

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION  
MINUTES  
Special Meeting  
December 11, 2024

1. CALL TO ORDER ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

The meeting of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:01 p.m., December 11, 2024 in the Board Room of the Orange County Department of Education.

2. FLAG SALUTE Pledge of Allegiance was led by Suzie Swartz.

3. ROLL CALL Chairperson Benecke asked Melanie Inskeep to take roll.

*Present:*

Sheila Benecke, Chairperson	Lauren Brooks
Jackie Filbeck	Kathleen Heard
David Johnson	Kathy Moffat
Randy Reta	Suzie Swartz
Karin Freeman, Vice Chairperson (arrived at 6:03pm)	

*Absent:*

Marilyn Buchi	Paulette Chaffee
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4. ADOPTION OF AGENDA Motion by Suzie Swartz, seconded by Kathy Moffat, and carried by unanimous vote to adopt the agenda as presented.

5. ACCEPTANCE OF MINUTES Motion made by David Johnson, seconded by Kathy Moffat, and carried by a unanimous vote to adopt the October 30, 2024 minutes as presented.

County Committee Vice Chairperson, Karin Freeman arrived after the acceptance of the minutes at 6:03pm.

6. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE COUNTY COMMITTEE ON AGENDA ITEMS

Chairperson Benecke explained the opportunities available for members of the public who wish to address the County Committee. Ms. Inskeep confirmed, no public comment cards were received.

7. OLD BUSINESS

A. Legal Services for the Orange County Committee on School District Organization

1. Review options for legal counsel to support the County Committee.

Chairperson Benecke mentioned that all of the County Committee Members received the memo with the three firms for consideration for legal counsel: Spencer Covert of Parker & Covert, Margaret Chidester of Law Offices of

Margaret A. Chidester, and Michael Travis of Best, Best & Krieger. She then asked the County Committee if there was any clarification they would like to request from Tony De Marco, Partner at Atkinson, Andelson, Loya, Ruud & Romo (AALRR) or Orange County Department of Education (OCDE) staff. The County Committee did not ask for any clarification and Mr. De Marco said he was there to answer questions.

## 2. Discussion from County Committee Members.

Chairperson Benecke opened the meeting for discussions from the County Committee members about the recommendations regarding the selection of legal counsel.

Mr. De Marco gave a reminder to the members, offering clarification that the current head of OCDE's General Counsel has a conflict of interest with the County Committee, due to previous litigation against the County Committee and therefore the whole department is unable to be the County Committee's legal counsel.

The County Committee members engaged in a thorough discussion about the strengths and expertise of each firm. They commented on the brevity of the memorandum provided by Mr. De Marco, but considered factors such as the firms' experience with education law, responsiveness, cost-effectiveness, and familiarity with district-specific issues. Mentioning Spencer Covert's extensive history in labor relations and collective bargaining was noted as a potential asset. Margaret Chidester was commended for her focus on special education law and policy compliance, however may not be the right fit for the County Committee. Members were not familiar with Michael Travis, however, believed Best, Best and Krieger to be a good firm. Several members of the board requested that a fourth option be added to the list to include former County Committee outside counsel, Robin Johansen of Olson Remcho, since there was a relationship formed previously.

Committee members expressed the importance of selecting a firm that would best align with the Committee's unique legal needs while maintaining fiscal responsibility. Following the discussion, it was decided that more information was needed before making a final decision on selecting legal counsel.

Direction was given for staff to do additional study, to further vet the current list and adding Olson Remcho's firm to the study. The County Committee requested that the firms be asked of their availability to be at meetings, their desire to represent the County Committee, and the fiscal implication of their services. County Committee members stated that this approach would ensure they had a comprehensive understanding of each of the firms' capabilities and

fit for the school district's priorities. The County Committee also requested legal guidance on language for Bylaw 233, to ensure the language convey the intent to suspend OCDE legal counsel until the conflict of interest is resolved.

8. PUBLIC COMMENT OF PERSONS DESIRING TO ADDRESS THE COUNTY COMMITTEE ON ANY PROPER MATTER NOT ON THE AGENDA

No comments from the public.

9. NEXT MEETING

Mr. West reported that at this time no meetings are scheduled for the County Committee; however, when the information has been gathered from the direction of the committee, a board meeting will be planned.

10. 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 7:05 p.m.