

APPROVED

Orange County BOCC Elections Advisory Group

Meeting Summary

Thursday, July 22, 2021 at 7:00 PM

Virtual Meeting

Members Present: Kathy Arab, Dr. Jennifer Bremer, Jaazaniah Catterall, Dr. Lisa Hazirjian, Martha Jenkins, Patrick Mulkey, Alicia Reid, Jenn Sykes, Dr. Jonathan Weiler, Rex Williams

Members Absent: Dr. Nathan Boucher, Brian Crawford, Susana Dancy, Dr. Krishna Mondal

Facilitator: Jay Bryan, Retired District Court Judge

Staff Present: James Bryan, Orange County Attorney's Office, Greg Wilder from the County Manager's Office, Brian Carson from the Planning & Inspections Department, and Todd McGee, Orange County Community Relations Director

Others Present: None

(NOTE: There is no known relationship/family connection between Facilitator/Retired District Court Judge Jay Bryan and James Bryan with the Orange County Attorney's Office.)

1. Roll Call for Quorum

Group Co-Chair Lisa Hazirjian welcomed everyone to the Virtual meeting and expressed appreciation for members' willingness to serve on the BOCC Elections Advisory Group (BEAG) and for the work everyone had completed together.

Group Co-Chair Hazirjian requested a roll call of the members present and asked Mr. Wilder to announce the names of Group members for roll call purposes. Mr. Wilder then read the names of Group members, with members present responding accordingly.

2. Approval of June 24, 2021 Meeting Summary

Group Co-Chair Hazirjian requested a motion to approve the June 24, 2021 Meeting Summary as written and distributed with the agenda package. Group Member Jennifer Bremer motioned to approve the meeting summary, and Group Member Jenn Sykes seconded the motion. Group Co-Chair Hazirjian asked Mr. Wilder to call the names of

Group members for voting purposes. Group members voted by roll call on the motion, and the meeting summary was approved unanimously.

3. Review of Any Written Comments Received

It was noted that County staff had received one email requesting a copy of the draft report. Mr. Wilder shared that he subsequently provided the full agenda package to that individual which included the draft report as well as the alternate report document. There was no additional discussion.

4. Discussion on Draft Report

Judge Jay Bryan opened discussion on the updated draft Report document that had been included in the agenda package. Group Member Martha Jenkins shared that she was open to either Report document and that she was glad to follow the will of the Group. Group Member Kathy Arab commented that she had reviewed and provided some suggestions to the document provided by Group Member Jenkins.

It was noted that approximately five Group members had previously provided individual suggested revisions on the original first draft, and those comments were reflected in the “mark-up” version in the agenda package. A “clean” version of the Report reflecting those updates was also included. Approximately three members had previously responded that the original draft Report read well and addressed all the necessary items. And, as referenced earlier, Group Member Jenkins had provided an alternate Report document that was included in the agenda package and could also be discussed and considered.

Group Member Bremer commented that both documents were good and asked if there was a specific format for reports submitted to the Board of Commissioners. Mr. Wilder responded that there was not a specific format, and that the format for this report is up to the Group.

Group Co-Chair Patrick Mulkey noted that he appreciated the benefits of both report documents, adding that the Bryan document read like a legal document, which appropriately followed Judge Bryan’s background, and the Jenkins document read more simplistically and for laypeople. He also noted that he appreciated the unique opportunity for Group members to be involved in the review and finalization of the Report document, since that was not provided years ago during his past effort on this same topic. He indicated he was good with either document.

Group Member Sykes commented that she appreciated Group Member Mulkey’s comments relative to the report and it being simple to read for all the future readers. Shorter may also be better for presentation to the Board of Commissioners.

Group Member Jaz Catterall shared that he appreciated having both documents, and that he hoped that the final document would include the language in the Bryan

document regarding the Group's discussion and conclusions on election methods not being pursued and the at-large election method. Group Member Jonathan Weiler voiced his agreement with Group Member Catterall's comments.

Group Co-Chair Hazirjian shared that she had been reviewing both Report documents and that potentially the Group consider using the Jenkins document as the principal document and incorporate the substance of Recommendations/Suggestions section from the Bryan document into the Jenkins document under the first bullet point.

5. Approval of Specific Revisions to the Draft Report

Group Member Arab suggested that the Group consider, as detailed by Group Co-Chair Hazirjian, incorporating the language from the Bryan document ("Response" section on page 8) into the Jenkins document (on page 6 under the first bullet point). Group Member Arab further commented, as Group Member Catterall had suggested, that the Group consider incorporating the at-large, last two paragraphs language from page 10 of the Bryan document into page 6 of the Jenkins document under the second bullet point. Group Member Arab followed up and suggested that the Group consider incorporating the one paragraph single member district language from page 9 of the Bryan document into the Jenkins document on page 6 under the third bullet point.

Group Co-Chair Hazirjian asked if any Group members would like to make a motion based on the suggestions. Group Member Sykes motioned for the Group to proceed with the Jenkins document and incorporate the "Response" language, the at-large language, and the single member language from the Bryan document into the Jenkins document as discussed. Group Member Bremer seconded the motion. Group Co-Chair Hazirjian asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved unanimously.

Group Co-Chair Hazirjian and Judge Bryan asked if there were any other potential revisions to consider for the Report document. After a brief discussion on information County Attorney John Roberts had provided regarding multi-member districts, it was determined there were not any additional proposals from Group members. Mr. Wilder requested some direction from the Group regarding the Appendices. He noted that the current proposed Appendices totaled 295 pages and shared examples of the content and number of pages for each.

He shared that there were no materials to include for the proposed Appendix J, thereby meaning that it needed to be deleted and the subsequent appendices re-lettered appropriately.

Mr. Wilder then asked if the Group wanted to consider eliminating one potential portion of Appendix F that consisted of 110 pages detailing voting results for Orange County Commissioner elections from 2000 through 2020. The 110 pages had been emailed to Group members as information, and were not specifically discussed at any meetings. He also noted that the documents were public information readily available through the

Board of Elections. Group Member Arab commented that she did not think the voting results materials had impacted the Group's efforts and discussion and suggested the materials not be included in the Appendices.

Group Member Sykes inquired regarding the plan and schedule for presenting the Report to the Board of Commissioners, specifically in light of other items the Board might be discussing at its meetings. Mr. Wilder responded that, from his limited perspective, he expected that the presentation would occur at either the Board of Commissioners' September 2, 2021 Business meeting or at its September 9, 2021 work session.

Mr. Wilder noted that the September 2 meeting would likely have a full agenda based on the Board's summer break, along with the current plan for the Board to also consider appointing an individual to fill the vacant Commissioner seat due to Commissioner Mark Dorosin's resignation effective July 31, 2021. He noted that presentation at the September 2 meeting would allow for public comment on the Report item, and that public comment could potentially be extensive.

Mr. Wilder further shared that the September 9 work session already had proposed items for discussion, but that the Report may also be considered as a topic for that meeting. He noted that the Board of Commissioners by practice did not receive public comments at work sessions, so the public would not have the opportunity to provide comments at that meeting. However, Mr. Wilder expressed confidence that the Board of Commissioners would welcome significant public comment on this entire topic as discussions proceeded in the future.

After some additional discussion, it was agreed to not include the 110 pages in the Appendices, and a reference to the materials would be included under Appendix F.

After Group discussion, Group members generally expressed a preference that the Board receive a presentation and discuss the Report at the September 9 work session rather than the September 2 Business meeting since the Business meeting would potentially have a substantial number of other matters on the agenda, and the Co-Chairs would address that interest. The September 9 work session would also allow the newly-appointed Commissioner to be seated and additional time to prepare for the Report discussion.

6. Discussion on Final Approval of the Report

This item is addressed in discussion below.

7. Potential Need for Any Additional Follow-up or Meeting Based on Report Status/Revisions

Judge Bryan and Group Co-Chair Hazirjian directed discussion to the potential approval of the report and the process the Group wanted to pursue based on the revisions. Mr.

Wilder noted that the full Group could potentially reconvene for another meeting to review the revisions and provide final Report approval. Alternatively, the Group could approve the Report at the current meeting with the approved revisions and that he and Judge Bryan could work with the Co-Chairs to ensure all revisions occurred as appropriate, thereby allowing the Group to conclude its meetings this evening.

Group Member Arab suggested that the Group meet again to approve the meeting summary for the current meeting as well as provide final Report approval. Group members then discussed potential meeting dates, with August 5, 2021 at 7:00 pm being a primary option. Group Member Sykes asked if that meeting would be remote or in-person. Mr. Wilder responded that was an open question and that he had pursued determining what direction the County was pursuing for the month of August, but he did receive a specific answer. He shared that he was aware that the County Manager had approved a few of the County's advisory boards to meet remotely in August.

Group Member Sykes made a motion that Group meet on August 5, 2021 to approve the Report and July 22, 2021 Meeting Summary. Group Member Jenkins seconded the motion. Group Co-Chair Hazirjian asked Mr. Wilder to call the names of Group members for voting purposes. Group members voted by roll call on the motion, and the motion was approved unanimously.

8. Plan for Report Presentation to Board of Commissioners

The Group addressed this topic earlier in the meeting.

9. Adjourn

James Bryan with the County Attorney's Office and Mr. Wilder conferred regarding the Group's normal meeting schedule being on the fourth Thursday of each month, and that an August 5, 2021 meeting would deviate from that schedule, thereby creating a need to call a special meeting. Mr. Wilder commented that, as an alternative, he wondered if the Group could vote to recess the current meeting to be reconvened on August 5th. Mr. Bryan confirmed that was a legal option that could be considered. Group Member Jenkins motioned to recess the current meeting and reconvene the meeting on August 5, 2021 at 7:00 pm via Zoom. Group Co-Chair Mulkey seconded the motion. Group members voted by roll call on the motion to recess the meeting, and it was approved unanimously. The meeting recessed at 8:24 pm.

This Meeting Summary was approved at the August 5, 2021 BOCC Elections Advisory Group Reconvened Meeting.