



**Thursday, September 27, 2018**  
**Minutes of the Special Meetings of the City Council**

**CALL TO ORDER**

A Special Meeting of the Palm Springs City Council was called to order by Mayor Moon on Thursday, September 27, 2018, at 6:05 p.m., in the Council Chamber, City Hall, located at 3200 E. Tahquitz Canyon Way, Palm Springs, California.

**PLEDGE OF ALLEGIANCE**

Mayor Moon led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Councilmembers Christy Holstege, Geoff Kors, Lisa Middleton; Mayor Pro Tem J.R. Roberts; and Mayor Robert Moon.

**Absent:** None.

**Working Group**

**Present:** Aftab Dada, Ed Dube, Dixie Miller, Stephen Moses; Co-Chairs Alexis Ortega, Kathy Weremuik, Tobias Wolff.

**Absent:** Grace Garner.

**City Staff**

**Present:** David Ready, City Manager; Edward Z. Kotkin, City Attorney; William Priest, Legal Counsel; and Anthony J. Mejia, City Clerk, were present at Roll Call.

**STUDY SESSION**

**A. RECEIVE AND FILE THE RECOMMENDATIONS OF THE CALIFORNIA VOTING RIGHTS ACT (CVRA) COMMUNITY WORKING GROUP RELATED TO THE CITY'S GOVERNANCE STRUCTURE, ELECTION METHOD, ELECTION YEAR, SEQUENCE OF ELECTIONS, DIVERSIFICATION OF BOARDS AND COMMISSIONS, AND OTHER RELATED MATTERS**

Alexis Ortega, Kathy Weremuik, and Tobias Wolff narrated a PowerPoint presentation entitled "CVRA Working Group Report." Aftab Dada, Ed Dube, Dixie Miller, and Stephen Moses offered individual comments related to participating on the Working Group.

*Public Testimony*

Alan Carvalho, expressed support for a five district electoral system; spoke on his experience with Cathedral City transitioning from an at-large to by-district elections, noting that the Cathedral City Council voted to support a Mayor selected from the City Council; advised that the first election under a district-based system has resulted in six of eight candidates being Latino.

Peter Moruzzi, noted that City Councilmembers are expected to prepare for and attend numerous local and regional meetings; spoke in support of the recommendations related to removing barriers for running and serving on City Council; opined that increasing City Council salaries will enable working individuals and families the opportunity to serve on the City Council.

Kevin Francis, commended the Working Group for its work in developing its recommendations; noted that north Palm Springs needs representation on the City Council.

Alan Worthy, spoke in support of by-district elections, noting that neighborhood organizations will be able to hold Councilmembers more accountable; spoke on crime in Palm Springs.

Carl Baker, expressed support for a five district electoral system, opining that it will result in an increase in minority groups' representation on City Council and a decrease in election campaigning costs.

Miguel Navarro, voiced support for a five district electoral system, opining that it is more compliant with the CVRA and likely to result in an increase in minority groups' representation on the City Council; noted that the rotation of the mayoral position works well in other cities; expressed support for increasing the City Council's compensation so that everyone can afford to serve on City Council.

Les Young, thanked the Working Group for making a presentation at Four Seasons; recommended that the City Council submit a ballot measure to increase the City to seven district in an effort to further increase minority representation on the City Council.

Bill Clements, opined that the question of whether to move to districts be submitted as a ballot measure; recommended that the City Council establish a policy which provides for the Mayoral position to be rotated amongst all City Councilmembers; voiced opposition to a district-based electoral system in which only constituents of the district may elect the representative; expressed support for increasing the City Council's salary and providing additional administrative support.

Jim Stuart, pointed out that the City previously held by-district elections and rotated the mayoral position; voiced support for a seven district electoral system and submitting the question of whether to eliminate the at-large mayoral position to the voters.

Michelle Castillo, read a letter indicating that the City needs to include all residents in the districting process; spoke on the importance of inclusivity and acceptance; noted that the Veterans' Tract of the Demuth Neighborhood has a significant Filipino and Latino community; urged the City to build sustainable relationships and to continue with meeting and communicating with all residents in an open and accessible manner. A hard copy of Ms. Castillo's letter is on file with the City Clerk.

Edwin Ramoran, read a letter expressing support for a five district electoral system; urged the City to continue its efforts to reach historically marginalized and disenfranchised residents and groups; spoke on his experience as a young Filipino boy growing up in the Veterans' Tract. A hard copy of Mr. Ramoran's letter is on file with the City Clerk.

Naomi Soto, commended the Working Group for its efforts; expressed support for a five district electoral system and urged the City Council to prioritize implementation of ranked choice voting.

Juanita Garner, spoke on her experience attending various Community Engagement Forums, noting that many residents expressed support for a five district electoral system; opined that people of color will be more likely to take on leadership positions when they see other people like them in leadership roles.

Dieter Crawford, noted that his family has lived in the Desert Highland-Gateway neighborhood for over 60 years; opined that a five district electoral system will provide the greatest opportunity for minority groups to elect a City Councilmember of their choice; noted that the Desert Highland, Golden Sands, Veterans' Tract, and Lawrence Crossley neighborhoods are all on the outer edges of the City and share communities of interests.

Jeff Jones, expressed support for a five district electoral system, opining that people of color will be more likely to run for City Council once they see similar looking faces in City leadership positions.

Mayor Pro Tem Roberts commended the Working Group for working to enhance inclusivity in the districting process and for its comprehensive report.

Councilmember Kors questioned whether the Working Group is concerned that the lack of a strict policy related to the rotation of the mayoral position, under a five district model, could result in a minority Councilmember being disenfranchised by the City Council. In response, Ms. Weremuik stated that the City Council may want to consider adopting a system for selecting the mayor on a rotational basis, recommending that such a system be adopted by policy to allow for flexibility. Mr. Wolff added that any such policy should allow for a City Councilmember to opt out of serving as mayor and that the provision should be addressed during future candidate orientation trainings.

In response to City Council inquiries, Legal Counsel Priest advised that Senate Bill 1250 related to residency requirements only applies to the State Legislature; advised that a trial court recently ruled that Redondo Beach, a charter city, need not comply with Senate Bill 415 related to changing elections from odd-numbered years to even-numbered years, noting that it is likely that the decision will be appealed.

Mr. Priest further advised that transitioning to a four district electoral system, with the Mayor elected at-large, is better than retaining an at-large electoral system; opined that a five district electoral system would insulate the City from future allegation of CVRA violations.

Mayor Pro Tem Roberts questioned whether moving towards a seven district electoral system would result in even greater representation for minority groups. Ms. Weremuik noted that the question would require submission to the voters as a ballot measure and such a question could not be answered by the December 31, 2018, deadline agreed upon by the City and plaintiff's attorney.

In response to inquiry from Mayor Pro Tem Roberts, Mr. Wolff advised that the Working Group did not undergo any type of scientific sampling or survey, but noted that the majority of comments from attendees at the Community Engagement Forums supported a five district electoral system; noted that the Working Group also interviewed individuals in support of a four-district electoral system.

Mayor Moon encouraged residents to attend the City Council meeting on October 4, 2018, noting that the City Council will make a decision related to the electoral system; encouraged the City Council to give additional thought related to increases in staffing, the number of signatures for nomination, and the history of the mayoral position in Palm Springs.

In response to Mayor Moon's inquiry, City Attorney Kotkin advised that submission of whether to move forward with a four or five district electoral system on a ballot measure would exceed the deadline reached between the City and plaintiff's attorney, noting that a lawsuit could be filed if the City does not comply; noted that the City could still be subject to CVRA violation claim even if the electorate were to select a four-district, with an at-large mayor, electoral system. Mr. Priest noted that the statutory default related to nominations is 20-30 signatures.

In response to Councilmember Holstege, Mr. Priest advised that Government Code Section 34886 should be narrowly interpreted to allow the City Council to enact district-based elections without requiring a ballot measure provided that it is in furtherance of the CVRA; advised that expanding the membership of City Council to seven would exceed the statutory authority.

Councilmember Middleton commended the Working Group and noted that the audience at tonight's meeting is diverse and represents the hard work of the Working Group; spoke on California's history of submitting civil rights related issues to the electorate.

In response to Councilmember Middleton's inquiry, City Attorney Kotkin noted that while Mr. King's letter indicates that a difference of 4-6% in minority population in relation to four versus five districts is insignificant, that it is the City Council's adopted goal to create a minority/majority district and only the City Council can determine whether the percentage difference is significant or not.

Councilmember Holstege voiced opposition to submitting questions related to residents civil rights to the voters; noted that the City Council made a leadership decision to transition to district-based elections rather than litigate or ignore the allegation.

In response to Councilmember Holstege's inquiries, Ms. Weremuik and Mr. Wolff advised that the Working Group did not address campaign financing reforms, opining that the transition to district-based elections would likely result in a decrease in campaign spending; noted that an at-large Mayoral race would likely result in significant barriers and access issues for minority candidates. Ms. Ortega advised that the conclusion of the Working Group's report calls for the City to continue its work reaching out to communities of color and building lines of communication, noting that a diversity officer or assigning such responsibilities to an exist staff member would be beneficial.

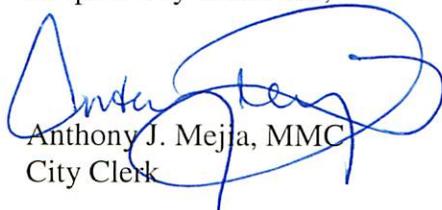
In response to Councilmember Holstege's inquiry, Legal Counsel Priest advised that state law requires that a candidate be a resident of the district at the time of nomination, noting that courts have upheld up to a 30-day residency requirement prior to pulling papers; advised that state law requires residency within the district for the duration of the term.

Councilmember Holstege requested that City staff contact the Riverside County Registrar of Voters to receive their initial responses related to the feasibility of implementing Ranked Choice Voting.

**ADJOURNMENT**

At 9:15 p.m., the City Council adjourned to a Regular Meeting of the City Council to be held on October 3, 2018 at 6:00 p.m. in the Council Chamber, City Hall, located at 3200 East Tahquitz Canyon Way, Palm Springs, California.

Respectfully submitted,



Anthony J. Mejja, MMC  
City Clerk