

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Special Meeting and Public Hearing
April 19, 2022

1. Call to Order ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

The Special Meeting of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:02 p.m., April 19, 2022 in the Multi-Purpose Room of the Savanna Elementary School District, 1330 S. Knott Avenue, Anaheim, California, 92804.

2. Flag Salute The Pledge of Allegiance was led by Ronald Wenkart.

3. Roll Call Chairperson Benecke asked Ms. Weiss to take roll.

Present:

Sheila Benecke, Chairperson	Kathy Moffat
Marilyn Buchi	Francine Scinto
Jackie Filbeck	Suzie Swartz
Karin Freeman	Virginia Wilson
Kathleen Heard	

Absent:

Meg Cutuli	Jo-Ann Purcell
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4. Adoption of Agenda Motion by Virginia Wilson, seconded by Suzie Swartz, and carried by a unanimous vote of all members present to adopt the agenda as presented.

5. Acceptance of Minutes Motion by Virginia Wilson, seconded by Karin Freeman, and approved by an 8-0 vote with Suzie Swartz abstaining, to approve the County Committee minutes of the February 24, 2022 meeting.

6. Public Comments No members of the public were present for public comment.

7. New Business

A. County Committee Staff Report on the Savanna Elementary School District's Request to Approve and Establish Trustee Areas from which Savanna Elementary School District Trustees will be elected in a By-Trustee Area Election Process

Mr. Marinier reported that the purpose of the meeting is to conduct a public hearing within the Savanna Elementary School District, regarding the proposal to establish trustee areas from which the Savanna Elementary School District trustees will be elected in a by-trustee area election process. At the conclusion of the public hearing, the County Committee must either approve or disapprove the District's proposal.

Mr. Marinier indicated that the Education Code does not provide specific criteria to apply in determining whether to approve or disapprove the District's proposal to establish trustee areas, resulting in broad discretion by the County Committee. The role of the County Committee is to approve or disapprove the District's proposed by-trustee area map and the change to a by-trustee area election process. The County Committee cannot make changes to the District's proposed plan.

Mr. Marinier explained that under Education Code section 5020, the County Committee may, by resolution, approve the Savanna Elementary School District's proposal without being required to submit the resolution to the electors of the district for approval. A draft of the resolution was provided to the County Committee and made available to the public in the back of the room, as well as on the County Committee webpage.

B. Public Hearing

Chairperson Benecke explained the format of the hearing as set forth in the County Committee Bylaws and as reflected on the agenda.

1. Open Public Hearing

Chairperson Benecke opened the public hearing at 6:09 p.m. She explained that the public hearing has been called to receive public testimony on the Savanna Elementary School District's proposal to establish trustee areas and change the method of election to a by-trustee area election process.

2. Presentation from representatives of the Savanna Elementary School District

District representatives present for the public hearing included: Ronald Wenkart, Partner with the law firm of Atkinson, Andelson, Loya, Ruud and Romo; Angela Banuelos, the District's demographer from Cooperative Strategies; Dr. Sue Johnson, Savanna Elementary School District Superintendent; and, Tina Karanick, Savanna Elementary School District Board President.

Dr. Johnson began the District's presentation explaining that Savanna Elementary School District has approximately 2,000 students and four schools. Dr. Johnson explained that the primary reason the District initiated the transition from an at-large to a by-trustee area method of election in Fall 2019 was due to the receipt of a demand letter alleging violation of the California Voting Rights Act.

Ms. Karanick reviewed the trustee area process and timeline the Savanna Elementary School District used for the transition to by-trustee area method of election. Ms. Karanick explained how the board held pre-map board meetings in November and December and that the board saw two proposed maps for the first time at a special board meeting in December.

Following the special meeting, the Board requested additional maps to be considered. Ms. Karanick explained how the public forums in December were unique as they were held in conjunction with the holiday toy distribution to parents by the fire department. This method assured the district of public input and participation. The public forums, which were held on two separate occasions, allowed the public to consider four different maps to review and comment on.

Dr. Johnson explained that one trustee area has three board members residing in it, and the two board members who will not be able to run in November 2022 election are aware of the situation. The board voted unanimously to approve the trustee area map.

Ms. Banuelos then reviewed Savanna Elementary School District's demographics based on the 2020 Census Data which shows that the total population and the Citizen Voting Age Population (CVAP) estimates for the school district.

Mr. Wenkart then explained how the hearings at Savanna Elementary School District complied with Section 10010 of the Elections Code.

Ms. Banuelos explained the considerations used for the trustee areas such as nearly equal number of inhabitants, drawn to comply with the Federal Voting Rights Act, compact and contiguous, respect communities of interest, and follow man-made and natural geographic features as much as possible. Ms. Banuelos noted that they really did not consider incumbency but looked at school site locations. Ms. Banuelos reviewed each of the four conceptual trustee scenarios that were considered.

Chairperson Benecke granted the presenters additional time to complete the explanation of establishing trustee areas and changing to a by-trustee area method process.

Dr. Johnson explained how, as part of the District's community outreach, the meetings/public hearings were held in conjunction with the holiday toy distribution, which insured a large percentage of parental participation. She noted the electronic forms of communication that were also used for community outreach such as the Savanna Elementary School District's website and news releases that were delivered via social media (Facebook and Twitter).

Ms. Banuelos reported that at the February 8, 2022 Board meeting, the District's board selected Scenario 3 and reviewed the demographics for Scenario 3. The District approved Resolution No. 2021/22-06 and forwarded it to the County Committee on School District Organization.

3. Public Comment

No members of the public were present.

4. Rebuttal – Representatives of the Savanna Elementary School District
No rebuttal from District as no members of the public were present.
5. Rebuttal – Public Comment
No rebuttal as no members of the public were present.
6. Questions/Discussion from County Committee Members
County Committee Members commended the District on their creative approach to encourage public input. The County Committee asked questions regarding the public’s preferred map, the purpose of the CVRA, and questioned some of the cut-out shapes on Scenario 3. Dr. Johnson, Ms. Banuelos, and Mr. Wenkart explained that the majority of the community chose Scenario No. 3, the shapes that appear to be cut out are due to balancing population by census blocks, the different cities within Savanna Elementary School District, and explained the CVAP data and protected classes.
7. Close Public Hearing
Chairperson Benecke closed the public hearing at 6:46 p.m.

C. Vote to Approve/Disapprove the Proposal of the Savanna Elementary School District to Establish Trustee Areas from which Savanna Elementary School District Trustees will be elected in a By-Trustee Area Election Process by Resolution

Chairperson Benecke asked for a motion. Suzie Swartz moved to approve the proposal of the Savanna Elementary School District establishing the “Map Plan 3” and changing the method of election to a by-trustee area election process pursuant to the Resolution of the Orange County Committee on School District Organization. The motion was seconded by Francine Scinto. There was a roll call vote and the motion was approved by a 9-0 vote.

8. Presentations from the Public No presentations from the public.
9. Closed Session
At 6:49 p.m., Chairperson Benecke explained that the County Committee would now meet in closed session to conference with legal counsel regarding existing and anticipated litigation under the authority of Paragraph (1) of subdivision (d) of Government Code section 54956.9. The name of the case is the Orange County Board of Education et al. v. Orange County Committee on School District Organization, Case Number: 30-2022-01242499-CU-WM-CJC and also under the authority of paragraph (2) of subdivision (d) of Government Code section 54956.9 (one potential case).

At 6:57 p.m. Chairperson Benecke reconvened the open session. Ruth Brewda, Counsel for the County Committee and the Orange County

Department of Education, reported that no reportable action was taken in closed session.

10. Next Meeting

Mr. Mariner reported that the next County Committee meeting date has not been determined. However, Orange County Department of Education staff has received inquiries about the transfer of territory petition process. Additionally, Fountain Valley School District and Huntington Beach Union High School District are in the process of establishing trustee areas and transitioning to a by-trustee area method of election.

11. Adjournment:

There being no further business Chairperson Benecke requested to adjourn the meeting. The motion was moved by Virginia Wilson, seconded by Karin Freeman, and unanimously approved. The meeting was adjourned at 7:05 p.m.