



CITY OF RANCHO SANTA MARGARITA
CITY COUNCIL SPECIAL MEETING MINUTES
July 24, 2023

The meeting was called to order at 4:00 p.m. in the Council Chambers. **Present:** Mayor Jerry Holloway, Council Members L. Anthony Beall, Anne D. Figueroa and Bradley J. McGirr (4). **Absent:** Mayor Pro Tempore Carol A. Gamble (1). The Salute to the Flag was led by Council Member Beall.

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

1. PUBLIC COMMENTS

The following individual addressed the Council on matters within the jurisdiction of the City Council:

Chris McLaughlin, City of Rancho Santa Margarita resident, noted he does not think the City has a problem with disenfranchising Hispanic voters; believes it is wise to avoid a lawsuit; expressed his support for district voting; suggested the current Council Members serve out the rest of their terms; and suggested the City draw maps based on school districts, water districts, neighborhoods, and shared interests in the community.

2. NEW BUSINESS

2.1 RESOLUTION OF INTENT TO TRANSITION FROM AT-LARGE TO BY-DISTRICT ELECTIONS

Mayor Holloway introduced Gregory E. Simonian, City Attorney, who presented the brief overview of the staff report.

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

Council Member Beall inquired if there is any kind of objective test written or is it defined in the State statute to give the City guidance as to what constitutes racially polarized voting. Council Member Beall noted that the attorney that sent the letter to our City has also sent similar letters to three other South Orange County cities, none of those letters identifies who the potential plaintiffs would be. Council Member Beall inquired if California Law requires an attorney to have a client that has engaged them before they send such a letter.

Mayor Holloway inquired if the cities that have not fought district elections but rather changed their voting systems imply that they admitting to racially polarized voting.

Mayor Holloway opened the item to Council discussion and deliberation.

Council Member Beall expressed how disappointed he is in the situation, especially as it relates to the statutory framework that they are supposed to be interpreting and applying to the City in any kind of intelligent way; in his opinion, it is just one of the most poorly drafted statutes from the State of California. Council Member Beall noted that the lack of key defined terms and objective guidance puts every city in an untenable position and provides no guidance to courts. Council Member Beall believes the State is pushing for a one-size fits all type of statutory framework that makes no sense. Council Member Beall highlighted a case pending in the California Supreme Court that relates to the City of Santa Monica.

Mayor Holloway noted that in the 23 years of the existence of the City he has never heard any comments regarding racially polarized voting from anyone; there have been some spirited elections but those that were not victorious in those elections have never said it was a racial issue. Mayor Holloway noted that any vote on his part to change the election system has nothing to do with the thought that there is racially polarized voting.

Council Member Figueroa noted that she has a Hispanic last name and Hispanic children.

Council Member Beall moved, seconded by Council Member McGirr to approve the following staff recommendation:

Adopted Resolution No. 23-07-24-01 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO BY-DISTRICT ELECTIONS PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10010(E)(3)(A) AND FINDING THE PROPOSED TRANSITION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15061(B)(3), 15320, AND 15378(B)(5)

The motion was approved by the following vote:

AYES: Council Members Beall, Figueroa, McGirr, Mayor Holloway (4)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: Mayor Pro Tempore Gamble (1)

ADJOURNMENT

Mayor Holloway adjourned the meeting at 4:17 p.m. to the next regularly scheduled meeting of the City Council to be held on Wednesday, August 9, 2023, at 7:00 p.m., in the City Council Chambers, City Hall, located at 22112 El Paseo, Rancho Santa Margarita, California.

for 

JERRY HOLLOWAY, MAYOR

PREPARED BY:



AMY DIAZ, CITY CLERK

Approved: August 9, 2023