



FINAL MINUTES

LAFCO REGULAR MEETING

Wednesday, June 18, 2014, 8:30 a.m.

Planning Commissioner Hearing Room, Hall of Administration
10 Civic Center Plaza, Santa Ana

1. CALL TO ORDER

Chair Joe Carchio called the regular meeting of the Local Agency Formation Commission (LAFCO) to order at 8:35 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner John Moorlach led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners and Alternates were present:

- **Chair Joe Carchio**
- **Commissioner Cheryl Brothers**
- **Commissioner John Moorlach**
- **Commissioner Charley Wilson**
- **Commissioner Susan Wilson**
- **Commissioner John Withers**
- **Alternate Commissioner James Fisler**
- **Alternate Commissioner Derek McGregor**

The following Commissioners were absent:

- **Vice Chair Pat Bates**
- **Commissioner Todd Spitzer**

The following LAFCO staff members were present:

- Executive Officer Carolyn Emery
- Assistant Executive Officer Ken Lee
- Project Manager Benjamin Legbandt
- Commission Clerk Cheryl Carter-Benjamin
- Legal Counsel Scott Smith

**4. ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATIONS
(Received After Agenda Distribution)**

None

5. APPROVAL OF MINUTES

May 14, 2014 - Regular Commission Meeting Minutes

The minutes were approved with no revisions.

MOTION: Approve the May 14, 2014 Regular Commission Meeting Minutes (John Withers)

SECOND: Charley Wilson

FOR: Joe Carchio, Cheryl Brothers, Charley Wilson, John Withers

AGAINST: None

ABSTAIN: John Moorlach, Susan Wilson

MOTION PASSED

6. PUBLIC COMMENT

Chair Carchio requested public comments on any non-agenda items. There were none.

Chair Carchio closed public comments.

7. CONSENT CALENDAR

7a. - Brookhurst Annexation to Midway City Sanitary District (DA 13-12)

Chair Carchio called for approval of the consent calendar.

Commissioner Fisler inquired about the difference in the number of residential subdivision lots listed in Midway City Sanitary District's Will Serve Letter for the proposed development project (an attachment to the staff report) and the rest of the agenda documents. The Executive Officer responded that staff would verify the numbers with the District to ensure there are no technical issues prior to recordation of the annexation.

MOTION: Approve the Consent Calendar. (John Moorlach)

SECOND: John Withers

**FOR: Joe Carchio, Cheryl Brothers, John Moorlach,
Susan Wilson, Charley Wilson, John Withers**

AGAINST: None

ABSTAIN: None

MOTION PASSED

8. PUBLIC HEARING

8a. - Final LAFCO Budget for Fiscal Year 2014-2015

Commissioner Withers commended staff noting that the Fiscal Year 2014-2015 Final Budget is a steady state budget. **Chair Carchio** opened the public hearing. There were no speaker cards. **Chair Carchio** closed the public hearing.

MOTION: Adopt the Final LAFCO Budget for Fiscal Year 2014-2015; distribute the Final Budget to the Board of Supervisors, each city and independent special district, and the County Auditor-Controller. (John Withers)

SECOND: Susan Wilson

FOR: Joe Carchio, Cheryl Brothers, John Moorlach, Susan Wilson, Charley Wilson, John Withers

AGAINST: None

ABSTAIN: None

MOTION PASSED

9. COMMISSION DISCUSSION AND ACTION

Chair Carchio requested Agenda Item 9b Regular Public Member Interviews and Selection be moved and heard as the first discussion item.

9b. - Regular Public Member Interviews and Selection

Commissioners Susan Wilson and Derek McGregor excused themselves from the dais to join the other applicants participating in the interview and selection process for the LAFCO Regular Public Member. The candidates were escorted to a separate conference room.

Commissioner Withers asked the **Chair** if the candidates, upon completion of the interviews, would be present in the meeting room to listen to the Commission's deliberations. Legal Counsel Scott Smith replied that, at the discretion of the entire Commission and with the concurrence of the candidates, deliberations could move forward in a public setting with the candidates voluntarily excusing themselves from the room. Staff conferred with the candidates and received unanimous concurrence from the candidates to excuse themselves from the meeting room during the Commission's deliberations.

The Commission noted applications withdrawn. Two applicants did not attend the June 18, 2014 Regular Meeting to participate in the interviews. The Executive Officer stated that one of the absentee candidates requested that their application still be considered during the Commission's deliberations.

The Commission interviewed, in alphabetical order, the following six candidates for the Regular Public Member Seat: Thomas R. Cagley, Derek J. McGregor, S. Michael Pouraryan, L. Allen Songstad, William F. Underwood, and Susan Wilson. Upon completion of the interviews, the Commission discussed the qualifications of the candidates and deliberated over the selection of the new Regular Public Member.

Commissioner Moorlach asked Legal Counsel Scott Smith if the Alternate Public Member seat becomes vacant as a result of the Regular Public Member process if the Alternate Public Member seat could be selected today. Legal Counsel replied that the Commission's policy requires advertisement of a Public Member vacancy and the Brown Act requires proper noticing on the agenda, which was not provided for on the June 18, 2014 Regular Meeting agenda.

Upon completion of the Commission's deliberations, the candidates who were still present were invited back into the meeting room, and **Chair Carchio** announced the appointment of Derek J. McGregor as LAFCO's Regular Public Member. The Commissioners commended each applicant for their outstanding qualifications and interest in local government.

MOTION: Appoint Derek J. McGregor by acclamation as LAFCO's Regular Public Member. (Joe Carchio)
SECOND: Cheryl Brothers
FOR: Joe Carchio, Cheryl Brothers, John Moorlach, Charley Wilson, John Withers
AGAINST: None
ABSTAIN: None

MOTION PASSED

Commissioners Susan Wilson and Derek McGregor rejoined the Commission at the dais.

Chair Carchio asked the Commission for a continuance of the remaining Agenda Items requiring Commission discussion to the July 9, 2014 Regular Commission Meeting (except for Item 9c as noted below). The Commission concurred. Executive Officer Carolyn Emery acknowledged Isabel Safie from Best, Best & Krieger was in attendance for presentation of Item 9c - OC LAFCO Retirement Options Update, in case the Commission had any questions on the related Best Best & Krieger memo.

9c. – OC LAFCO Retirement Options Update

Commissioner Moorlach commented that he concurred with the discussion outlined in legal counsel’s memo.

Chair Carchio called for the motion to receive and file OC LAFCO Retirement Options Update.

**MOTION: Receive and file the OC LAFCO Retirement Options Update.
(John Withers)**

SECOND: John Moorlach

**FOR: Joe Carchio, Cheryl Brothers, John Moorlach,
Susan Wilson, Charley Wilson, John Withers**

AGAINST: None

ABSTAIN: None

MOTION PASSED

Commissioner C. Wilson left the meeting at 11:05 a.m. **Commissioner Withers** left the meeting at 11:11 a.m.

CONTINUED AGENDA ITEMS

The remaining Agenda Items for the June 18, 2014 Regular Meeting were moved to the Agenda of the July 9, 2014 Regular Meeting, including:

- Agenda Item 9d – South Orange County Governance – Financial Model and Visioning Process Schedule
- Agenda Item 10 – Closed Session

11. COMMISSIONER COMMENTS

Commissioner Susan Wilson congratulated **Commissioner Derek McGregor** on his appointment and thanked the Commission and staff. **Chair Carchio** thanked **Commissioner Susan Wilson** for her service on the Commission.

13. ADJOURNMENT OF REGULAR COMMISSION MEETING

The meeting adjourned at 11:15 a.m.

Joe Carchio, Chair
Orange County Local Agency Formation Commission

By: _____
Cheryl Carter-Benjamin
Commission Clerk