

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Special Meeting and Public Hearing
December 10, 2021

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 3:15 p.m., December 10, 2021 in Building D, Room 1004-1006 at the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, California, 92626.

2. FLAG SALUTE

The Pledge of Allegiance was led by Howard Marinier.

3. ROLL CALL

Chairperson Benecke asked Laurie Weiss to take roll.

Present:

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|-----------------------------|---------------------------------|
| Sheila Benecke, Chairperson | Marilyn Buchi |
| Jackie Filbeck | Karin Freeman, Vice Chairperson |
| Kathleen Heard | Francine Scinto |
| Suzie Swartz | Virginia Wilson |
| Kathy Moffat (arrived late) | |

Absent:

Meg Cutuli
Jo-Ann Purcell

4. ADOPTION OF AGENDA

Motion by Karin Freeman, seconded by Virginia Wilson, and carried by unanimous vote of all members present to adopt the agenda as presented.

5. ACCEPTANCE OF MINUTES

Motion by Virginia Wilson and seconded by Suzie Swartz to approve the minutes. During discussion, Francine Scinto requested to change the description in agenda item Number 10 regarding Next Meeting from “required to adjust” to “required to review” the trustee area boundaries of the County Board of Education. The County Committee members voted on the proposed amendment to the minutes and unanimously passed a motion to accept the minutes as amended.

Another motion was made to approve the minutes by Karin Freeman, seconded by Virginia Wilson, and carried by unanimous vote of all members present, approving the County Committee minutes of the November 8, 2021 meeting, as amended.

County Committee member Kathy Moffat arrived after the acceptance of the minutes at 3:23 p.m.

6. PUBLIC COMMENTS Chairperson Benecke explained the opportunities available for members of the public who wish to address the County Committee. There was no public comment at this time.

7. CLOSED SESSION At 3:25pm, Chairperson Benecke explained the County Committee would now meet in closed session with legal counsel under the authority of subdivision (d) of Government Code section 54956.9,

At 4:43pm, Chairperson Benecke reconvened the County Committee meeting and reported that no action had been taken in closed session.

8. NEW BUSINESS

A. Staff Report – Adjustment to Orange County Board of Education Trustee Area Boundaries following 2020 Federal Census

Chairperson Benecke asked Mr. Howard Marinier, Secretary to the County Committee, to give a staff report.

Mr. Marinier provided a brief introduction of the County Committee duties following the decennial federal census and then introduced Mr. Jeff Riel, General Counsel for the Orange County Department of Education.

Mr. Riel began with a PowerPoint presentation that provided an overview of the County Committee on School District Organization, the 2020 Census, Education Code section 1002, prior boundary adjustments, the timeline for the County Committee to make adjustments for the June 2022 Primary elections, and the criteria and considerations for boundary adjustments.

B. Public Hearing – Request by the Orange County Board of Education to Adopt Trustee Area Redistricting Plan:

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 4:57 p.m. She explained that the public hearing has been called to receive public testimony/input on the Orange County Board of Education’s proposed redistricting plan.

2. Demographics and Plan Presentation-Orange County Board of Education

Chairperson Benecke invited the representatives of the Orange County Board of Education (OCBOE) to introduce themselves and give their presentation.

Mr. Gregory Rolen, Counsel for the OCBOE introduced himself, Mr. Justin Levitt, Vice President of National Demographics Corporation (NDC), and via Zoom, Ms. Marguerite Leoni, a Partner in Nielsen Merksamer, Parrinello, Gross, & Leoni LLP.

Mr. Levitt explained the process for the creation of the maps, the criteria utilized, and how the OCBOE Map 5 keeps different areas together. He also explained the zero percent population deviation and how OCBOE Map 5 created a 51% majority Latino Citizen Voting Age Population in Trustee Area 1 as well as a 34% Asian American seat by eligible voters in Trustee Area 2.

Mr. Rolen explained the timeline of the process used by the OCBOE, the public hearings held, and the resolution adopted by the OCBOE.

3. Public Comment

Chairperson Benecke asked for the public comment cards and stated she received thirty speaker cards. Based on the number of speaker cards, each speaker was given one minute. One person withdrew her card and one was a duplicate comment card so she only spoke once. A majority of the speakers supported Map 5 and one speaker supported Map 9.

4. Rebuttal

Ms. Leoni gave the rebuttal for the OCBOE stating the map presented satisfies the California Voting Rights Act and other legal criteria. Mr. Rolen then introduced the OCBOE trustees present in the audience: Ms. Barke, Dr. Williams, Ms. Sparks, and Ms. Gomez.

No public rebuttal was given.

5. Questions from County Committee Members

Committee members asked questions regarding OCBOE Map 5, community engagement, the criteria used for developing the various maps considered by the OCBOE and the OCBOE Resolution. Mr. Levitt responded to questions regarding the maps.

There was a discussion between the County Committee, Mr. Riel, Mr. Rolen, and Ms. Leoni regarding the deadline for submitting a map to the Orange County Registrar of Voters in time for the June 2022 election.

6. Close Public Hearing

The public hearing was closed at 6:40pm.

C. Discussion from County Committee Members

Mr. Riel answered questions from County Committee members regarding the timeline for adopting a map and the legal criteria. Several County Committee members expressed a desire for more time to consider the information presented and the various proposed maps.

There was a proposed motion by Kathleen Heard to provide additional information and schedule additional meetings to consider the OCBOE's proposed map. The motion was not seconded. Another motion was made by Kathy Moffat to table this issue to a time certain for the purpose of gathering further information and clarifying the information and data presented with information requests to be submitted by January 5, 2022 and another County Committee meeting to be held as early in January as possible. The motion was seconded by Suzie Swartz. A roll call vote was taken and the motion passed by a 7 to 2 vote with County Committee members Marilyn Buchi and Francine Scinto opposing.

D. Vote on the Redistricting Plan submitted by Orange County Board of Education
No action taken.

9. PRESENTATIONS FROM
THE PUBLIC

No presentations from the public.

10. NEXT MEETING

Chairperson Benecke reported that there are no meetings scheduled at this time. She also stated that the County Committee will be required to have a meeting/public hearing in the Santa Ana Unified School District to review and either approve or disapprove their established trustee areas and change to a by-trustee area method of election.

Additionally, a meeting will need to be scheduled in January to consider the Orange County Board of Education's proposed redistricting plan.

11. ADJOURNMENT

There being no further business Chairperson Benecke requested a motion to adjourn the meeting. The motion was moved by Karin Freeman, seconded by Suzie Swartz, and unanimously approved by all members present. The meeting was adjourned at 7:10 p.m.