

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

Zoom Meeting and Teleconference
Meeting of August 26, 2020

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 meeting called to order at 5:16 p.m. Chair Rivera presiding.

ROLL CALL

Present: Baugher, Couch, Crump, Fowler, McKibbin, Morris, Rivera, Sanders, Scrivner
Absent: None
Staff: Knox, Moore, Rice
Counsel: Schroeter

APPROVAL OF MINUTES: (Agenda Item 3) May 27, 2020

Item 8/26/20-1: Approved as Presented

Chair Rivera presented the May minutes; *Upon motion of Commissioner Fowler, seconded by Commissioner Scrivner, IT IS ORDERED:* The Minutes of the meeting of May 27, 2020 are approved as confirmed by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Rivera, Sanders, Scrivner
NAYS: None
ABSTAIN: None
ABSENT: Crump

PUBLIC COMMENTS: (Agenda Item 4)

Item 8/26/20-2: None.

NOTICED PUBLIC HEARINGS: (Agenda Item 5)

Item 8/26/20-3: None.

PUBLIC PROJECT REVIEW: (Agenda Item 6)

Item 8/26/20-4: None.

COMMISSION ITEMS: (Agenda Item 7)

Item 8/26/20-5: None.

GENERAL BUSINESS: (Agenda Item 8)

Item 8/26/20-6: Approved as Presented

CLAIMS LIST 20-06 (Agenda Item 8a)

Chair Rivera presented Claims List 20-06. *Upon motion of Commissioner Couch, seconded by Commissioner Scrivner, IT IS ORDERED:* The general claims set forth in Claims List No. 20-06 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Crump

Item 8/26/20-7: Approved as Presented

CLAIMS LIST 20-07 (Agenda Item 8b)

Chair Rivera presented Claims List 20-07. *Upon motion of Commissioner Couch, seconded by Commissioner Scrivner, IT IS ORDERED:* The general claims set forth in Claims List No. 20-07 are approved for payment, and the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Crump

Item 8/26/20-8: Approved as Presented to Distribute for Comment

LAFCO FEE SCHEDULE MODIFICATION (Agenda Item 8c)

Executive Officer Knox informed the Commissioners the current fee structure has been used for approximately two decades without modification. Over the same two decades the assessment of the County, cities and Special Districts has continued to rise. User fees currently make up 4.3% of the current budget.

Local Government in Kern County is facing some very serious financial challenges. COVID has slowed our economy, governor's order to not turn off services for non-payment

continue to be in effect, oil prices are down, reduced agriculture with SGMA water cutbacks. It will be difficult for assessment of the county, cities and special districts to continue to grow at the same pace when their revenues and budgets are being curtailed. Therefore, to provide the same level of service, Kern LAFCo must find other revenue sources. Having one of the lowest fee schedules of any LAFCo in the State is a logical place to look.

The draft fee schedule includes significantly higher fees for many items. If necessary, the applicant can always come before the Commission and ask for reduced fees. The Commission is not approving this draft fee structure today. This is just the start of the process. Once the Commission has a fee structure that is suitable for distribution, the draft will be sent to the County, cities and special districts for their review and comments. Executive Officer Knox plans to give several months to comment on the draft fee structure.

At the end of the comment period, Kern LAFCo will hold another public meeting where the Commission will consider these comments and make a decision. If approved, the revised dues structure will go into effect next fiscal year starting July 1, 2021. *Upon motion of Commissioner Couch, seconded by Commissioner Baugher, IT IS ORDERED:* Direct Executive Officer to distribute the draft fee schedule for comments from County, Cities and Special Districts, bring back comments and hold public hearing for Commissions final consideration, the Chairman is authorized to certify said list by the following votes:

AYES: Baugher, Couch, Fowler, McKibbin, Morris, Rivera, Sanders, Scrivner

NAYS: None

ABSTAIN: None

ABSENT: Crump

Item 8/26/20-9: Information

COVID-19 OFFICE SAFETY PLAN (Agenda Item 8d)

LAFCo, as in many office's, are required to have a COVID Safety Plan on file for insurance and other liability issues. Most of the information in the plan is borrowed from State and Federal guidelines. This is purposeful and these guidelines change often as more information is known about the virus. The plan is long, but the procedures are pretty basic. Wear a mask, social distance, wash hands often. Temperatures will be required at the door before entering the office and recorded each day. Anyone with symptoms must leave the office. Return is not permitted unless the person is symptom free and has a negative test. The plan will be in effect until the Governor and Kern County Public Health give the all clear.

Item 8/26/20-10: Information

SB 414- OPPOSITION TO AMENDMENTS (Agenda Item 8e)

During a typical legislative year there are several bills that CALAFCO and this Commission consider taking a position on that affect the operations of LAFCo's across the state. The number of bills for consideration was reduced with the shortened schedule of the legislature. Included in those bills that died was a CALAFCO sponsored bill that would allow LAFCo's to apply for funding to dissolve, merge or consolidate districts. The last bill for consideration before the deadline this year was SB 414. Mr. Knox submitted a letter in opposition to proposed amendments after sharing with the Commission Chair, as per procedure. SB 414 died in Assembly Appropriations Committee.

Item 8/26/20-11: Information

CALAFCO UPDATE (Agenda Item 8f)

CALAFCO Executive Director Pamela Miller provided the background on the legislative session, including additional information on SB 414. Another version of the bill may be coming next year. Ms. Miller thanked the Commission and its' staff for all the support they have given to CALAFCO. Kern LAFCo has the authority to appoint a delegate to CALAFCO. As there will be no annual conference this year, webinars will be provided at no cost to the members of CALAFCO.

Item 8/26/20-12: Information

EXECUTIVE OFFICER MISCELLANEOUS ITEMS (Agenda Item 8g)

- Kern LAFCo staff has been busy over the last ninety days since the last meeting. Since there were no proceedings on the agenda this month, the following are some examples of other work and issues Kern LAFCo staff have been investing time in.

- Annexations**

Delays in receiving information from various agencies are causing completion of annexation applications to be pushed back.

- County Service Areas (CSA)**

Kern LAFCo staff recognizes files are incomplete when it comes to County Service Areas. Updating records and a Municipal Service Review of all CSA's will provide more accuracy.

- District Boundary Maps**

Staff is moving closer to having maps of cities and special districts online and available

to the public. Several district boundaries need confirmation and possible cleanup before this project is ready to be implemented. Kern LAFCo has slowly been auditing special district boundaries at the request of districts, the County Assessor's office and internally. There is not a specific end date for this project.

- **Resolutions and Completions Documents**

Through research Kern LAFCo has found that not all historical proceeding files are complete. Some information is missing and likely lost forever. Some are housed at the County and State. Two documents that should be in every file are the Resolution of the Commission which states the action taken and the Certificate of Completion noting when all legal requirements are complete. Kern LAFCo staff is in the process of researching and replacing these documents when necessary.

- **Digitalization of Maps and Files**

The process of digitizing maps and files has slowed with the reduction of accessibility to the office during this COVID crisis. Kern LAFCo is still committed to continue this when more staff time can be allowed in the office.

- **Commissioner Handbook**

When each Commissioner is first appointed to Kern LAFCo, they are given a Commissioner Handbook. The handbook covered a wide variety of topics ranging from LAFCo 101 to Form 700's. The Handbook has needed updating for several years. This process is close to being completed and each Commissioner will receive a copy of the revised handbook when complete.

- **Update of Office Procedures**

The way LAFCo staff operates and gets work done has changed. Kern LAFCo's desire to keep all records electronically and pandemic office restrictions, most of staff's work is done remotely. These changes have made many of our written office procedures obsolete.

- **CEQA**

LAFCo will not always except a Notice of Exemption when it becomes clear that a more robust environmental analysis is available.

- **Audit**

Kern LAFCo is starting to put together information for the audit of the 2019-2020 fiscal

year. This is the last year in the contract with Brown Armstrong. Kern LAFCo is considering joining several other LAFCo's in a joint RFP for audit services. This could significantly reduce the amount of future year's audits.

- Our next meeting is scheduled for Wednesday September 23, 2020.

CLOSED SESSION: (Agenda Item 9)

Item 8/26/20-13: None

ADJOURNMENT: (Agenda Item 10)

Item 8/26/20-14: Adjourned

There being no further business to come before the Commission. IT IS ORDERED: the meeting is adjourned at 6:08 p.m.

Secretary

Chairman