

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

Kern Council of Governments (KernCOG) Conference Room
1401 19th Street Suite 300
Bakersfield CA 93301

In-Person, Zoom and Teleconference
Meeting of February 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 5:15 p.m. Chair Ayon presiding.

ROLL CALL

Present: Ayon, Couch, Crump, Fowler, *Gonzales, McKibbin, *Peters, Zaragoza
Absent: Scrivner
Staff: Knox, Menchaca, Rice
Counsel: Tom Schroeter

*5:18pm Commissioner Peters arrived at the meeting.

Item 02/21/24-1: *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.

Item 02/21/24-2: *Approved as Presented*

APPROVAL OF MINUTES: (Agenda Item 4a) December 6, 2023, Meeting

Chair Ayon presented the December minutes; Upon motion of Commissioner Fowler, seconded by Commissioner McKibbin, IT IS ORDERED: The December 6, 2023, Minutes are approved as presented by the following votes:

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

*5:19pm Commissioner Gonzales arrived at the meeting.

Item 02/21/24-3: *No Public Comments*

PUBLIC COMMENTS: (Agenda Item 5)

None

Item 02/21/24-4: *No Determination Required*

DETERMINATION PROCEEDING: (Agenda Item 6)

None.

NOTICE OF PUBLIC HEARING: (Agenda Item 7)

Item 02/21/24-5: *Approved as Presented – Resolution No. 24-01*

PROCEEDING 1824: City of Bakersfield – Annexation 721 (Centennial No. 1) (Agenda Item 7a)

Executive Officer Knox recommended the Commission consider the Notice of Exemption filed by the applicant and approve the proposal subject to condition recommended by the Executive officer waiving protest hearing. Upon motion of Commissioner Couch, seconded by Commissioner Crump, IT IS ORDERED: The City of Bakersfield – Annexation 721 (Centennial No.1) is approved as presented by the following votes:

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

COMMISSION ITEMS: (Agenda Item 8)

Item 02/21/24-6: *Informational*

POLICY AND BUDGET COMMITTEE ASSIGNMENTS: (Agenda Item 8a)

Executive Officer Knox informed the Commission that he and the Chair met to determine the Policy and Budget Committee assignments. The Committee assignments are as followed:

Policy Committee: Commissioners Couch, McKibbin, Gonzales, and Zaragoza

Budget Committee: Commissioners Scrivner, Crump, Ayon, and Fowler

Executive Office Knox advised that there is no recommendation and no vote required as these appointments are at the pleasure of the chair.

Item 02/21/24-7: *Approved as Presented*

CONTRACT: Liebert Cassidy Whitmore Law Firm (Agenda Item 8b)

Executive Officer Knox referred this item to Attorney Tom Schroeder per his recommendation to hire outside council to review employment contracts. Attorney Tom Schroeter recommended that the Commission retain Liebert Cassidy Whitmore Law Firm to review amended employment contract for Blair Knox. Upon motion of Commissioner Fowler, seconded by Commissioner Couch, IT IS ORDERED: Liebert Cassidy Whitmore law firm retention to review employment contracts is approved as presented by the following votes:

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

Item 02/21/24-8: *Approved as Presented*

SPECIAL DISTRICT COMMISSIONER ELECTION: (Agenda Item 8c)

Executive Officer Knox informed the Commission that with Commissioner Sanders' resignation, her seat has two years left in the current term. Commissioner McKibbin's seat is up in May. Nominations were sent out to all eligible independent districts. Two nominations were received. Executive Officer Knox recommended accepting the nomination of Gary McKibbin to be seated for a 4-year term ending in 2028 and Les Clark III to fill the remainder of Karen Sanders

seat with term ending in 2026. Upon motion of Commissioner Couch, seconded by Commissioner Peters, *IT IS ORDERED: Gary McKibbin to be seated for a term of 4-years ending in 2028 and Les Clark III to fill the remained of Karen Sanders seat ending in 2026 is approved as presented by the following votes:*

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

GENERAL BUSINESS: (Agenda Item 9)

Item 02/21/24-9: *Approved as Presented*

EXPENSE LIST 23-11 (Agenda Item 9a)

Chair Ayon presented Expense List 23-11. Upon motion of Commissioner Couch, seconded by Commissioner Peters, IT IS ORDERED: The general claim set forth in Expense List No. 23-11 is approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 02/21/24-10: *Approved as Presented*

EXPENSE LIST 23-12 (Agenda Item 9b)

Chair Ayon presented Expense List 23-12. Upon motion of Commissioner Couch, seconded by Commissioner Peters, IT IS ORDERED: The general claim set forth in Expense List No. 23-12 is approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 02/21/24-11: *Approved as Presented*

EXPENSE LIST 24-01 (Agenda Item 9c)

Chair Ayon presented Expense List 24-01. Upon motion of Commissioner Gonzales, seconded by Commissioner Couch, IT IS ORDERED: The general claim set forth in Expense List No. 24-01 is approved for payment, and the Chairman is authorized to certify said list by the following votes:

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

Item 02/21/24-12: *Receive and File*

EMPLOYEE HANDBOOK REVISIONS (Agenda Item 9d)

Executive Officer Knox recommended the Commission approve the Employee Handbook with changes. Executive Officer Knox advised the Commission that the Employee Handbook has

been redlined with revisions to reflect the newly enacted state law. The changes in sick time were created by tiers. The first two matches Kern County and the third tier increased since it already existed. Upon motion of Commissioner Peters, seconded by Commissioner Fowler. IT IS ORDERED: The Employee Handbook 2024 revision is approved as presented by the following votes:

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

Item 02/21/24-13: Informational

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 9e)

- New City Commissioner for May – Ridgecrest next in line
- LAFCo 101 Training for May Meeting
- Draft Preliminary Budget
- Form 700 & Ethics Certificates Reminder
- Website RFP coming soon
- Recognition of Cheryl Lee Wegman passing Dec 25, 2023, and served on LAFCo 2014-2016

CLOSED SESSION: (Agenda Item 10)

*It should be noted commission entered closed session at 5:44pm

*It should be noted commission returned to open session at 6:00pm

Item 02/21/24-14: Approved as Presented

CONSIDERATION OF APPROVAL OF CLOSED SESSION MINUTES FROM DECEMBER 6, 2023, (Closed Session Agenda Item 10a)

Upon motion of Commissioner Peters, seconded by Commissioner Fowler. IT IS ORDERED: The Commission unanimously adopted to approve the minutes of the closed session held on December 6, 2023.

Item 02/21/24-15: Approved as Presented

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION PARAGRAPH (1) OF SUBDIVISION (D) OF SECTION 54956.9 NAME OF CASE: KERN WATER BANK AUTHORITY ET AL. VS KERN LOCAL AGENCY FORMATION COMMISSION - OPINION (Closed Session Agenda Item 10b)

Upon motion of Commissioner Couch, seconded by Commissioner Fowler. IT IS ORDERED: The Commission unanimously adopted to not appeal the Appellate Court decision in the Case of Kern Water Bank Authority et al v. Kern Local Agency Formation Commission. There was no other action taken.

Item 02/21/24-16: Adjourned

ADJOURNMENT: (Agenda Item 11)

Chair Ayon announced the next meeting to be March 20, 2024. There being no further

business to come before the Commission, IT IS ORDERED: the meeting is adjourned 6:00 p.m.

Patty Manchaca
Clerk

Blindorf
Executive Officer