

**KERN LOCAL AGENCY FORMATION COMMISSION  
STATE OF CALIFORNIA  
MINUTES**

Kern Council of Governments (KernCOG) Conference Room  
1401 19<sup>th</sup> Street Suite 300  
Bakersfield CA 93301  
In-Person, and Videoconference  
Meeting of August 21, 2024

Pursuant to the Government Code § 54963. et seq., meetings were held both at a physical location and by video/teleconference to attend to any health and safety concerns of the panelist and/or participants.

Regular scheduled meeting called to order at 5:18 p.m. Chair Ayon presiding.

**ROLL CALL**

Present: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
Absent: Bruen, Gonzales  
Staff: Knox, Menchaca, Rice  
Counsel: Schroeter

**Item 08/21/24-1: *No Determination Required***

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

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

*Executive Officer Knox announced Commissioner Bruen indicated he would be attending via video conference but has not logged in. If he logs in later, the Commission will have to return to this item for approval.*

**Item 08/21/24-2: *Approved as Presented***

**APPROVAL OF MINUTES:** (Agenda Item 4a) June 19, 2024, Meeting

*Chair Ayon presented the June minutes; Upon motion of Commissioner **Fowler**, seconded by Commissioner **Couch**, IT IS ORDERED: The June 19, 2024, Minutes are approved as presented by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Bruen, Gonzales

**Item 08/21/24-3: *No Public Comments***

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

*None*

**Item 08/21/24-4: *No Determination Required***

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

*None*

\* 5:21pm Attorney Tom Schroeter recused himself on all three Agenda 7 Items as LHUD is his client.

\* Executive Officer Knox announced he would make one presentation to cover Agenda Item 7a, 7b, & 7c, together with three separate recommendations and three separate votes.

NOTICE OF PUBLIC HEARING: (Agenda Item 7)

**Item 08/21/24-5: Approved to Motion - Resolution 24-08**

1832 Lost Hills Utility District Sphere of Influence Amendment (Agenda Item 7a)

*Executive Officer Knox recommended the Commission consider the Environmental Document prepared by the applicant and approve the Sphere of Influence amendment subject to conditions recommended by the Executive Officer. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Clark**, IT IS ORDERED: The Lost Hills Utility District Sphere of Influence Amendment is approved as motioned by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Bruen, Gonzales

**Item 08/21/24-6: Approved to Motion - Resolution 24-09**

1833 Lost Hills Utility District Annexation No. 21 (Agenda Item 7b)

*Executive Officer Knox recommended the Commission review the Environmental Document and adopt all related mitigation measures as outlined in the Monitoring and Mitigation Plan, contingent to the Sphere of Influence expansion. Mr. Knox also recommended waiving notice, hearing and protest hearing. Upon motion of Commissioner **Couch**, seconded by Commissioner **Flores**, IT IS ORDERED: The Lost Hills Utility District Annexation No. 21 is approved as motioned by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Bruen, Gonzales

**Item 08/21/24-7: Approved to Motion - Resolution 24-10**

1834 Lost Hills Utility District Municipal Services Review (Agenda Item 7c)

*Executive Officer Knox recommended the Commission adopt the resolution and the Notice of Exemption. Upon motion of Commissioner **Couch**, seconded by Commissioner **Flores**, IT IS ORDERED: The Lost Hills Utility District Municipal Services Review is approved by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Bruen, Gonzales

\* 5:28pm Attorney Tom returned to the meeting.

\* Chair Ayon announced the arrival of Commissioner Bruens video conference attendance and returned to Agenda Item 3 for a vote.

**Item 08/21/24-8: *Approved to Motion***

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

*Attorney Tom Schroeter instructed the Commission that Commissioner Bruen was present via video conference. Commissioner Bruen was asked if anyone was in the room with him. There were technical difficulties in hearing Commissioner Bruen although he could be seen and was able to confirm via chat, he was the only one present in the room. Commissioner Fowler made a motion to approve Commissioner Bruen via video. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Couch**, IT IS ORDERED: Commissioner Bruens attendance via video conference is approved as presented by the following votes: approved as motioned by the following votes:*

AYES: Ayon, Bruen, Clark, Couch, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Gonzales

**Item 08/21/24-9: *Informational***

COMMISSION ITEMS: (Agenda Item 8)

*Chair Ayon announced the appointment of Commission Flores to the Budget Committee.*

*Chair Ayon suggested an invocation at the beginning of the meetings and will have a prayer for the next following meeting.*

GENERAL BUSINESS: (Agenda Item 9)

**Item 08/21/24-10: *Approved as Presented***

EXPENSE LIST 24-06 (Agenda Item 9a)

*Chair Ayon presented Expense List 24-06. Upon motion of Commissioner **Clark**, seconded by Commissioner **Couch**, IT IS ORDERED: The general claim set forth in Expense List No. 24-06 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES: Ayon, Bruen, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Gonzales

**Item 08/21/24-11: *Approved as Presented***

EXPENSE LIST 24-07 (Agenda Item 9b)

*Chair Ayon presented Expense List 24-07. Upon motion of Commissioner **Clark**, seconded by Commissioner **Fowler**, IT IS ORDERED: The general claim set forth in Expense List No. 24-07 is approved for payment, and the Chairman is authorized to certify said list by the following votes:*

AYES: Ayon, Bruen, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Gonzales

**Item 08/21/24-12: *Approved to Motion***

LAFCo Shared Resources Agreement Continued (Agenda Item 9c)

*Executive Officer Knox informed the Commission of a meeting with Tom Schroeter and the*

*Executive Officers of Marin and Santa Cruz LAFCo regarding modifications to the shared resource agreement. Attorney Tom Schroeter spoke explaining why we should not move forward with the standalone current agreement. Commissioner Flores made a motion to deny moving forward with the current standalone contract. Upon motion of Commissioner **Clark**, seconded by Commissioner **Fowler**, IT IS ORDERED: The denial of moving forward with the current standalone contract is approved as motioned by the following votes:*

AYES: Ayon, Bruen, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Gonzales

\* *Commissioner Bruen did not vote on Item 9c due to technical difficulties and was not able to be seen on videoconference.*

**Item 08/21/24-13: *Approved as Presented***

Grand Jury Response to Inyokern CSD Report (Agenda Item 9d)

*Executive Officer Knox informed the Commission a copy of the Grand Jury report and draft response was included in the packet for Commissioners review. Mr. Knox recommended the Commission approve the Grand Jury response letter as written. Upon motion of Commissioner **Fowler**, seconded by Commissioner **Flores**, IT IS ORDERED: The Grand Jury response letter is approved as written by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza  
NAYS: None  
ABSTAIN: None  
ABSENT: Bruen, Gonzales

**Item 08/21/24-14: *Receive and File***

Indian Wells Valley Water District Emergency EOS (Agenda Item 9e)

*Executive Officer Knox informed the Commission of water outages and extension of services approval. No vote conducted or necessary.*

**Item 08/21/24-15: *Informational***

East Niles CSD Emergency EOS (Agenda Item 9f)

*Executive Officer Knox informed the Commission of East Niles Community Services District not applying for an extension of services approval and water provided to Victory Mutual Water Co. even after being informed that they are required to do so. No vote conducted or necessary.*

**Item 08/21/24-16: *Informational***

Workplace Violence Prevention Plan (Agenda Item 9g)

*Executive Officer Knox informed the Commission of the Workplace Violence Prevention Plan included in the packet for commissioners to review. It will be included in both the Employee Handbook and Commissioner Handbook. An updated version of the handbook will be sent to Commissioners. No vote conducted or necessary.*

**Item 08/21/24-17: *Informational***

City of Bakersfield S. Real Road No. 1 Annexation Withdrawal (Agenda Item 9h)

*Executive Officer Knox informed the Commission the City of Bakersfield submitted a*

*withdrawal of proposed annexation on South Real Road for the second time. The Commission does not need to act on the withdrawal. The Executive Officer accepts it. No vote conducted or necessary.*

**Item 08/21/24-18: Informational**

CSDA Mid-Year Legislative Report (Agenda Item 9i)

*Executive Officer Knox informed the Commission of legislative bills. One bill is specific to LAFCo regarding indemnifications. LAFCo will not need to modify our indemnification agreement if approved and signed by the governor. No vote conducted or necessary.*

\* 6:00pm Commissioner Bruen left the meeting.

**Item 08/21/24-19: Informational**

LAFCo Website (Agenda Item 9j)

*Executive Officer Knox gave a preview to the Commission of LAFCo's new webpage. Commissioner Fowler requested the link for review. No vote conducted or necessary.*

**Item 08/21/24-20: Informational**

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9k)

- CSDA Annual Conference and CALAFCO Annual Conference 2024 coming soon

\* Chair Ayon asked Executive Officer if there needs to be a closed session.

\* Executive Officer Knox indicated no closed session needed at this time. Minutes for Closed Session of May 15, 2024, will be approved at the next closed session meeting.

**Item 08/21/24-21: No Determination Required**

CLOSED SESSION: (Agenda Item 10)

None

**Item 08/21/24-22: Motion to Adjourn**

ADJOURNMENT: (Agenda Item 11)

*Chair Ayon announced the next meeting to be September 18, 2024. There being no further business to come before the Commission. Upon motion of Commissioner **Couch**, seconded by Commissioner **Fowler**, IT IS ORDERED: The meeting is adjourned at 6:05 p.m. by the following votes:*

AYES: Ayon, Clark, Couch, Flores, Fowler, McKibbin, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Bruen, Gonzales

*Patty Menchaca*  
Clerk

*Blair Knox*  
Executive Officer