

## DRAFT MINUTES

### OC LAFCO REGULAR MEETING

Wednesday, November 9, 2022  
8:15 a.m.

County Administrative North (CAN)  
First Floor Multipurpose Room 101  
400 W Civic Center Drive, 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 8:15 a.m.

#### 2. PLEDGE OF ALLEGIANCE

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

#### 3. ROLL CALL

The following Commissioners were present:

City Members

Wendy Bucknum  
Peggy Huang

County Members

Lisa Bartlett  
Donald Wagner (**Vice Chair**)

Special District Members

Douglass Davert (**Chair**)  
James Fisler  
Kathryn Freshley (Alt.)

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

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

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

**5. 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.

**6. 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. There was no discussion from Commissioners, and the Commission Clerk noted that there were no requests from the public to speak on the items. **Chair Davert** called for a motion on the consent calendar. **Vice Chair Wagner** motioned for approval of the consent calendar, and **Commissioner Bucknum** seconded the motion.

**6a. – Approval of Minutes – October 12, 2022 Regular Commission Meeting Minutes**

**6b. – Orange County Employees Retirement System (OCERS) FY 2023-24 Retirement Contribution Rates and Prepayment Program**

**6c. – OC LAFCO 2023 Meeting and Events Calendar**

**6d. – CALAFCO Update**

**MOTION: Approve the Consent Calendar. (Donald Wagner)**  
**SECOND: Wendy Bucknum**  
**FOR: Donald Wagner, Wendy Bucknum, Lisa Bartlett, James Fisler,  
Peggy Huang, Derek J. McGregor, Douglass Davert**  
**AGAINST: None**  
**ABSTAIN: None**

**MOTION PASSED: 7-0.**

**7. PUBLIC HEARINGS**

No public hearing items scheduled.

## 8. COMMISSION DISCUSSION AND ACTION

### **8a. – Fiscal Year 2021-22 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 2021-2022.

**Chair Davert** called for Commission discussion and public comments. There was no discussion from Commissioners, and 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 staff recommended action. **Vice Chair Wagner** motioned to approve the staff recommended action, and **Commissioner Bucknum** seconded the motion.

**MOTION:** Receive and file OC LAFCO's Fiscal Year 2021-22 audited financial statements prepared by Davis Farr LLP. (Donald Wagner)  
**SECOND:** Wendy Bucknum  
**FOR:** Donald Wagner, Wendy Bucknum, Lisa Bartlett, James Fisler, Peggy Huang, Derek J. McGregor, Douglass Davert  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

### **8b. – Assembly Bill 2449 – Open Meetings and Teleconferencing for State and Local Agencies**

General Counsel Scott Smith provided an overview on Assembly Bill 2449 set to take effect on January 1, 2023. Mr. Smith noted that AB 2449 provides additional remote access opportunities for Commission meetings subject to different justifications and procedures. He emphasized the provision that allows the Commission to hold full or partial virtual meetings and noted if the Commission chooses to do so that real time two-way public access must be available within the virtual platform.

**Chair Davert** called for Commission discussion and public comments. There was no discussion from Commissioners, and 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 to receive and file the report on AB 2449. **Vice Chair Wagner** motioned to receive and file the staff report, and **Commissioner Huang** seconded the motion.

**MOTION:** Receive and file the report. (Donald Wagner)  
**SECOND:** Peggy Huang  
**FOR:** Donald Wagner, Peggy Huang, Lisa Bartlett, Wendy Bucknum, James Fisler, Derek J. McGregor, Douglass Davert

**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0.**

## **9. COMMISSIONER COMMENTS**

**Commissioner McGregor** provided an oral update on the CALAFCO Annual Conference held in Newport Beach and acknowledged the Outstanding Leadership award presented to Executive Officer Carolyn Emery.

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

The Executive Officer noted that there were no items to report.

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

### **11a. – Protest Hearing Results for the OCSD Annexation Areas (Anaheim, Yorba Linda, Villa Park) (DA 21-05)**

Assistant Executive Officer Luis Tapia provided an overview on the protest hearing results for the OCSD Annexation, noting no written protests to the Commission's approval of the annexation were filed.

### **11b. – Video FAQs**

Policy Analyst Gavin Centeno presented a virtual tour of the Commission's Video FAQs and noted that it was a key component of the Communication Plan.

## **12. PRESENTATIONS**

**Chair Davert** presented resolutions to Commissioners Bartlett and Huang, recognizing their service and contributions during their tenure on the Commission. Both Commissioners expressed gratitude for the opportunity to serve.

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

**MOTION:** Adopt resolutions for departing members of the Commission recognizing their service as OC LAFCO Commissioners. (Donald Wagner)  
**SECOND:** Wendy Bucknum  
**FOR:** Donald Wagner, Wendy Bucknum, Lisa Bartlett, James Fisler, Peggy Huang, Derek J. McGregor, Douglass Davert

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0.**

### **13. CLOSED SESSION**

No closed session items scheduled.

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

**Chair Davert** adjourned the Regular Commission Meeting at 8:43 a.m. to December 14, 2022.

Douglass Davert, Chair  
Orange County Local Agency Formation Commission

By: \_\_\_\_\_

Cheryl Carter-Benjamin  
Commission Clerk