

## DRAFT MINUTES

### OC LAFCO REGULAR MEETING

Wednesday, August 14, 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 Whitaker** led the Pledge of Allegiance.

#### 3. 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

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

Public Members

Derek J. McGregor  
Lou Penrose **(Alt.)**

The following staff members and general counsel were present:

- Assistant Executive Officer Luis Tapia
- Policy Analyst II Gavin Centeno
- Policy Analyst I Aimee Diaz
- Commission Clerk Cheryl Carter-Benjamin
- General Counsel Scott Smith

**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** asked if there were any requests by Commissioners to pull the consent calendar item for discussion. There were no requests to pull the consent or Commission discussion, and the Commission Clerk noted that there were no requests from the public to speak on the item. **Commissioner Davert** motioned for approval of the consent calendar, and **Vice Chair Bucknum** seconded the motion.

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

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

**MOTION PASSED: 6-0.**

**7. PUBLIC HEARING**

**Chair Wagner** noted that there were no public hearing items scheduled for consideration by the Commission.

**8. COMMISSION DISCUSSION AND ACTION**

**8a. – Grand Jury Report**

Assistant Executive Officer Luis Tapia presented the staff report and recommended action for Commission consideration. General Counsel Scott Smith provided additional comments.

**Chair Wagner** called for Commission discussion and public comments. Commissioners made general comments and directed staff to make non-substantive changes to the draft. The Commission Clerk noted that there were no requests from the public to speak on the item.

**Chair Wagner** called for a motion to approve the response to the Grand Jury as presented by staff with non-substantive changes provided by Commissioners. **Commissioner McGregor** motioned to approve the staff recommended action as noted by the Chair, and **Vice Chair Bucknum** seconded the motion.

**MOTION:** Approve response with non-substantive changes to the OCGJ Report.  
(Derek J. McGregor)  
**SECOND:** Wendy Bucknum  
**FOR:** Derek J. McGregor, Wendy Bucknum, Douglass Davert,  
James Fisler, Bruce Whitaker, Donald P. Wagner  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 6-0.**

#### **8b. – Personnel Policies and Procedures**

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

**Chair Wagner** called for Commission discussion. Commissioners asked questions involving policy implementation and made general comments. Staff was directed to add clarifying language regarding the reassignment of duties to a single employee and bring back the policy for Commissioner consideration at the next regular meeting. The Commission Clerk noted that there were no requests from the public to speak on the item.

**Chair Wagner** called for a motion on the item. **Vice Chair Bucknum** motioned to continue the item to the September 11 meeting to allow staff to incorporate feedback from the Commission, and **Chair Wagner** seconded the motion.

**MOTION:** Continue Personnel Policies and Procedures to September 11 Regular Meeting. (Wendy Bucknum)  
**SECOND:** Donald P. Wagner  
**FOR:** Wendy Bucknum, Donald P. Wagner, Douglass Davert,  
Derek J. McGregor, James Fisler, Bruce Whitaker  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 6-0.**

**8c. – Rates Validation for Accounting Services**

Assistant Executive Officer Luis Tapia 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 that there were no requests from the public to speak on the item.

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

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

**MOTION PASSED: 6-0.**

**9. COMMISSIONER COMMENTS**

Commissioners made general comments.

**10. EXECUTIVE OFFICER’S REPORT**

The Assistant 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** adjourned to closed session at 8:42 a.m. on the following items:

**a.) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Pursuant to Government Code section 54957  
Title: Executive Officer

**b.) CONFERENCE WITH LABOR NEGOTIATORS**  
Pursuant to Government Code Section 54957.6

Agency designated representative: Commission Chair Donald P. Wagner and William Kelly of Kelly Associates Management Group  
Unrepresented employee: Executive Officer

The Commission reconvened in open session at 8:54 a.m. General Counsel Scott Smith noted that the Commission discussed the closed session items, and there were no reportable actions.

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

**Chair Wagner** adjourned the Regular Commission Meeting at 8:54 a.m. to September 11, 2024.

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

ATTEST:

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