



# CITY OF BUELLTON

## **SPECIAL MEETING - CITY COUNCIL AGENDA**

**Special Meeting of November 8, 2018 – 5:00 p.m.  
City Council Chambers, 140 West Highway 246  
Buellton, California**

*Copies of staff reports or other written documentation relating to each item of business referred to on this Agenda are on file in the office of the City Clerk and are available for public inspection*

### **CALL TO ORDER**

Mayor Holly Sierra

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Council Members Ed Andrisek and Art Mercado, Vice Mayor Dave King and Mayor Holly Sierra

### **PUBLIC COMMENTS**

*Speaker Slip to be completed and turned in to the City Clerk prior to commencement of meeting. Limited to matters not otherwise appearing on the agenda. Limited to three (3) minutes per speaker. No action will be taken at this meeting.*

### **CLOSED SESSION ITEMS**

**(POSSIBLE ACTION)**

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Threat of litigation pursuant to Government Code Section 54956.9(d)(2) [Letter from Kevin I. Shenkman dated September 28, 2018]**

### **BUSINESS ITEMS**

**(POSSIBLE ACTION)**

- 2. Resolution No. 18-22 – “A Resolution of the City Council of the City of Buellton, California, Establishing Its Intention to Comply With Elections Code Section 10010(e)(3)(A)”  
❖ (Staff Contact: City Attorney Greg Murphy)**

### **ADJOURNMENT**

The next regular meeting of the City Council will be held on Thursday, November 8, 2018 at 6:00 p.m.

**CITY OF BUELLTON**  
Special City Council Agenda Staff Report

City Manager Review: MPB  
Council Agenda Item No.: 2

To: The Honorable Mayor and City Council

From: City Attorney, Greg Murphy

Meeting Date: November 8, 2018

Subject: Resolution No. 18-22 – “A Resolution of the City Council of the City of Buellton, California, Establishing Its Intention to Comply With Elections Code Section 10010(e)(3)(A)”

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**BACKGROUND**

On September 28, 2018, Kevin I. Shenkman of the law firm Shenkman & Hughes (“Shenkman”) sent a letter to the City of Buellton alleging certain violations of the California Voting Rights Act. Shenkman has successfully sued cities based on similar allegations and has issued similar letters to dozens of cities throughout the State of California. The City Attorney’s Office has reviewed the allegations and the City’s options, one of which is the adoption of a resolution to change the City’s election from an at-large voting system to a by-district voting system. The City Attorney will verbally present the matter to the City Council and will offer for discussion and potential adoption a resolution that would comply with Elections Code section 10010, a recently-modified part of the California Voting Rights Act. If adopted, that resolution would begin the City’s transition to a by-district voting system.

**FISCAL IMPACT**

Uncertain. There will be a cost to undertake the transition, including the hiring of a demographer, the holding of several public hearings, and the setting of district boundaries. There is also a potential cost to not undertaking the transition, which will be detailed in full by the City Attorney.

**RECOMMENDATION**

That the City Council discuss the Shenkman letter and the potential change to a by-district voting system. If such a change is desired, that the City Council adopt a resolution to that effect.