

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Special Meeting
January 14, 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 3:00 p.m., January 14, 2022 in the Board Room of the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, California, 92626.

Chairperson Sheila Benecke shared guidelines from the California Department of Public Health and the Orange County Health Care Agency that required face masks to be worn inside the building.

2. FLAG SALUTE

The Pledge of Allegiance was led by Virginia Wilson.

3. ROLL CALL

Chairperson Benecke asked Ms. Laurie Weiss if she would take roll.

Present:

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

Absent:

Jo-Ann Purcell

4. ADOPTION OF AGENDA

Motion by Virginia Wilson, seconded by Karin Freeman, and carried by vote of 9 to 0 with Meg Cutuli abstaining, to adopt the agenda as presented.

5. ACCEPTANCE OF MINUTES

Motion by Virginia Wilson, seconded by Suzie Swartz, and carried by a vote of 9 to 0 with Meg Cutuli abstaining, to approve the County Committee minutes of the December 10, 2021 meeting.

6. PUBLIC COMMENTS

Chairperson Benecke explained the several opportunities available for members of the public who wish to address the County Committee. There was no public comment related to closed session.

7. CLOSED SESSION

At 3:07pm, 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, based on the fact that there has been a threat of litigation.

At 5:04pm, Chairperson Benecke reconvened the County Committee meeting and reported that the County Committee ratified retention of Robin Johansen

of Olson Remcho LLP. The County Committee voted unanimously for this retention.

8. PUBLIC COMMENTS

Chairperson Benecke repeated the face mask requirement and then explained that given some of the public comments at the previous meeting, the County Committee does not assign students to schools and that those are local decisions made by the school districts and parents. Chairperson Benecke then stated she received eighteen speaker cards. Based on the number of speaker cards, each speaker was given 1.7 minutes (1 minute and 42 seconds) to provide public comments. Seventeen speakers supported Map Option 5. One speaker supported Map Option 9.

9. NEW BUSINESS

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

1. Staff Report:

Chairperson Benecke asked Mr. Howard Marinier, Secretary to the County Committee, and Mr. Jeffrey Riel, General Counsel of the Orange County Department of Education to provide a staff report.

Mr. Marinier explained that the binder, entitled “Orange County Committee on School District Organization: Adjustment to Orange County Board of Education Trustee Area Boundaries following 2020 Census” is referenced as Attachment A on the agenda and explained that members of the public may review an electronic version on the County Committee webpage or a hard-copy version was available in the back of the room. Mr. Marinier then introduced Mr. Jeff Riel, OCDE General Counsel who was also joined via Zoom by Ms. Robin Johansen, Senior Counsel with Olson Remcho, and Mr. Paul Mitchell, a demographer and President of Redistricting Partners.

Mr. Riel provided a brief summary of the redistricting process, Education Code section 1002, the different criteria to be considered, the history of the OCBOE redistricting in 2001 and 2011, the County Committee’s options and the timeline for the process.

Mr. Paul Mitchell, participating via zoom, then provided a presentation that reviewed the Orange County Board of Education’s adopted Map 5 and provided information regarding how it compared to city and school district boundaries and the number of cities and school districts that were split. He explained the different criteria that may be considered and how it may impact the degree of population deviation. Mr. Mitchell also briefly reviewed Map 9B that was

submitted to the County Committee by a member of the public and Map C that was developed independently to address concerns raised by the County Committee.

2. Discussion:

County Committee members asked questions regarding the different maps. Mr. Mitchell and Ms. Robin Johansen answered various questions about each of the maps, higher ranking redistricting criteria, permissible deviation in determining equal population, and the Federal Voting Rights Act.

3. Vote on the Redistricting Plan Submitted by the Orange County Board of Education:

Motion by Suzie Swartz to adjust Map Option 5 to make the south county whole again because of the strong community interest and Meg Cutuli seconded the motion.

Motion to amend by Jackie Filbeck to include Map 9B and Map C, which was seconded by Karin Freeman. County Committee members discussed the amendment, specifically the need for more information related to Map 9B and Map C. A roll call vote for the amendment to the original motion was taken and the amendment to the motion was passed by a unanimous vote of all members present.

Then a roll call vote for the amended motion to adjust Map Option 5 to make south county whole and to provide further information regarding Map 9B and Map C was taken and the motion passed by a unanimous vote of all members present.

County Committee members then gave instructions to staff on what they would like to be included in the next meeting: information regarding where trustees reside on each map and the opportunity for the maker of Map 9B to present information.

B. State of Emergency and Resolution Authorizing Teleconferenced Meetings Pursuant to the Provisions of AB 361

1. Staff Report:

Chairperson Benecke asked Mr. Riel to provide a staff report regarding the state of emergency due to COVID-19 and AB 361. Mr. Riel explained that AB 361 amended the Brown Act to allow for public agencies to hold teleconferenced meetings under specific circumstances during a state of

emergency without complying with the Brown Act's traditional teleconference requirements. Mr. Riel explained that the County Committee would need to determine that meeting in person would present an imminent risk to the health safety of the attendees and the specific requirements that must be met for remote meetings and remote public comment under AB 361.

2. Discussion:

The County Committee asked and Mr. Riel answered questions regarding the flexibility to continue to holding in person meetings if the County Committee passed the resolution.

3. Resolution Recognizing State of Emergency and Authorizing Teleconferenced Meetings Pursuant to the Provisions of AB 361

Motion by Virginia Wilson to approve a resolution recognizing a State of Emergency and Authorizing Teleconferenced Meetings pursuant to the Provisions of AB 361, which was seconded by Suzie Swartz, and carried by unanimous vote of all members present.

10. PRESENTATIONS FROM THE PUBLIC

No presentations from the public.

11. NEXT MEETING

Mr. Marinier stated the next meeting will be held on January 21, 2022. He also stated the County Committee will be meeting in February to hear the Santa Ana Unified School District trustee areas and change to a by-trustee area method of election.

12. ADJOURNMENT

There being no further business Chairperson Benecke requested a motion to adjourn the meeting. The motion was moved by Virginia Wilson, seconded by Suzie Swartz, and unanimously approved by all members present. The meeting was adjourned at 7:28p.m.