

DRAFT MINUTES

OC LAFCO REGULAR MEETING

Wednesday, January 10, 2024
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 Wagner called the meeting of the Local Agency Formation Commission of Orange County (OC LAFCO) to order at 8:15 a.m.

2. ROLL CALL

The following Commissioners were present:

City Members

Wendy Bucknum (**Vice Chair**)
Bruce Whitaker
Carol Moore (**Alt.**)

County Member

Donald P. Wagner (**Chair**)

Special District Members

Douglas Davert
James Fisler
Kathryn Freshley (**Alt.**)

Public Member

Derek J. McGregor

The following staff members and general counsel were present:

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

3. PLEDGE OF ALLEGIANCE

Chair Wagner led the Pledge of Allegiance.

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

The Commission Clerk noted that no supplemental communication was received.

5. PUBLIC COMMENT

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

Chair Wagner closed the hearing of public comments.

6. CONSENT CALENDAR

Chair Wagner called for a motion on the consent calendar. There was no discussion from Commissioners, and the Commission Clerk noted no requests received to speak on the item. **Commissioner Davert** motioned for approval of the consent calendar, and **Commissioner Whitaker** seconded the motion.

6a. – December 13, 2023 - Regular Commission Meeting Minutes

6b. – Fiscal Year 2023-24 Quarterly Financial Report (Second Quarter)

6c. – Appointment Processes for OC LAFCO Expiring Terms and Vacancy

6d. – OC LAFCO Professional Services Agreements Update

MOTION: Approve the Consent Calendar. (Douglass Davert)
SECOND: Bruce Whitaker
**FOR: Douglass Davert, Bruce Whitaker, Wendy Bucknum, James Fisler,
Derek J. McGregor, Donald P. Wagner**
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

7. PUBLIC HEARING

No public hearing items scheduled.

8. COMMISSION DISCUSSION AND ACTION

8a. – Professional Consultant Services Agreement with RSG Inc.

Policy Analyst Amanda Castro presented the staff report and recommended action for Commission consideration. Executive Officer Carolyn Emery noted the presence and availability of James Simon, Principal of RSG to also answer questions from the Commission.

Chair Wagner called for Commission discussion and public comments. There was no discussion from Commissioners, and the Commission Clerk noted no requests received to speak on the item.

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

MOTION: Approve the professional consultant services agreement with RSG to conduct the MSR and SOI reviews for the Central Region; Authorize the Executive Officer to execute the agreement. (Derek J. McGregor)
SECOND: Douglass Davert
FOR: Derek J. McGregor, Douglass Davert, Wendy Bucknum, James Fisler, Bruce Whitaker, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

8b. – Second Amendment to Agreement with Best Best & Krieger LLP

Prior to the staff presentation on the items, General Counsel Scott Smith noted that he would be leaving the dais due to his firm's financial interest in the item. **Chair Wagner** noted his prior professional experience as an attorney with Best Best & Krieger and stated that he currently has no affiliation or financial interest with the firm. He added general comments on the firm's competitive rates and extensive experience.

Policy Analyst Gavin Centeno presented the staff report and recommended action for Commission consideration.

Chair Wagner called for Commission discussion and public comments. Commissioners made general comments, and the Commission Clerk noted no requests received to speak on the item.

Chair Wagner motioned to approve the recommended action, and **Vice Chair Bucknum** seconded the motion.

MOTION: Approve the Second Amendment to the Agreement between OC LAFCO and Best Best & Krieger for legal services. (Donald P. Wagner)
SECOND: Wendy Bucknum
FOR: Donald P. Wagner, Wendy Bucknum, Douglass Davert, James Fisler, Derek J. McGregor, Bruce Whitaker,
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

8c. – FY 23-24 Mid-Year Work Plan Update

Executive Officer Carolyn Emery presented the staff report and recommended action for Commission consideration.

Chair Wagner called for Commission discussion and public comments. Commissioners made general comments, and the Commission Clerk noted no requests received to speak on the item.

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

MOTION: Receive and file the FY 23-24 Mid-Year Work Plan Update. (Douglass Davert)
SECOND: Derek J. McGregor
FOR: Douglass Davert, Derek J. McGregor, Wendy Bucknum, James Fisler, Bruce Whitaker, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

8d. – County Unincorporated Areas Report

Policy Analyst Amanda Castro presented the staff report and recommended action for Commission consideration.

Chair Wagner called for Commission discussion and public comments. There was no discussion from Commissioners, and the Commission Clerk noted no requests received to speak on the item.

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

MOTION: Receive and file the report on the County Unincorporated Areas Report.
(Douglass Davert)
SECOND: Bruce Whitaker
FOR: Douglass Davert, Bruce Whitaker, Wendy Bucknum, James Fisler,
Derek J. McGregor, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

9. COMMISSIONER COMMENTS

Commissioners made general comments and **Commissioner McGregor** provided the CALAFCO update noting the recent election of the CALAFCO Chair and his appointment to the CALAFCO Legislative Committee.

10. EXECUTIVE OFFICER'S REPORT

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

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

11a. – Commission Study Session

Chair Wagner noted that immediately following the February regular meeting, the Commission will participate in a study session facilitated by the Commission's consultant, William Kelly. He encouraged the Commissioners to come ready to work. Executive Officer Emery provided brief comments on the purpose of the study session in an effort to improve communication between the Commission and staff.

11b. – Multipurpose Room Teleconference Capabilities

Commission Clerk Cheryl Carter-Benjamin provided an update on videotaping of the Commission's regular meetings. She noted that since this was a County facility, staff is working with their staff to facilitate this function, and an update would be provided to the Commission prior to beginning videotaping of the meetings. Commissioner Fisler asked if the meetings would also be available through the Zoom platform. Commission Clerk Carter-Benjamin responded that the meetings will not be conducted by Zoom; however, the video recordings would be available on the Commission's website following the meetings.

12. CLOSED SESSION

No closed session items scheduled.

13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Wagner adjourned the Regular Commission Meeting at 8:35 a.m. to February 14, 2024.

Donald P. Wagner, Chair
Orange County Local Agency Formation Commission

ATTEST:

By: _____
Cheryl Carter-Benjamin
Commission Clerk