

FINAL MINUTES

OC LAFCO REGULAR MEETING

Wednesday, June 11, 2025
8:15 a.m.

County Administrative North (CAN)
First Floor Multipurpose Room 101
400 W. Civic Center Drive, Santa Ana, CA 92701

Members of the public may access the audio live-streamed meeting at:
<https://youtube.com/live/zflox-aqZ5w?feature=share>

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 Penrose led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners were present:

City Member

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

The following staff members and general counsel were present:

- Interim Executive Officer Luis Tapia
- 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 the consent calendar item for discussion. There were no requests from Commissioners, and the Commission Clerk noted that there were no requests from the public to speak on the item. **Commissioner McGregor** motioned for approval of the consent calendar, and **Commissioner Davert** seconded the motion.

6a. – May 14, 2025 - Regular Commission Meeting Minutes

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

MOTION PASSED: 5-0.

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. – OC LAFCO Accounting and Financial Policies Update

Policy Analyst Aimee Diaz 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 Fisler** seconded the motion.

MOTION: Adopt the OC LAFCO Accounting and Financial Policies, as amended.
(Douglass Davert)
SECOND: James Fisler
FOR: Douglass Davert, James Fisler, Derek J. McGregor,
Carol Moore, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8b. – OC LAFCO Personnel Policies and Procedures Update

Commission Clerk Cheryl Carter-Benjamin 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 Moore** motioned to approve the staff recommended action, and **Commissioner Davert** seconded the motion.

MOTION: Adopt the OC LAFCO Personnel Policies and Procedures, as amended.
(Carol Moore)
SECOND: Douglass Davert
FOR: Carol Moore, Douglass Davert, James Fisler,
Derek J. McGregor, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8c. – Legislative Report (June 2025)

Interim Executive Officer Luis Tapia presented the staff report and recommended action for Commission consideration.

Chair Wagner called for Commission discussion and public comments. Commissioners made general comments and asked clarifying questions, 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 Moore** seconded the motion.

MOTION: Adopt an Oppose position on SB 777. (Douglass Davert)
SECOND: Carol Moore
FOR: Douglass Davert, Carol Moore, James Fisler,
Derek J. McGregor, Donald P. Wagner
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

8d. – Selection Process and Appointment of OC LAFCO Alternate Public Member

Interim 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 recommended action of the Ad Hoc Committee. **Chair Wagner** motioned to approve the Ad Hoc Committee's recommended action, and **Commissioner Davert** seconded the motion.

MOTION: Reappoint Lou Penrose to the Alternate Public Member seat for the term to commence July 1, 2025. (Donald P. Wagner)
SECOND: Douglass Davert
FOR: Donald P. Wagner, Douglass Davert, James Fisler,
Derek J. McGregor, Carol Moore
AGAINST: None
ABSTAIN: None

MOTION PASSED: 5-0.

9. COMMISSIONER COMMENTS

Commissioners made general comments.

10. INTERIM EXECUTIVE OFFICER'S REPORT

Interim Executive Officer Luis Tapia provided an oral report of the recent discussions with staff from the City of Fullerton on the City taking over the delivery of water services to the Page Water Mutual Company located within the City's boundary. Mr. Tapia informed the

Commission that OC LAFCO does not have a role as the Water Mutual is within the City's boundary and the City will be providing water services to the residents of the mutual. Mr. Tapia noted that the City and Water Mutual are collaborating with the State Water Control Board and the United States Environmental Protection Agency to obtain funding for the placement of permanent infrastructure to facilitate the delivery of water services to the 37 water connections within the mutual. The City will keep OC LAFCO staff informed of the process.

Mr. Tapia also updated the Commission on the distribution of a cease-and-desist order received by this Commission regarding the development of a proposed battery warehouse in the City of San Juan Capistrano. He noted that staff and General Counsel are working together to determine if LAFCO needs to respond, considering LAFCO does not have a role in land use.

Commissioner McGregor informed the Commission that a formal letter was sent to the Southern Region of CALAFCOs, noting OC LAFCO's withdrawal from the group and vacating his current position as the Chair. He also noted that El Dorado and Napa LAFCO will not renew their membership with CALAFCO for the upcoming fiscal year starting July 1.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

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

12. CLOSED SESSION

Chair Wagner and General Counsel Scott Smith noted that no closed session items were scheduled for discussion by the Commission.

13. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Wagner adjourned the Regular Commission Meeting at 8:34 a.m. to July 9, 2025.

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

ATTEST:

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