DRAFT MINUTES

OC LAFCO REGULAR MEETING

Wednesday, February 11, 2026
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/video live-streamed meeting at:
https://youtube.com/live/5TnCWqvVv8g?feature=share

1. CALL TO ORDER

Chair Bucknum 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 McGregor led the Pledge of Allegiance.

3. ROLL CALL

The following Commissioners were present:

City Members
Wendy Bucknum **(Chair)**
Peggy Huang **(arrived at 8:30 a.m.)**
Carol Moore **(Alt.)**

County Member
Donald P. Wagner

Special District Members
Douglass Davert
James Fisler **(Vice Chair)**
Kathryn Freshley **(Alt.)**

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

The following staff members and general counsel were present:

- Executive Officer Luis Tapia
- Policy Analyst I Aimee Diaz
- Policy Analyst I Leo Lara

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

Chair Bucknum closed the hearing of public comments.

6. CONSENT CALENDAR

Chair Bucknum called for requests to pull the consent calendar items 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 Davert** motioned for approval of the consent calendar, and **Commissioner Wagner** seconded the motion.

6a. – January 14 - Regular Commission Meeting Minutes
6b. – OC LAFCO Personnel Policies and Procedures Update

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

MOTION PASSED: 5-0.

7. PUBLIC HEARING

7a. - Activation of Latent Powers for Three Arch Bay Community Services District (LP 25-02)
Executive Officer Luis Tapia presented the staff report and recommended actions for Commission consideration, noting that General Manager Jeremy Pipp, General Counsel Allison Burns, and Board Member Robert Black were present and available to answer questions.

Chair Bucknum called for a Commission discussion on the item. The Commissioners made general comments and asked clarifying questions regarding factors that would support approval or denial of the request to activate the latent powers, the role between the Three Arch Bay Homeowners Association and the Three Arch Bay Community Services District, the projected annual costs for the new proposed services, timeline for protest proceedings, and use of the ad valorem property tax to provide park and recreation services. Mr. Tapia responded to the Commissioners' inquiries by noting that the activation of latent powers must be fiscally feasible and sustainable, that current and projected revenues must be sufficient to support projected expenditures, and that any agency comments opposing the proposal must be considered. General Counsel Scott Smith provided a response to the use of a portion of the ad valorem property tax by explaining that the funding would support public services and align with the Legislature's intent when the District was originally established.

Chair Bucknum opened the public hearing. The Commission Clerk noted that there were no requests from the public to speak on the item. The **Chair** invited the Three Arch Community Services District's representatives to provide comments.

Allison Burns, General Counsel for Three Arch Bay Community Services District, made general comments.

Chair Bucknum closed the public hearing and called for a motion on the item. **Commissioner Wagner** motioned to approve the staff recommended actions, and **Commissioner Davert** seconded the motion.

Commissioner Huang arrived during this agenda item at 8:30 a.m.

MOTION:	**Approve the activation of the latent powers for the Three Arch Bay Community Services District to provide park and recreation services; Direct the Executive Officer to file the Notice of Exemption for the "Activation of Latent Powers for Three Arch Bay Community Services District (LP 25-02)" with the Orange County Clerk Recorder; Adopt the LAFCO Resolution No. LP 25-02; and Authorize and direct the Executive Officer to conduct protest proceedings pursuant to Government Code Section 57000 et seq. and set a 30-day protest period following the conclusion of the 30-day reconsideration period. (Donald P. Wagner)**
SECOND:	**Douglass Davert**
FOR:	**Donald P. Wagner, Douglass Davert, James Fisler, Peggy Huang, Derek J. McGregor, Wendy Bucknum**
AGAINST:	**None**
ABSTAIN:	**None**

MOTION PASSED: 6-0.

8. COMMISSION DISCUSSION AND ACTION

8a. – Legislative Report (February 2026)
Policy Analyst Aimee Diaz presented the staff report and recommended action for Commission consideration.

Chair Bucknum called for Commission discussion and public comments. Commissioners made general comments and provided information on the existing agencies with jurisdiction to monitor and assist agencies that are not providing adequate water and wastewater services. The Commission Clerk noted that there were no public requests to speak on the item.

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

MOTION:	**Direct staff to continue to partake in the stakeholder discussions related to the "Water and Wastewater Coordination Effort" and provide an update during the March meeting with a recommendation for Commission consideration. (Douglass Davert)**
SECOND:	**Donald P. Wagner**
FOR:	**Douglass Davert, Donald P. Wagner, James Fisler, Peggy Huang, Derek J. McGregor, Wendy Bucknum**
AGAINST:	**None**
ABSTAIN:	**None**

MOTION PASSED: 6-0.

9. COMMISSIONER COMMENTS

Commissioners made general comments.

10. EXECUTIVE OFFICER'S REPORT

Mr. Tapia provided an update regarding the upcoming Alliance Workshop. He noted that the workshop is scheduled for March 24, 2026, at the Duck Club in Irvine at 9:30 a.m., Commissioners are invited to participate.

11. INFORMATIONAL ITEMS & ANNOUNCEMENTS

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

12. ADJOURNMENT OF THE REGULAR COMMISSION MEETING

Chair Bucknum adjourned the Regular Commission Meeting at 8:51 a.m. to March 11, 2026, in memory of the Commission Clerk Cheryl Carter-Benjamin's husband, James Benjamin, who entered rest on December 4, 2025.

Wendy Bucknum, Chair
Local Agency Formation Commission of Orange County

ATTEST:

By: _____
Cheryl Carter-Benjamin
Commission Clerk