

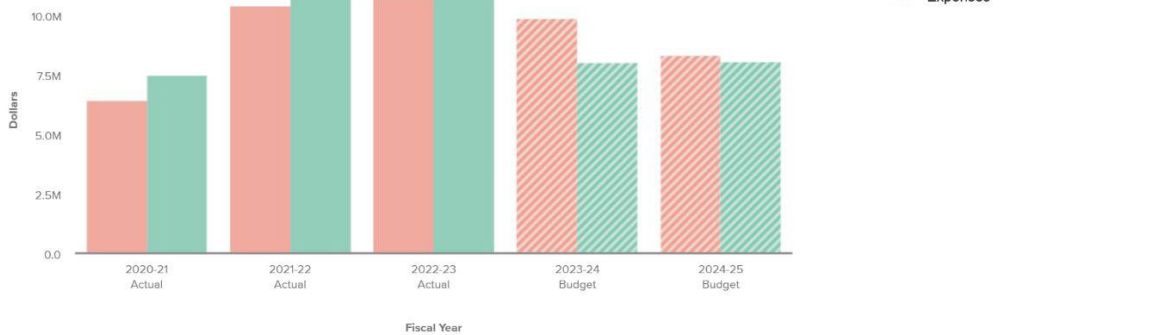
**ABILITY TO SERVE ANNEXED POPULATION**

The City’s existing infrastructure can provide appropriate sewer and wastewater treatment services to annexed locations. However, the City’s budget is projected to exceed their expenses versus gaining more funds through revenue for FY 2023–2025 (Chart 4-7). Based on identifying projects within the Capital Projects and Outlay list from FY 2023 to FY 2025, the City is prioritizing their maintenance and operations for future population growth. Those projects are specifically related to new equipment, repairs to trunk lines, and improvements for the WWTP.

**Chart 4-7  
Sewer and WWTP Revenues and Expenditures**

**FY 23/24 & FY24/25**

Visualization



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
► Revenues	\$ 7,492,465	\$ 12,056,788	\$ 11,041,325	\$ 8,051,129	\$ 8,069,016
► Expenses	6,429,956	10,440,719	10,970,188	9,906,568	8,356,645
<b>Revenues Less Expenses</b>	\$ 1,062,509	\$ 1,616,069	\$ 71,137	\$ -1,855,439	\$ -287,629

Data filtered by Types, Funds and exported on July 28, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqrult>

**Determinations**

**Determination 4.1.3-1**—The City operates a municipal sewer and wastewater treatment plant to serve its residents.

**Determination 4.1.3-2**—The City has completed and improved operations of the sewer and WWTP system and plans for future needs of the City in accordance with population projections.

**Determination 4.1.3-3**—The City would be able to adequately serve the future population growth by maintaining an adequate budget for future infrastructure projects.

#### **4.1.4 - FIRE PROTECTION**

##### **Current Conditions**

The City of Delano contracts with the Kern County Fire Department (KCFD) for emergency response and fire protection services within the city limits. The Department covers an area of approximately 8,141 square miles, serving over 839,631 residents in 41 communities and nine cities through the operation of 47 stations with emergency services, including technical rescue, hazardous materials response, emergency medical services, and mutual aid support. Other public services provided include fire prevention and inspections, including plan reviews and public outreach. The Fire Department regulates explosive materials under the Uniform Fire Code and permits the handling, storage, and use of any explosive or other hazardous material. The Department is staffed by 621 permanent employees and has approximately 162 personnel on duty daily. The KCFD's current and constant staffing model includes three personnel per unit (truck/engine). Two stations are staffed in Delano by one captain, one engineer, and one firefighter, always resulting in a total of six personnel on duty within the City of Delano.

The mission statement of the Kern County Fire Department is "To proudly serve our communities by protecting life, property, and the environment through effective education, prevention, preparedness, and emergency response." They also explain:

- Their mission is to provide services geared toward anticipating and responding to the ever-changing needs of Kern County's diverse communities.
- They serve unincorporated areas, plus Municipal "contract cities" like Ridgecrest, Delano, Wasco, Taft, Tehachapi, Shafter, Arvin, Maricopa, and McFarland.
- The department provides high-quality fire protection, EMS, technical rescue, plus disaster preparedness, mitigation, recovery, and environmental safeguards across the entire operational area—servicing over 800,000 residents.

KCFD's total call volume for all call types in 2024 was 29,196. This includes medical, fire, mutual aid, and other emergency responses. Battalion 3 represents the North Kern service area, consisting of a total of seven fire stations, which responded to a combined 11,884 calls in 2021. Stations 34 and 37, serving the City of Delano, conducted 3,365 of the total North Kern call volume during the same period. The City's General Plan does not establish a goal for a minimum fire insurance services organization (ISO) rating. The Fire ISO rating appraises cities and counties on their fire protection services (ISO rating is on a scale of one to 10, with one being best). The Department's ISO rating, according to Insurance Services Office Inc., is three (Kern County Fire Department, 2025).

##### **FACILITIES AND EQUIPMENT**

KCFD has two fire stations located in Delano. Station 34 is located at 1001 12th Avenue, Delano, CA 93215, covering 54 square miles. Station 37 is located at 132 West 11th Avenue, Delano, CA 93215, covering 71 square miles. The current facilities are owned and maintained

by the City of Delano and were identified in the last MSR cycle that reviewed the Fire Department's infrastructure.

The City's 2025 five-year impact fee report indicates the City is in the process of land acquisition for the construction of a third fire station. The funding source was from the Development Impact Fees – General Facilities.

***FIRE DEPARTMENT FUNDING***

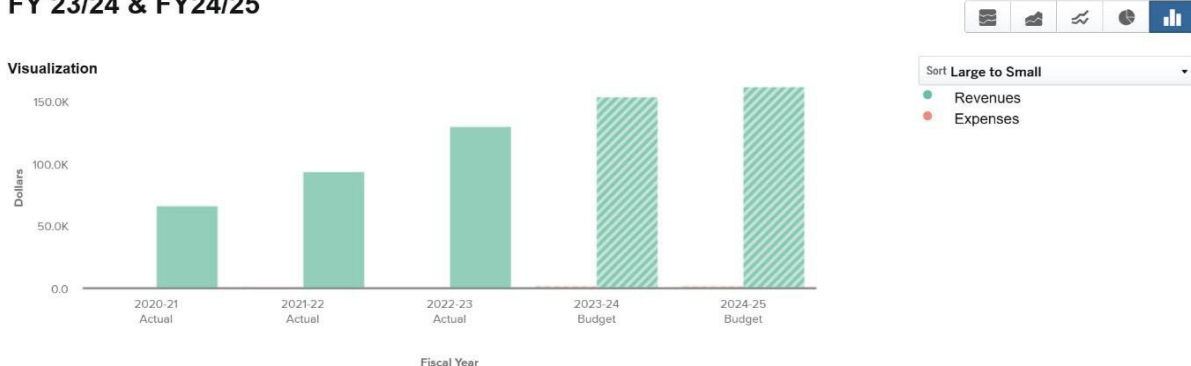
The Fire Department revenues are comprised under the General Fund and Development Impact Fees. The total expenditure for Fire Services in 2023 was \$2,598,345, and in FY 2024, it was \$2,750,261 per the California State Controller's Office. The actual revenue and expenditures were documented in the FY 2021/22 and FY 2022/23 Adopted Budget for the City of Delano. As shown in Chart 4-8, the Department is not a revenue-generating department and is largely dependent on the General Fund for general facilities and services. All expenditures and revenue for the Fire Department were derived from the City of Delano budget. The City charges a development impact fee to fund the capital expenses that are needed to support new private development projects.

***ABILITY TO SERVE ANNEXED POPULATION***

The City's ISO rating is three (ISO ratings are on a scale of one to 10, with one being best). In order to maintain an ISO rating of three or better, the City will need to provide expanded fire services. The population increase will exceed the existing capabilities for the projected population of 68,000 in 2045. The General Plan estimates that an additional fire station, equipment, and personnel will need to be added in order to maintain the current ISO rating and response times. It will be important for the City to consider projected growth and geographic distribution of population as presented in the General Plan when allocating resources for fire services and negotiating locations for new facilities.

**Chart 4-8**  
**Fire Impact Revenues and Expenditures**

**FY 23/24 & FY24/25**



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▶ Revenues	\$ 66,732	\$ 93,578	\$ 129,831	\$ 153,608	\$ 161,095
▼ Expenses	904	1,250	567	2,000	2,000
▶ M&O	904	1,250	567	2,000	2,000
<b>Revenues Less Expenses</b>	<b>\$ 65,828</b>	<b>\$ 92,329</b>	<b>\$ 129,264</b>	<b>\$ 151,608</b>	<b>\$ 159,095</b>

Data filtered by Types, FIRE IMPACT and exported on July 31, 2025. Created with OpenGov

Source City of Delano: [https://stories.opengov.com/delanoca/published/m8vT8\\_c1IQk](https://stories.opengov.com/delanoca/published/m8vT8_c1IQk)

### Determinations

**Determination 4.1.4-1**—The Kern County Fire Department provides emergency and fire protection services for community residents and businesses within the city limits. Emergency services provided by the Fire Department include technical rescue, hazardous materials response, emergency medical services, and emergency disaster management.

**Determination 4.1.4-2**—The City provides fire services through the use of General Fund and Development Impact Fees. The Department’s last documented ISO rating was three on a scale of one to 10, with one being the best.

**Determination 4.1.4-3**—The City should establish, maintain, and monitor a set of level-of-service criteria for fire protection services as a tool to assess the ability of the City to service growth.

#### **4.1.5 - LAW ENFORCEMENT**

##### **Current Conditions**

The City of Delano Police Department (DPD) is located at 2330 High Street, Delano, CA 93215. The Department's mission statement: "The men and women of the Delano Police Department are dedicated to providing the highest quality of police services to our community by promoting a safe environment through community policing, with emphasis on integrity, fairness, dignity, and respect."

In 2022, the DPD responded to 20,301 calls for service, investigated 4,308 cases, conducted 4,304 traffic enforcement stops, issued 2,344 citations, and made 1,204 arrests. The Department's average response time is eight minutes.

As of 2024, the DPD employed 74 personnel, including 49 sworn officers, resulting in a ratio of 0.93 officers per 1,000 residents (CA. Dept. of Finance population 52,966). This is below the Western U.S. average of 2.2 officers per 1,000 residents and the 2023 national average of 1.15 officers per 1,000 residents for cities with populations between 50,000 and 100,000.

##### **Facilities and Infrastructure**

The DPD operates from a 32,364-square-foot facility completed in 2013, housing all police records, evidence, and general support areas. There are no other City facilities associated with the Police Department. Dispatch services are primarily managed by the DPD.

The Department has agreements with the Kern County Sheriff's Department for interoperable radio communications, participates in the Kern County Street Intervention Team for mutual aid assistance in the suppression of criminal gangs, and collaborates with the California Highway Patrol to respond to calls for service at State buildings within Delano.

##### **CRIME STATISTICS**

Crime statistics for the City were obtained from the Federal Bureau of Investigation's Crime in the United States database and are shown in Table 4-3 below.

**Table 4-3  
Number of Crimes Known by the Delano Police Department**

Category	2022	2023	2024	2025 (July)
Violent Crime	248	238	205	185
Murder	3	5	1	0
Rape	9	15	23	8
Robbery	29	26	26	19
Aggravated Assault	100	85	98	58
Simple Assault	221	269	256	141
Burglary	122	104	45	30
Larceny Theft	538	499	344	168
Motor Vehicle Theft	425	238	181	64
Arson	31	50	17	19
<b>Total</b>	<b>1,518</b>	<b>1,324</b>	<b>1,016</b>	<b>523</b>

Source: Delano Police Department Annual Report

Despite the City's growing population, the total number of crimes has been going down since 2022. In comparison with California in 2024, violent crimes are nearly twice the State average, and property offenses in Delano are lower than the State average per 1,000 residents (Table 4-4).

**Table 4-4  
Comparison of Crimes per 1,000 Residents (2024)**

Category	Delano	California
Violent Offenses per 1,000 residents	8.06	4.80
Property Offenses per 1,000 residents	11.03	20.83

Source: Federal Bureau of Investigation, Crime in the United States

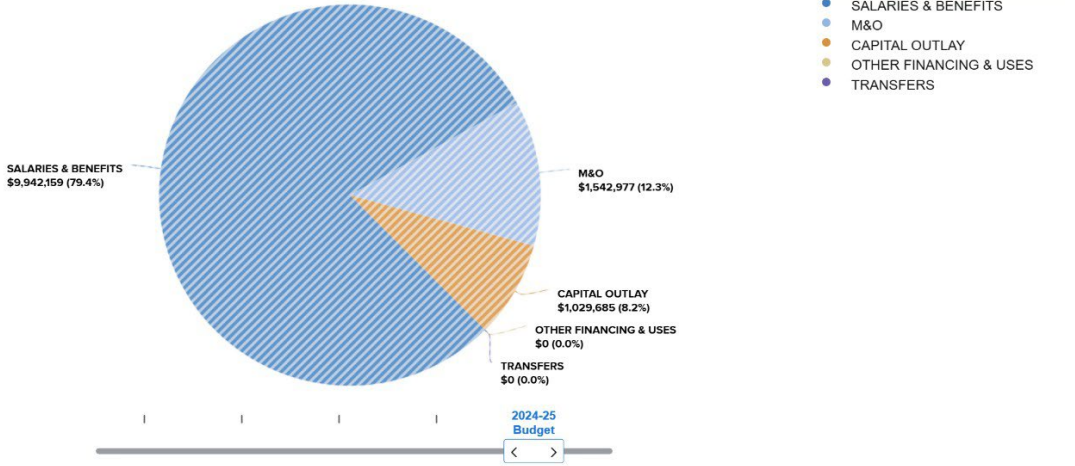
**POLICE DEPARTMENT FUNDING**

The Police Department revenues are comprised mostly of the General Fund. Other revenue sources are various grants, police impact fees, court fines, and “miscellaneous revenue,” as defined in the budget for the City of Delano. As shown in the City of Delano’s FY 2021/22 and FY 2022/23 budgets, the Department is not a revenue-generating department and is largely dependent on the General Fund. The recorded expenditures from the City’s budget stated police expenditures for FY 2024 were \$14,182,576, for FY 2023 were \$12,337,434, and for FY 2022 were \$10,574,014 (Chart 4-9).

**Chart 4-9  
Police Department Expenditures**

FY 23/24 & FY24/25

Visualization



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▶ SALARIES & BENEFITS	\$ 8,751,068	\$ 8,845,874	\$ 10,571,576	\$ 9,681,415	\$ 9,942,159
▶ M&O	1,244,703	1,392,111	1,539,626	1,326,173	1,542,977
▶ CAPITAL OUTLAY	204,258	50,283	187,265	1,593,710	1,029,685
▶ OTHER FINANCING & USES	235,746	235,746	0	0	0
▶ TRANSFERS	0	50,000	38,967	0	0
<b>Total</b>	<b>\$ 10,435,775</b>	<b>\$ 10,574,014</b>	<b>\$ 12,337,434</b>	<b>\$ 12,601,298</b>	<b>\$ 12,514,821</b>

Data filtered by Expenses, GENERAL FUND, POLICE and exported on July 31, 2025. Created with OpenGov

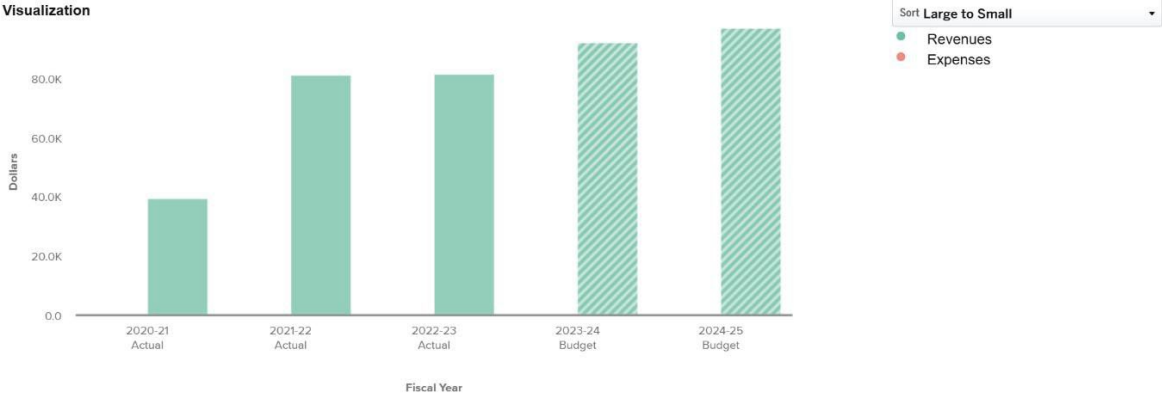
Source City of Delano: <https://stories.opengov.com/delanoca/published/-iK bCAGWT6>

**ABILITY TO SERVE ANNEXED POPULATION**

The Department’s current staffing ratio is below what is stated in the General Plan. The current ratio is .93 officers per 1,000 residents, while the General Plan Background Report suggests a ratio of 1.4. Annexation of the County parcels will result in an increase in population that will need to be served by the City’s Police Department. The 2045 population is projected to increase to 68,000 residents, and the Police Department would need to increase their police officers to match the nation's average. The Police Department would need to increase its total number of officers to 95 (hire 50 new officers) to have a ratio of 1.4 officers per 1,000 residents for 2045. Delano charges a development impact fee to fund capital expenses that are needed to support new private development projects, as shown in Chart 4-10.

**Chart 4-10  
Police Department Revenue and Expenditures**

FY 23/24 & FY24/25



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
► Revenues	\$ 39,538	\$ 81,027	\$ 81,438	\$ 92,041	\$ 96,638
▼ Expenses	121	210	113	150	150
► M&O	121	210	113	150	150
Revenues Less Expenses	\$ 39,417	\$ 80,818	\$ 81,325	\$ 91,891	\$ 96,488

Data filtered by Types, POLICE IMPACT and exported on July 31, 2025. Created with OpenGov

Source City of Delano: [https://stories.opengov.com/delanoca/published/m8vT8\\_c1IQk](https://stories.opengov.com/delanoca/published/m8vT8_c1IQk)

**Determinations**

**Determination 4.1.5-1**—The City utilizes a variety of financing sources in order to offset the expenditures utilized by law enforcement.

**Determination 4.1.5-2**—The City should monitor crime statistics in the years immediately following 2023 to determine if there is a need for additional patrol personnel to curtail the number of high-violent crimes.

**Determination 4.1.5-3**—The City’s current ratio of sworn officers to residents is .93 officers per 1,000 population, and would be further below this ratio with the increase of population for 2045 and annexed areas.

#### **4.1.6 - PARKS AND COMMUNITY SERVICES**

##### **Summary of Prior MSR Findings**

According to the previous MSR, in 2006, the City of Delano owned and operated nine City parks comprising an itemized list of identified parks of 82.5 acres. Of the nine parks identified in a table within the MSR, all are considered neighborhood parks except Heritage Park and the City's golf course. Cesar Chavez Park contains a fitness center and pool. All maintenance of these recreational facilities is provided by the City. The City also provides many recreational activities, including baseball, softball, basketball, volleyball, wrestling, soccer, tennis, football, swimming lessons, karate, aerobics, racquetball, and cheerleading.

The previous MSR also indicated that the City had received grant funds to build a soccer field and softball complex on City-owned land located next to the airport, had recently opened a 23,300-square-foot skate park, and had applied for \$2.5 million grant to build a gymnasium to accommodate recreational programs.

Two additional County parks were identified. One is 32 acres, Delano Memorial Park, located within the city and offering barbecues, tables, restrooms, ball diamonds, a children's playground, and a group picnic site. Lake Woollomes Regional Park is 445 acres and has numerous facilities. The County owns both parks and provides maintenance to the park facilities.

Based on the Department of Finance's 2004 population for the City of Delano (not including prison population), the City had 2.19 acres of parkland per 1,000 population, which was lower than the City's adopted standard.

##### **Current Conditions**

The City of Delano currently maintains and operates just over 105 acres of developed and undeveloped municipal park spaces. The City's General Plan Update identifies just over 37 acres dedicated to eight neighborhood parks, 6.4 acres to a community park, and 1.15 acres to a community skate park. The remaining 61-plus acres are allocated to a variety of developed sports fields, unprogrammed parcels, and specialty facilities (Table 4-5). No existing school facilities are included in the municipal parkland totals. The City's Recreation Department and Parks Division is responsible for the City-owned parks' operations and maintenance.

The Delano Recreation Department was comprised of three full-time staff, multiple part-time employees, and volunteers for the year 2023. The Recreation Department staff responsibilities include program development and oversight, staff supervision and training, budget and policy support, community liaison, program and events coordination, staff and volunteer support, monitoring and evaluation, activity supervision, facilities maintenance and custodial duties, support for special events and sports, and safety and administrative support. Volunteers engage in coaching, refereeing, and instructional roles.

The Parks Department’s responsibilities include maintaining the aesthetic, facilities, and infrastructure, and assisting with events and public area support.

**Table 4-5  
Existing Parks and Recreation Facilities per General Plan**

Category	Acres
Community Park	6.4
Neighborhood Parks	37.31
Indoor Recreation Facilities	0
Special Use Park	61.49
<b>Total</b>	<b>105.2</b>

The City’s Parks and Recreation analysis is based on the previous 2006 MSR, 2013 Recreation, Parks, and Rental Facilities Master Plan, and the 2045 General Plan Background Report. The City does not have a Parks and Recreation Master Plan.

The National Recreation and Park Association (NRPA) provide a template of typical park classifications, a system's number of acres, and recommended service levels based on population. The NRPA website suggests that in 2025, “The typical park and recreation agency has 9.2 acres of parkland for every 1,000 residents in the jurisdiction.” However, this is considered relatively high for most San Joaquin Valley communities because of nearby access to national parks and the Pacific Ocean. Delano’s population in 2024 was 52,966 residents with 105.2 acres of parkland, resulting in a ratio of 1.96 acres per 1,000 residents. This does not take into consideration church properties, private schools, other independent recreation providers, or those outside the boundaries of the City. California Parks Division provides Statewide Recreation Policies and Guidance, which utilizes three acres per 1,000 population as a standard for identifying community needs for parks. The City’s General Plan Update proposes the development of a Parks Master Plan, striving for three acres of parkland per 1,000 population, including mini, neighborhood, community, and regional parks, which matches that recommended by the State. The General Plan Update identifies mini-parks ranging in size from .25 acres to 1.0 acres to be built at locations that are easily accessed by the residents of the neighborhood and established community parks ranging between 10 and 20 acres in size. The City’s General Plan update proposal for the development of a Parks Master Plan will strive for three acres of parkland per 1,000 population. The Parks Master Plan will outline how the City will fill the current 34 percent gap, utilizing existing capital investment funds as needed for parkland, and identify shared use agreements to ensure the overall park acreage.

According to the American Planning Association, a half-mile walking radius is considered the maximum distance for viable walkable access to facilities. Additionally, the California State Parks Department indicates that 60 percent of city residents live in areas with less than three acres of parks or open space per 1,000 residents. The State’s metric standard is currently three acres per 1,000 residents. The General Plan policy is applied citywide and is found to

be in noncompliance with the State’s metric and does not seem to comply with the NRPA either.

**FACILITIES AND INFRASTRUCTURE**

The City operates and maintains the following park facilities

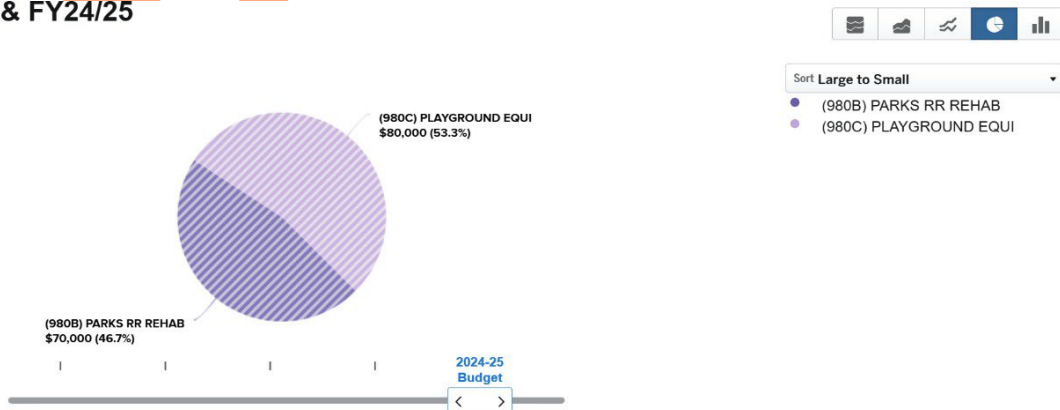
- **Community Parks**
  - Cecil Park (north and south)
  - Larry Itliong Unity Park
- **Neighborhood Parks**
  - Albany Park
  - Cesar Chavez Park
  - Jefferson Park
  - Kalibo Park
  - Martin Luther King Jr. Park
- Morningside Park
- Veneto Park
- Larry Morris Park
- **Special Recreation Areas** (seasonal use)
  - Delano Soccer Park
  - Delano Skate Park
  - Delano Golf Course
  - Heritage Park

Between 2020 and 2024, the City of Delano invested approximately \$16.4 million in park improvements, including a new flagship park and aquatic center, major remodels at multiple neighborhood parks, ADA upgrades, play areas, sport fields, recreational facilities, and landscaping. These efforts reflect a sizeable investment in public recreation infrastructure and community health. Capital improvement investments for parks and recreation are outlined in Charts 4-11 and 4-12.

**Chart 4-11  
Parks Infrastructure Diagram of Capital Projects**

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(980B) PARKS RR REHAB	\$ 82,494	\$ 56,284	\$ 16,612	\$ 70,000	\$ 70,000
(980C) PLAYGROUND EQUI	0	0	0	80,000	80,000
<b>Total</b>	<b>\$ 82,494</b>	<b>\$ 56,284</b>	<b>\$ 16,612</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>

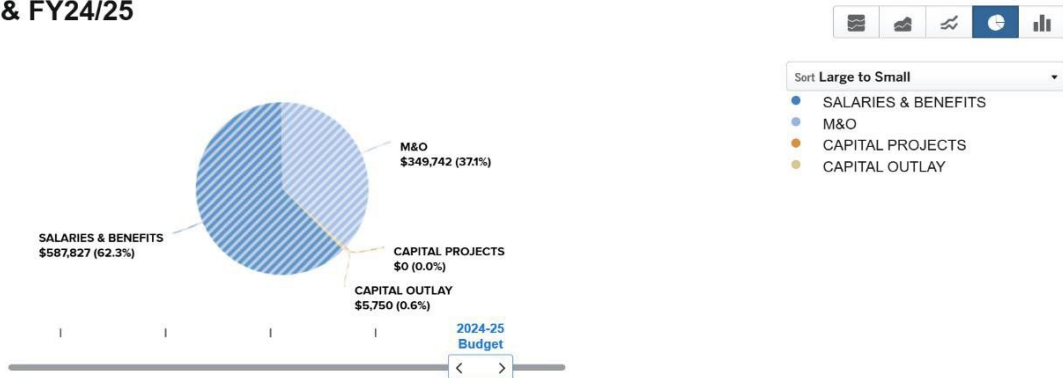
Data filtered by CAPITAL PROJECTS, GENERAL FUND, PARKS MAINT. and exported on July 31, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/d5fAdZA5ui>

**Chart 4-12**  
**Recreation Infrastructure Diagram of Capital Projects**

FY 23/24 & FY24/25

Visualization



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▶ SALARIES & BENEFITS	\$ 558,250	\$ 585,353	\$ 650,192	\$ 576,929	\$ 587,827
▶ M&O	112,812	120,195	160,542	252,051	349,742
▶ CAPITAL PROJECTS	0	30,552	0	0	0
▶ CAPITAL OUTLAY	526	620	375	5,000	5,750
<b>Total</b>	<b>\$ 671,588</b>	<b>\$ 736,719</b>	<b>\$ 811,109</b>	<b>\$ 833,980</b>	<b>\$ 943,319</b>

Data filtered by Expenses, RECREATION and exported on July 31, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/HK-ebPlhE>

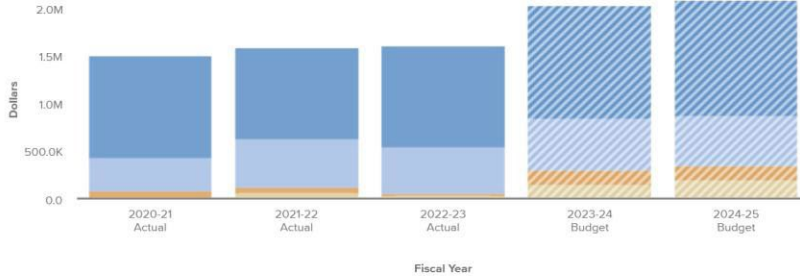
The City’s budget separates park maintenance and improvements from recreation; however, the numbers have been combined here for ease of reference. For FY 2020–2021, the report declared a budget of \$2,751,803 for 2021–2022, \$2,328,577 for 2022–2023, \$2,682,131 for 2023-2024, and \$2,866,687 for 2024–2025.

Chart 4-13 shows the Department’s revenues and expenses. The Parks and Recreation Department revenues are comprised of the General Fund, various grants, and donations. Total expenditures for each year are based on park maintenance, facilities management, youth and adult services, and the construction of new parks.

**Chart 4-13  
Parks and Recreation Budgets**

**FY 23/24 & FY24/25**

Visualization



Sort **Large to Small**

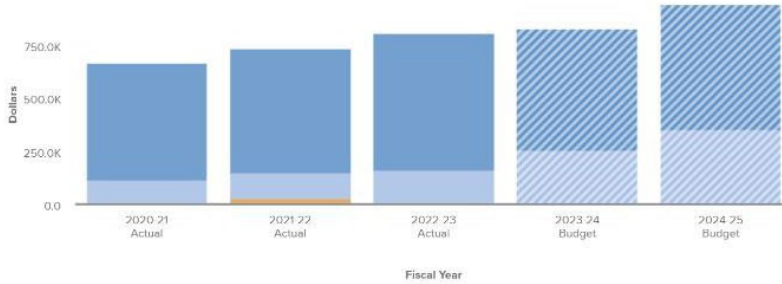
- SALARIES & BENEFITS
- M&O
- CAPITAL PROJECTS
- CAPITAL OUTLAY

Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▶ SALARIES & BENEFITS	\$ 1,070,015	\$ 959,842	\$ 1,061,500	\$ 1,186,251	\$ 1,210,560
▶ M&O	355,351	513,983	492,085	546,456	526,456
▶ CAPITAL PROJECTS	82,494	56,284	16,612	150,000	150,000
▶ CAPITAL OUTLAY	0	61,749	39,085	150,000	195,000
<b>Total</b>	<b>\$ 1,507,861</b>	<b>\$ 1,591,858</b>	<b>\$ 1,609,283</b>	<b>\$ 2,032,707</b>	<b>\$ 2,082,016</b>

Data filtered by Expenses, GENERAL FUND, PARKS MAINT. and exported on August 6, 2025. Created with OpenGov

**FY 23/24 & FY24/25**

Visualization



Sort **Large to Small**

- SALARIES & BENEFITS
- M&O
- CAPITAL PROJECTS
- CAPITAL OUTLAY

Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▶ SALARIES & BENEFITS	\$ 558,250	\$ 585,353	\$ 650,192	\$ 576,929	\$ 587,827
▶ M&O	112,812	120,195	160,542	252,051	349,742
▶ CAPITAL PROJECTS	0	30,552	0	0	0
▶ CAPITAL OUTLAY	526	620	375	5,000	5,750
<b>Total</b>	<b>\$ 671,588</b>	<b>\$ 736,719</b>	<b>\$ 811,109</b>	<b>\$ 833,980</b>	<b>\$ 943,319</b>

Data filtered by Expenses, RECREATION and exported on August 6, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqruf>

**Determinations**

**Determination 4.1.6-1**—The City actively maintains parks and provides recreational services to the residents of Delano.

**Determination 4.1.6-2**—The proposed General Plan Update identifies 14 policies specific to parks, including the development of a Parks Master Plan, identification of park acres to residence goal, aquation and develop of new parks, defines park types by number of acres, encourages shared use agreements, and established design requirements for new neighborhoods, while identifying revenue sources that will support development and maintenance and promote an active lifestyle to its residents.

Determination 4.1.6-3—The City’s current parkland ratio is 1.96 acres per 1,000 residents (approximately 34 percent below the State’s 3.0 acres per 1,000 standard).  
is 34 percent.

**Determination 4.1.6-4**—The City may need to employ strategies such as identifying new parks in the Community Investment Plan or obtaining grant funds for additional facilities to achieve adopted levels of service in order to reach the goals of the General Plan.

DRAFT

#### **4.1.7 - STREET DIVISION**

##### **Summary of Prior MSR Findings**

The Streets Division is a branch of the Public Works Department. The Division seeks to abide by all federal, State, and local regulations regarding street activities. SR-99 is a major freeway that connects Northern California and Southern California. This freeway provides for regional and inter-regional access through the Central Valley. SR-155 runs east-west through the City of Delano, east of SR-99. The portion of SR-155 is identified as Garces Highway and classified as a major arterial road. The other roads adjacent to the highways are considered collector and local roads.

##### **Current Conditions**

Delano is responsible for maintaining the City's roads through its Street Maintenance Division. The Division provides maintenance for roads, curbs, gutters, and sidewalks within the City's jurisdiction. The Street Maintenance Division oversees and repairs 145 miles of center lane roads. Street Maintenance Division projects are largely funded by the Streets and Roads Capital Projects and through the Traffic Circulation Impact Fees (Fund 54) for mitigation due to growth. There are six arterials designated in the Delano Urban Area. Generally, arterial streets are developed with right-of-way widths of 90 to 110 feet, depending on medians and turn lane requirements. Delano does not have an arterial developed to full arterial standards, which is four lanes with a center median. Most of the existing arterials in the community are two lanes in each direction with some left-turn lanes and signalized intersections. Portions of existing collector streets are currently constructed on 60- to 80-foot rights-of-way with one lane in each direction and parking on both sides. The remainder of the streets in the community are classified as local. Local streets are typically 50 to 60-foot rights-of-way with two lanes and parking on each side. There are no designated scenic corridors identified in Delano. Gateway streets have been designated as Fremont Street, High Street, Cecil Avenue, Glenwood, Ellington Street, Garces Highway, County Line Road, Browning Road, Albany Street, and Woollomes Avenue.

The City shares Browning Road with Kern County along the east side of the City. The area of interest specifically is located from the south corner of Bassett Avenue along Browning Road, connecting south onto 9th Avenue. Community members have communicated complaints regarding commercial truck vehicles utilizing this area as a staging/parking zone on the right side of the road within Kern County jurisdiction. The utilization of heavy truck vehicles along this road has caused concerns for maintenance requirements between the usage of pedestrian vehicles and overloaded commercial trucks.

On County Line Road and north of Ellington Street, the City is in an agreement entitled Operations and Maintenance Agreement, Tulare County and the City of Delano County Line Road (Avenue 0) No. 2022-58, recorded on October 18, 2022. The City has agreed to maintain the entire road right-of-way; however, a current occupant along County Line Road (Avenue 0) has refused an irrevocable offer of road dedication, enabling the City to make road right-of-way improvements. Tulare County staff is also not supporting the irrevocable offer requirement.

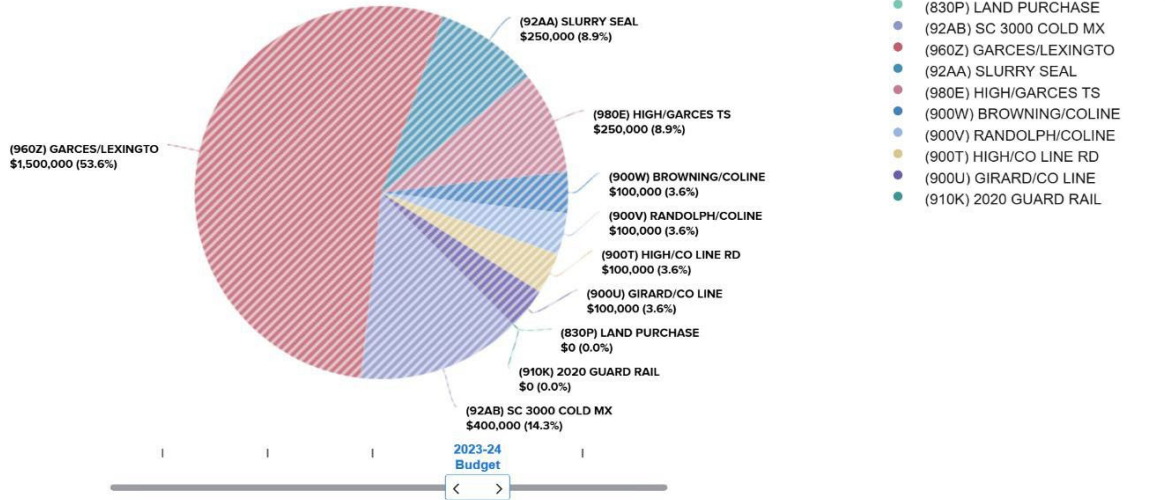
The City's staff report dated January 21, 2025, indicates street projects related to the Traffic Circulation Impact Fee (Fund 54) (AB 1600 Requirements):

- The City of Delano constructs and maintains a system of roadways to provide for efficient transportation throughout the City. New local streets are constructed by the developer as a condition of approval for new developments. Once completed at their expense, the City takes over the responsibility for maintenance from the developer. The City's General Plan identifies certain roadways as arterials and collectors. These roads are planned to carry more traffic than the directly adjacent development project generates. Instead of requiring the adjacent developer to pay for the additional cost of the wider roadways, the City takes responsibility for the cost of a portion of the collectors and arterials and collects a circulation impact fee to fund that cost.
- The City of Delano also has seven interchanges with SR-99 that provide access to the State Highway system. As new growth occurs, these interchanges will need upgrades to increase their capacity. A portion of the cost of those upgrades is the responsibility of the City of Delano. Therefore, the circulation impact fee is meant to cover a portion of the future interchange expansion costs.
- The available funding sources for circulation facilities include State Gas Tax, Transportation Development Act funds, Federal Aid, such as STIP funds, and special bond funds sold by the City of Delano.
- As of June 30, 2025, the Traffic Impact Fee Fund balance is expected to be \$12,394,674.00. This will be used to fund the design and construction for several projects serving new developments: traffic signals at Woollomes and Lexington, County Line and Browning, County Line and Randolph, County Line and Girard, County Line and High, Browning and Cecil, Cecil and Vassar, Garces and High, Garces and Lexington, 11th and Ellington, and 11th and Fremont (Chart 4-14).

**Chart 4-14**  
**Streets and Road Infrastructure Diagram of Capital Projects**

FY 23/24 & FY24/25

Visualization



	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(830P) LAND PURCHASE	\$ 0	\$ 0	\$ 2,511,716	\$ 0	\$ 0
(92AB) SC 3000 COLD MX	319,967	282,336	346,724	400,000	400,000
(960Z) GARCES/LEXINGTO	0	129,966	0	1,500,000	0
(92AA) SLURRY SEAL	400,494	0	377,150	250,000	250,000
(980E) HIGH/GARCES TS	0	0	0	250,000	100,000
(900W) BROWNING/COLINE	62,410	0	15,610	100,000	100,000
(900V) RANDOLPH/COLINE	22,783	7,213	24,230	100,000	100,000
(900T) HIGH/CO LINE RD	18,020	0	0	100,000	100,000
(900U) GIRARD/CO LINE	15,980	0	0	100,000	100,000
(910K) 2020 GUARD RAIL	68,063	0	0	0	0
<b>Total</b>	<b>\$ 907,717</b>	<b>\$ 419,515</b>	<b>\$ 3,275,430</b>	<b>\$ 2,800,000</b>	<b>\$ 1,150,000</b>

Data filtered by CAPITAL PROJECTS, Funds and exported on July 30, 2025. Created with OpenGov

### STREETS DIVISION FUNDING

The City's streets and roads are budgeted (Chart 4-16) through the Special Revenue Funds and later organized through the Streets and Roads Capital Projects (Chart 4-15). They are then broken down into a sub-category, Traffic Circulation Impact Fees (Fund 54).

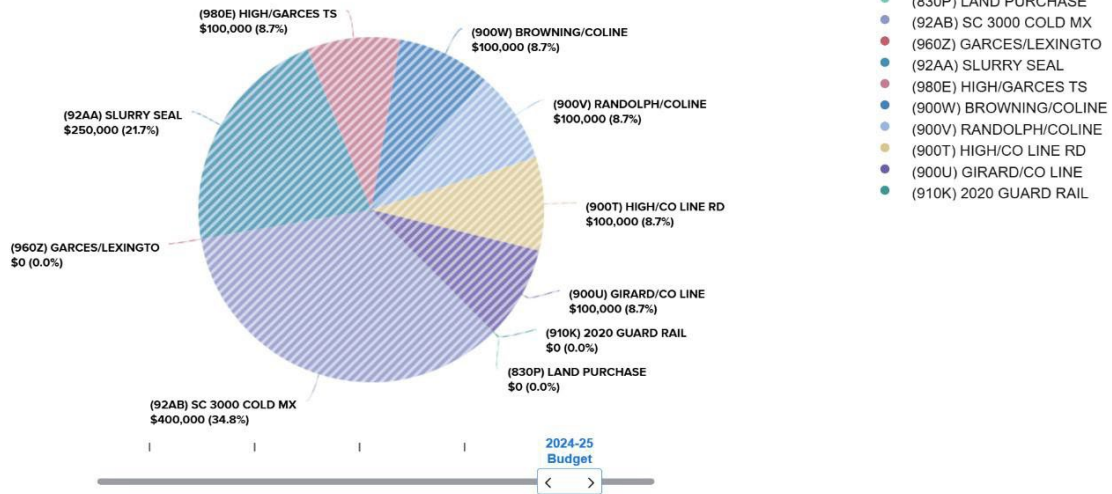
### ABILITY TO SERVE ANNEXED POPULATION

The City's Street Division under the Public Works Department has been adequate for many years, with a balanced budget and adequate funding for the Capital Improvement Program.

**Chart 4-15**  
Streets and Road Infrastructure Diagram of Capital Projects

FY 23/24 & FY24/25

Visualization

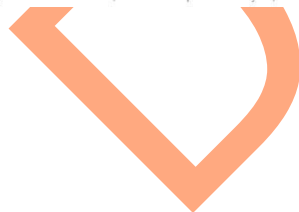


Sort **Large to Small**

- (830P) LAND PURCHASE
- (92AB) SC 3000 COLD MX
- (960Z) GARCES/LEXINGTO
- (92AA) SLURRY SEAL
- (980E) HIGH/GARCES TS
- (900W) BROWNING/COLINE
- (900V) RANDOLPH/COLINE
- (900T) HIGH/CO LINE RD
- (900U) GIRARD/CO LINE
- (910K) 2020 GUARD RAIL

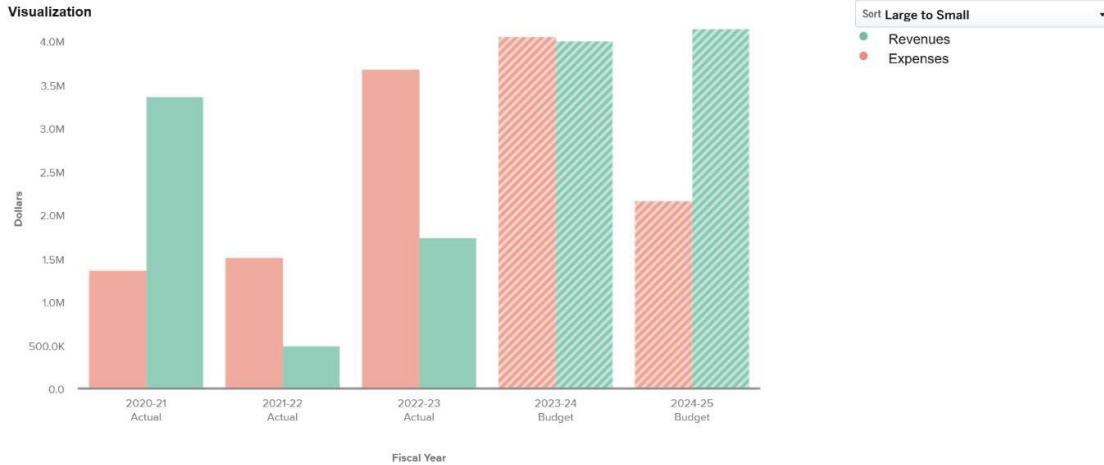
	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(830P) LAND PURCHASE	\$ 0	\$ 0	\$ 2,511,716	\$ 0	\$ 0
(92AB) SC 3000 COLD MX	319,967	282,336	346,724	400,000	400,000
(960Z) GARCES/LEXINGTO	0	129,966	0	1,500,000	0
(92AA) SLURRY SEAL	400,494	0	377,150	250,000	250,000
(980E) HIGH/GARCES TS	0	0	0	250,000	100,000
(900W) BROWNING/COLINE	62,410	0	15,610	100,000	100,000
(900V) RANDOLPH/COLINE	22,783	7,213	24,230	100,000	100,000
(900T) HIGH/CO LINE RD	18,020	0	0	100,000	100,000
(900U) GIRARD/CO LINE	15,980	0	0	100,000	100,000
(910K) 2020 GUARD RAIL	68,063	0	0	0	0
<b>Total</b>	<b>\$ 907,717</b>	<b>\$ 419,515</b>	<b>\$ 3,275,430</b>	<b>\$ 2,800,000</b>	<b>\$ 1,150,000</b>

Data filtered by CAPITAL PROJECTS, Funds and exported on July 30, 2025. Created with OpenGov



**Chart 4-16**  
Streets Division Revenue and Expenditures

FY 23/24 & FY24/25



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
▼ Revenues	\$ 3,365,513	\$ 492,686	\$ 1,744,383	\$ 4,012,031	\$ 4,143,330
▶ Impact Fees	577,906	746,115	965,709	2,581,069	2,710,123
▶ From Other Agencies	2,715,468	0	648,814	1,317,848	1,317,848
▶ Fines & Forfeitures	39,146	42,376	43,102	74,828	77,073
▶ Other Revenues	3,045	0	286	0	0
▶ Investment Earnings	29,949	-295,805	86,473	38,286	38,286
▶ Expenses	1,365,859	1,520,367	3,685,613	4,063,622	2,165,879
<b>Revenues Less Expenses</b>	<b>\$ 1,999,654</b>	<b>\$ -1,027,681</b>	<b>\$ -1,941,230</b>	<b>\$ -51,591</b>	<b>\$ 1,977,451</b>

Data filtered by Types, Funds and exported on July 30, 2025. Created with OpenGov

**Determinations**

**Determination 4.1.7-1**—The City actively maintains the existing road systems and provides street sweeping within the city limits.

**Determination 4.1.7-2**—The City utilizes a Community Investment Program, Special Revenue Fund, and reimbursements from the Gas Tax to aid in the repair and maintenance of existing roadways within the city limits.

**Determination 4.1.7-3**—The City would be able to adequately serve the projected increased population.

**Determination 4.1.7-4**—The City and Kern County should develop a shared road maintenance agreement specifically for Browning Road and for future roadways located on city limits lines.

**Determination 4.1.7-5**—The City and Tulare County should address policies for road dedication for parcels along County Line Road and County right-of-way. An Operations and Maintenance Agreement has been recorded through Tulare County and City of Delano County Line Road and Avenue 0 Agreement No. 30910.

#### **4.1.8 - STORMWATER DRAINAGE**

##### **Summary of Prior MSR Findings**

The previous 2006 MSR identified the following information: the City contains five local stormwater drainage basins, with a few of the basins reaching their capacity early, requiring water to be pumped to avoid overflow. Per previous engineering reports, the City's drainage system was barely adequate to manage current drainage flows generated by development. Indicating that additional development would require on-site capture and retention of its drainage to avoid substantial impacts on the existing infrastructure. Therefore, additional storm drainage will be necessary as urban development occurs. The 2006 MSR indicated that the current practice was to allow water to surface drain for up to approximately 160 acres of residential land before the flow needed to be picked up by storm drainpipes. To meet future demand, one acre-foot of retention will be needed for every 20 acres of developed residential land. Storm basins will be constructed to accept up to 640 acres of drainage through a combination of surface flow and storm drains. This enables the basins to be of sufficient size to be effective for recreation areas during the non-rainy seasons. The needs and associated costs for drainage improvements were identified in the City's Development Cost and Fee Study Report prior to its last General Plan update in 2005. Pursuant to this report, the City adopted development impact fees to assist in funding storm water drainage improvements and mapped out expansions to the storm drain system, which included additional storm drains and basins.

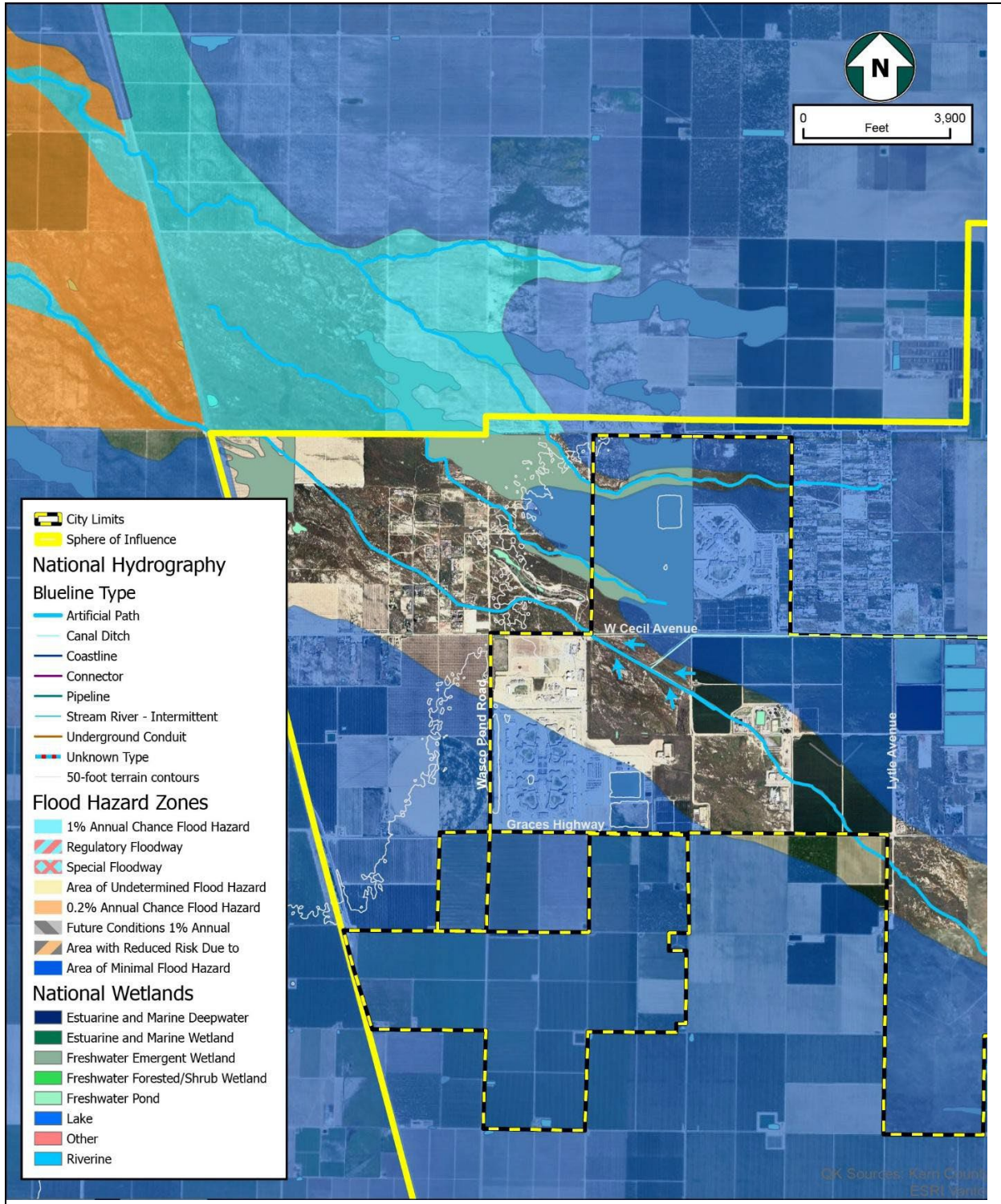
As shown in Figure 4-2, the City's natural and artificial storm drain systems ultimately convey between Cecil, Wasco Pond Road, and Graces, transporting the runoff directly west away from the City. Once the City has reached their intake for stormwater runoff, the pressure is eventually released into canals, which then has been associated with nuisance flooding in downstream receiving areas during high-intensity events (per public input) within Kern County jurisdiction.

##### **Current Conditions**

The City's stormwater drainage infrastructure includes retention basins, detention basins, piping, drainage inlets, street gutters, and pump stations. Stormwater is collected in a holding/detention basin for recharge purposes, which allows the water to percolate into the ground. When the basins exceed their holding capacity, excess stormwater is drained to private lands west of the city limits, as shown in Figure 4-2.

The City's staff report dated January 21, 2025, indicates stormwater drainage projects are related to the Storm Drainage Facilities Impact Fees (Fund 43) (AB 1600 Requirements):

- Currently, storm drainage basins are created by excavating basins to hold the rainfall runoff, which eventually percolates into the ground, evaporates, or is conveyed to nearby ditches. The City's existing storm basins are connected to the Cecil and Garces Ditches, which transport runoff west and away from the City. Some basins serve multiple developments; drainage fees fund the development and maintenance of the subject facilities.



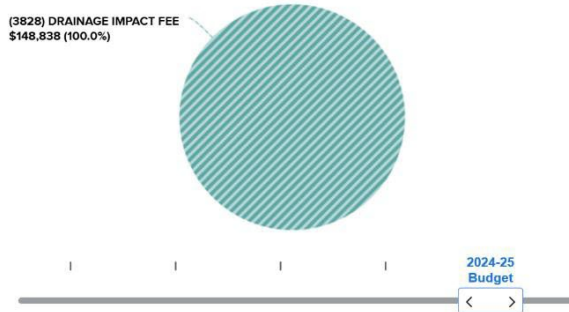
**Figure 4-2**  
**Kern County Topographic and Watershed Map**

- Developers within the City have an interest in building temporary basins prior to the completion of the regional basins for their project sites. These sites can be developed if the temporary basin use is vacated. If a developer builds a permanent system of lines and allows basins to serve their development, the City will allow a credit of the drainage impact fee.
- The only funds available for new storm drainage basins are derived from the Drainage Impact Fees reflected in Chart 4-17, direct developer contributions, the City's General Fund, and Grants. By June 30, 2025, the Drainage Facilities Impact Fee (Fund 43) balance is expected to be \$681,858.00. These funds are planned to help finance the regional basins that are proposed as the Garces/Timmons Basin and the Browning/Cecil Basin. The approximate time for these improvements is 2025–2030, which will allow funds to accumulate to finance the future storm drainage projects.
- Further analysis of known flood-prone areas, downstream impacts on County lands and stronger linkage between stormwater capacity and annexation timing would benefit the overall community.

**Chart 4-17**  
**Stormwater Drainage Infrastructure Diagram of Impact Fee**

FY 23/24 & FY24/25

Visualization

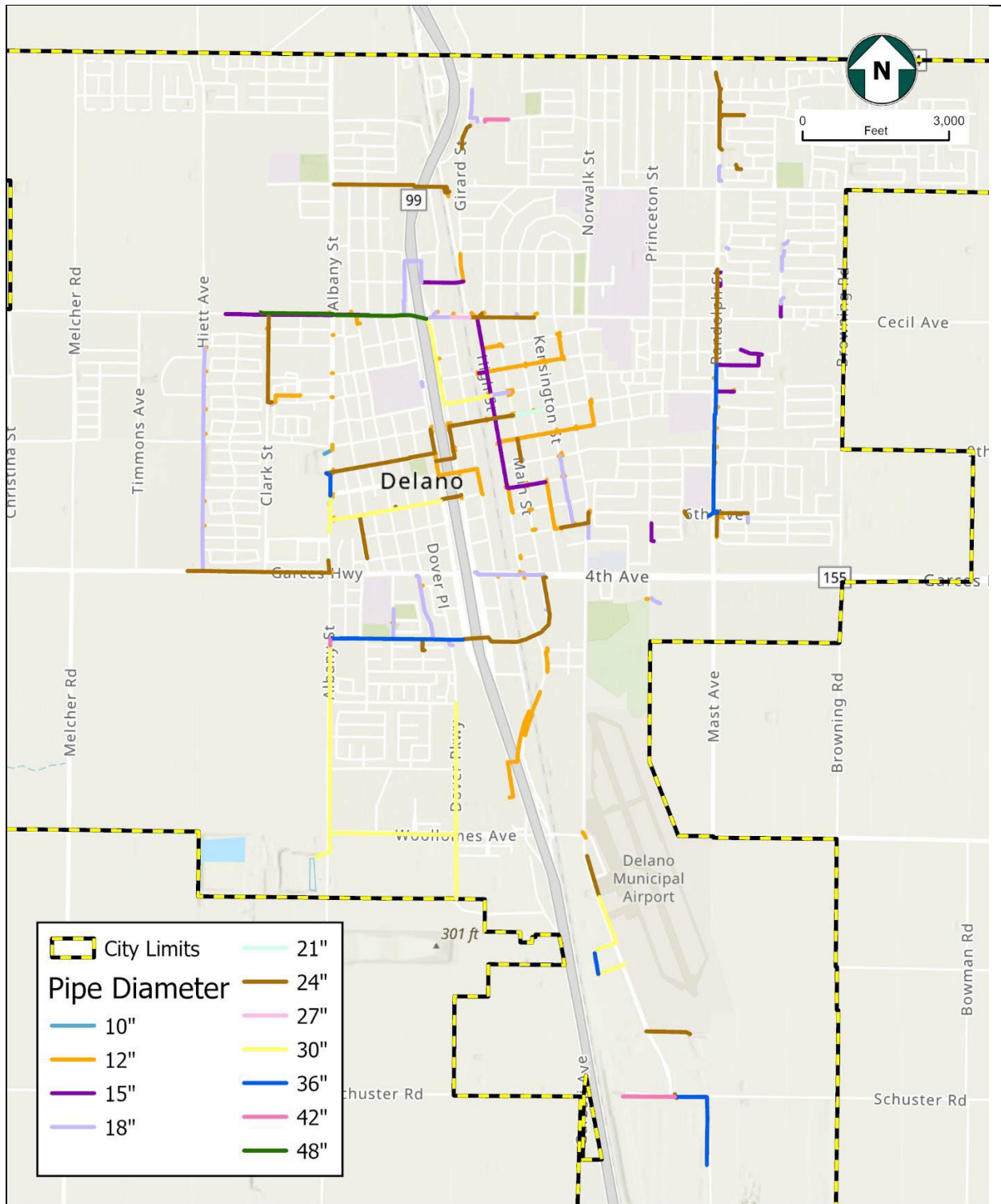



Sort Large to Small  
 ● (3828) DRAINAGE IMPACT FEE

	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(3828) DRAINAGE IMPACT FEE	\$ 111,310	\$ 109,132	\$ 76,936	\$ 141,750	\$ 148,838
<b>Total</b>	\$ 111,310	\$ 109,132	\$ 76,936	\$ 141,750	\$ 148,838

Data filtered by Impact Fees, DRAINAGE IMPACT and exported on July 30, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/PJ0g4pP4WzT>



 **Figure 4-3**  
**Delano Existing Storm Drainage System**

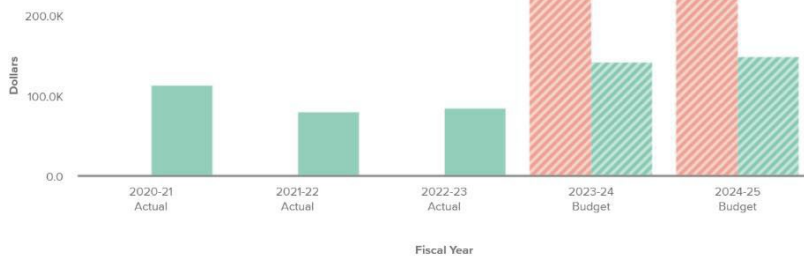
**STORMWATER DRAINAGE FUNDING**

The City’s stormwater drainage is budgeted (Chart 4-18) through the General and Capital Improvement Funds, which include Stormwater Drainage Facilities Impact Fees (Fund 43). Storm drainage projects are also funded by developer contributions for private development projects and grants.

**Chart 4-18  
Storm Drainage Operations Revenues and Expenditures**

**FY 23/24 & FY24/25**

Visualization



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
► Revenues	\$ 114,039	\$ 80,383	\$ 85,017	\$ 142,878	\$ 149,966
▼ Expenses	507	751	341	250,800	250,800
► CAPITAL PROJECTS	0	0	0	250,000	250,000
► M&O	507	751	341	800	800
<b>Revenues Less Expenses</b>	<b>\$ 113,532</b>	<b>\$ 79,632</b>	<b>\$ 84,676</b>	<b>\$ -107,922</b>	<b>\$ -100,834</b>

Data filtered by Types, DRAINAGE IMPACT and exported on July 30, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/PJ0g4pP4WzT>

**ABILITY TO SERVE ANNEXED POPULATION**

The City anticipates building new stormwater basins in growth areas. This would include developing a prevention plan to prevent stormwater from becoming polluted, identifying areas for multi-use stormwater drainage basins, adopting new development standards to reduce peak hours of stormwater flow, and creating an area-wide stormwater drainage improvement plan to maintain current levels of service and support development in new areas within the City.

**Determinations**

**Determination 4.1.8-1**—The City provides municipal storm drainage services for its residents.

**Determination 4.1.8-2**—The City is allowing new development to occur by maintaining new stormwater runoff volumes in temporary basins to recharge groundwater. This approach allows new runoffs to not inundate existing infrastructure or impact existing stormwater basins.

**Determination 4.1.8-3**—The City would serve the increased population adequately and annex County parcels with plans to construct new stormwater basins when needed.

**Determination 4.1.8-4**—Consider recommendation for the City and Kern County to jointly fund a flood analysis study. This recommended study would provide current data to further understand the limits of stormwater runoff conditions between the City and County.

**Determination 4.1.8-5**—The City should identify acreage for dedicated recharge basins and seek funding to aid this future development per flood study analysis results.

DRAFT

#### **4.1.9 - PUBLIC TRANSPORTATION**

##### **Summary of Prior MSR Findings**

LAFCo reviewed transit services in 2006 as part of the Roads and Circulation section of the comprehensive MSR. According to the previous MSR, the City provided several public transit programs. These programs include a demand-response, a fixed route, County of Kern Service, a medical van shuttle, and a social service transportation transit program. The demand-response or Dial-A-Ride service has been operated since 1998. The fixed route system was established by the City in 1995. All routes began at one central point located at Delano Ranch Market located at 8th Avenue and Main Street in downtown Delano. The Delano Area Rapid Transit operates on 30-minute headways, starting and ending at the Delano Ranch Market.

##### **Current Conditions**

The City provides three types of public transportation: Delano Area Rapid Transit (DART), Delano Area Dial-A-Ride, and Dart-n-Go Micro-transit. DART provides four fixed routes for the citizens of Delano and citizens residing within the immediate County area surrounding the City, within the boundaries of SR-43 to the west, County Line Road to the north, Pond Road to the south, and Kyte Avenue to the east. DART also provides services to Kern Regional Transit and Tulare County Area Transit (TCaT). All DART bus routes begin and end at the DART Station located at 1120 Glenwood Street between 11th and 12th Avenues. The service operates Monday through Friday from 7:00 a.m. to 5:00 p.m.

Dial-A-Ride (DAR) service is available to seniors and people with disabilities within the city limits of Delano and the surrounding unincorporated areas of Kern County. DAR is also available to general public residents who live more than three-quarters of a mile from a DART fixed-route alignment. DAR operates during the same hours as the fixed-route service. The service operates Monday through Friday from 7:00 a.m. to 5:00 p.m. ADA Note: DAR service area and hours are designed to meet ADA complementary paratransit requirements relative to DART fixed-route coverage.

Dart-n-Go, a curb-to-curb micro-transit service, serves locations within a predetermined zone. The service operates Monday through Saturday from 8:30 a.m. to 4:30 p.m. Riders can call DART's customer service to make a reservation or book a ride through the Rides On Demand app, which can be downloaded for Apple iOS or Android.

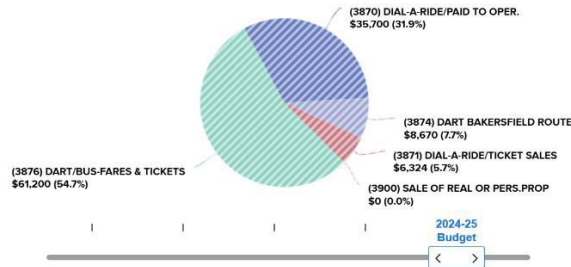
##### **TRANSIT FUNDING**

The Transit Fund operates under the Enterprise Fund and through the Transportation Development Act (TDA) Streets Fund, which accounts for revenues derived from two major sources, the Local Transportation Fund (LTF) and the State Transit Assistance (STA) Fund. Revenues for the LTF are derived from  $\frac{1}{4}$  cent of the 7.25-cent retail sales tax collected statewide. The  $\frac{1}{4}$  cent is returned by the State Board of Equalization to each county based on the amount of tax collected in that county. Revenues for the STA Fund are derived from statewide sales tax on gasoline and diesel fuel. Transit Capital Outlay revenues and projects are reflected in Charts 4-19 and 4-20, while the Transit Services Budget from 2020 to 2025 is outlined in Chart 4-21.

### Chart 4-19 Transit Diagram of Revenue

FY 23/24 & FY24/25

Visualization



Sort **Large to Small**

- (3876) DART/BUS-FARES & TICKETS
- (3870) DIAL-A-RIDE/PAID TO OPER.
- (3874) DART BAKERSFIELD ROUTE
- (3871) DIAL-A-RIDE/TICKET SALES
- (3900) SALE OF REAL OR PERS.PROP

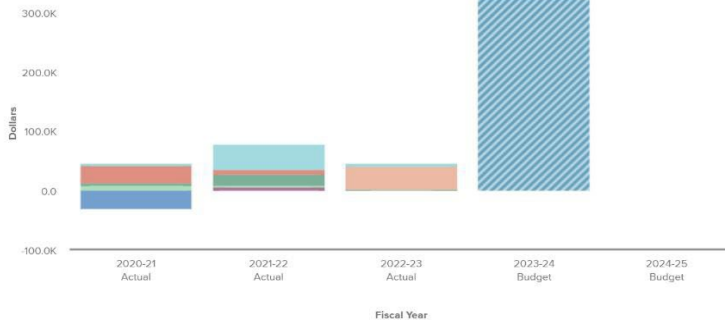
	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(3876) DART/BUS-FARES & TICKETS	\$ 3,836	\$ 0	\$ 0	\$ 61,200	\$ 61,200
(3870) DIAL-A-RIDE/PAID TO OPER.	4,523	0	0	35,700	35,700
(3874) DART BAKERSFIELD ROUTE	0	0	0	8,670	8,670
(3871) DIAL-A-RIDE/TICKET SALES	3,000	0	0	6,324	6,324
(3900) SALE OF REAL OR PERS.PROP	2,600	4,451	0	0	0
<b>Total</b>	<b>\$ 13,959</b>	<b>\$ 4,451</b>	<b>\$ 0</b>	<b>\$ 111,894</b>	<b>\$ 111,894</b>

Data filtered by Revenues, TRANSIT and exported on July 31, 2025. Created with OpenGov

### Chart 4-20 Transit Diagram of Capital Outlay Projects

FY 23/24 & FY24/25

Visualization



Sort **Large to Small**

- (8409) HEAVY DUTY TR
- (80AA) LCTOP 18-19
- (800X) ROUTE MATCH IMP
- (820P) PHONE UPGRADE
- (810F) PPE COUGH GUARD
- (810G) LCTOP 19-20
- (810A) 3 MINIVANS
- (8000) CNG BUS
- (810E) TRANSIT-CAMERAS

	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
(8409) HEAVY DUTY TR	\$ 0	\$ 0	\$ 0	\$ 325,000	\$ 0
(80AA) LCTOP 18-19	3,816	41,845	4,800	0	0
(800X) ROUTE MATCH IMP	30,177	8,880	0	0	0
(820P) PHONE UPGRADE	0	0	38,383	0	0
(810F) PPE COUGH GUARD	3,165	19,096	2,178	0	0
(810G) LCTOP 19-20	8,617	1,438	0	0	0
(810A) 3 MINIVANS	0	5,993	0	0	0
(8000) CNG BUS	0	231	0	0	0
(810E) TRANSIT-CAMERAS	-30,013	0	0	0	0
<b>Total</b>	<b>\$ 15,762</b>	<b>\$ 77,482</b>	<b>\$ 45,381</b>	<b>\$ 325,000</b>	<b>\$ 0</b>

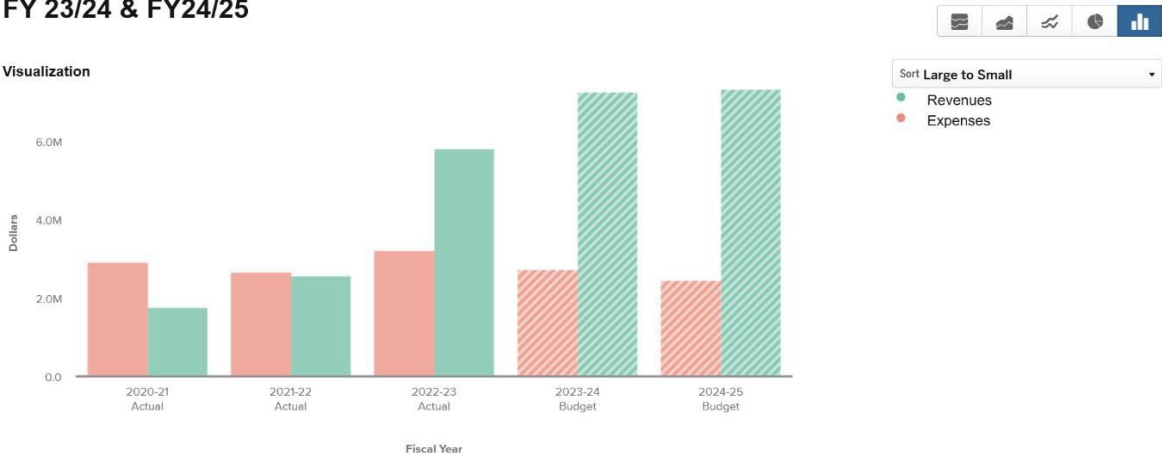
Data filtered by CAPITAL OUTLAY, TRANSIT and exported on July 31, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqrult>

**Chart 4-21  
Transit Services Department Revenue and Expenditures**

FY 23/24 & FY24/25

Visualization



Expand All	2020-21 Actual	2021-22 Actual	2022-23 Actual	2023-24 Budget	2024-25 Budget
► Revenues	\$ 1,781,207	\$ 2,575,986	\$ 5,817,101	\$ 7,274,111	\$ 7,313,509
▼ Expenses	2,919,024	2,675,490	3,220,948	2,746,026	2,453,209
► SALARIES & BENEFITS	1,213,677	1,330,778	1,665,476	1,661,984	1,693,292
► M&O	1,689,586	1,267,146	1,510,111	759,042	759,917
► CAPITAL OUTLAY	15,762	77,482	45,361	325,000	0
► CAPITAL PROJECTS	0	83	0	0	0
Revenues Less Expenses	\$ -1,137,817	\$ -99,503	\$ 2,596,153	\$ 4,528,085	\$ 4,860,300

Data filtered by Types, TRANSIT and exported on July 31, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/LHeA-cqrult>

**Determinations**

**Determination 4.1.9-1**—The City provides fixed route transportation services with three major programs to its residents within the city limits: DART, DAR, and Dial-n-Go.

**Determination 4.1.9-2**—The City will continue to utilize the public transportation systems provided by DART, DAR, and Dial-n-Go.

#### 4.1.10 - SOLID WASTE & REFUSE

##### Summary of Prior MSR Findings

LAFCo reviewed solid waste services in 2006 as part of the comprehensive MSR. At the time of the previous MSR, the City of Delano based its refuse rates on either the type of residence or by size and number of refuse cans, and the number of pick-ups per week for commercial and industrial customers. Delano's solid waste rates and those of nearby jurisdictions within Kern County are reviewed in Table 4-6.

**Table 4-6**  
**2006 MSR Monthly Solid Waste Rates**

City	Taft	Shafter	Bakersfield	Delano
Residential	\$11.83-13.20	\$8.90-16.75	\$10.86-12.00	\$9.05
Commercial and Industrial	\$34.65 x number of gallon can x number of weekly pickups	\$8.00-191.60	\$66.76-448.54	\$9.05- 162.90

##### Current Conditions

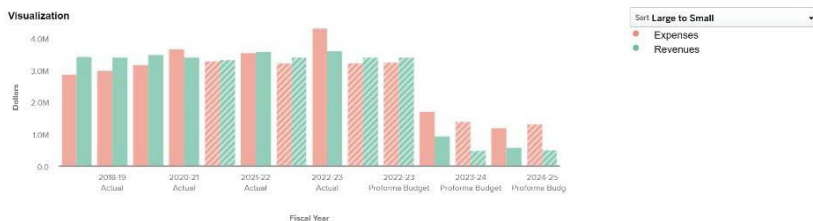
The Refuse Department and Street Sweeping ensure the safe, effective, and environmentally sound collection and management of Delano's Solid Waste Program. The Department abides by AB 939 and SB 1383 requirements and promotes waste reduction and recycling. Refuse collection services are provided by South Tulare Richgrove Refuse, Inc. (STRR) with a franchise agreement with the City of Delano. STRR provides once-a-week pickup of solid waste within the city limits. The McFarland/Delano Transfer Station at Stradley and Woollomes Avenues is currently operating five days a week and offers a program to accept household hazardous waste roughly twice a year. The Kern County Public Works Department operates seven recycling and sanitary landfills, nine transfer stations, and one bin site. Residents are not charged a waste disposal fee for ordinary household trash.

**SOLID WASTE DISPOSAL FUNDING**

The Solid Waste/Refuse Fund accounts for the collection of residential, commercial, prison waste, green waste, and recycling in the City. The Refuse Fund operating revenue decreased from the previous year by \$3 million, and operating expenses decreased by \$2.8 million in the current year, as compared to the previous years, as reflected in Chart 4-22. Reductions are a result of significant mandates required under the passage of SB 1383, resulting in the City outsourcing the refuse collection and disposal services on July 1, 2023. SB 1383 mandates significant reductions in organic waste disposal and implementation of an organics recycling program. The decision to outsource was a result of the City’s desire to leverage the expertise and resources of specialized providers and ensure adherence to State regulations while maintaining efficient waste management operations.

**Chart 4-22**  
**Solid Waste, Refuse, and Street Sweeping Revenue and Expenditures**

**Budget v Actual**



Expand All	2017-18 Actual	2018-19 Actual	2019-20 Actual	2020-21 Actual	2020-21 Budget	2021-22 Actual	2021-22 Budget	2022-23 Actual	2022-23 Budget	2022-23 Proforma Budget	2023-24 Actual	2023-24 Proforma Budget	2024-25 Actual	2024-25 Proforma Budget
Revenues	\$ 3,427,047	\$ 3,453,689	\$ 3,478,949	\$ 3,402,270	\$ 3,338,000	\$ 3,588,910	\$ 3,404,893	\$ 3,606,284	\$ 3,404,893	\$ 3,404,893	\$ 953,271	\$ 488,250	\$ 600,102	\$ 502,598
Charges for Current Services	3,319,700	3,272,707	3,335,191	3,327,017	3,328,000	3,463,116	3,394,893	3,528,969	3,394,893	3,394,893	516,299	478,250	328,777	492,598
Revenues	33,221	38,976	39,961	43,932	0	54,162	0	3,780	0	0	276,554	0	169,812	0
Investment Earnings	11,473	78,510	90,125	11,656	10,000	-77,480	10,000	16,393	10,000	10,000	130,464	10,000	81,512	10,000
Grants	55,804	13,496	13,446	13,405	0	73,002	0	0	0	0	26,828	0	0	0
Other Revenues	6,849	0	226	6,260	0	76,110	0	57,142	0	0	3,126	0	0	0
Expenses	2,878,848	2,999,074	3,163,232	3,655,683	3,290,857	3,541,367	3,228,727	4,294,888	3,239,245	3,259,244	1,721,758	1,395,822	1,192,171	1,317,899
Revenues Less Expenses	\$ 548,199	\$ 454,615	\$ 315,718	\$ -253,412	\$ 47,143	\$ 47,543	\$ 176,166	\$ -688,602	\$ 165,648	\$ 145,649	\$ -768,486	\$ -907,572	\$ -592,069	\$ -815,101

Data filtered by Types: SOLID WASTE and exported on August 1, 2025. Created with OpenGov

Source City of Delano: <https://stories.opengov.com/delanoca/published/BjxqMvMwh8W>

**Determinations**

**Determination 4.1.10-1**—The City provides residents, commercial, and industrial properties with solid waste collection and disposal through a STRR per an agreement with the City.

**Determination 4.1.10-2**—The City’s refuse operations revenues and expenditures have been balanced.

**Determination 4.1.10-3**—The City should continue to contract refuse and street sweeping with STRR, and review the rates established to ensure equal service levels throughout the service area.

#### **4.1.11 - PLANS FOR FUTURE SERVICES**

The City's documented reports, such as the Project Development Impact Fee, Capital Improvement Program, Urban Water Management Plan, Sanitary Sewer Master Plan, City's Adopted Budget Summary, and General Plans, provided the current condition of utility infrastructure. The implementation of Capital Improvement projects will properly provide adequate extension of services to the City's growth areas, including additional population from County parcels and areas in the proposed SOI.

In all, the City has done ample infrastructure planning to accommodate growth projections. The infrastructure documents mentioned above also include improvements and recommendations needed to improve any possible deficits in water, sewer, wastewater, and storm drainage capacity within the existing systems.

Public safety services, such as police officers and firefighters, will need to increase capacity to ensure continued delivery of a safe environment within the community, and refuse operations will need to increase with the increase in the future population.

#### **Determinations**

**Determination 4.1.11-1**—The City's General Plan and Capital Improvement Program have calculated appropriate allocations for services in order to accommodate the City's future population.

**Determination 4.1.11-2**—Present needs for public facilities and services are currently being met. Population increases are not currently anticipated to outpace the City's ability to provide services.

**Determination 4.1.11-3**—Implementation of Water and Storm Drainage Master Plans would properly provide adequate extension of services to the County parcels if they are to be annexed.

## **4.2 - Financial Ability to Provide Services**

The City prepares a biennial budget that is adopted on a basis consistent with generally accepted accounting principles for all governmental funds. All annual appropriations lapse at the fiscal year-end.

The City Manager submits to the City Council an annual budget for the ensuing fiscal year on or before June 1st of each year. The Council holds a public hearing, and the final budget is adopted as originally proposed or as amended prior to July 1st.

The appropriate budget is prepared by fund, function, department, division, program, and account. The City Manager may make transfers of appropriations between departments, divisions, programs, and accounts within funds and departments, but with limits set by the City Council annually. Likewise, the City Council must approve any new appropriations from the fund balance. The legal level of budgetary control is by fund (that is, the level at which expenditures may not legally exceed appropriations).

An examination of financing includes an evaluation of the fiscal impacts of potential development and probable mechanisms to finance needed improvements and services. Evaluating these issues is important to ensure new development does not excessively burden existing infrastructure and the ability of the City to fund existing improvements and services.

An examination of rate restructuring should identify impacts on rates and fees for services and facilities and recognize opportunities to positively impact rates without decreasing service levels. The focus of this required element of the MSR is whether there are viable options to increase the City's efficiency through rate restructuring prior to any city limit or SOI adjustment.

### **4.2.1 - CITY BUDGET**

The FY 2024 and 2025 budget reflects the City Council's priorities for a balanced budget while fulfilling the service requirements of the people who live, work, and play in Delano. The objectives used in developing the budget were to submit a balanced budget to the City Council without the use of General Fund reserves, while maintaining levels of service to the community; implement the City Council's priorities; be prudent in revenue estimates, and cautiously optimistic overall.

Revenues are based on the most current economic indicators available, while expenditure reflects ongoing efforts to achieve efficiencies. Contingencies traditionally built into budgets as a means of accounting for unexpected needs have been reduced to the most basic level. The budget is built upon guiding policies, and each department's budget is carefully evaluated. The City's management team and staff put together an operating budget and capital expenditure plan that seeks to address the City Council priorities while fulfilling service requirements. The City's projected revenue for all funds in 2024 was \$118.9 million with projected expenditures of \$117.5 million. The actual revenue reported for 2024 was

\$146.8 million, and actual expenditures in 2024 totaled \$139.3 million (City of Delano, 2023).

The City submitted an updated Budget for FY 2025/26 and FY 2026/27 that was adopted on June 9, 2025, with projected revenue of \$118.5 million and projected expenditures of \$117.2 million. The City did not identify any major factors or obstacles affecting the FY 2025–2026 budget. However, the City did list a series of budget strategies and fiscal policies, including flexible and cost-effective responses, contingency reserves, appropriation control, debt management, and fees.

The City's two primary revenue sources are sales tax and property tax. Other revenue sources include licenses, permits, impact fees, and fines. The City also pursues additional funding from outside agencies through grants.

The primary sources of expenses for the City are the public safety services of the Police and Fire Departments combined. Other expenses include the Public Works Department (Admin/Engineering & Street Maintenance) and Parks and Recreation. The salaries and benefits of all employees are included in these expenses.

Overall, the City has adopted policies and strategies that drive the development of a sound budgetary structure. The City maintains goals and performance measures to gauge its effectiveness yearly.

#### **4.2.2 - RATES AND FEES**

The City periodically sets rates and fees for various services it provides per department via Resolution adoption. The City conducted a Public Hearing on August 5, 2024, to propose a rate fee increase followed by Proposition 218 process for solid waste, green waste, recyclables, and organics collection services. The rate increase Resolution was approved and adopted. The listed fees include:

- Refuse and Street Sweeping Fees
- Sewer Fees
- Water Fees
- Police Department Schedule of Fees
- Building Permit Fees
- Planning and Development Fees
- Pet Licensing Fees
- Park Shelter Use Fees
- Recreational Facility Rental Fees
- Public Building Rental Fee
- Public Utility Deposit Fee for Renters
- Development Impact Fees
- Business Licensing Fees

**4.2.3 - PROPOSITION 218**

Proposition 218 (Prop 218) restricts the local government’s ability to impose assessments and property-related fees and requires elections to approve many local government revenue-raising methods. This initiative, approved in 1996, applies to nearly 7,000 cities, counties, special districts, schools, community college districts, redevelopment agencies, and regional organizations. It ensures that all new taxes and most charges on property owners are subject to voter approval, and especially to the use of property-related fees to fund governmental services instead of property-related services. Potential concerns for the long-term effects of the proposition have been raised about a local government’s ability to fill the growing divide between infrastructure needs and the provision of governmental services for the new infrastructure. Proposition 218 processes and periodic updates are planned based on calendarized public hearing notices to notify City residents of rate adjustments.

**4.2.4 - OPPORTUNITIES FOR RATE/FEE RESTRUCTURING**

The City of Delano does not have a Master Fee Schedule; however, all fees are reviewed periodically.

The City Fee Schedules are subject to periodic comprehensive revisions and updates. Fee Schedules were last updated as listed in the table below. The Planning and Development Fee Schedule indicates that fees shall be adjusted annually in accordance with increases and decreases in the consumer price index for all urban consumers of the West and promulgated by the Department of Labor for the month of September for the previous year, and subject to review of City costs for providing said planning fees. There is no anticipated timeline for any fee adjustments.

The City will consolidate fees into a Master Fee Schedule and calendarize Proposition 218/user-fee updates (beginning FY 2026) for water, sewer, refuse, and applicable impact fees.

**Table 4-7  
Fee Types and Adoption Dates**

<b>Fees</b>	<b>Adopted Fee Structure</b>
Refuse Fees	August 5, 2024
Street Sweeping Fees	Reso # 2013-16 April 29, 2013
Sewer Rate Fees	Reso # 2013-16 April 29, 2013
Water Rate Fees	Reso # 2013-16 April 29, 2013
Police Department Schedule of Fees	Reso #2007-18 March 19, 2007
Pet Licensing Fees	Reso #2007-18
Park Shelter Use Fees	
Recreational Facility Rental	
Public Building Rental	
Building Permit Fees	
Planning & Development Fees	January 1, 2010-December 31, 2010
Development Impact Fees	Reso # 2013-60 December 20, 2013
Public Utility Deposit Fee for Renters	July 2013

The City's Financial Budget Policies include the following revenue policy to ensure that rates and fees are adequate to cover the costs associated with the operations and infrastructure needs of City services:

- The City aims to maintain equitable cost recovery through periodic user-fee studies (approximately every five years), ensuring that fees reflect true costs where appropriate. Social benefits may justify some subsidy where fee recovery is lower.

There is no evidence to suggest that the City would not be able to provide services for County parcels to be included in the updated SOI and annexed in the City and charge fees consistent with the citywide fees for such services. Further, since the City's common practice is to review these fees periodically, it can be assumed that future years will follow the same review and update procedure to ensure that full-cost recovery is obtained for services rendered.

**Determination 4.2-1**—The City annually conducts an open, transparent budgeting process aimed at balancing their needs with its financial resources.

**Determination 4.2-2**—The City attempts to utilize other forms of revenue available besides sales/property taxes and fees, such as grants, to supplement its revenue stream.

**Determination 4.2-3**—The City levies a series of fees and rates to offset the operations, maintenance, and infrastructure costs of the services it provides.

**Determination 4.2-4**—The services provided by the City are subject to Proposition 218.

**Determination 4.2-5**—There is no evidence suggesting that the City would be unable to provide services to the County parcels should they be annexed to the City and charge fees consistent with citywide fees for services. Since the City's common practice is to review these fees and adopt revised fees on a periodic basis, it can be assumed that future years will follow the same review and update procedure to ensure that full cost recovery is obtained for services rendered.

### **4.3 - Status of and Opportunities for Cost Avoidance and Shared Facilities**

This section examines practices and opportunities that may help reduce or eliminate unnecessary costs, along with cost avoidance measures already being utilized. Facilities sharing occurrences are listed and assessed for efficiency. Potential sharing opportunities that could result in better service delivery are also discussed.

Maximizing opportunities to share facilities allows for a level of service that may not otherwise be possible under normal funding constraints; however, facilities-sharing opportunities are not without challenges. When a municipality enters into a shared agreement, it generally relinquishes a portion of its control of the facility. Additionally, the facility may not be entirely suited to accommodate the municipality's needs.

Much of the agricultural land that surrounds Delano is subject to the 1965 California Land Conservation Act, also known as the Williamson Act. Under the provisions of the Williamson Act, the property owner and the County enter into a 10-year agreement that renews itself every year for another 10 years to keep the property in agricultural use. In exchange for this guarantee, the property owner receives a property tax reduction.

The City of Delano created a policy based on a Shared Use Agreement under the parks section in the 2024 General Plan Policy Document Volume 2: Pursue a shared use agreement with school districts for the use of their recreation facilities and open space, so long as it does not interfere with learning and school-related functions.

The City has demonstrated its desire to work with surrounding agencies to provide quality service to residents in a cost-effective manner. The Kern County Fire Department maintains a Rescue Emergency Mutual Aid System agreement with the City of Delano. The City also has a Franchise agreement with the STRR to provide refuse within city limits. The Kern County Public Works Department operates seven recycling and sanitary landfills, nine transfer stations, and one bin site. Residents are not charged a waste disposal fee for ordinary household trash. Therefore, although there is much collaboration already between the City and other agencies, the City should consider reviewing its agreements annually to determine if further cost savings could be realized beyond the current economies of scale.

#### **4.3.1 - DETERMINATIONS**

**Determination 4.3-1**—The City participates in a mutual aid agreement with the Kern County Fire Department for fire protection service.

**Determination 4.3-2**—The City contracts South Tulare Richgrove Refuse, Inc. to provide refuse disposal to its residents.

**Determination 4.3-3**—The City should annually review the agreements in which the City participates to establish if further cost savings could be realized beyond the current economies of scale.

#### **4.4 - Accountability for Community Service Needs, including Governmental Structure and Operation Efficiencies**

This section assesses the City's management structure and overall managerial practices and evaluates its ability to meet its service demands under its existing government structure. It also evaluates the City's compliance with public meetings and records laws.

An examination of government structure should consider the advantages and disadvantages of various government structures that could provide public services. In reviewing potential government structure options, consideration may be given to service delivery quality and cost, regulatory or government frameworks, financial feasibility, operational practicality, and public preference.

An examination of local accountability should evaluate the accessibility to and levels of public participation in the agency's management and decision-making processes. The MSR Guidelines note measures such as legislative and bureaucratic accountability, public participation, and easy accessibility to public documents and information as necessary in ensuring public participation in the decision-making process.

##### **4.4.1 - ORGANIZATIONAL STRUCTURE**

The City of Delano operates under the city manager/city council form of government. The City Council sets policy for the City and appoints a city manager to oversee day-to-day operations. Delano's City Manager is responsible for the overall administrative direction of the City. This includes a review of all management performance plans to ensure that major goals and objectives of the City are achieved. The City Manager is also responsible for developing and implementing the annual budget and developing positive relationships with community organizations, employee groups, and other governmental agencies. The current City Manager is Maribel Reyna.

Council Members are the leaders and policy makers elected to represent the community and to develop policies that meet the needs of the City's residents. Members of the Delano City Council are selected directly by the electorate to serve as the policy-making board of the City. The City Council comprises five members elected by districts and serves four-year staggered terms. Each year, the City Council Members select a Mayor and a Vice-Mayor from amongst themselves.

- Mayor Liz Morris
- Mayor Pro Tem Mario Nunez
- Council Member Salvador Solorio
- Council Member Brian Osorio
- Council Member Joe L. Alindajao

The city council members are elected officers identified in Government Code Section 87200 and file statements of economic interests with the city clerk's office. Copies of the statements

of economic interests filed by the above elected officers may be obtained by visiting the offices of the Fair Political Practices Commission (FPPC) or the city clerk.

### ***City Transparency***

Delano is one of the most recent cities in California to be deemed the most transparent city, posting a wide array of public information on its website. These efforts have earned the City the first Sunny Awards in 2013 from the nonprofit Sunshine Review, an honor given to only 3.5 percent of the 7,000 government websites analyzed. Several studies have shown that the more transparent local government is, the more citizens will participate and the better they will generally feel about their city. In 2012, the City of Delano launched a transparency initiative that sought to provide residents and others with as much easily accessible public information as possible.

### ***City Council***

The community elects five City Council Members to serve four-year, overlapping terms. Council meetings are held at City Hall - Council Chambers on the first and third Monday of each month at 5:15 p.m. Copies of Council meeting packets may be viewed by the public in the Office of the City Clerk. Agendas and meeting minutes are available on this website or from the Office of the City Clerk (Virtual Meeting Guide). The City Council establishes City policy through the enactment of laws (ordinances) and the adoption of resolutions. The Mayor and Council Members are elected by district. Members are elected for four-year terms at general municipal elections, which are held every two years, resulting in an overlap in the terms of office on the City Council. The City Council also acts as the Successor agency of the Redevelopment Agency of the City of Delano, pursuant to the California Health and Safety Code.

### ***City Manager***

The City Manager is selected and hired by the City Council. Maribel Reyna, the current City Manager, reports to the Council and is responsible for implementing policies and any ordinances adopted by the City Council. The City Manager provides leadership in the overall management of the City to ensure that staff are responsive to Council policy direction and the public needs. She is responsible for the management and administration of all departments.

### ***City Clerk***

The City Clerk is the local official who administers democratic processes such as elections, access to city records, and all legislative actions, ensuring transparency to the public. The City Clerk also acts as a compliance officer for federal, state, and local statutes, including the Political Reform Act, the Brown Act, and the Public Records Act. The City Clerk manages public inquiries and relationships.

### ***Finance Department***

The Finance Department provides the City's departments and residents with dependable and efficient quality services in billing and collection of City services, cash management, and other fiscal functions in accordance with legal and professional standards. The Department administers the financial affairs for the City's revenue, expenditures, investments, purchases, accounting, budgeting, and debt.

### ***Community Development Department***

The Community Development Department coordinates and collaborates with the Economic Development and Engineering Departments to meet the current and future needs of the community. There are two divisions of the Community Development Department: Planning and Building. The Planning Division is responsible for reviewing and approving new development within the City and maintaining the City's General Plan, which most fundamentally addresses Delano's growth and development issues. Often described as the "constitution," a General Plan guides the development of a city, typically for a 20-year horizon. The Community Development Department utilizes the General Plan document to lead the City in accomplishing its vision for the future, relying on the policies and implementation measures to help the community achieve that vision, through goals and policies for land use, housing, open space, circulation, economic development, public services, infrastructure, emergency preparedness, and community health, among other issues. As the foundation on which all land use and regulatory decisions are made, the General Plan was adopted in 2000 and was updated in 2005. It is currently undergoing an update for the future through 2045.

### ***Economic Development Department***

The Economic Development Department's mission is to administer activities and programs that will improve the economic viability of the community, stimulate job creation, and eliminate slums and blight.

### ***Engineering Department***

The Engineering Department is responsible for protecting public safety and convenience in the public right-of-way through the application of engineering principles and practical designs. The Department is also responsible for overseeing land divisions and their compliance with the City of Delano ordinances and the State of California Subdivision Map Act, including any needed improvements for public safety and convenience. As the City undertakes capital projects, the Department also assists with the administration of the design and construction of the projects.

### ***Public Works Department***

The City's Public Works Department is located at 725 South Lexington Street and is responsible for drinking water, maintaining streets, refuse and solid waste, sewer systems,

wastewater drainage, graffiti removal, airport division, animal control and water conservation.

### ***Police Department***

The Delano Police Department is located at 2330 High Street and is responsible for public safety in the City of Delano, CA. Delano remains a place of resilience and opportunity, with a strong sense of community and pride. The Police Department is steadfast in the idea that collaboration with residents, businesses, and other organizations helps address crime efficiently and increases public safety in Delano. The Police Department directs citizens to contact them at any time regarding matters of crime, crime prevention, or community partnerships.

### ***Fire Department***

The Kern County Fire Department (KCFD) is an organization comprised of over 621 permanent employees protecting an area that spans over 8,000 square miles. The KCFD provides fire protection services for over 500,000 citizens living in the unincorporated areas of Kern County and the cities of Arvin, Delano, Maricopa, McFarland, Ridgecrest, Shafter, Taft, Tehachapi, and Wasco. Over 521 uniformed firefighters are stationed in 47 stations throughout Kern County. Added to this, the Kern County Fire Department has 14 Mutual Aid Agreements with neighboring fire suppression organizations to further strengthen the emergency services available to our customers.

### ***Information Systems***

The City of Delano Division of Information Systems (The IS Division) is responsible for ensuring the integrity of all city computers, information, and communication systems. This is achieved by exploring, developing, implementing, and supporting effective and innovative use of technology. Through teamwork, collaboration, and accountability to all City departments, we will plan for the future of our technology needs.

### ***Human Resources Department***

The Human Resources Department is the source for all employment-related information for the City of Delano. This is where position flyers for available positions and employment applications may be obtained. The Human Resources Department is responsible for overseeing the recruitment of qualified applicants for all positions for the City of Delano. Other related services include verification of employment, benefits management, risk management, and workers' compensation administration.

### ***Transportation Department***

The Transit Services Division is responsible for the management and operations of the City's transit service, DART. The division administers and supervises the transit operations,

coordinates transit service with other agencies, files reports and claims for transit funding, plans existing and future services, and promotes and advertises transit services.

#### **4.4.2 - PRACTICES AND PERFORMANCE**

City Council meetings are held on the first and third Monday of each month at 5:15 p.m. in the Council Chambers within City Hall, which is located at 1015 11th Avenue. City Council regular agendas and special agendas are available prior to the regularly scheduled meetings. Special meetings are called by the Mayor or the Mayor Pro Tem in the absence of the Mayor. Agendas for both can be downloaded from the City's website or picked up in the City Clerk's office prior to the meeting. The meeting minutes from each City Council meeting are approved by the City Council at their next regularly scheduled meeting and are posted to the City's website once approved. Materials related to an item on the agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's office at City Hall during normal business hours.

The City provides opportunities for public involvement and input at regularly scheduled meetings. The agenda is posted at City Hall and on the City's website. Council agendas and packets are posted and available for review at least 72 hours before each regularly scheduled Council meeting. Public notices (pursuant to the Government Code) are published to advertise hearings, and press releases are issued to inform the public about significant citywide issues and projects. The City also communicates with the public through direct mail notices, contributed articles in the local newspaper, utility newsletters, and social media.

The City follows the open meeting law set forth in the Brown Act (California Government Code Section 54950 et seq.). This legislation aims to ensure that legislative deliberations and actions are conducted openly and that all people are permitted to attend any meeting except as otherwise provided in the law.

The City's departments follow various policies and procedures related to personnel, provision of services, customer relations, and relationships with other agencies. Through the annual budget process, the City employs various techniques aimed at improving operational efficiency, such as eliminating duplicate services, personnel, and equipment, reducing administrative costs when possible, and prioritizing service delivery needs to facilitate the use of limited resources to meet the highest priority need.

The City's management structure is relatively simple and is well suited to the type of operations undertaken by the City; the linear management structure ensures an appropriate reporting mechanism and accountability. It allows for a clear delineation of duties throughout the City for which the public can easily identify and bring forward their own issues, questions, or projects. The existing structure is considered appropriate for the City.

The City's budget process is a key mechanism used to review efficiencies in the management of City services and programs. The biennial annual budget includes a review of the previous 5-to-10-year accomplishments, upcoming year goals and programs, and specific funding to

conduct those programs. The budget is adopted through a public hearing process by the City Council.

As a municipality, the City is structured to meet the needs and expectations of urban/suburban levels of development. As a multiple service provider with established service systems, the City efficiently provides a comprehensive range of services. The extension of infrastructure and services into County areas within the SOI would be logical and generally more efficient than if provided by other entities. Provision of services and infrastructure by the City into the SOI should not overlap or conflict with other service providers. The inclusion of County parcels into the City is not anticipated to require changes to the governmental structure of the City.

#### **4.4.3 - DETERMINATIONS**

**Determination 4.4-1**—The City operates under the city manager/city council form of government. Each year, the Council Members select a Mayor and a Mayor Pro Tem from amongst themselves.

**Determination 4.4-2**—The City conducts open meetings in compliance with the Brown Act, which allows for complaints and comments regarding services and potential conflicts or inefficiencies to be identified to the City Council by residents.

**Determination 4.4-3**—The City utilizes an organizational structure that obtains efficiency through department heads who oversee multiple divisions.

**Determination 4.4-4**—The City makes Council agendas and other information that details operations and services provided by the City available to the public at City Hall and on its website.

**Determination 4.4-5**—The current City structure is efficient, transparent, and meets the expectations of its residents with the resources available.

## SECTION 5 - BIBLIOGRAPHY

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# MEMORANDUM



**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

DATE: April 15, 2026

TO: Kern Local Agency Formation Commission

FROM: Blair Knox, Executive Officer

RE: Restricted Public Member Seat – Nomination and Selection Process

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The term for the Restricted Public Member seat on the Kern Local Agency Formation Commission is scheduled to expire in April. In accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act and Commission policy, staff initiated a recruitment process to fill the upcoming term.

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## Application and Nomination Process

The following steps were completed to solicit and process applications for the Restricted Public Member position:

1. Notice of Vacancy Issued

A notice of vacancy for the Restricted Public Member seat was posted and distributed to local agencies within Kern County, consistent with statutory notification requirements. The notice invited qualified individuals to submit an application for consideration.

2. Application Period Opened

The application period remained open through April 1, 2026, which served as the deadline for submittal of completed application materials.

3. Applications Received

As of the close of the application period, one application was received, submitted by Virginia “Ginger” Mello.

4. Eligibility Review

Staff reviewed the application to confirm eligibility for the Restricted Public Member classification. Review confirmed that the applicant:

- Is a resident of Kern County; and
- Is not an officer or employee of the County, a city, or a special district within Kern County, as required for the Restricted Public Member seat.

5. Commission Nomination and Vote Procedure

The Restricted Public Member is appointed by the Commission; however, voting eligibility is limited. Pursuant to Government Code Section 56325(d), the appointment is subject to the affirmative vote of at least one County Commissioner and at least one Special District Commissioner.

City Commissioners do not participate in the nomination or vote for the Restricted Public Member seat, as the restricted public member classification expressly excludes city representation. The applicant does not participate in the nomination or vote. Because only one application was received, no comparative evaluation is required, and the application is before the Commission for nomination and action at a noticed public meeting.

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#### Appointment and Term

If appointed, Virginia “Ginger” Mello would serve a four-year term as Restricted Public Member, beginning with the May 20,2026 meeting through the April 2030 meeting. As no person is eligible to fill the alternate seat, it will remain without representation.

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**RECOMMENDATION:** Nominate and approve the appointment of Virginia “Ginger” Mello to the Restricted Public Member seat on the Kern Local Agency Formation Commission for a four-year term, subject to the required affirmative votes of eligible County and Special District Commissioners.

# CLERK OF THE BOARD OF SUPERVISORS

## Boards, Commissions, and Committees Application



<b>Name</b>	Virginia (Ginger) <i>(First)</i>	Ann <i>(Middle)</i>	Mello <i>(Last)</i>
<b>Address</b>	<b>Residence</b>		
	715 Baldwin Road	Bakersfield	93304
	<b>Business</b>		
<b>Telephone</b>	<b>Home</b>	<b>Work</b>	<b>Cell</b> 661-205-8336
<b>E-Mail</b>	gmello2019@gmail.com		
<b>Educational background</b>	AA Degree from Bakersfield Community College - 1966 Certificate in Accounting - 21 units in Accounting - completed in 1992		
<b>Employment background</b>	Clerk Typist Kern County 1966 - 1969 Noon Duty Supervisor - East Salinas 1978 - 1980 Bookkeeper/Financial Secretary - Napa-Solano Girl Scout Council - 1990 - 1992		
<b>Civic involvement</b>	Boy Scouts - many positions - 1978 - 1983 Girl Scouts - many positions - 1978 - until employed in 1990 PTA - several positions at numerous schools through my children's years in elementary school - Retired Employees of Kern County - Secretary - 2000 to 2023 Retired Public Employees Association - Treasurer - 2006 to present		
<b>Past experience beneficial in serving on a particular Board</b>	I have served on LAFCo as the alternate for a total of 13 years and as the Commissioner for 12 years. I would like to apply for the position and represent the public.		

<b>Board(s), Commission(s), or Committee(s) desired (in order of preference)</b>	1. Local Agency Formation Commission (LAFCo) 2. 3. 4.
<b>Why do you wish to serve?</b>	My purpose in applying is to make sure there is a Commissioner AND Alternate Commissioner for the Public. The Public is in need of help where the commission is concerned. I just want to make sure I am not voted in as Commissioner. Alternate only
<b>Have you attended any meetings of the Board(s) in which you are interested?</b>	Yes, 20 plus years worth. I have also attended several since I am no longer on the Commission - the last one being the March 2026 meeting.
<b>Do you presently hold a position that might conflict with your duties for a particular Board?</b>	NO I do not.
<b>Additional comments</b>	

Applications will be kept on file for one year.

**Certifications:**

- ✓ I hereby certify that I am a registered voter in the State of California, County of Kern who will be at least 18 years of age at the time of the next election, and that I am not imprisoned or on parole for the conviction of a felony.
- ✓ I hereby certify under penalty of perjury under the laws of the State of California that the information on this application is true and correct. I understand that this is a public document and by assuming this responsibility my background and/or qualifications, including financial interests, could become public knowledge.

SIGNATURE: 

DATE: 03/31/2026

**CLERK OF THE BOARD USE ONLY**

RESIDENCE S.D. # N/A

BUSINESS S.D. # N/A

DATE RECEIVED N/A

RECEIVED BY N/A

<p>In the Matter of:</p> <p><b>LOCAL AGENCY FORMATION COMMISSION: 9<sup>TH</sup> - RESTRICTED PUBLIC MEMBER SEAT &amp; ALTERNATE RESTRICTED PUBLIC MEMBER APPOINTMENT</b></p>	<p><b>Resolution No. 26-XX</b></p> <p><b>Proceeding No. -</b></p> <p><b>Minute Book 73</b></p>
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I, Blair Knox, Executive Officer, of the LOCAL AGENCY FORMATION COMMISSION, COUNTY OF KERN, STATE OF CALIFORNIA, hereby certify that the following resolution, proposed by Commissioner **XXXX**, seconded by Commissioner **XXXX**, was duly adopted by the Commission at an official meeting thereof held on the **15<sup>th</sup> day of April 2026**, by the following vote:

- A YE:           XXXX
- N A Y E:       XXXX
- A B S T A I N:   XXXX
- A B S E N T:    XXXX

\_\_\_\_\_  
Blair Knox, Executive Officer

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RESOLUTION MAKING DETERMINATION  
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**Whereas**, the term of a Commissioner who resides as the 9<sup>th</sup> member as restricted public member is expiring or will be vacated;

**Whereas**, Government code § 56325 (d) provides for the appointment of one restricted public member and one alternate restricted public member by the other members of the Commission. The appointment is subject to the affirmative vote of at least one County Commissioner and at least

one Special District Commissioner;

**Whereas**, pursuant to Government code § 56325 (d) the appointment of the 9th seat restricted public member and alternate restricted public member shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities.

**Whereas**, pursuant to Government code § 56331 no person appointed as a restricted public member or alternate restricted public member pursuant to this chapter shall be an officer or employee of the county or any city or district with territory in the county, provided, however, that any officer or employee serving on January 1, 1994, may complete the term for which he or she was appointed.

**Whereas**, Government code § 56334. Provides that each appointed representative will serve a four (4) year term;

**Whereas**, pursuant to Government code § 56325 (d), a notice was published on April 25, 2026;

**Whereas**, on said 15<sup>th</sup> day of April 2026 this Commission considered the applicants whom showed interest in the restricted public member or alternate restricted public member seats; and

**Whereas**, the Commission is fully advised in the premises; now therefore, be it

***Resolved that the Local Agency Formation Commission, County of Kern, State of California, on behalf of its members, finds and determines as follows:***

1. *specific reference is hereby made to all the papers, documents, files and proceedings heretofore and now taken, had and filed in this matter with particular reference to Minute Item 4/15/26-X, as appears upon the official minutes of the proceedings of this Commission;*

2. *all of the proceedings heretofore and now taken and had in this matter have been and now are in all respects as required by law;*

3. *The Commission appoints XXXXXX as the 9<sup>th</sup> sitting member representing the*

4. The Commission appoints XXXX as the 9<sup>th</sup> alternate member representing the general public.

5. pursuant to the authority granted by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, said public members are Commissioners of Kern LAFCo.

6. the Commission authorizes and directs the Executive Officer to file and record any and all documentation required by law in regards to this proceeding.

DRAFT



**Kern County Local Agency Formation Commission**  
**Monthly Expenses**  
 Month: March Year: 2026  
 Submitted to Accounts Payable: April 12, 2026

**26-03**

Date Invoiced	Date Submitted to AP	Invoice #	Name	Address	Description/ Purpose	Amount Owed	Expense Code
3/21/2026	4/12/2026	LAFCo	Crown Point Investments, Inc. c/o M.D. Atkinson Company, Inc.	1401 19th. St., Suite 400 Bakersfield, CA 93301	Lease Payment/Operating Expense	\$ 3,384.39	7650
4/2/2026	4/12/2026	8268	Rival Technology, Inc.	1508 18th St., Ste. 222, Bakersfield, CA 93301	IT Services	\$ 978.43	7500
4/5/2026	4/12/2026	H49427	SDRMA	PO Box 15677 Sacramento CA 95852	Insurance Premium-Medical & Ancillary	\$ 3,324.55	6510
3/31/2026	4/12/2026	TBD	Shinault Baker & Company	P. O. Box 580 Bakersfield CA 93302	Payroll/Accounts Payable Svcs & Audit Support Svcs	\$ 945.33	7500
3/31/2026	4/12/2026	March	Thomas Schroeter	254 H St. Bakersfield, CA 93304	Legal Services	\$ 351.00	7500
3/25/2026	4/12/2026	109898	Bakersfield Californian	4900 California Ave Ste. 100A, Bakersfield, CA 93309	Budget Publication	\$ 535.12	7600
3/19/2026	4/12/2026	730	1-Twenty One Security	3004 Boulder Ln. Bakersfield, CA 93309	Security Services	\$ 125.00	7500
3/4/2026	4/12/2026	AR1390532	Office 1 Formally General Office Machine	3600 Pegasus Dr. Suite 6 Bakersfield, CA 93308	Contract Invoice	\$ 259.28	7450
3/12/2026	4/12/2026	AR1392442	Office 1 Formally General Office Machine	3600 Pegasus Dr. Suite 6 Bakersfield, CA 93308	Contract Invoice Overage	\$ 22.80	7450
3/17/2026	3/17/2026	Estimate	Hall Letter Shop Inc.	5200 Rosedale Hwy Bakersfield, CA 93308	Postage & Mailing for LSWD Protest Hearing	\$ 4,370.00	7500
March			Kern County		Journal Vouchers	197.13	
3/23/2026			Credit Card Statement			1,144.25	
March			March Payroll			46,744.86	
3/18/2026			Commission Meeting Stipends			739.15	
March			Travel Reimbursement			\$366.05	
March			HRA Reimbursement			\$7,250.74	
<b>MONTHLY TOTAL</b>						<b>\$ 70,738.08</b>	

Account Number: [REDACTED]  
Unique ID: XXXX XXXX XXXX 8088  
LOCAL AGENCY FORMATION CO  
Statement Date: 03-23-2026



Corporate Account Summary

Previous Balance	\$2,876.07
Purchases and Other Charges	\$1,144.25
Cash Advances	\$0.00
Cash Advance Fees	\$0.00
Late Payment Charges	\$0.00
Credits	\$20.88 CR
Payments	\$2,855.19 PY

**New Balance** \$1,144.25

Disputed Amount \$0.00

Payment Information

Amount Due \$1,144.25

**Payment due in accordance with your agreement with U.S. Bank.**

QUESTIONS OR TO REPORT A LOST OR STOLEN CARD,  
CALL CUSTOMER SERVICE: 1-800-344-5696

To overnight or courier a payment, please send to:  
Corporate Payment Systems  
3180 Rider Trail S, Department 790428  
Earth City, MO 63045-1518

Corporate Account Activity

LOCAL AGENCY FORMATION CO  
Account Number: [REDACTED]  
Unique ID: XXXX XXXX XXXX 8088

Total Corporate Activity  
\$2,876.07 CR

Post Date	Tran Date	Reference Number	Transaction Description	Amount
02-25	02-25	74798266056056111111285	MISC CREDIT	20.88CR
03-19	03-19	74798266078000000000088	PAYMENT - 42460445556666600000 A	2,855.19PY

New Activity

PATTY MENCHACA	Purchases	\$125.00	<b>Total Activity</b>	<b>\$125.00</b>
Account Number: 4246 0446 5983 9470	Cash Advances	\$0.00		
Unique ID: XXXX XXXX XXXX 2198	Cash Advances Fees	\$0.00		
	Credits	\$0.00 CR		

Post Date	Tran Date	Reference Number	Transaction Description	Amount
03-06	03-05	24445006064300466197453	FSP*CALAFCO 916-442-6536 CA	125.00

(transactions continued on next page)

✕ Payment may be made electronically or by check made payable to Corporate Payment Systems.

CORPORATE PAYMENT SYSTEMS  
P.O. BOX 6343  
FARGO, ND 58125-6343

Account Number: [REDACTED]  
Unique ID: XXXX XXXX XXXX 8088  
Amount Due: \$1,144.25

Amount Enclosed \$ [REDACTED]

If paying by check, include coupon with payment to address below.

CORPORATE PAYMENT SYSTEMS  
P.O. BOX 790428  
ST. LOUIS, MO 63179-0428

000003208 TUSB05DD032426191505 01 01000000 003479 001



LOCAL AGENCY FORMATION CO  
BLAIR KNOX  
LOCAL AGENCY FORMATION COMM  
5300 LENNOX AVENUE SUITE 303  
BAKERSFIELD CA 93309-1662



000003208 03208 0001-0001 DUSB05DD032426191510 00 L 000003479 STNDSOMIE

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**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

## MEMORANDUM

DATE: April 15, 2026  
TO: Kern LAFCo Commissioners  
FROM: Blair Knox, Executive Officer  
RE: Special District Seat Election Results

Kern LAFCo has two Special District seats and one alternate that serve staggered four-year terms. The term for one seat will be up in April of 2026, the other seat is due in April 2028. To fill the seat, a nomination period and then an election is held requiring a quorum of the 83 independent special districts to fill out and return ballots.

The deadline for returning ballots was April 1<sup>st</sup>. A quorum of 42 votes was reached.

The ballots were counted on April 2<sup>nd</sup> by Blair Knox, LAFCo Executive Officer and Pat Ostly, Chair of the Kern County Special Districts Association (GM of North of River Sanitary District). Included in the packet is the signed tally sheet.

The results are as follows:

31	Les Clark (Westside Recreation and Park District)
8	Martin Hernandez (Bear Valley Community Services District)
2	Rigoberto Salto (Lost Hills Utility District)
0	Karen Macedonio (East Kern Health Care District)
1	LaMiya Patrick (East Kern Health Care District) (Write-in)
42	Total

Les Clark has the most votes and will serve as one of the two Special District Commissioners with a term of May 2026 to April 2030. Martin Hernandez received the second most votes and will serve as the alternate for both Special District Commissioner seats with a term of May 2026 to April 2030.

RECOMMENDATION: Accept Special District election results as presented.

**KERN COUNTY  
LOCAL AGENCY FORMATION COMMISSION  
SPECIAL DISTRICT REPRESENTATIVE  
COUNT of the BALLOTS**

KERN LAFCO COMMISSION CANDIDATES:

8

Martin Hernandez (Bear Valley Community Services District)

31

Les Clark III (West Side Recreation and Park District)

\_\_\_\_\_

Karen Macedonio (East Kern Health Care District)

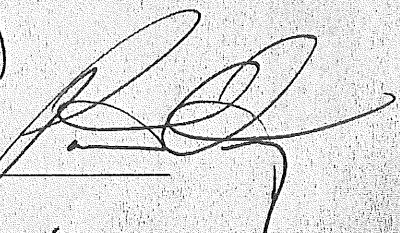
2

Rigoberto Salto (Lost Hills Utility District)

1

*LaMiya Patrick (EK HCD)*

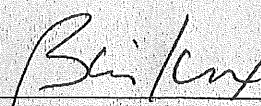
\_\_\_\_\_  
SIGNATURE – KCSDA President



*4.2.2026*

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE – Kern LAFCo EO



*4/2/26*

\_\_\_\_\_  
DATE



**Kern Local Agency  
Formation Commission**  
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Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

**DATE:** April 15, 2026

**TO:** Kern Local Agency Formation Commission

**FROM:** Blair Knox, Executive Officer

**SUBJECT:** County of Kern General Plan Housing Element Update – LAFCo Comment Letter

**RECOMMENDED ACTION:**

Approve request to allow the Executive Officer to transmit a comment letter to the County of Kern Planning and Natural Resources Department expressing opposition to additional housing growth within the unincorporated Metro Bakersfield area and recommending RHNA-compliant alternative strategies.

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**I. EXECUTIVE SUMMARY**

Kern LAFCo staff has reviewed the County of Kern’s proposed General Plan Housing Element Update with particular focus on planned housing growth within the Metro Bakersfield area. Additional housing growth in the unincorporated metropolitan service area presents substantial concerns related to poorly coordinated planning efforts, infrastructure capacity, groundwater sustainability, agricultural land preservation, fiscal impacts, and governance efficiency.

Accommodating additional housing within unincorporated Metro Bakersfield exacerbates long-standing coordination challenges created by two independent land-use planning authorities—the County of Kern and the City of Bakersfield—operating within a single metropolitan area.

Staff concludes that refraining from additional unincorporated Metro Bakersfield housing growth does not preclude RHNA compliance and is consistent with LAFCo’s statutory mandate under the Cortese-Knox-Hertzberg Local Government Reorganization Act.

---

## **II. LAFCO AUTHORITY AND ROLE**

LAFCo is a State-mandated, independent agency charged with:

- Discouraging urban sprawl
- Preserving agricultural land and open space
- Encouraging orderly growth and efficient delivery of governmental services
- Reviewing boundary changes, annexations, and service responsibilities

Housing growth decisions that influence service demand, agency boundaries, and long-term infrastructure obligations fall squarely within LAFCo's purview, even when LAFCo is not the land-use approval authority.

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## **III. METRO BAKERSFIELD CONDITIONS**

### **A. Infrastructure and Public Services**

Urban service providers in Metro Bakersfield include over fifty-five overlapping jurisdictions, including the City of Bakersfield, multiple County Service Areas, and numerous special districts. While infrastructure investments have occurred, long-term funding and capacity limitations remain, particularly for public transit, wastewater, and maintenance of expanded systems.

Cities governance is designed to provide urban services. Counties are not designed to provide urban services and has a track record of poor service provision and gross inefficiency in the Metro Bakersfield area. With few exceptions, unincorporated urban areas show significantly more signs of poor service delivery as compared to areas within the City of Bakersfield.

Additional housing growth in unincorporated area would increase service obligations and create pressure for future annexations, boundary changes, and service reorganizations. Communities would be better planned if properties were brought into the city first and then developed.

---

### **B. Groundwater Sustainability**

Metro Bakersfield lies within the Kern County groundwater subbasin, a high-priority basin historically identified as critically over-drafted. Although recent State action returned

regulatory oversight to local agencies, ongoing SGMA implementation requires careful limitation of future groundwater demand.

Expanding municipal housing growth in unincorporated areas of the Metro Bakersfield area, where the County does not directly participate in SGMA implementation, risks undermining long-term groundwater sustainability objectives.

---

### **C. Agricultural Land Conversion**

Urban expansion along the Bakersfield metropolitan edge has historically resulted in the permanent conversion of Prime Farmland and Farmland of Statewide Importance. Once converted, these lands cannot be restored to agricultural productivity.

Preservation of agricultural land is a core LAFCo responsibility and weighs heavily against further outward metro expansion.

---

## **IV. GOVERNANCE EFFICIENCY AND DUAL PLANNING AUTHORITY**

Metro Bakersfield functions as a single urban area yet is subject to land-use regulation by **two independent planning agencies**: the County of Kern and the City of Bakersfield.

Historically, this dual-authority structure has resulted in:

- Inconsistent land-use policies
- Mismatched infrastructure planning
- Sphere of influence conflicts
- Annexation pressures following County-approved development
- Repeated LAFCo involvement to correct planning misalignments

Authorizing additional County-planned housing within the metropolitan area increases the likelihood of future governance conflicts and corrective boundary actions, undermining orderly growth.

---

## **V. RHNA COMPLIANCE CONSIDERATIONS**

Staff emphasizes that opposing additional unincorporated Metro Bakersfield housing growth does not equate to opposition to RHNA compliance.

State law permits compliance through multiple strategies, including:

- Infill and redevelopment
- Accessory dwelling units
- Mixed-use zoning
- Adaptive reuse
- Distribution of housing capacity to areas with adequate infrastructure and fewer constraints

LAFCo's recommended position encourages RHNA compliance **without concentrating additional growth in an already constrained metropolitan area.**

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## **VI. FINDINGS**

The Commission finds that:

1. Metro Bakersfield faces significant service delivery, infrastructure, environmental, and resource constraints.
  2. Additional unincorporated housing growth would exacerbate groundwater, and service capacity challenges.
  3. Dual City and County planning authority within the same metropolitan area has historically resulted in inefficiencies and corrective LAFCo actions.
  4. RHNA obligations can be satisfied without adding additional unincorporated housing capacity within Metro Bakersfield.
  5. The proposed LAFCo comment letter is consistent with LAFCo's statutory mission and responsibilities.
- 

## **VII. RESOLUTION**

### **KERN LOCAL AGENCY FORMATION COMMISSION**

#### **RESOLUTION NO. -**

#### **A RESOLUTION OF THE KERN LOCAL AGENCY FORMATION COMMISSION AUTHORIZING SUBMISSION OF COMMENTS ON THE COUNTY OF KERN GENERAL PLAN HOUSING ELEMENT UPDATE**

WHEREAS, the Kern Local Agency Formation Commission is charged with discouraging urban sprawl, preserving agricultural land, and promoting orderly growth; and

WHEREAS, the County of Kern has released a General Plan Housing Element Update for public review; and

WHEREAS, the Commission finds that additional unincorporated housing growth within the Metro Bakersfield area would exacerbate infrastructure constraints, groundwater sustainability challenges, agricultural land conversion, and gross governance inefficiencies; and

WHEREAS, the Commission further finds that RHNA compliance can be achieved without additional housing growth in Metro Bakersfield;

NOW, THEREFORE, BE IT RESOLVED that the Kern Local Agency Formation Commission hereby authorizes the Chair to transmit the attached comment letter to the County of Kern.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2026.

---

**DOCUMENT 2**



**Kern Local Agency  
Formation Commission**  
5300 Lennox Ave. Suite 303  
Bakersfield, CA 93309  
661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

[Date]

**County of Kern**  
**Planning and Natural Resources Department**  
2700 "M" Street  
Bakersfield, CA 93301

**RE: General Plan Housing Element Update – Unincorporated Metro Bakersfield**

Dear Planning Director and Members of the Board of Supervisors:

The Kern Local Agency Formation Commission (LAFCo) submits the following comments regarding the County of Kern's General Plan Housing Element Update, pursuant to Commission action authorizing transmittal of this correspondence.

While LAFCo recognizes the County's State-mandated obligation to plan for housing under the Regional Housing Needs Allocation (RHNA) process, the Commission has significant concerns regarding methodology used to calculate the housing disbursement between cities and the County, the continued planning of additional housing growth within the unincorporated portions of the Metro Bakersfield area.

In past and current iterations of the County of Kern's *revised 6th-Cycle (2024–2031) Housing Element Sites Inventory*

Metro Bakersfield functions as a single metropolitan service area, yet land use planning within the unincorporated area occurs under County authority, separate from the City of Bakersfield. Historically, this dual planning authority within a single metropolitan footprint has resulted in inconsistent land-use policies, mismatched infrastructure planning, annexation pressures following County-approved development, and repeated LAFCo involvement to correct planning misalignments and service inefficiencies.

Urban service delivery within Metro Bakersfield is complex and already constrained by overlapping jurisdictions, limited long-term funding capacity, and service responsibilities that are more appropriately provided by a municipal government. Continued housing growth in unincorporated areas increases future service obligations, accelerates pressure for annexation and boundary changes, and undermines orderly growth patterns. From a planning and service-delivery perspective, communities are better planned and served when properties are incorporated into the City prior to urban development.

Additionally, unincorporated Metro Bakersfield lies within the Kern County groundwater subbasin, a high-priority basin with long-standing sustainability challenges. Expanding housing growth in unincorporated areas—where the County does not directly participate as a groundwater sustainability agency—poses additional risks to long-term groundwater management and resource coordination.

LAFCo further notes that urban expansion along the metropolitan edge has historically resulted in the permanent conversion of Prime Farmland and Farmland of Statewide Importance. Preservation of agricultural land is a core statutory responsibility of LAFCo and weighs against the expansion of unincorporated urban development.

LAFCo emphasizes that opposition to additional housing growth in unincorporated Metro Bakersfield does not equate to opposition to RHNA compliance. State law provides multiple pathways to meet RHNA obligations, including infill and redevelopment, accessory dwelling units, adaptive reuse, mixed-use zoning, and the distribution of housing capacity to areas with adequate infrastructure and fewer long-term service constraints.

For these reasons, the Kern Local Agency Formation Commission respectfully recommends that the County of Kern refrain from planning additional housing growth within the unincorporated Metro Bakersfield area and instead pursue RHNA-compliant strategies that promote sustainable service delivery, reduce future governance conflicts, and support orderly, efficient growth.

Thank you for the opportunity to provide comments.

Sincerely,

Blair Knox

Executive Officer

Kern Local Agency Formation Commission

On behalf of the Kern Local Agency Formation Commission



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Formation Commission**  
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661-716-1076  
[www.kernlafco.org](http://www.kernlafco.org)

## MEMORANDUM

DATE: April 15, 2026  
TO: Kern LAFCo Commissioners  
FROM: Blair Knox, Executive Officer  
RE: City Select Committee

As of the release of the agenda packet, the City Selection Committee has not announced the appointment of the city representative and alternate to the Commission. The current city appointment to Kern LAFCo is scheduled to be concluded at the April Commission meeting.

In early January, I contacted the Chair of the City Selection Committee, as well as staff support provided through the Clerk of the Board of Supervisors, to remind them that action by the City Selection Committee is required to comply with the appointment provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act. No response was received.

In mid-March, I followed up with a more direct request and received confirmation that the City Selection Committee intended to meet and carry out its appointment process. While it has been hoped that the Committee would act in a timely manner and name a successor, it is necessary to plan for the possibility that no appointment will be made prior to the next Commission meeting.

California law allows a sitting Commissioner to continue serving until a successor is appointed and qualified. Accordingly, Commissioner Ayon's continued service may be necessary for the May 20, 2026, Commission meeting and for any subsequent meetings until the City Selection Committee completes its appointment. Commissioner Ayon has been informed of this possibility.

**RECOMMENDATION:** Informational



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[www.kernlafco.org](http://www.kernlafco.org)

## MEMORANDUM

**TO:** Kern Local Agency Formation Commission

**FROM:** Blair Knox, Executive Officer

**DATE:** April 2026

**SUBJECT:** 2026 Legislative Session – Bills Affecting Local Agency Formation Commissions

## BACKGROUND

The California Legislature reconvened on January 5, 2026, for the second year of the 2025-26 Regular Session. The bill introduction deadline was February 20, 2026. This memorandum summarizes specific Senate Bills identified by the Commission that directly or indirectly affect Local Agency Formation Commissions (LAFCOs) under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

## BILL-SPECIFIC ANALYSIS

### **SB 994 (Cabaldon) – Local Government: Nondisclosure Agreements**

Status: Active (2025-26 Session)

SB 994 would prohibit a local government official, acting in an official capacity, from entering into a nondisclosure agreement (NDA) related to public business that prevents the official from sharing information with fellow members of the same board, commission, or agency. Any such NDA entered into after January 1, 2027, would be void and unenforceable. The provisions would also apply to staff acting in an official capacity. [[calmatters...ocracy.org](http://calmatters...ocracy.org)], [[bbklaw.com](http://bbklaw.com)]

Implications for Local Agency Formation Commissions:

- Applies directly to LAFCOs as independent public agencies.
- May affect confidentiality practices related to:
  - Closed-session negotiations

- Fiscal or service feasibility analyses
- Interagency discussions related to reorganizations
- Reinforces transparency and limits contractual confidentiality provisions that may conflict with board-level information sharing.

Policy takeaway:

SB 994 does not alter LAFCo authority but would require heightened attention to governance practices and compliance when confidentiality agreements are proposed in connection with LAFCo business.

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### **SB 910 (Seyarto) – Municipal Water Districts: Water Service to Indian Lands**

Status: Active (2025-26 Session)

SB 910 would extend—from January 1, 2027, to January 1, 2032—the statutory authority for a municipal water district to apply to the applicable Local Agency Formation Commission to provide water service to qualifying Indian lands located outside district boundaries, without annexation. The LAFCo must review and approve the application and may impose reasonable conditions.

Implications for Local Agency Formation Commissions:

- Continues LAFCo’s direct approval role for out-of-district water service to tribal lands.
- Preserves LAFCo authority to:
  - Evaluate service feasibility
  - Impose conditions on approvals
  - Ensure consistency with orderly boundary formation policies
- Maintains an established statutory framework balancing tribal water access with local governance oversight.

Policy takeaway:

SB 910 does not expand LAFCo powers but extends an existing, time-limited oversight responsibility, avoiding a lapse in authority for ongoing or future applications.

---

## **SB 740 (Rubio) – Municipal Wastewater Agency Agreements**

Status: Introduced; did not advance in session

SB 740 proposed to amend the Water Code to extend, from 30 to 40 days, the timeframe within which a municipal wastewater agency must file certain stormwater-related agreements or amendments with the Local Agency Formation Commission.

Implications for Local Agency Formation Commissions:

- Procedural rather than substantive in nature.
- Reinforces the Legislature’s expectation that LAFCoS remain informed of:
  - Interagency agreements affecting service delivery
  - Potential latent-power or extraterritorial service issues

Policy takeaway:

Although SB 740 did not advance, it reflects continued legislative attention to LAFCo’s informational and coordination role in wastewater and stormwater governance.

---

## **SB 2083 (Jackson) – Moreno Valley–Perris Childcare Special District**

Status: Active (2025-26 Session)

*(Note: AB 2083 is the currently introduced measure; no Senate Bill version is pending with this subject matter.)*

AB 2083 would establish the Moreno Valley–Perris Childcare Special District to expand childcare capacity and access. The bill relies expressly on the Cortese-Knox-Hertzberg Act and assigns a defined role to the Riverside County Local Agency Formation Commission. The proposed district boundaries would include the incorporated areas and adopted spheres of influence of the Cities of Moreno Valley and Perris, as determined by LAFCo. The newly created district would be required to submit a plan of services to LAFCo for review.

Implications for Local Agency Formation Commissions:

- Demonstrates direct legislative use of LAFCo spheres of influence as boundary-setting tools.
- Reinforces LAFCo’s role in:
  - Reviewing plans of service for newly created special districts

- Ensuring service proposals align with orderly growth and service efficiency principles
- Represents a Legislature-initiated special district that still relies on LAFCo oversight rather than bypassing the Act.

Policy takeaway:

AB 2083 underscores the Legislature's continued reliance on LAFCOs as the appropriate forum for reviewing new service agencies, even when districts are specially created by statute.

---

## **CONCLUSION**

Of the measures reviewed:

- SB 994 and SB 910 have the most direct implications for Local Agency Formation Commissions in the 2026 session, affecting governance practices and water service approval authority.
- SB 740, while not advancing, reflects ongoing legislative interest in LAFCo coordination responsibilities.
- SB 2083 (AB 2083) highlights the Legislature's continued use of LAFCo spheres of influence and service review authority in establishing new special districts.

Staff will continue tracking these measures and will report back to the Commission should any bill advance or be amended in a manner that materially affects Kern LAFCo's authority, procedures, or workload.

## **RECOMMENDATION**

Receive and file this legislative update. No Commission action is required at this time.