

DRAFT MINUTES

OC LAFCO REGULAR MEETING

Wednesday, November 13, 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 Moore led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners were present:

City Members

Bruce Whitaker
Carol Moore **(Alt.)**

County Member

Donald P. Wagner **(Chair)**

Special District Members

Douglas Davert
James Fisler

Public Members

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

The Commission Clerk noted that Commissioner Moore would be a voting member for the regular meeting.

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 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 called for requests to pull any of the consent calendar items for discussion. **Commissioner Davert** requested agenda item 6b be pulled. **Chair Wagner** called for a motion on the approval of the balance of the consent calendar, and there were no requests from the public to speak on the item. **Commissioner McGregor** motioned for approval of the balance of the consent calendar, and **Chair Wagner** seconded the motion.

6a. – October 9, 2024 - Regular Commission Meeting Minutes

MOTION: Approve Consent Calendar Item 6a. (Derek J. McGregor)
SECOND: Donald P. Wagner
FOR: Derek J. McGregor, Donald P. Wagner, Douglass Davert,
James Fisler, Carol Moore, Bruce Whitaker
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

Chair Wagner noted the item pulled by **Commissioner Davert** and opened it for discussion by the Commission. **Commissioner Davert** provided general comments on the meeting and events calendar and noted that the scheduled meeting date for the Strategic Planning Workshop on April 18, 2025, is Good Friday. The Executive Officer recommended April 4 or April 11 as alternative meeting dates for the workshop. There was no further discussion from Commissioners, and the Commission Clerk noted that there were no requests from the public to speak on the item. **Commissioner Davert** motioned for approval of agenda item 6b with the recommended date of April 4, 2025 for the Strategic Planning Workshop and **Commissioner Fisler** seconded the motion.

6b. – 2025 Meeting and Events Calendar

MOTION: Approve the 2025 Meeting and Events Calendar with recommended change in date for the Strategic Planning Workshop to April 4. (Douglass Davert)
SECOND: James Fisler
FOR: Douglass Davert, James Fisler, Derek J. McGregor, Carol Moore, 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. – OCERS FY 2025-26 Contribution Rates and Annual Audit

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 noted 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 **Commissioner Whitaker** seconded the motion.

MOTION: Adopt Resolution No. CP 24-07 approving the contribution rates adopted by OCERS for Fiscal Year 2025-26 and establishing the Employer Pick Up for the 2.7% @ 55 Plan. (Douglass Davert)
SECOND: Bruce Whitaker
FOR: Douglass Davert, Bruce Whitaker, James Fisler, Derek J. McGregor, Carol Moore, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

8b. – Updated to California Levine Act

General Counsel Scott Smith 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 that there were no requests from the public to speak on the item. **Chair Wagner** noted this is a receive and file report and requires no action by the Commission.

8c. – Cancellation of December 2024 Regular Meeting

Executive Officer Carolyn Emery noted that there were no actionable items for the Commission's consideration for December and recommended the cancellation of the scheduled December 11, 2024, regular meeting. There was no noted discussion from Commissioners. **Chair Wagner** motioned for the cancellation of the December 11, 2024 regular meeting and **Commissioner Davert** seconded the motion.

MOTION: Cancellation of December 11, 2024 Regular Meeting. (Donald P. Wagner)
SECOND: Douglass Davert
FOR: Donald P. Wagner, Douglass Davert, James Fisler,
Derek J. McGregor, Carol Moore, Bruce Whitaker
AGAINST: None
ABSTAIN: None

MOTION PASSED: 6-0.

9. COMMISSIONER COMMENTS

Commissioners made general comments, and **Commissioner McGregor** provided a CALAFCO update noting the recent correspondence provided by Executive Officer Carolyn Emery to the Commissioners in the form of a letter that was submitted to CALAFCO. He indicated that the letter expresses concerns with CALAFCO's effectiveness and leadership. Commissioner McGregor noted that the CALAFCO Board is scheduled to meet on January 10, 2025.

10. EXECUTIVE OFFICER'S REPORT

Executive Officer Carolyn Emery provided an update on the OCWD MSR and stated that the public review draft would be released during the week for a 45-day public review and comment period. She also noted the final MSR draft is anticipated for public hearing during the Commission's regular meeting in February 2025. Ms. Emery provided an update on the ongoing discussion between LAFCO and County staff regarding teleconferencing capabilities that may be available next year for Commission regular meetings. Ms. Emery also provided a summary of the content of the letter sent to CALAFCO regarding OC LAFCO's key concerns

about the organization. Lastly, Ms. Emery noted that the City Selection Committee is scheduled to meet on November 14, and an item on the agenda is the appointment of the OC LAFCO Regular City Member seat.

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 were no closed session items scheduled for discussion by the Commission.

13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Wagner adjourned the Regular Commission Meeting at 8:23 a.m. to January 8, 2025.

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

ATTEST:

By: _____
Cheryl Carter-Benjamin
Commission Clerk