

## FINAL MINUTES

### OC LAFCO REGULAR MEETING

Wednesday, November 10, 2021  
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 Davert** called the meeting of the Local Agency Formation Commission of Orange County (OC LAFCO) to order at 8:16 a.m.

#### 2. PLEDGE OF ALLEGIANCE

**Vice Chair Wagner** led the Pledge of Allegiance.

#### 3. ROLL CALL

The following Commissioners were present:

- **Chair Douglass Davert**
- **Vice Chair Donald Wagner**
- **Commissioner Wendy Bucknum**
- **Commissioner James Fisler**
- **Commissioner Derek J. McGregor**
- **Alternate Commissioner Katrina Foley**
- **Alternate Commissioner Kathryn Freshley**
- **Alternate Commissioner Peggy Huang**

The following Commissioners were absent:

- **Commissioner Lisa Bartlett**
- **Commissioner Mike Posey**
- **Alternate Commissioner Lou Penrose**

The following OC LAFCO staff members were present:

- Executive Officer Carolyn Emery
- Assistant Executive Officer Raymond Barragan
- Policy Analyst Luis Tapia
- Policy Analyst Gavin Centeno
- Commission Clerk Cheryl Carter-Benjamin
- General Counsel Scott Smith

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

Executive Officer Carolyn Emery noted that supplemental communication was received for Agenda Item 8b, and copies were made available for the Commissioners and the public.

#### **5. PUBLIC COMMENT**

**Chair Davert** requested public comments on any non-agenda items. Commission Clerk Cheryl Carter-Benjamin noted that no speaker cards were received. **Chair Davert** added that written comments were received from Matt Bottomly and were published with the agenda packet.

**Chair Davert** closed the hearing of public comments.

#### **6. CONSENT CALENDAR**

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

The Commission Clerk conducted a roll call vote on the consent calendar.

**6a. – Approval of Minutes – October 13, 2021 Regular Commission Meeting**

**6b. – OC LAFCO 2022 Meeting and Events Calendar**

**6c. – OCERS FY 2022-23 Retirement Contribution Rates and Prepayment Program**

**MOTION:** Approve the consent calendar. (Wendy Bucknum)  
**SECOND:** Donald Wagner  
**FOR:** Wendy Bucknum, Donald Wagner, James Fisler, Katrina Foley,  
Peggy Huang, Derek J. McGregor, Douglass Davert  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

**7. PUBLIC HEARING**

No public hearing items scheduled.

**8. COMMISSION DISCUSSION AND ACTION**

**8a. – Fiscal Year 2021 OC LAFCO Audited Financial Statements**

Executive Officer Carolyn Emery introduced Shannon Ayala, Managing Partner with Davis Farr LLP who presented an overview of the agency's audited financial statements for Fiscal Year 2020-2021.

**Chair Davert** called for Commission discussion and public comments. Commission Clerk Cheryl Carter-Benjamin noted no speaker cards were received on the item. Commissioners made general comments.

**Chair Davert** called for a motion on the recommended action. **Vice Chair Wagner** motioned to approve the recommended action by staff and **Commissioner McGregor** seconded the motion.

The Commission Clerk conducted a roll call vote on the item.

**MOTION:** Receive and file OC LAFCO's Fiscal Year 2020-21 audited financial statements prepared by Davis Farr LLP. (Donald Wagner)  
**SECOND:** Derek J. McGregor  
**FOR:** Donald Wagner, Derek J. McGregor, Wendy Bucknum, James Fisler, Katrina Foley, Peggy Huang, Douglass Davert  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

**8b. – 2021 Orange County LAFCO Strategic Plan (Continued from October 13)**

Executive Officer Carolyn Emery gave a staff presentation and noted that the first objective of the South County Governance goal has been completed. She added that **Commissioner Bartlett** would not seek to establish the South Orange County Connected Communities (SOCCC) group due to lack of interest.

**Chair Davert** called for public comments. Commission Clerk Cheryl Carter-Benjamin noted no speaker cards received on the item. **Chair Davert** called for Commission discussion. Discussion by the Commission ensued.

**Chair Davert** called for a motion on the recommended action. **Commissioner Bucknum** motioned to approve the 2021 Strategic Plan and **Commissioner Huang** seconded the motion.

**Commissioner Fisler** made a substitute motion to include the proposed changes submitted by Mesa Water District. Motion failed due to lack of a second.

Following additional discussion by the Commission, **Chair Davert** asked **Commissioner Bucknum** if she would agree to include two of the recommended changes provided by Mesa Water District to amend the mission statement to reference “OC LAFCO” and add the implementation of Google Analytics to the first strategic objective. **Commissioners Bucknum and Huang** accepted the amendments to the motion.

The Commission Clerk conducted a roll call vote on the item.

**MOTION:** Approve the 2021 Orange County LAFCO Strategic Plan with stated amendments. (Wendy Bucknum)  
**SECOND:** Peggy Huang  
**FOR:** Wendy Bucknum, Peggy Huang, Donald Wagner, James Fisler, Katrina Foley, Derek J. McGregor, Douglass Davert  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

**8c. – Adoption of a Resolution Approving the Second Amendment to Memorandum of Agreement for the Position of Executive Officer with Carolyn Emery**

General Counsel Scott Smith presented the item for Commission discussion and consideration.

**Chair Davert** called for Commission discussion and public comments. Commission Clerk Cheryl Carter-Benjamin noted no speaker cards received on the item. Commissioners made general comments.

**Chair Davert** called for a motion on the recommended actions. **Commissioner Bucknum** motioned to approve the recommended actions and **Commissioner McGregor** seconded the motion.

The Commission Clerk conducted a roll call vote on the item.

**MOTION:** Adopt Resolution No. CP 21-10 approving the Second Amendment to Memorandum of Agreement for the Position of LAFCO Executive Officer

for Carolyn Emery; Authorize Commission Chair Douglass Davert to execute and the Commission Clerk to attest to these documents. (Wendy Bucknum)

**SECOND:** Derek J. McGregor

**FOR:** Wendy Bucknum, Derek J. McGregor, Donald Wagner, James Fisler, Katrina Foley, Peggy Huang, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0.**

## **9. COMMISSIONER COMMENTS**

Commissioners made general comments.

## **10. EXECUTIVE OFFICER'S REPORT**

The Executive Officer briefly commented on staff's submittal of a memo to the Board of Supervisors in part to the redistricting process involving two unincorporated islands.

## **11. INFORMATIONAL ITEMS & ANNOUNCEMENTS**

### **11a. – Protest Hearing Results for the Santa Margarita Water District Annexation of the City of San Juan Capistrano's Water and Wastewater Utilities (DA 20-01)**

Policy Analyst Luis Tapia provided an overview on the protest hearing results for the Santa Margarita Water District Annexation of the City's water and wastewater utilities, noting no written protests to the Commission's approval of the annexation were filed.

### **11b. – Website Redesign**

Policy Analyst Gavin Centeno presented a virtual tour of the agency's new website.

## **12. Closed Session**

No closed session items scheduled.

## **13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING**

**Chair Davert** adjourned the Regular Commission Meeting at 9:03 a.m. to the next regular meeting scheduled for Wednesday, January 12, 2022, at 8:15 a.m. at the Hall of Administration, Planning Commission Hearing Room, 10 Civic Center Plaza in Santa Ana.

Douglas Davert, Chair  
Orange County Local Agency Formation Commission

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