



DRAFT MINUTES

5a

OC LAFCO REGULAR MEETING AGENDA

**Wednesday, August 14, 2019
8:15 a.m.**

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

1. CALL TO ORDER

Chair Brothers called the meeting of the Orange County Local Agency Formation Commission (OC LAFCO) to order at 8:15 a.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Bernstein led the Pledge of Allegiance.

3. OATH OF OFFICE FOR NEW APPOINTMENTS AND TERMS

The Oath of Office was administered to Commissioners Bartlett, Fisler and Freshley by Commission Clerk Cheryl Carter-Benjamin.

4. ROLL CALL

The following Commissioners and Alternates were present:

- **Chair Cheryl Brothers**
- **Vice Chair Douglass Davert**
- **Commissioner Lisa Bartlett**
- **Commissioner Allan Bernstein**
- **Commissioner James Fisler**
- **Commissioner Derek J. McGregor**
- **Alternate Commissioner Wendy Bucknum**
- **Alternate Commissioner Kathryn Freshley**

The following Commissioner was delayed:

- **Alternate Commissioner Lou Penrose (arrived at 8:40 a.m.)**

The following Commissioners were absent:

- **Commissioner Donald Wagner**
- **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 Paula P. de Sousa Mills

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

Commission Clerk Cheryl Carter-Benjamin noted that there was supplemental correspondence received after the agenda mailout related to Agenda Item 10c (2019 CALAFCO Update), on the proposed new dues structure for approval at the 2019 CALAFCO Annual Business Meeting.

6. APPROVAL OF MINUTES

6a. – June 12, 2019 - Regular Commission Meeting

The regular minutes were approved with no revisions.

MOTION: Approve the June 12, 2019 Regular Commission Meeting Minutes. (Derek J. McGregor)

SECOND: Douglass Davert

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

AGAINST: None

ABSTAIN: None

MOTION PASSED: 6-0.

7. 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.

8. CONSENT CALENDAR

8a. – Legislative Report

8b. – FY 2018-19 Final Comprehensive Quarterly Report

MOTION: Approve the Consent Calendar. (Derek J. McGregor)

SECOND: Douglass Davert

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

AGAINST: None

ABSTAIN: None

MOTION PASSED: 6-0.

9. PUBLIC HEARING

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

10. COMMISSION DISCUSSION AND ACTION

10a. – OC LAFCO Reserves and Projections

Assistant Executive Officer Debra Kurita provided an overview of the report on OC LAFCO's Reserves and Projections and noted she was available to answer any questions.

The Commission discussed the content of the report and directed staff to continue applying the current process and policy for the agency reserves.

MOTION: Receive and file the report on OC LAFCO Reserves and Projections. (Derek J. McGregor)

SECOND: Douglass Davert

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

AGAINST: None

ABSTAIN: None

MOTION PASSED: 6-0.

10b. – Proposed Revisions to OC LAFCO Policies and Procedures

Executive Officer Carolyn Emery presented the staff report on proposed revisions, amendments and updates to the Public Records Act Policy and the Retention and

Destruction Policy. The Executive Officer noted that Legal Counsel Paula P. de Sousa Mills was present and available to answer any questions.

General questions and clarifications for the Commissioners on the policies were addressed by the Executive Officer and Legal Counsel.

MOTION: Adopt the updated and amended OC LAFCO policies: Public Records Act Policy and the Records and Retention Destruction Policy. (Allan Bernstein)

SECOND: James Fisler

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

AGAINST: None

ABSTAIN: None

MOTION PASSED: 6-0.

10c. – 2019 CALAFCO Update

Executive Officer Carolyn Emery presented an overview on the 2019 CALAFCO Update and **Chair Brothers** provided additional information for discussion.

MOTION: Receive and file the 2019 CALAFCO Update. (Allan Bernstein)

SECOND: Douglass Davert

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

AGAINST: None

ABSTAIN: None

MOTION PASSED: 6-0.

11. COMMISSIONER COMMENTS

Vice Chair Davert welcomed the appointed Commissioners to the Commission.

Commissioner Freshley noted her appreciation for being appointed to the Board and for the opportunity to serve on the Commission.

Commissioner McGregor commented on the new format for Commissioners to access the agenda. **Commissioner Freshley** agreed that the new format is a great tool and noted that there may be an issue with making revisions or notes on agenda documents as it may result in changing original documents. The Executive Officer noted that staff will work to address that issue.

12. EXECUTIVE OFFICER'S REPORT

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

- **12a. – OC LAFCO Communication Plan**
The Executive Officer provided an update on the development of a communications plan for the agenda and noted that a consultant contract for this project will be presented to the Commission for consideration at the next meeting.
- **12b. – City of San Juan Capistrano and Santa Margarita Water District**
The Executive Officer informed the Commission that staff is participating in frequent meetings with the two agencies regarding the application and plan for services for the transfer of the City's water and wastewater systems. She noted that in late August both agencies will be considering the approval of a Memorandum of Understanding outlining the pertinent terms and conditions involved in the transfer.
- **12c. –Orange County Business Council Infrastructure Committee**
The Executive Officer informed the Commission of her recent presentation to the Orange County Business Council Infrastructure Committee regarding OC LAFCO's role in the county and the key projects of the agency. She noted that the Infrastructure Committee is comprised of business and public agency representatives. She added that the questions from the committee members involved the upcoming Municipal Service Reviews and Sphere of Influence updates and the unincorporated islands program.

13. INFORMATIONAL ITEMS & ANNOUNCEMENTS

13a. – CALAFCO Annual Conference

Chair Brothers announced the details of the upcoming annual conference that will take place at the Hyatt Regency in Downtown Sacramento, October 30 – November 1, 2019.

13b. – Los Alisos Areas 1 and 2 Annexation to Orange County Sanitation District (DA 19-01) – Protest Hearing

Policy Analyst Gavin Centeno informed the Commission that no protests petitions were received for the Los Alisos Areas 1 and 2 annexation to the Orange County Sanitation District that was approved by the Commission on June 12, 2019.

14. CLOSED SESSION

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

15. NOTICE OF ADJOURNMENT OF THE REGULAR COMMISSION MEETING

The Regular Commission Meeting was adjourned at 9:02 a.m. to the next regular OC LAFCO meeting scheduled for Wednesday, September 11, 2019 at 8:15 a.m. at the Hall of Administration, Planning Commission Hearing Room, 333 W. Santa Ana Blvd., 10 Civic Center Plaza, Santa Ana, CA 92701.

Cheryl Brothers, Chair
Orange County Local Agency Formation Commission

By: _____
Cheryl Carter-Benjamin
Commission Clerk