

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Special Meeting/Public Hearing
January 27, 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 3:10 p.m., January 27, 2022 in the Board Room of the Orange County Department of Education, 200 Kalmus Drive, Costa Mesa, California, 92626.

Chairperson Sheila Benecke explained the mask mandate from the California Department of Public Health requiring face masks to be worn inside the building. An outdoor location has been set up to allow remote viewing for those individuals who cannot wear a mask or choose not to wear a mask.

2. FLAG SALUTE

The Pledge of Allegiance was led by Marilyn Buchi.

3. ROLL CALL

Chairperson Benecke asked Ms. Laurie Weiss to 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 Meg Cutuli and seconded by Suzie Swartz, to amend Item 8 of the agenda to allow the Orange County Board of Education's demographer and legal counsel ten minutes to address the County Committee regarding the proposed maps being considered. The motion was carried by unanimous vote of all members present.

5. ACCEPTANCE OF MINUTES

Minutes for the January 21, 2022 meeting were not yet available.

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 related to closed session.

7. CLOSED SESSION

At 3:15 p.m., Chairperson Benecke explained the County Committee would now meet in closed session with legal counsel under the authority of paragraph (1) of subdivision (d) of the Government Code 54956.9 to discuss existing litigation with legal counsel related to the case Orange County Board

of Education et al. v. Orange County Committee on School District Organization, Case Number Unassigned.

At 4:34pm, Chairperson Benecke reconvened the open session. Mr. Jeff Riel, General Counsel for the Orange County Department of Education, reported that the County Committee met in closed session to discuss pending litigation with legal counsel and that no reportable action had been taken in closed session.

Chairperson Benecke again explained the face mask mandate and that face masks must be worn inside the building.

8. NEW BUSINESS

Chairperson Benecke stated that based on the amended agenda, the Orange County Board of Education's demographer and legal counsel, would have ten minutes to address the County Committee regarding the proposed maps being considered by the County Committee.

Mr. Doug Johnson, President of National Demographics, introduced himself and discussed the compressed timeframe due to COVID-19 and the delayed census data, different versions of Map 9B, the Voting Rights Act, the Vietnamese American community, and division of Tustin in the modified Map 5.

An additional five minutes was given to Margarite Leoni, legal counsel for the Orange County Board of Education who spoke regarding the Vietnamese community, Section 2 of the Voting Rights Act, and the 14th Amendment.

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 began by identifying the four proposed maps being presented as part of the public hearing and explained that copies of the maps were available for the public to review in the back of the room and on the County Committee's web page. Mr. Marinier then introduced Mr. Jeff Riel, General Counsel for the Orange County Department of Education to provide additional information on the redistricting process. Mr. Riel was joined via Zoom by Ms. Robin Johansen, Senior Counsel with Olsen Remcho, LLP, and Paul Mitchell, Demographer and President of Redistricting Partners.

Mr. Riel began with a power point presentation that provided an overview of the history and role of the County Committee, as well as the responsibilities of the County Committee to adjust the trustee area boundaries for the county board of education, school districts and community college districts following each decennial census. Mr. Riel also reviewed the

current timeline and process for adjusting the trustee area boundaries of the Orange County Board of Education.

B. Public Hearing – Proposed plans to adjust the Orange County Board of Education Trustee Area Boundaries following the 2020 Federal Census:

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

1. Open Public Hearing

Chairperson Benecke opened the public hearing at 5:10 p.m. She then explained that the public hearing has been called to receive public testimony/input on the proposed plans to adjust the Orange County Board of Education trustee area boundaries following the 2020 census.

2. Demographics and Plan Presentation

Chairperson Benecke invited Mr. Paul Mitchell, demographer for the County Committee, to give a presentation of the proposed maps.

Mr. Mitchell provided a Power Point presentation in which he reviewed the maps being presented, compared the different iterations of Map 9B, and also shared overlays of school district boundaries and city boundaries for each of the maps. He also explained the changes he made to the maps based on the County Committee's directions from the last meeting as well as the deviation in total population and Citizen Voting Age Population (CVAP) data for each of the proposed maps.

3. Public Comment

Chairperson Benecke asked for public comment cards and indicated she received forty-nine speaker cards. Each person was given one minute to provide public testimony/input.

At 6:15pm, Chairperson Benecke recessed the County Committee meeting for a short break.

At 6:49pm, Chairperson Benecke resumed the meeting.

4. Rebuttal

There was no rebuttal from the presenter. Chairperson Benecke allowed a member of the public who did not hear her name called during public comments to speak for one minute.

5. Questions from County Committee Members

The County Committee members asked questions regarding the proposed maps and asked questions in follow-up to the concerns raised by the Orange County Board of Education representatives regarding the Vietnamese American community, the consequence of modifying the “bowtie” in Map Option 5 Modified RP 1B (Modified by Redistricting Partners), and adjustment to city boundary lines in Map 5 and its other iterations. Mr. Mitchell answered County Committee members questions while showing the various maps on the screen in response to specific questions.

6. Close Public Hearing

The public hearing was closed at 7:05 p.m.

C. Discussion from County Committee Members

County Committee members discussed each of the maps that were presented. The County Committee Members also discussed the different communities of interest, history of the original school district boundaries in Orange County and subsequent changes, topography challenges, and growth within the Asian and Latino communities.

D. Vote on the Redistricting Plan submitted by Orange County Board of Education

On a motion by Kathleen Heard and seconded by Meg Cutuli, the County Committee voted to approve by resolution adjusted trustee area boundaries for the Orange County Board of Education in accordance with Map 9 BV2, to be effective for the next regularly scheduled Orange County Board of Education election. Mr. Riel advised that the County Committee’s motion to approve a specific map incorporate the draft resolution that was provided to the County Committee for consideration and made available for the public to review in the back of the room. There were no changes to the draft resolution apart from inserting the selection of Map 9 BV2. The motion passed by a roll call vote of eight to two with Sheila Benecke, Meg Cutuli, Jackie Filbeck, Karin Freeman, Kathleen Heard, Kathy Moffat, Suzie Swartz, and Virginia Wilson voting in favor, and Marilyn Buchi and Francine Scinto opposing the motion.

Mr. Riel read the resolution into record and again indicated that copies of the draft resolution were available on the table in the back of the room.

9. PRESENTATIONS FROM THE PUBLIC

No presentations from the public

10. NEXT MEETING

Mr. Marinier reported that the next meeting will be scheduled in February 2022 within Santa Ana Unified School District.

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 Meg Cutuli, and unanimously approved by all members present. The meeting was adjourned at 8:07p.m.