



## DRAFT MINUTES

7a

### OC LAFCO REGULAR MEETING AGENDA

Wednesday, March 10, 2021  
8:15 a.m.

*Due to COVID-19, this meeting was conducted by teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act.*

#### 1. CALL TO ORDER

**Chair Davert** called the meeting of the Orange County Local Agency Formation Commission (OC LAFCO) to order at 8:16 a.m., announced that the Commission meeting is being conducted by teleconference, and participation by Commissioners and staff are from remote locations.

#### 2. ROLL CALL

The following Commissioners and Alternates were present:

- **Chair Douglass Davert**
- **Vice Chair Donald Wagner**
- **Commissioner Lisa Bartlett**
- **Commissioner Wendy Bucknum (departed at 8:50 a.m.)**
- **Commissioner James Fisler**
- **Commissioner Derek J. McGregor**
- **Commissioner Mike Posey**
- **Alternate Commissioner Kathryn Freshley**
- **Alternate Commissioner Peggy Huang**
- **Alternate Commissioner Lou Penrose**

The following OC LAFCO staff members were present:

- **Executive Officer Carolyn Emery**
- **Policy Analyst Luis Tapia**
- **Policy Analyst Gavin Centeno**
- **Commission Clerk Cheryl Carter-Benjamin**
- **Legal Counsel Scott Smith**

**3. ANNOUNCEMENT OF SUPPLEMENTAL COMMUNICATION  
(Received After Agenda Distribution)**

Commission Clerk Cheryl Carter-Benjamin noted that no supplemental communication was received.

**4. PUBLIC COMMENT**

**Chair Davert** requested public comments on any non-agenda items. Commission Clerk Cheryl Carter-Benjamin noted no public comments were received. **Chair Davert** closed public comment.

**5. CONSENT CALENDAR**

**Chair Davert** called for the approval of the consent calendar. **Commissioner McGregor** motioned for approval of the consent calendar and **Vice Chair Wagner** seconded the motion.

**Chair Davert** called for a roll call vote on the approval of the consent calendar. The Commission Clerk conducted a roll call vote on the item.

**5a. - Approval of Minutes - February 10, 2021 Regular Commission Meeting**

**MOTION:** Approve the consent calendar. (Derek J. McGregor)  
**SECOND:** Donald Wagner  
**FOR:** Derek J. McGregor, Donald Wagner, Lisa Bartlett,  
Wendy Bucknum, James Fisler, Mike Posey, Douglass Davert  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

**6. PUBLIC HEARING**

**6a. - 2021-22 OC LAFCO Proposed Budget and Fee Schedule**

Executive Officer Carolyn Emery presented the staff report on the proposed budget and recommended actions and noted that staff and LAFCO consultant were available to address any questions.

General questions and clarifications asked by the Commissioners were addressed by the Executive Officer.

**Chair Davert** opened the public hearing. Commission Clerk Cheryl Carter-Benjamin noted no comments were received by email on the item. **Chair Davert** called for a

motion on approval of the staff recommended actions. **Commissioner Posey** motioned to approve the recommended actions and **Commissioner Bucknum** seconded the motion.

**MOTION:** Adopt the Proposed FY 2021-22 OC LAFCO Budget and direct the Executive Officer to distribute the document for review and comment to the Board of Supervisors, cities, and special districts; direct staff to schedule a public hearing for consideration and adoption of the Final FY 2021-22 OC LAFCO Budget at the May 12, 2021 regular meeting; and adopt the resolution approving the 2021-22 Fee Schedule. (Mike Posey)

**SECOND:** Wendy Bucknum

**FOR:** Mike Posey, Wendy Bucknum, Lisa Bartlett, James Fisler, Derek J. McGregor, Donald Wagner, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED:** 7-0.

**6b. – Proposed “Givens Property Detachment from the City of Orange (CD 20-12)”**

Policy Analyst Gavin Centeno presented the staff report and recommended actions and noted that staff and Fred Talarico, representative of the applicant were available to address any questions.

**Chair Davert** called for Commission discussion on the item and opened the hearing of public comments. There were no public comments received by email on the item.

**Chair Davert** called for a motion on approval of the staff recommended actions. **Commissioner McGregor** motioned to approve the recommended actions and **Commissioner Posey** seconded the motion.

**MOTION:** Certify that the Commission reviewed and considered the information contained within the Notice of Exemption prepared by the County of Orange; approve the Notice of Exemption; adopt Orange LAFCO Resolution No. CD 20-12; and waive protest proceedings for the “Givens Property Detachment from the City of Orange.” (Derek J. McGregor)

**SECOND:** Mike Posey

**FOR:** Derek J. McGregor, Mike Posey, Wendy Bucknum, Lisa Bartlett, James Fisler, Donald Wagner, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED:** 7-0.

## 7. COMMISSION DISCUSSION AND ACTION

### 7a. - Legislative Report (March 2021)

Policy Analyst Luis Tapia presented an overview of proposed bills of LAFCO interest. He noted that many of the bills are still being developed and recommended that the Commission receive and file the legislative report.

The Commission discussed being proactive involving the proposed legislation. **Commissioner Wagner** motioned for the Commission to adopt an “oppose unless amended” on AB 339 (Lee and Garcia), and SB 274 (Wieckowski). **Commissioner Posey** expressed concerns on SB 55 and recommended the commission also take an “oppose unless amended” position on the bill.

**Chair Davert** called for the motion. **Commissioner Wagner** amended his motion for the Commission to take an “oppose unless amended” on AB 339, SB 274, and SB 55. **Commissioner Posey** seconded the motion.

There were no public comments received by email on the item.

**Chair Davert** called for a roll call vote on the motion. The Commission Clerk conducted a roll call vote on the item.

**MOTION:** Adopt an “Oppose unless amended” position on the following bills: AB 339 (Lee and Garcia), SB 274 (Wieckowski), and SB 55 (Stern and Allen). (Donald Wagner)

**SECOND:** Mike Posey

**FOR:** Donald Wagner, Mike Posey, Lisa Bartlett, James Fisler, Peggy Huang, Derek J. McGregor, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED:** 7-0.

**Chair Davert** called for a motion to receive and file the legislative report. **Commissioner McGregor** motioned to receive and file the report and **Commissioner Posey** seconded the motion.

**MOTION:** Receive and file the March 10, 2021 Legislative Report. (Derek J. McGregor)

**SECOND:** Mike Posey

**FOR:** Derek J. McGregor, Mike Posey, Lisa Bartlett, James Fisler, Peggy Huang, Donald Wagner, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED:** 7-0.

## 8. COMMISSIONER COMMENTS

There were no Commissioner comments.

## 9. EXECUTIVE OFFICER'S REPORT

The Executive Officer gave an oral update on the following:

- **Staffing**  
The new Assistant Executive Officer, Raymond Barragan, was introduced to the Commission and will begin on March 15.
- **Strategic Planning Workshop**  
The strategic planning workshop is currently scheduled for June 9, 2021, and the Executive Officer noted that she initiated conversations with a potential facilitator.
- **Cancellation of April's Regular Commission Meeting**  
**Chair Davert** announced the cancellation of the April 14, 2021 Regular Commission Meeting due to lack of items requiring Commission action.

## 10. INFORMATIONAL ITEMS & ANNOUNCEMENTS

The **Chair** stated that there were no informational items or announcements.

## 11. CLOSED SESSION

The **Chair** stated that there were no closed session items for discussion.

## 12. NOTICE OF ADJOURNMENT OF THE REGULAR COMMISSION MEETING

**Chair Davert** adjourned the Regular Commission Meeting at 9:13 a.m. to the next regular OC LAFCO meeting scheduled for Wednesday, May 12, 2021, at 8:15 a.m.

Douglass Davert, Chair  
Orange County Local Agency Formation Commission

By: \_\_\_\_\_  
Cheryl Carter-Benjamin  
Commission Clerk