



Thursday, April 19, 2018
Minutes of the Special Meeting 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, April 19, 2018, at 6:00 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.

City Staff

Present: David H. Ready, City Manager; Edward Z. Kotkin, City Attorney; Marcus Fuller, Assistant City Manager; and Anthony J. Mejia, City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

REPORT OF CLOSED SESSION

The Special Closed Session of the City Council of April 19, 2018, was called to order by Mayor Moon at 4:30 p.m., with all members present.

The meeting convened into Closed Session to discuss the following items as listed on the Special Closed Session Meeting Agenda:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Pursuant to Government Code Section 54956.9(d)(2):

Number of Anticipated Cases: 1

One (1) Case Re: Response to Letter From Kevin Shenkman, Esq., received March 5, 2018 (California Voting Rights Act of 2001)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957(B)(1)

City Manager
City Attorney

City Attorney Kotkin reported that the City Council received briefings and provided direction to staff regarding the agendaized Closed Session Items, but did not take any reportable action.

PUBLIC TESTIMONY

Gary Soto, speaking on Item 1A, urged City Council to support transitioning to district-based elections; stated that people of color still experience discrimination and lack of representation.

Tobias Wolf, speaking on Item 1A, voiced support for district-based elections, noting that it will increase the diversity of political participation and engagement.

Norm King, speaking on Item 1A, voiced support for district-based elections while retaining the directly-elected mayoral position.

Kathy Weremiuk, speaking on Item 1A, expressed support for district-based elections, noting that it will result in broader representation on the City Council.

1. NEW BUSINESS

A. CONSIDERATION OF WHETHER TO TRANSITION FROM AN AT-LARGE ELECTORAL SYSTEM TO A DISTRICT-BASED ELECTORAL SYSTEM FOR MEMBERS OF THE CITY COUNCIL

City Attorney Kotkin presented the staff report and advised that the proponents have agreed to provide the City with additional time in which to conduct community outreach, given that the ordinance enacting district-elections is adopted by December 31, 2018.

Councilmember Kors pointed out that the letter claiming violations of the California Voting Rights Act (CVRA) was submitted on behalf of the Southwest Voter Registration Education Project; noted that the threshold for prevailing in a CVRA lawsuit is low and that no city has successfully prevailed in a lawsuit; noted that residents and the City would draw the proposed district boundaries, but that if litigation were to pursue, it is likely that the plaintiff and court would determine the district boundaries; recommended that the City proceed with transitioning to district elections under the safe harbor provisions.

Councilmember Middleton spoke to the positive aspects of running for City Council at-large and representing the interests of all residents; spoke on the severe financial and reputational risks to the City if it were to pursue challenging the CVRA; noted that the Legislature’s Latino Caucus has prioritized transitioning to district-based elections, due to the history of discrimination and efforts to diminish minorities’ influence in politics; noted that the cities of Cathedral City and Indio engaged their communities to ensure that the districting process was fair and informed; suggested that the Taskforce on Election Reform remain intact to help engage the community during this process.

City Attorney Kotkin noted that the City has hired a demographic consultant to aid in transitioning to district-based elections; advised that the demographic data and map drawing tools will be available to the public.

Mayor Moon spoke in support of district-based elections, noting that it will increase fairness and diversity.

Councilmember Holstege spoke on the importance of public participation and encouraged residents to attend public hearings and to send their comments to the City Council.

Mayor Pro Tem Roberts expressed concern that the City should not move forward with district-based elections solely for fear of the cost of litigation; opined that he is not convinced that the City has violated the CVRA; stated that he will support the resolution of intention with the expectation that the community will be informed about the issue and it results in a clear understanding of whether the community supports moving to district-based elections.

MOTION BY COUNCILMEMBER KORS, SECOND BY COUNCILMEMBER MIDDLETON, CARRIED 5-0, to adopt Resolution No. 24406 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE ELECTIONS TO DISTRICT-BASED ELECTION, PURSUANT TO ELECTIONS CODE SECTION 10010".

Councilmember Holstege requested that all notices be translated into Spanish and that interpretation services be provided so that all residents may participate in the public process; recommended that the City hire a diversity consultant to assist with outreach to minority communities.

Mayor Pro Tem Roberts requested that staff develop a strategy to garner public input, noting the importance of reaching out to minority communities.

City Manager Ready recommended that staff work with the City Council Ad Hoc Subcommittee on the CVRA to develop an outreach plan for presentation to the City Council on May 2, 2018.

Mayor Moon suggested that consideration of transitioning to even-numbered year elections concurrently with the district process.

ADJOURNMENT

At 7:15 p.m., the City Council adjourned to a Regular Meeting of the City Council to be held on Wednesday, May 2, 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. Mejia, MMC
City Clerk