BEFORE THE LOCAL AGENCY FORMATION COMMISSION

COUNTY OF KERN, STATE OF CALIFORNIA

In the Matter of: REPORT AND RECOMMENDATION
MCALLISTER RANCH IRRIGATION DIST.: Proceeding No. 1678
Detachment B: August 14, 2015

In the above-entitled matter the staff report and the recommendation of the Executive Officer are respectfully submitted as follows:

PROPOSAL BACKGROUND AND ANALYSIS:

On May 21, 2015 the McAllister Ranch Irrigation Dist submitted Detachment B to Kern LAFCo. The process required by the Cortese Knox Hertzberg has been followed including notices to affected agencies and any notices and publications required by law.

This proposal is to detach from the District an area consisting of approximately 590 acres. The District which is authorized to provide the generation of power, is not serving the area and the property does not require services from the District. This area is also within the boundaries of the City of Bakersfield, there is no request for detachment from the City at this time.

Two of the landowners, Buena Vista Water District, and Rosedale Rio Bravo Water Storage District have consented to the detachment. The third landowner, Union Pacific Rail Road has not consented or objected. A memo informing the rail road of the detachment was sent on July 8, 2015. Government Code Section 56662 (d)(2) allows for waiver of notice hearing and protest hearing if all landowners have consented. "exclusive of land owned by a private railroad company" McAllister Ranch Irrigation Dist, requests that the Commission waive notice, hearing and protest hearing.

CONDITION RECOMMENDED BY EXECUTIVE OFFICER:

The Applicant has signed an agreement to actively defend or indemnify and hold harmless the Kern County Local Agency Formation Commission or its agents, officers and employees, from any liability or loss connected with the approval of McAllister Ranch Irrigation Dist: Detachment B.
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ENVIRONMENTAL IMPACT STATEMENT:

The District as lead agency has prepared and filed a Notice of Exemption. The Commission has been given a copy of the District’s Notice of Exemption to review and consider.

TAXATION:

There will be no change in property tax due to detachment.

NOTE TO THE PUBLIC:

If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of $250 or more to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government code Section 84308)

RECOMMENDATION:

It is recommended that the Commission consider the notice of exemption adopted by the District and approve the proposed detachment, with condition recommended by Executive Officer subject to notice, hearing and protest hearing as requested by applicant. (Resolution)

Respectfully Submitted

Rebecca Moore
Executive Officer
The following are the considerations required by Gov Code 56668:

a) POPULATION AND POPULATION DENSITY; LAND AREA AND LAND USE; PER CAPITA ASSESSED VALUATION; TOPOGRAPHY, NATURAL BOUNDARIES, AND DRAINAGE BASINS; PROXIMITY TO OTHER POPULATED AREAS; THE LIKELIHOOD OF SIGNIFICANT GROWTH IN THE AREA, AND IN ADJACENT INCORPORATED AND UNINCORPORATED AREAS, DURING THE NEXT 10 YEARS.

The parcels proposed for detachment are uninhabited. The surrounding areas are vacant. There is no unusual topography or natural boundaries in this area. This area is served by the Buena Vista Lake (drainage basin). Growth is planned in this area.

ASSESSED VALUATION: Secured: $6,754,107. Unsecured: $0

b) THE NEED FOR ORGANIZED COMMUNITY SERVICES.

EXISTENCE OF: FUTURE NEEDS:

Essential governmental services and controls now provided, or which may be provided in the future by local governmental agencies within subject territory include the following:

<table>
<thead>
<tr>
<th>Type</th>
<th>Now provided by</th>
<th>After proposed action future needs provided by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning</td>
<td>City of Bakersfield</td>
<td>Same</td>
</tr>
<tr>
<td>Parks and Recreation</td>
<td>None</td>
<td>Same</td>
</tr>
<tr>
<td>Library</td>
<td>County of Kern</td>
<td>Same</td>
</tr>
<tr>
<td>Police Protection</td>
<td>City of Bakersfield</td>
<td>Same</td>
</tr>
<tr>
<td>Fire Protection</td>
<td>City of Bakersfield</td>
<td>Same</td>
</tr>
<tr>
<td>Streets</td>
<td>None</td>
<td>Same</td>
</tr>
<tr>
<td>Flood Control</td>
<td>City of Bakersfield</td>
<td>Same</td>
</tr>
<tr>
<td>Sewerage</td>
<td>None</td>
<td>Same</td>
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<tr>
<td>Water</td>
<td>None</td>
<td>Same</td>
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</tbody>
</table>

c) THE EFFECT OF THE PROPOSED ACTION AND OF ALTERNATIVE ACTIONS ON ADJACENT AREAS, ON MUTUAL SOCIAL AND ECONOMIC INTERESTS AND ON THE LOCAL GOVERNMENTAL STRUCTURE OF THE COUNTY.

The proposal does not change zoning and land uses in the area and does not affect the land use of adjacent areas. The proposal does not impact any social or other economic interests in the area.
d) THE CONFORMITY OF BOTH THE PROPOSAL AND ITS ANTICIPATED EFFECTS WITH BOTH THE ADOPTED COMMISSION POLICIES ON PROVIDING PLANNED, ORDERLY EFFICIENT PATTERNS OF URBAN DEVELOPMENT AND THE POLICIES AND PRIORITIES SET FORTH IN SECTION 56377.

The proposal is consistent with Commission policies.

e) THE EFFECT OF THE PROPOSAL ON MAINTAINING THE PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURAL LANDS AS DEFINED BY SECTION 56016.

"AGRICULTURAL LANDS" MEANS LANDS CURRENTLY USED FOR THE PURPOSE OF PRODUCING AN AGRICULTURAL COMMODITY FOR COMMERCIAL PURPOSES, AND LEFT FALLOW UNDER A CROP ROTATIONAL PROGRAM OR LAND ENROLLED IN AN AGRICULTURAL SUBSIDY OR SET-ASIDE PROGRAM"

This proposal does not convert agricultural lands.

f) THE DEFINITENESS AND CERTAINTY OF THE BOUNDARIES OF THE TERRITORY.

The boundary of the proposal conforms to the assessor parcel.

g) A REGIONAL TRANSPORTATION PLAN ADOPTED PURSUANT TO SECTION 65080 AND CONSISTENCY WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS

This proposal does not conflict with the City, or County's General Plan, Regional Transportation Plan or any Specific Plans.

h) THE SPHERE OF INFLUENCE OF ANY LOCAL AGENCY WHICH MAY BE APPLICABLE TO THE PROPOSAL BEING REVIEWED.

The area is within the sphere of the following districts:

City of Bakersfield
Greater Bakersfield Separation of Grade District
Kern Air Pollution Control District
Kern Citrus Pest Control District
Kern County Water Agency
Kern Joint Community College District
Kern Mosquito and Vector Control
Kern Union High School Dist
McAllister Ranch Irrigation District
Panama Buena Vista Elementary School Dist
County Commission on School District Organization

There will be no functional overlap.
i) COMMENTS OF ANY AFFECTED LOCAL AGENCY OR OTHER PUBLIC AGENCY:

A notice was sent to affected local agencies and no comments were received. A copy of the proposal was sent to the County Assessor, County Planning and County Surveyor, comments were received and used for this report.

j) THE ABILITY OF THE NEWLY FORMED OR RECEIVING ENTITY TO PROVIDE THE SERVICES WHICH ARE THE SUBJECT OF THE APPLICATION TO THE AREA, INCLUDING THE SUFFICIENCY OF REVENUES FOR THOSE SERVICES FOLLOWING THE PROPOSED BOUNDARY CHANGE.

This proposal is for detachment. There will be no services provided by the District to this area.

k) TIMELY AVAILABILITY OF WATER SUPPLIES ADEQUATE FOR PROJECTED NEEDS AS SPECIFIED IN GOV CODE SECTION 65352.5.

This proposal is for detachment. The District will not be providing water to this area.

l) THE EXTENT TO WHICH THE PROPOSAL WILL AFFECT A CITY AND THE COUNTY IN ACHIEVING THEIR RESPECTIVE FAIR SHARE OF THE REGIONAL HOUSING NEEDS.

This proposal will not affect the city or county in achieving their respective fair share of the regional housing needs.

m) ANY INFORMATION OR COMMENTS FOR THE LANDOWNER OR OWNERS, VOTERS OR RESIDENTS OF THE AFFECTED TERRITORY.

No comments have been made to LAFCo.

n) ANY INFORMATION RELATING TO EXISING LAND USE DESIGNATIONS.

The area is currently zoned residential however it is vacant at this time.

o) THE EXTENT TO WHICH THE PROPOSAL WILL PROMOTE ENVIRONMENTAL JUSTICE (FAIR TREATMENT OF PEOPLE OF ALL RACES CULTURES, AND INCOMES WITH RESPECT TO THE LOCATION OF PUBLIC FACILITIES AND THE PROVISION OF PUBLIC SERVICES.

The project does not result in the unfair treatment with respect to the location of public facilities and provision of public services.
PROPERTY OWNERS

McAlister Ranch Irrigation District:
Detachment B

Buena Vista Water Storage District/Dan Bartel
Rosedale Rio Bravo Water Storage District
Union Pacific R/R Co