



CITY OF RANCHO SANTA MARGARITA
CITY COUNCIL SPECIAL MEETING MINUTES
August 28, 2023

The meeting was called to order at 7:30 p.m. in the Council Chambers. **Present:** Mayor Jerry Holloway, Mayor Pro Tempore Carol A. Gamble, Council Members L. Anthony Beall, Anne D. Figueroa and Bradley J. McGirr (5). **Absent:** None (0). The Salute to the Flag was led by Council Member Figueroa.

Staff Present: Jennifer M. Cervantez, City Manager; Gregory E. Simonian, City Attorney; Cheryl Kuta, Assistant City Manager/Development Services Director; Stefanie Turner, Finance Director; Brendan Dugan, Public Works Director/City Engineer; Mihaela Kennedy, Captain; Amy Diaz, City Clerk.

1. PUBLIC HEARING

1.1 SECOND PUBLIC HEARING TO CONSIDER COMPOSITION OF DISTRICTS FOR COMMENCING THE PROCESS TO TRANSITION TO BY-DISTRICT ELECTIONS

Mayor Holloway introduced Gregory E. Simonian, City Attorney, who provided a brief overview of the staff report, and invited Justin Levitt, Vice President of National Demographics Corporation (NDC), to provide a brief PowerPoint presentation and report.

Mayor Holloway opened the item to City Council questions of staff.

Council Member Figueroa inquired regarding the variance of districts and whether it cannot exceed 10 percent.

Mayor Holloway referred to the Districting Rules and Goals on slide 7 of the PowerPoint, and inquired if the California Criteria for Cities that are noted are legal definitions and ranked by priority; asked if the districting process is more subjective or objective; and inquired if an elected official of a district is legally required to vote based on the interest of the district or the entire city.

Mayor Holloway opened the public hearing.

The following individuals submitted eComments on matters within the jurisdiction of the City Council:

Shawn Gordon, City of Rancho Santa Margarita resident, submitted a district map for consideration.

Ric Heard, City of Rancho Santa Margarita resident, submitted a district map for consideration.

Beth Heard, City of Rancho Santa Margarita resident, addressed five points regarding the Council's decision to transition to by-district elections: 1) moving to the District Election system is harmful to the electorate and unnecessary; 2) A district election system would negatively impact both the minority as well as all the City electorate; 3) misuse of the California Voting Rights Act (CVRA) is harmful and destructive to the minorities and general voting public; 4) Noted the City should join other cities to fight the misapplication of the CVRA; 5) Shared her preference of four districts and an at-large Mayor which will give an RSM elector two voting opportunities.

Chris McLaughlin, City of Rancho Santa Margarita resident, hopes the City Council questions the fiscal impact section of the staff report where it suggests that the City is not liable for a lawsuit under the CVRA, if the City switches to district based voting.

Rhonda Lundberg, City of Rancho Santa Margarita resident, noted that although she is opposed to the by-district elections, she understands why the City has made the decision to not get into an expensive lawsuit, and noted that moving away from an at-large election system diminishes the voting power of all the residents, as well as, is harmful to the racial and ethnically diverse communities; noted she prefers four districts and an at-large Mayor which will give the residents two voting opportunities.

Mayor Holloway opened the item to Council discussion and deliberation.

Council Member McGirr asked that NDC provide proposed maps with five districts and four districts and a Mayor in order to comply with the CVRA, including the homeowners associations and differentiation referenced taking into consideration future population growth; and the common social and economic interests.

Mayor Pro Tempore Gamble shared that from the day the City was formed the City Council has been elected by all the residents; she does not like districting but her focus is on the future; her concern is the detachment and dilution that is created by forming districts, is very concerned about parochialism and in solidarity districting creates, shared that the Council has always had the best interest of the City in mind. Mayor Pro Tempore Gamble would like to examine the idea of four districts plus a citywide directly elected Mayor; and noted that with four districts each Council Member would have a greater area of interest and ideally could be drawn to capture a wider variety of residents; with one person elected as Mayor there would be at least one person who has the interest of the entire City in mind and is less likely to be detached. Mayor Pro Tempore Gamble noted that four districts would give a constituency to two elected representatives; and also kept in mind the Brown Act. Mayor Pro Tempore Gamble stated she would like to see maps for options of four districts plus a citywide elected Mayor.

Council Member Beall stated he is not fond of the CVRA and believes it is a poorly drafted statute; in his opinion, it was written to force cities into districts; he does not believe the City has racially polarized voting but also believes the City has a choice to move into districts. Council Member Beall noted he would like to see maps for four districts plus an elected Mayor, since it will give every voter the power to elect at least two city representatives. Council Member Beall referenced

the eComments received by Ms. Heard and Ms. Lundberg. Council Member Beall noted he is willing to consider five districts. Council Member Beall suggested that the maps should consider the possibility on the eastern boundary that those district boundaries split that area into north and south, and extending into the center of the city.

Council Member Figueroa concurred that she does not believe that districting was necessary because she does not think it benefits the residents. Council Member Figueroa noted that there are cities where there are districts and no one runs, or people are convinced into running, or the districts are empty due to no interest in running. Council Member Figueroa has not made up her mind on four districts or five districts and is looking forward to finalizing the process.

Mayor Holloway clarified that all drawn maps from the consultant will meet all legal and state requirements.

Mayor Pro Tempore Gamble clarified that the City does not draw any of the maps but rather they are drawn by the Consultant.

ADJOURNMENT

Mayor Holloway adjourned the meeting at 7:54 p.m. to the next regularly scheduled meeting of the City Council to be held on Wednesday, September 13, 2023, at 7:00 p.m., in the City Council Chambers, City Hall, located at 22112 El Paseo, Rancho Santa Margarita, California.



JERRY HOLLOWAY, MAYOR

PREPARED BY:



AMY DIAZ, CITY CLERK

Approved: September 13, 2023