

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Special Meeting and Public Hearing
March 4, 2020

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

The Special Meeting and Public Hearing of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:02 p.m., March 4, 2020 in the Staff Development Room, 8750 Dorsett Drive, Huntington Beach, California, 92646.
2. FLAG SALUTE The Pledge of Allegiance was led by Jo-Ann Purcell.
3. ROLL CALL

Present:

Sheila Benecke, Chairperson	Jo-Ann Purcell
Marilyn Buchi	Francine Scinto
Meg Cutuli	Suzie Swartz
Karin Freeman	Josephine "Joey" Van Camp
Kathryn Moffat	

Absent:
Virginia Wilson
4. ACCEPTANCE OF MINUTES Motion by Meg Cutuli, seconded by Marilyn Buchi, and approved by a unanimous vote of all members present to approve the County Committee minutes of the February 5, 2020 meeting.
5. ADOPTION OF AGENDA Motion by Suzie Swartz, seconded by Karin Freeman, and carried by a unanimous vote of all members present to adopt the agenda as presented.
6. PUBLIC COMMENT Chairperson Benecke explained the opportunities available for public comment. There was no public comment to report.
7. NEW BUSINESS

A. Appointment of Member to Fill County Committee Vacancy

1. Staff Report. Mr. Dean West reported that on February 7th a written resignation was received from County Committee member, Dr. Robert Singer, who represented the 4th supervisorial district.

Mr. West explained that Education Code Section 4006 and the County Committee By-laws require that a vacancy be filled by a majority vote of the remaining County Committee members within 70 days of the vacancy, which means the vacancy would need to be filled by April 17, 2020, and the

appointment shall be for the duration of the expired term, in this case November 2021.

Mr. West reported that as with past practice, all remaining County Committee members and members of the Nominating Committee whose district is located within the fourth supervisorial district were notified of the vacancy and nominations/applications were requested.

As of Tuesday, March 3, 2020, only one nomination and application from Jackie Filbeck, current Anaheim Elementary School District board member, was received. Copies of the Statement of Qualifications were provided to the County Committee members.

2. Discussion/Questions from County Committee Members. Candidate Jackie Filbeck shared how she learned about the position. Candidate Jackie Filbeck explained she received information about the vacancy as the Nominating Committee Representative for Anaheim Elementary School District. She reported to her school district board about the vacancy and the nomination process. She found the position interesting and her board encouraged her to apply. Laurie Weiss, OCDE staff member, explained that all Nominating Committee Representatives in the 4th Supervisorial area were notified of the vacancy and given the opportunity to submit candidates.
3. Appointment of New County Committee Member. A motion was made by Suzie Swartz to approve candidate, Jackie Filbeck, to fill the vacancy in the fourth supervisorial district on the County Committee. Kathryn Moffat seconded the motion and it was approved by a unanimous vote of all members present.
4. Chairperson Benecke administered the Oath of Office to Jackie Filbeck, the newly appointed County Committee member. The County Committee members congratulated Jackie Filbeck, and she took a seat with the County Committee members for the rest of the meeting.

B. Staff Report

Mr. Dean West reported that the purpose of the meeting is to conduct a public hearing within the Huntington Beach City School District regarding the proposal to establish trustee areas and change the method of election to 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. West explained that should the County Committee approve the District's proposal to establish trustee areas and change the method of election to a by-trustee area election process, and the State Board of Education grants a waiver of the election requirements, as requested by the District, the District would forgo the required election, and move forward with the by-trustee area method of election at the next general election for governing board members in November 2020.

Mr. West 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.

C. Public Hearing

Chairperson Benecke explained the format of the hearing as set forth in the County Committee Bylaws.

1. Open Public Hearing. Chairperson Benecke opened the public hearing at 6:15 p.m. Chairperson Benecke asked the representatives of the Huntington Beach City School District to come forward to introduce themselves and begin their presentation.
2. Presentation from Representatives of the Huntington Beach School District. District representatives present for the public hearing included: Gregory Haulk, Huntington Beach City School District Superintendent; Jimmy Lambos, Administrative Assistant to the Superintendent; Ronald D. Wenkart, Partner at Atkinson, Andelson, Loya, Ruud, and Romo; and Dr. Justin Levitt, Vice President at National Demographics Corporation.

Mr. Haulk thanked the County Committee for the work that they do and welcomed them to the District Office Education Center. He began the presentation with a brief description of the Huntington Beach City School District that currently consists of seven elementary schools and two middle schools and their mission.

Mr. Haulk explained that at their July Board meeting their Board adopted a resolution and set forth a schedule for all the required public hearings and meetings. They held two public hearings for community input before preparing their proposed by-trustee maps. The district published three proposed trustee area maps before their third public hearing for community consideration. They held an additional public hearing for community input prior to adopting the final by-trustee area map.

Mr. Haulk presented the demographic data which shows the district is 74% predominately Non-Hispanic White community with a 12% Hispanic, a 12% Asian, and a 1% Black population. He presented the school attendance zones explaining that their boundary goes all the way to the Sunset Beach area kind of ending at the Simple Green building. Mr. Haulk presented each of the three proposed maps; Orange, Purple, and Green. He explained the adopted green map and how it kept the one block of Hispanic voters together.

Mr. Haulk explained the community outreach efforts, and how they had a translator present at the public hearings. He explained how they had meetings with each of the bargaining groups and received input from DELAC.

Mr. Levitt explained the interactive maps he created that were accessible to the public to conceptualize different trustee area scenarios.

Mr. Haulk reported the waiver of election request was submitted to the State Board of Education. In November 2020 two seats would be up for election and three seats in 2022.

3. Public Comments. Chairperson Benecke asked if there was any public comment cards received. No public comment cards were submitted.
4. Questions/Discussions from County Committee Members. Ms. Suzie Swartz asked if there any schools that only have one trustee in their attendance area or do they tend to have two or more trustees for each one. Mr. Haulk answered that there is one trustee that has three schools. Mr. Levitt answered there is no single school to a trustee area. Ms. Swartz stated she feels it is really important that the trustees remember that they are responsible for all the schools and all the families whether they are in a trustee area or not.

Ms. Marilyn Buchi asked if there is currently a trustee in each one of the areas. Mr. Haulk answered that currently each trustee area has a trustee. Mr. Levitt explained that they did not focus on that criteria when they went through the process. Ms. Buchi inquired what law firm sent them a demand letter. Mr. Haulk stated it was Sege law firm that was active mainly out of Santa Barbara County. He indicated that it was less costly to pay the legal fees to them, however, on their paperwork it had the wrong district name in multiple spots.

Ms. Kathryn Moffat asked that given the demographic information was 75% White, 12% Asian, and 12% Hispanic, was there any attempt to make an Asian majority out of the Asian population? Mr. Levitt responded by referring to a map of the district and described how there is only one census block where the majority of residents are Asian that is in the beach community and is mostly vacation homes. Mr. Levitt indicated that other than that block, the Asian population is very spread out. The Latino population was very much concentrated along Beach Boulevard, specifically west of Beach Boulevard. It is mostly multi-family housing apartment buildings.

Ms. Moffat asked about vacation home owners ability to vote in the area. Mr. Levitt responded that they are of citizen voting age. Mr. Haulk responded that they do not live there and do not have any students coming from that area.

Mr. Haulk mentioned that Huntington Beach has strict rules on rentals so that may be why they claim residency status but do things differently.

Ms. Jackie Filbeck asked if the trustee areas would be impacted by the change based on the 2020 Census. Mr. Levitt responded that they would get new census numbers in 2021 so every district will have to look and make sure that each of the trustee area is balanced and has the same number people. In terms of the voter rights act analysis we are using 2019 so there actually will not be much of a change here because we are so close to the census. Voter rights data changes each year so districts that changed a few years ago may see a change. Ms. Filbeck asked if the community information presented was given out to the school PTA or district council at meetings. Mr. Haulk confirmed that they were notified.

Ms. Karin Freeman asked on the green map on top it talks about the percentage of deviation and mentions total population deviation from ideal. Is the ideal built upon the numbers. Mr. Levitt explained that the ideal population is the total population divided by five. Ms. Freeman asked what considerations were given to choosing the green map when it has the largest percentage of deviation. Mr. Levitt stated that some of the reason for that on the green map is to follow some of these major roads and features. For example five is one of the districts with the larger deviation, higher percentage, higher number of people. They would love to go across and all the way to Santa Ana river, but the census block in this area along the river is one long census block. Mr. Wenkert mentioned you cannot divide a census block. Mr. Levitt so we go along the census blocks and major roads. Maybe in 2020 they will get better block lines in that area.

Ms. Marilyn Buchi questioned why the school district was changing to the by-trustee area when the population appeared to be evenly distributed. Mr. Wenkart explained that unfortunately we are under pressure to go to a by-trustee area system. The threat that is hanging over school districts is lawsuits and if the school district doesn't agree right away to make the change and pay it could end up paying more than thirty thousand dollars in legal fees. Mr. Levitt mentioned that there was a bill out last year that said no more switches until 2021 when we get the new census data but it did not pass so that is why his firm is there and will be in Los Alamitos next month.

Ms. Buchi asked Ms. Filbeck if Anaheim Elementary School District was going to do it but was able to delay. Ms. Filbeck answered no, they did it in 2015 basically, and the first election cycle was in 2016. She mentioned that they were going to address some of their imbalances with some board members having six schools and some having four but they are going to wait for the census data.

Ms. Freeman asked if there is any legal footing for the firms, that are now out there chasing districts and cities, to send out warning letters that if they don't adjust their new boundaries with the census. Mr. Levitt explained that the counties and attorneys usually remind the districts to look at the new census when it is released in 2021. There are new rules for cities but schools are excluded from them. Mr. Wenkart mentioned that the new data will come out around April 2021. Ms. Francine Scinto if you have to redraw the maps does that redraw have to come to this committee. Mr. Levitt answered no if you redistrict it does not have to go to the county committee. Ms. Ruth Brewda stated that adjustments based on the census data is done at the local school district and does not come to the county committee unless the school fails to make adjustments by a certain time.

Ms. Scinto asked what the hockey shape section was on the map. Mr. Levitt explained how they were linking the Hispanic community on the map. Ms. Scinto asked if the California Voters Rights Act was based on CVAP. Mr. Levitt answered that it is eligible voters or citizens of voter age.

Ms. Moffatt asked is the current voting scheme for the district at large. Mr. Haulk answered that it was.

D. Vote to Approve/Disapprove the Proposal of the Huntington Beach City School District

Chairperson Benecke asked for a motion. Kathryn Moffat moved to adopt a resolution approving the proposal of the Huntington Beach City School District establishing "the Green Map" and changing the method of election to a by-trustee area election process, and that this action shall not be deemed to constitute an order of election if the State Board of Education grants the District's waiver request. The motion was seconded by Suzie Swartz. There was a roll call vote and the motion was approved 10-0.

8. NEXT MEETING

Chairperson Benecke reported that the next County Committee will be held on Wednesday, April 29, 2020 at the Los Alamitos Unified School District at 6:00 p.m.

9. ADJOURNMENT:

There being no further business Chairperson Benecke requested to adjourn the meeting. The motion was moved by Karin Freeman, seconded by Joey Van Camp and unanimously approved. The meeting was adjourned at 6:39 p.m.