

## FINAL MINUTES

### OC LAFCO REGULAR MEETING

Wednesday, May 10, 2023  
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

**Vice Chair Wagner** 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  
Carol Moore **(Alt.)**

County Member

Donald Wagner **(Vice Chair)**

Special District Member

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
- Policy Analyst Amanda Castro
- Commission Clerk Cheryl Carter-Benjamin
- General Counsel Paula C. De Sousa

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

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

**5. PUBLIC COMMENT**

**Vice Chair Wagner** requested public comments on any non-agenda items. The Commission Clerk noted that there were no requests to speak from the public.

**Vice Chair Wagner** closed the hearing of public comments.

**6. CONSENT CALENDAR**

**Vice Chair Wagner** called for a motion on the consent calendar. There was no discussion or request to pull an item from Commissioners, and the Commission Clerk noted that there were no requests from the public to speak on the consent calendar. **Commissioner McGregor** motioned for approval of the consent calendar, and **Commissioner Moore** seconded the motion.

**6a. – April 12, 2023 Regular Commission Meeting Minutes**

**6b. – Proposed “Area Property Annexation to the City of Brea (CA22-07)”**

**6c. – Amendments to the Local Guidelines for Implementing the California Environmental Quality Act (CEQA)**

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

**SECOND: Carol Moore**

**FOR: Derek J. McGregor, Carol Moore, Wendy Bucknum,  
James Fisler, Donald Wagner**

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 5-0.**

**7. PUBLIC HEARING**

**7a. – Final OC LAFCO Fiscal Year 2023-24 Budget**

**Vice Chair Wagner** opened the public hearing. The Commission Clerk noted no requests from the public to speak on the item. Assistant Executive Officer Luis Tapia presented the staff report and recommended actions for the final fiscal year 2023-24 budget.

**Vice Chair Wagner** called for Commission discussion and questions. The Commissioners made general comments. **Vice Chair Wagner** called for a motion on the item. **Commissioner Fisler** motioned to approve the staff recommended actions and **Commissioner Bucknum** seconded the motion.

**MOTION:** Adopt the final OC LAFCO Fiscal Year 2023-2024 Budget; Direct the Executive Officer to transmit the final budget to the Board of Supervisors, cities, special districts, and the County Auditor-Controller. (James Fisler)  
**SECOND:** Wendy Bucknum  
**FOR:** James Fisler, Wendy Bucknum, Derek J. McGregor, Carol Moore, Donald Wagner  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 5-0.**

## **8. COMMISSION DISCUSSION AND ACTION**

### **8a. – OC LAFCO Fiscal Indicators**

Policy Analyst Gavin Centeno presented highlights of the staff report and introduced Consultant, Richard Berkson, who gave a presentation on the improved fiscal indicators.

**Vice Chair Wagner** called for Commission discussion and public comments. Commissioners made general comments and asked questions involving the indicators and public safety costs. The Consultant acknowledged the growing concern for agencies involving public safety costs. The Commission Clerk noted that there were no requests from the public to speak on the item. **Vice Chair Wagner** stated that this was a receive and file item.

### **8b. – Legislative Report (May 2023)**

Assistant Executive Officer Luis Tapia presented the legislative report and recommended actions for Commission consideration.

**Vice Chair Wagner** called for Commission discussion and public comments. Commissioners made general comments. **Commissioner Fisler** gave general comments on his district's analysis of potential costs involving the bill requiring local agencies to change website and email domain. **Vice Chair Wagner** noted the bill's intent involves transparency and option to adopt a watch position. The Commission Clerk noted that there were no requests from the public to speak on the item.

**Vice Chair Wagner** called for a motion on the item. **Commissioner Bucknum** motioned for the Commission to adopt an oppose unless amended position on AB 1637, including sending a letter to author, and **Commissioner Fisler** seconded the motion.

**MOTION:** Adopt an *Oppose Unless Amended* position on AB 1637; Direct staff to send a position letter to the bill author. (Wendy Bucknum)

**SECOND:** James Fisler

**FOR:** Wendy Bucknum, James Fisler, Derek J. McGregor, Carol Moore, Donald Wagner

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 5-0.**

**8c. – Memorandum of Understanding with California State University, Fullerton Auxiliary Services Corporation**

Assistant Executive Officer Luis Tapia presented the staff report and recommended action on the item.

**Vice Chair Wagner** called for Commission discussion and public comments. There were no comments from Commissioners, and the Commission Clerk noted that there were no requests from the public to speak on the item.

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

**MOTION:** Approve Three-Year (Fiscal Years 2023-2026) Memorandum of Understanding with CSU Fullerton Auxiliary Services Corporation for the Continued Operation of the Center for Demographic Research at California State University, Fullerton and direct the Executive Officer to execute the MOU. (Derek J. McGregor)

**SECOND:** Wendy Bucknum

**FOR:** Derek J. McGregor, Wendy Bucknum, James Fisler, Carol Moore, Donald Wagner

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 5-0.**

**9. COMMISSIONER COMMENTS**

There were no general comments from Commissioners.

**10. EXECUTIVE OFFICER’S REPORT**

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

## 11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

No informational items and announcements scheduled.

## 12. CLOSED SESSION

### 12a. – Closed Session

The Commission adjourned to closed session at 8:50 a.m. on the following item:

Conference with Legal Counsel- Anticipated Litigation

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)

Number of potential cases: 1

The Commission reconvened in open session at 9:15 a.m., and General Counsel Paula C. De Sousa noted that the Commission discussed the closed session item and there were no reportable actions.

## 13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

**Vice Chair Wagner** adjourned the Regular Commission Meeting at 9:15 a.m. to June 14, 2023.

Donald Wagner, Vice Chair

Orange County Local Agency Formation Commission

ATTEST:

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