

LOCAL AGENCY FORMATION COMMISSION COUNTY OF KERN, STATE OF CALIFORNIA

Board of Supervisors Chambers
Meeting of August 25, 2021

Regular scheduled meeting called to order at 5:17 p.m. Chair Scrivner presiding.

ROLL CALL

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

Item 8/25/21-1: *Approved as Presented.*

APPROVAL OF MINUTES: (Agenda Item 3) June 23, 2021 Meeting

Chair Scrivner presented the June minutes; *Upon motion of Commissioner Morris, seconded by Commissioner Fowler, IT IS ORDERED:* The June 23, 2021 Minutes are approved as confirmed by the following votes:

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

Item 8/25/21-2: *None.*

PUBLIC COMMENTS: (Agenda Item 4)

Item 8/25/21-3:

ALTERNATE PUBLIC MEMBER APPOINTMENT (Agenda Item 5a)

Chairman Scrivner asked the Executive Officer to clarify the voting process for this position. 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.

Chairman Scrivner introduced each of the candidates for the Alternate Public Member position, invited them to speak and welcomed any motion for appointment. A motion was made by Commissioner Morris to nominate Grace Vallejo, seconded by Commissioner McKibbin. A motion was made by Commissioner Sanders and seconded by Commissioner Gray to nominate Ginger Mello. A vote was taken for each nomination.

Vote for Grace Vallejo as follows

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

Motion Failed

LAFCKC 8/25/21

68-22

Vote for Ginger Mello as follows

AYES: Gray, Sanders, Scrivner

NAYS: McKibbin, Morris,

ABSTAIN: *Fowler, Zaragoza

ABSENT: Couch, Crump

Motion Passed

** It should be noted that Commissioner Fowler and Commissioner Zaragoza abstained from item 8/25/21-5: due to state law restricting a public member from voting on the appointment of another public member.*

Item 8/25/21-4: None.

DETERMINATION PROCEEDING: (Agenda Item 6)

Item 8/25/21-5: None.

COMMISSION ITEMS: (Agenda Item 7)

Item 8/25/21-6: *Approved as Presented.*

GENERAL BUSINESS: (Agenda Item 8)

MONTHLY EXPENSE LIST NO 21-07 & 21-08 (Agenda Item 8a & 8b)

Chair Scrivner presented Monthly Expense lists 21-07 & 21-08. *Upon motion of Commissioner Sanders, seconded by Commissioner Fowler, IT IS ORDERED:* The monthly expenses set forth in 21-07 & 21-08 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Fowler, McKibbin, Morris, Gray, Sanders Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Couch, Crump

Item 8/25/21-7: *Approved as Presented.*

CALAFCO Membership Dues Hardship: (Agenda Item 8c)

Executive Officer Knox presented to the Commission the justification for the request to not retain membership in CALAFCO for the 2021-2022 year. Executive Officer Knox noted that the dues for Kern LAFCo to be a member of CALAFO had increased significantly and that requests for a decrease in dues could only be obtained by proving a hardship. The hardship application was submitted along with justification and was denied by the CALAFCO Board. After questions and discussion by the Commission and Mr. Knox, the recommendation was made to not renew membership in CALAFCO for the 2021-2022 year and to restrict conference attendance to not more than four. *Upon motion of Commissioner Fowler, seconded by Commissioner Sanders, IT IS ORDERED:* Kern LAFCo will not renew their membership with CALAFCO for the 2021-2022 year

and conference attendance will be restricted to four attendees.

AYES: Fowler, McKibbin, Morris, Gray, Sanders Scrivner, Zaragoza

NAYS: None

ABSTAIN: None

ABSENT: Couch, Crump

Item 8/25/21-8: *Informational.*

LEGISLATIVE UPDATE: (Agenda Item 8d)

Executive Officer Knox gave a report, stating that the Omnibus bill had passed, the State Legislature is in recess and he stated that the Commission has been given a list of active and not active bills.

Item 8/25/21-9: *Informational.*

EXECUTIVE OFFICER MISCELLANEOUS ITEMS: (Agenda Item 8e)

- Back up attorney needed due to possible conflict of interest with both existing attorneys. Executive Officer will look into County Council as a possible back up. Will bring agreement back at a later date.
- Window was broken at LAFCo office. After discussion, the management company will fix the window at their expense.
- Staff working on 2020-2021 audit and five-year sphere of influence reviews.
- The next meeting will be September 22, 2021.

Item 8/25/21-10: *Closed Session Minutes Approved*

CLOSED SESSION: (Agenda Item 9)

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

The Commission returned from Closed Session, Legal Counsel Tom Schroeter, announced that the Minutes from the June 23, 2021 closed session was brought to a vote with a motion by Morris, seconded by Fowler: Approved by a unanimous vote.

Item 8/25/21-11: *Adjourned*

ADJOURNMENT: (Agenda Item 10)

There being no further business to come before the Commission, IT IS ORDERED: the meeting is adjourned at 6:12 p.m.

Secretary

Chairman