

FINAL MINUTES

OC LAFCO REGULAR MEETING

Wednesday, August 10, 2022
8:15 a.m.

County Conference Center (CCC) Multipurpose Room
601 North Ross Street, Room - 104
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

Commissioner Huang led the Pledge of Allegiance.

3. BOARD APPOINTMENT – COMMISSIONER HUANG

The Oath of Office was administered by Commission Clerk Cheryl Carter-Benjamin.

4. ROLL CALL

The following Commissioners were present:

City Member

Peggy Huang

County Member

Donald Wagner (**Vice Chair**)

Special District Members

Douglass Davert (**Chair**)

James Fisler

Public Members

Derek J. McGregor

Lou Penrose (Alt.)

The following staff members and general counsel were present:

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

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

Executive Officer Carolyn Emery noted that no supplemental communication was received.

6. PUBLIC COMMENT

Chair Davert requested public comments on any non-agenda items. Commission Clerk Cheryl Carter-Benjamin noted that there were no requests to speak from the public.

Chair Davert closed the hearing of public comments.

7. CONSENT CALENDAR

Chair Davert asked if there were any requests by Commissioners to pull any of the consent items for discussion and from the public to speak on the item. **Commissioner Fisler** requested Agenda Item 7c be pulled for discussion. The Commission Clerk noted no requests from the public to speak on the items.

Chair Davert called for a motion on the approval of the remaining consent calendar items. **Commissioner McGregor** motioned for the approval, and **Vice Chair Wagner** seconded the motion. **Commissioner Huang** noted an abstention for Commission approval of the July minutes due to her absence at the Strategic Planning Workshop.

7a. – Approval of Minutes – July 13, 2022 Strategic Planning Workshop Minutes

7b. – Nominations for 2022-2023 CALAFCO Board of Directors

7d. – Legislative Report (August 2022)

MOTION: Approve Agenda Items 7a, 7b, and 7d. (Derek J. McGregor)
SECOND: Donald Wagner
FOR: Derek J. McGregor, Donald Wagner, James Fisler, Peggy Huang,
Douglass Davert
AGAINST: None
ABSTAIN: Peggy Huang (for 7a. only)

MOTION PASSED: 5-0.

7c. – Fiscal Year 2021-2022 Year-End Comprehensive Report

Commissioner Fisler inquired about fiscal indicators, google analytics and made additional comments. **Chair Davert** directed the Executive Officer to communicate responses and provide additional information to the inquiries directly with **Commissioner Fisler**. After further discussion of the Commission, **Chair Davert** called for a motion on Agenda Item 7c.

Commissioner Fisler motioned to receive and file the year-end comprehensive report, and **Vice Chair Wagner** seconded the motion.

MOTION: Receive and file the Year-End Comprehensive Report for Fiscal Year 2021-2022. (James Fisler)
SECOND: Donald Wagner
FOR: James Fisler, Donald Wagner, Peggy Huang, Derek J. McGregor, Douglass Davert
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8. PUBLIC HEARING

8a. – OCSD Annexation Areas (Anaheim, Yorba Linda, and Villa Park) (DA 21-05)

Assistant Executive Officer Luis Tapia gave the staff presentation and noted that OCSD staff were present and also available to answer any questions.

Chair Davert called for Commission discussion and opened the public hearing. Commissioners made general comments. The Commission Clerk noted that there were no requests from the public to speak on the item. **Chair Davert** closed the public hearing and called for a motion on the staff recommended actions. **Vice Chair Wagner** motioned to approve the staff recommended actions, and **Commissioner McGregor** seconded the motion.

MOTION: Confirm that OC LAFCO has reviewed the information contained within the Notice of Exemption prepared by OCSD; Direct the Executive Officer to file the Notice of Exemption for the approved annexation with the Orange County Clerk-Recorder; Adopt OC LAFCO Resolution No. DA 21-05 approving the “OCSD Annexation Areas (Anaheim, Yorba Linda, and Villa Park)”; Authorize and direct the Executive Officer to conduct protest proceedings and set a 21-day protest period for the approved annexation. (Donald Wagner)
SECOND: Derek J. McGregor
FOR: Donald Wagner, Derek J. McGregor, James Fisler, Peggy Huang, Douglass Davert
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8b. – Municipal Service Review and Sphere of Influence Review for County Service Areas 13, 22 and 26 (MSR 21-13 and SOI 21-14)

Assistant Executive Officer Luis Tapia presented highlights of the municipal service review and staff recommendations for County Service Areas 13, 22, and 26. He also acknowledged the presence of staff from the Orange County Parks Department.

Chair Davert called for Commission discussion and public comments. Commissioners made general comments. The Commission Clerk noted that there were no requests from the public to speak on the item. **Chair Davert** closed the public hearing and called for a motion on the staff recommended actions. **Commissioner McGregor** motioned to approve the staff recommended actions, and **Commissioner Huang** seconded the motion.

MOTION: Receive and file Municipal Service Review for County Service Areas 13, 22 and 26; Approve OC LAFCO Resolution No. MSR 21-13 adopting the MSR Statements of Determinations; Approve OC LAFCO Resolution No. SOI 21-14 adopting the SOI Statements of Determinations and reaffirming the SOIs for CSAs 13, 22, and 26; Approve the Notices of Exemption for MSR 21-13 and SOI 21-14. (Derek J. McGregor)

SECOND: Peggy Huang

FOR: Derek J. McGregor, Peggy Huang, James Fisler, Donald Wagner, Douglass Davert

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

9. COMMISSION DISCUSSION AND ACTION

9a. – Three-Year Strategic Plan (2022-2025)

Executive Officer Carolyn Emery presented the Commission's Three-Year Strategic Plan (2022-2025). She noted that the plan incorporates the goal-setting of the Commission that took place at the July 13 Strategic Planning Workshop. Executive Officer Emery added that the plan also includes objectives to facilitate the implementation of the goals and was distributed to the County, cities and special districts. Comments were also provided by OC LAFCO consultant and workshop facilitator William Kelly.

Chair Davert called for Commission discussion and public comments. Commissioners made general comments. The Commission Clerk noted that there were no requests from the public to speak on the item. **Chair Davert** closed the public comments and called for a motion on the approval of the three-year strategic plan. **Commissioner Huang** motioned to approve the strategic plan and **Vice Chair Wagner** seconded the motion.

MOTION: Adopt the Three-Year Strategic Plan (2022-2025). (Peggy Huang)
SECOND: Donald Wagner
FOR: Peggy Huang, Donald Wagner, James Fisler, Derek J. McGregor,
Douglass Davert
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

9b. – Alternate Members – Meeting Attendance

Vice Chair Wagner commented on the Commission’s current policy on requiring the attendance of alternate members at regular meetings when the regular member is present and added that the optic is not good when the alternate members are reflected as absent in the meeting minutes. Commissioners made general comments. Executive Officer Carolyn Emery stated that listing the presence of members by the appointing authority may address the **Vice Chair’s** concern. **Chair Davert** inquired if a vote on the item was required. General Counsel Smith responded that the Commission could decide if this is acceptable during consideration of the draft minutes at the next meeting.

10. COMMISSIONER COMMENTS

Commissioners made general comments.

Commissioner McGregor provided the CALAFCO update and summary of the session topics that will be included as part of the 2022 CALAFCO Annual Conference in Newport Beach.

11. EXECUTIVE OFFICER’S REPORT

The Executive Officer provided the following updates:

- The 2022 CALAFCO Annual Conference in Newport Beach is scheduled for October 19 through October 21. She noted for Commissioners to contact staff if interested in attending.
- The Commission's regular meeting location may change to a new site in the County's Conference Center. More details will be provided accordingly to the Commission and public.

12. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items and announcements scheduled.

13. CLOSED SESSION

No closed session items scheduled.

14. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Davert adjourned the Regular Commission Meeting at 9:18 a.m. to October 12, 2022.

Douglass Davert, Chair
Orange County Local Agency Formation Commission

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