



DRAFT MINUTES

5a

OC LAFCO REGULAR MEETING AGENDA

Wednesday, May 8, 2019  
8:15 a.m.

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

1. CALL TO ORDER

Chair **Brothers** called the regular meeting of the Orange County Local Agency Formation Commission (OC LAFCO) to order at 8:17 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner **Lisa Bartlett** led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners and Alternates were present:

- Chair **Cheryl Brothers**
- Vice Chair **Douglass Davert**
- Commissioner **Lisa Bartlett**
- Commissioner **Allan Bernstein**
- Commissioner **Derek J. McGregor**
- Commissioner **Donald Wagner**
- Alternate Commissioner **James Fisler**
- Alternate Commissioner **Lou Penrose**

The following Commissioner was delayed:

- Alternate Commissioner **Wendy Bucknum** (arrived at 8:53 a.m.)

The following Commissioner was absent:

- 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 reported that supplemental correspondence was received after agenda mailout: 1) a memo on the appointment process for special district member seats related to Agenda Item 11a, and 2) a revised opposition letter regarding Assembly Bill 600 (Chu) related to Agenda Item 7a. She further noted that all supplemental correspondence was made available to the public and posted on the OC LAFCO website.

**5. APPROVAL OF MINUTES**

**5a. – April 10, 2019 - Regular Commission Meeting**

The regular minutes were approved with no revisions.

**MOTION: Approve the April 10, 2019 Regular Commission Meeting Minutes. (Douglass Davert)**

**SECOND: James Fisler**

**FOR: Cheryl Brothers, Douglass Davert, Lisa Bartlett,  
Allan Bernstein, James Fisler, Derek J. McGregor,  
Donald Wagner**

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 7-0.**

**6. PUBLIC COMMENT**

**Chair Brothers** requested public comments on any non-agenda items. Commission Clerk Cheryl Carter-Benjamin noted that no speaker cards were received. **Chair Brothers** closed the public comments.

## 7. CONSENT CALENDAR

**Chair Brothers** requested Agenda Item 7a be pulled for further discussion. Policy Analyst Luis Tapia presented a staff report identifying the changes to the provisions of AB 600 and the proposed letter of opposition to the bill.

### 7a. - Legislative Report

**MOTION:** Receive and file the May 8, 2019 Legislative Report; Adopt recommended positions on AB 600 "oppose" and SB 414 "watch"; Direct staff to submit letter of opposition to AB 600 as amended. (Allan Bernstein)

**SECOND:** Derek J. McGregor

**FOR:** Cheryl Brothers, Douglass Davert, Lisa Bartlett, Allan Bernstein, James Fisler, Derek J. McGregor, Donald Wagner

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED:** 7-0.

## 8. PUBLIC HEARING

### 8a. -Fiscal Year 2019-20 OC LAFCO Final Budget

Assistant Executive Officer Debra Kurita presented the staff report on the final budget for FY 2019-20.

**Chair Brothers** opened the public hearing. There were no speaker cards received. **Chair Brothers** closed the public hearing and called for further discussion by the Commission.

During the consideration of this item, the Commission discussed allowing additional time for comments from agencies on the final budget, the budget impact of the organizational assessment, the continued draw-down of reserves, and future increases in CALAFCO dues.

**MOTION:** Adopt the OC LAFCO Final Budget for FY 2019-20. (Douglass Davert)

**SECOND:** Derek J. McGregor

**FOR:** Cheryl Brothers, Douglass Davert, Lisa Bartlett, Allan Bernstein, Derek J. McGregor

**AGAINST:** James Fisler, Donald Wagner

**ABSTAIN:** None

**MOTION PASSED:** 5-2.

## 9. COMMISSION DISCUSSION AND ACTION

### **9a. - Proposed FY 2019-20 OC LAFCO Work Plan**

Executive Officer Carolyn Emery presented the staff report on the proposed work plan for fiscal year 2019-20.

After Commission discussion on the item, **Chair Brothers** asked if there were any speakers from the public.

Ken Voorhees, resident of the unincorporated area located in the City of Anaheim's sphere of influence, provided comments on this area being included in the work plan.

**Chair Brothers** closed the public comments on this item.

**MOTION: Adopt the 2019-20 OC LAFCO Work Plan. (Allan Bernstein)**

**SECOND: Douglass Davert**

**FOR: Cheryl Brothers, Douglass Davert, Lisa Bartlett,  
Allan Bernstein, James Fisler, Derek J. McGregor,  
Donald Wagner**

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 7-0.**

## 10. COMMISSIONER COMMENTS

There were no comments from the Commission.

## 11. EXECUTIVE OFFICER'S REPORT

The Executive Officer Carolyn Emery gave oral updates on the following:

- **11a. - Appointment Process for Special District Regular and Alternate Member Seats**

The Executive Officer summarized the letter and timeline provided to the Commission on the appointment process for the OC LAFCO Special District Member seats.

- **11b. - 2020 CALAFCO Annual Staff Workshop**

The Executive Officer announced that OC LAFCO will co-host the 2020 CALAFCO Annual Staff Workshop with Imperial LAFCO. She added that the 2021 CALAFCO Annual Conference is expected to also be held in Orange County.

**12. INFORMATIONAL ITEMS & ANNOUNCEMENTS**

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

**13. CLOSED SESSION**

**Chair Brothers** called for the closed session at 8:42 a.m. on agenda items 13a and 13b.

The Commission reconvened in open session at 9:33 a.m. The **Chair** gave the following closed session report: The Commission completed its evaluation of the Executive Officer in closed session. The Commission discussed the terms of employment of the Executive Officer for 2019-2020 and directed its Executive Committee to present those terms to Ms. Emery before the next meeting. The Commission directed Mr. Kelly and General Counsel, if those terms are accepted, to prepare an amendment to the Executive Officer's Memorandum of Agreement and to present that to the Commission for formal action and approval at its next meeting.

**14. NOTICE OF ADJOURNMENT OF THE REGULAR COMMISSION MEETING**

The Regular Commission Meeting was adjourned at 9:34 a.m. The next regular OC LAFCO meeting is scheduled for Wednesday, June 12, 2019 at 8:15 a.m. at the Orange County Transportation Authority (OCTA), Conference Room 08, 550 South Main Street, Orange, CA 92868.

Cheryl Brothers, Chair  
Orange County Local Agency Formation Commission

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