



DRAFT MINUTES

4a

OC LAFCO REGULAR MEETING AGENDA

Wednesday, February 13, 2019
8:15 a.m. – 12:00 p.m.

Hall of Administration
Planning Commission Hearing Room
333 W. Santa Ana Blvd.
10 Civic Center Plaza, Santa, CA 92701

1. CALL TO ORDER

Chair **McGregor** called the regular meeting of the Orange County Local Agency Formation Commission (OC LAFCO) to order at 8:18 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner **Fisler** led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners and Alternates were present:

- **Chair Derek J. McGregor**
- **Vice Chair Cheryl Brothers**
- **Commissioner Allan Bernstein**
- **Commissioner Douglass Davert**
- **Commissioner Charley Wilson**
- **Alternate Commissioner Wendy Bucknum**
- **Alternate Commissioner James Fisler**
- **Alternate Commissioner Lou Penrose**

The following Commissioners were absent:

- **Commissioner Lisa Bartlett**
- **Alternate Commissioner Michelle Steel**

The following OC LAFCO staff members were present:

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

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

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

5. APPROVAL OF MINUTES

5a. – November 14, 2018 - Regular Commission Meeting Minutes

The regular minutes were approved with no revisions.

MOTION: Approve the November 14, 2018 Regular Commission Meeting Minutes. (Douglass Davert)

SECOND: Cheryl Brothers

FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein, Douglass Davert, Charley Wilson

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

6. PUBLIC COMMENT

Chair McGregor requested public comments on any non-agenda items. There were none. **Chair McGregor** closed the public comments.

7. CONSENT CALENDAR

Chair McGregor called for the approval of the consent calendar.

7a. – Appointment Process for OC LAFCO Expiring Terms and Vacant Seat

7b. – OC LAFCO Professional Services Agreement Update

7c. – Recognition of Dedicated Service of Former Commissioner Todd Spitzer

MOTION: Approve the Consent Calendar. (Douglass Davert)
SECOND: Allan Bernstein
FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein,
Douglass Davert, Charley Wilson
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8. PUBLIC HEARING

The Chair stated that there were no public hearing items for consideration.

9. COMMISSION DISCUSSION AND ACTION

9a. - OC LAFCO FY 2018-19 Work Plan Mid-Year Update

Executive Officer Carolyn Emery provided an update on the accomplishments on the projects identified in the FY 2018-19 Work Plan. She highlighted the Commission's progress on the mandated projects, the Commission-initiated projects and the administrative projects. She further noted that since the adoption of the workplan in November, three anticipated applications have been added, including the annexation of the Cielo Vista development area to the City of Yorba Linda, the annexation of a portion of IRWD's service area to the Orange County Sanitation District, and a reorganization involving Laguna Woods and Laguna Hills.

Vice Chair Brothers asked if the Southern Region meetings were still held quarterly as shown in the work plan. Ms. Emery replied that the Southern Region currently meets twice a year and that the work plan will be corrected to reflect that schedule.

MOTION: Receive and file OC LAFCO's FY 2018-19 Work Plan Mid-Year Update. (Douglass Davert)
SECOND: Cheryl Brothers
FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein,
Douglass Davert, Charley Wilson
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

9b. - Legislative Quarterly Report

Policy Analyst Luis Tapia gave a brief presentation on anticipated legislation for the current legislative session that began in December 2018.

MOTION: Receive and file the quarterly legislative update. (Charley Wilson)

SECOND: Allan Bernstein

FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein, Douglass Davert, Charley Wilson

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

9c. – OC LAFCO Update to Personnel Policies and Procedures

Executive Officer Carolyn Emery gave an overview of the proposed revisions to OC LAFCO's personnel policies and procedures. She noted that because federal and state labor laws may change, the Commission's personnel policies and procedures are reviewed annually by staff and legal counsel.

MOTION: Adopt the proposed updates to OC LAFCO Personnel Policies and Procedures. (Cheryl Brothers)

SECOND: Douglass Davert

FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein, Douglass Davert, Charley Wilson

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

9d. – Election of LAFCO Officers for 2019

Executive Officer Carolyn Emery presented the staff report for the election of an OC LAFCO Chair and Vice Chair for 2019. She noted that, in accordance with agency bylaws, the Commission annually elects a Chair and Vice Chair. She also reminded the Commission that the Chair, Vice Chair and immediate past Chair serve as the members of the Commission's Executive Committee.

Chair McGregor nominated **Vice Chair Brothers** to serve as the LAFCO Chair. **Chair McGregor** called for other nominations for the LAFCO Chair. There were none.

MOTION: Nominate Vice Chair Brothers to serve as the 2019 LAFCO Chair. (Derek J. McGregor)

SECOND: Charley Wilson

FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein, Douglass Davert, Charley Wilson

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

Commissioner Wilson nominated **Commissioner Davert** to serve as the LAFCO Vice Chair. **Chair McGregor** called for other nominations for the LAFCO Vice Chair. There were none.

MOTION: Nominate Commissioner Davert to serve as the 2019 LAFCO Vice Chair. (Charley Wilson)

SECOND: Allan Bernstein

FOR: Derek J. McGregor, Cheryl Brothers, Allan Bernstein, Douglass Davert, Charley Wilson

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

10. COMMISSIONER COMMENTS

Many Commissioners congratulated the newly appointed Chair and Vice Chair, and **Commissioner McGregor** was commended for his dedication and leadership as Chair for several terms.

Commissioners Brothers and Davert thanked the Commissioners for their support and stated that they looked forward to serving.

Commissioner Wilson acknowledged and congratulated Jose Solorio and Adan Ortega for being seated on the board at Metropolitan Water District of Southern California. He noted that Mr. Solorio will represent Santa Ana and Mr. Ortega will represent Fullerton.

Commissioner Bucknum extended a happy new year to the Commission and staff and apologized for her absence over the last few months due to family losses. She noted her appreciation for the Commission adjourning the November 2018 meeting in memory of her mother.

Chair McGregor stated that the proposed agendas for December and January were light and, with no objections, both meetings were cancelled, but added that he received frequent updates from staff on projects and it was busy during those months. He extended his congratulations to the new Chair and

Vice Chair and stated that he looks forward to serving with them as the Immediate Past Chair on the Executive Committee.

11. EXECUTIVE OFFICER'S REPORT

11a. - Special District OC LAFCO Apportionment

Executive Officer Emery stated that discussions are continuing amongst the districts concerning the structure of the special district apportionment of the LAFCO budget. She noted that ISDOC will provide leadership on this issue and is moving towards reconvening an ad hoc committee to identify, review and analyze options for the structure of those apportionments. She concluded that LAFCO staff's role in this process would be to provide information, as appropriate, upon request.

11b. - ACC-OC and ISDOC Presentations

Executive Officer Emery stated that staff was invited to make presentations to the newly elected city councilmembers at the ACC-OC workshop and to members of ISDOC at its January quarterly meeting. She noted that this provided an opportunity to present information on the Commission's legislative mission, its role in Orange County, and the Commission's current workplan.

11c. - San Juan Capistrano Utility Systems Transfer Update

Executive Officer Emery stated that the City of San Juan Capistrano continues to meet with the potential successor agencies to address the potential needs and requirements of the transfer of the water and wastewater utilities. She added that the City held a public meeting on February 5 with presentations from each of the potential successor agencies (*Moulton Niguel WD, Santa Margarita WD and South Coast WD*). She further noted that council agreed to bring the item back on February 19 to make a decision and move forward towards filing an application with LAFCO.

11d. - Center for Demographics (CDR) Census Project

Executive Officer Emery announced that staff has been working collaboratively with CDR and County staff on reviewing some of the unincorporated areas in anticipation of the 2020 census. She noted that staff is collaborating with both agencies to identify boundaries for Rancho Mission Viejo, Silverado-Modjeska Canyon, and Foothill-Trabuco Canyon for the United States Census Bureau to use for statistical purposes only.

12. INFORMATIONAL ITEMS & ANNOUNCEMENTS

12a. - 2019 Strategic Planning Session

The Chair reminded the Commission that the Strategic Planning Session will take place on March 13, 2019 at the Orange County Transportation Authority (OCTA) and is scheduled to begin at 8:15 a.m. He noted that the session will be facilitated by William Chiat, President of the Alta Mesa Group and discussions will include the

Commission's goals, accomplishments and opportunities. He further stated that the planning session is a public meeting and there will be an opportunity for public comments at the start of the session.

13. CLOSED SESSION

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

14. ADJOURNMENT OF REGULAR COMMISSION MEETING

The Regular Commission Meeting was adjourned 8:43 a.m.

Cheryl Brothers, Chair
Orange County Local Agency Formation Commission

By: _____
Cheryl Carter-Benjamin
Commission Clerk