

DRAFT MINUTES

OC LAFCO REGULAR MEETING

Wednesday, May 8, 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. PLEDGE OF ALLEGIANCE

Commissioner Fisler led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners were present:

City Members

Carol Moore **(Alt.)**

County Member

Donald P. Wagner **(Chair)**

Special District Members

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 II Gavin Centeno
- General Counsel Scott Smith

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

The Executive Officer noted that no supplemental communication was received.

5. PUBLIC COMMENT

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

Chair Wagner closed the hearing of public comments.

6. CONSENT CALENDAR

Chair Wagner asked if there were any requests by Commissioners to pull a consent calendar item for discussion or from the public to speak on the item. There was no discussion or request to pull an item from Commissioners, and the Executive Officer noted that there were no requests from the public to speak on the consent calendar. **Commissioner Fisler** motioned for approval of the consent calendar, and **Commissioner Freshley** seconded the motion.

6a. – April 10, 2024 - Regular Commission Meeting Minutes

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

MOTION: Approve the Consent Calendar. (James Fisler)
SECOND: Kathryn Freshley
FOR: James Fisler, Kathryn Freshley, Derek J. McGregor, Carol Moore,
Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

7. PUBLIC HEARING

7a. – Final OC LAFCO Fiscal Year 2024-25 Budget

Chair Wagner opened the public hearing for the item. The Executive Officer noted that there were no requests from the public to speak on the item. Assistant Executive Officer Luis Tapia presented the staff report and recommended actions for Commission consideration.

Chair Wagner called for Commission discussion and questions. There were no questions or discussion from Commissioners. **Chair Wagner** closed the public hearing and called for a motion on the item. **Commissioner Freshley** motioned to approve the staff recommended actions, and **Commissioner McGregor** seconded the motion.

MOTION: Adopt the final OC LAFCO Fiscal Year 2024-25 Budget; direct the Executive Officer to transmit the final budget to the Board of Supervisors, cities, special districts, and the County Auditor-Controller. (Kathryn Freshley)

SECOND: Derek J. McGregor

FOR: Kathryn Freshley, Derek J. McGregor, James Fislser, Carol Moore, Donald P. Wagner

AGAINST: None

ABSTAIN: None

MOTION PASSED: 5-0.

8. COMMISSION DISCUSSION AND ACTION

8a. – Second Amendment to Professional Consultant Services Agreement with Eide Bailly

Executive Officer Emery noted that there were no requests from the public to speak on the item, and Assistant Executive Officer Luis Tapia presented the staff report and recommended actions for Commission consideration. He noted an additional handout provided to the Commission and made available to the public that includes more information on the hours and costs associated with the Eide Bailly agreement.

Chair Wagner called for Commission discussion and inquired about the relationship of the increase in the hourly rates, total contract amount and current scope of services. Staff responded that while there has been a gradual increase in rates, the agency has been able to maintain the contract amount through use of lower-level staff of the firm. Commissioners made other comments involving turnover and changes in the industry and asked additional questions on the scope and terms of the agreement. **Chair Wagner** asked if staff had completed a recent competitive bidding process for the services currently provided by Eide Bailly. Staff responded that a recent bidding process had not been conducted but could begin one to explore opportunities of competitive rates if that is the desire of the Commission.

Commissioner Fislser motioned to approve the amendment to the agreement in order to not disrupt the provision of services and direct staff to begin a competitive bidding process. **Commissioner Moore** seconded the motion. **Commissioner McGregor** suggested that if this is a time and materials agreement that a validation of rates to explore if they are competitive maybe more efficient than a bidding process. **Chair Wagner** asked if the maker of the motion would accept a friendly amendment to direct staff to do a rate validation and bring a report back to the Commission to determine if a bidding process is needed. **Commissioners Fislser** and **Moore** accepted the amendment to the motion.

MOTION: Approve Second Amendment to Professional Consultant Services Agreement with Eide Bailly; direct staff to conduct a rate validation for

accounting services and present report to Commission at a future meeting. (James Fisler)

SECOND: Carol Moore

FOR: James Fisler, Carol Moore, Kathryn Freshley, Derek J. McGregor, Donald P. 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 additional items to report.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

Chair Wagner noted that there were no informational items or announcements.

12. CLOSED SESSION

Chair Wagner and general counsel noted that there was no closed session item scheduled for discussion by the Commission.

13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Wagner noted that there were no items requiring immediate Commission action in June and adjourned the meeting at 8:47 a.m. to July 10, 2024.

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

ATTEST:

By: _____
Carolyn Emery
Executive Officer