

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Zoom Meeting and Teleconference
Meeting of June 23, 2021

Due to the Coronavirus pandemic, Kern LAFCo did not hold in person Commission meeting. Governor Newsom, by Executive Order N-29-20, modified the Brown Act to allow for meetings to be held by teleconference.

Regular scheduled meeting called to order at 5:16 p.m. Chair Scrivner presiding.

ROLL CALL

Present: Couch*, Crump, Fowler, Gray, McKibbin, Morris, Scrivner, Zaragoza
Absent: Sanders
Staff: Knox, R. Moore, Rice, L. Moore
Counsel: Schroeter

Item 6/23/21-1: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 3) May 26, 2021 Meeting

Chair Scrivner presented the April minutes; *Upon motion of Commissioner Fowler, seconded by Commissioner Crump, IT IS ORDERED:* The April 28, 2021 Minutes are approved as confirmed by the following votes:

AYES: Crump, Fowler, Gray, McKibbin, Morris, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Sanders

Item 6/23/21-2: *None.*

PUBLIC COMMENTS: (Agenda Item 4)

**It should be noted Commissioner Couch joined the meeting.*

Item 6/23/21-3: *Approved as Presented - Resolution No. 21-14*

**It should be noted that without objection the Executive Officer requested that agenda item 5a and 6a be heard together.*

PROCEEDING 1779 Kern Tulare Water District: Sphere Amendment (Agenda Item 5a)

Mr. Knox recommended that the Commission consider and adopt the environmental document prepared by the District and approve the Sphere of Influence Amendment to Kern Tulare Water District with conditions recommended by Executive Officer. *Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED:* The Buena Vista Water Storage District Sphere of Influence Amendment is approved and confirmed by the following votes:

AYES: Couch, Crump, Fowler, Gray, McKibbin, Morris, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None

ABSENT: Sanders

Item 6/23/21-4: *Approved as Presented. - Resolution No. 21-15*

PROCEEDING 1779 Kern Tulare Water District: Detachment AE (Agenda Item 6a)

Executive Officer Knox recommended that Commission consider the environmental document adopted by the applicant, waive notice, hearing and protest hearing and approve Detachment AE with conditions recommended by the Executive Officer. *Upon motion of Commissioner Couch, seconded by Commissioner Zaragoza, IT IS ORDERED: Kern Tulare Water District: Detachment AE is approved and confirmed by the following votes:*

AYES: Couch, Crump, Fowler, Gray, McKibbin, Morris Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Sanders

Item 6/23/21-8: *Approved as Presented.*

REQUEST FOR PROPOSAL AUDIT SERVICES FOR FY 20-21 (Agenda Item 5b)

Presentations were made by each interested firm. *Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED: The firm of Brown Armstrong has been chosen to perform LAFCo audits beginning with fiscal year 2020-2021 with an option for 2021-2022 and 2022-2023:*

AYES: Couch, Crump, Fowler, Gray, McKibbin, Morris Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Sanders

Item 6/23/21-5:

PUBLIC MEMBER APPOINTMENT CONFIRMED (Agenda Item 5c)

Chair Scrivner asked each of the applicants make a short statement and answer questions from the Commission. The applicants introduced themselves and spoke about their qualifications.

Commissioners thanked them for applying. A motion was made by Commissioner Morris to nominate Grace Vallejo, seconded by Commissioner Crump. A motion was made by Commissioner Couch to nominate Vince Zaragoza. A vote was taken for each nomination.

Vote for Grace Vallejo as follows

AYES: McKibbin, Morris, Crump

NAYS: Couch, Gray, Scrivner,

ABSTAIN: *Fowler

ABSENT: Sanders

Motion Failed

Vote for Vince Zaragoza

AYES: Couch, Gray, McKibbin, Crump, Scrivner

NAYS: Couch, Gray, Scrivner,

ABSTAIN: *Fowler

ABSENT: Sanders

IT IS ORDERED: Alternate Public Member Vince Zaragoza has been confirmed as the Regular Public Member.

** It should be noted that Commissioner Fowler abstained from item 6/23/21-5: due to state law restricting public member from voting on the appointment of another public member.*

Item 6/23/21-5:

ALTERNATE PUBLIC MEMBER APPOINTMENT CONTINUED (Agenda Item 5d)

Chairman Scrivner asked each of the applicants make a short statement and answer questions from the Commission. The applicants introduced themselves and spoke about their qualifications. Commissioners thanked them for applying. A motion was made by Commissioner Morris to nominate Grace Vallejo, seconded by Commissioner Crump. A motion was made by Commissioner Couch to nominate Ginger Mello, no second was made. A vote was taken for each nomination.

Vote for Grace Vallejo as follows
AYES: McKibbin, Morris, Crump
NAYS: Couch, Gray, Scrivner,
ABSTAIN: *Fowler, Zaragoza
ABSENT: Sanders

Motion Failed

Vote for Ginger Mello
AYES: Couch, Gray, Crump, Scrivner
NAYS: McKibbin, Morris,
ABSTAIN: *Fowler, Zaragoza
ABSENT: Sanders

Motion Failed

Executive Officer Knox, summarized that the appointing authorities' seats filled by Supervisor Members, City Members and Special District Members are the only voting authorities for the Public Member. An affirmative vote from each category and a quorum are required to pass.

** It should be noted that Commissioner Fowler and Commissioner Zaragoza abstained from item 6/23/21-5: due to state law restricting public member from voting on the appointment of another public member.*

A motion was made to continue this item until the August 25, 2021 meeting.

AYES: Couch, Crump, Fowler, McKibbin, Morris, Gray, Scrivner, Zaragoza
NAYS: None
ABSTAIN: None
ABSENT: Sanders

Item 6/23/21-7: None.

COMMISSION ITEMS: (Agenda Item 7)

Item 6/23/21-8: *Approved as Presented.*

GENERAL BUSINESS: (Agenda Item 8)

CLAIMS LIST 21-04 (Agenda Item 8a)

Chair Scrivner presented Claims List 21-06. *Upon motion of Commissioner Couch, seconded by Commissioner Fowler, IT IS ORDERED:* The general claims set forth in Claims List No. 21-06 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Couch, Crump, Fowler, McKibbin, Morris, Gray, Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Sanders

Item 6/23/21-9: *Informational.*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 8b)

- Reimbursement of COVID related expenses in the amount of approximately \$26,000 was awarded. The largest expense was attributed to the purchase of a computer server. The Federal guidelines that approve certain types of spending which include:
 - *Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.*
- Governor's COVID order for virtual meetings allows for either in-person or by web between June 15th and September 30th. The Executive Officer took an informal poll of the Commission with direction to meet in person.
- The fee schedule that this Commission approved several months ago, will go into effect starting July 1st. This corresponds with the beginning of our 2021-2022 fiscal year. Any application not deemed complete before July 1st will be subject to the new fee schedule.
- Kern LAFCo will come in under budget for fiscal year 2020-2021. As we discussed during budget hearings, that savings will be passed along in the form of a lower assessment of the County, Cities and Special Districts. LAFCo will also be paying off a small portion of CalPERS unfunded liability. Roughly \$18,000 to \$20,000.
- The next meeting will be August 25, 2021 and will be held in the Board Chambers.

Item 6/23/21-10: *No Report*

CLOSED SESSION: (Agenda Item 9)

The Commission entered Closed Session to conference with Legal Counsel regarding existing

litigation.

Item 6/23/21-11: *Adjourned*

ADJOURNMENT: (Agenda Item 10)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 5:55 p.m.

Secretary

Chairman