

**BREA CITY COUNCIL  
SUCCESSOR AGENCY TO THE  
BREA REDEVELOPMENT AGENCY  
MEETING**

**MINUTES  
FEBRUARY 23, 2022**

**CLOSED SESSION  
6:30 p.m. - Executive Conference Room  
Level Three**

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**CALL TO ORDER / ROLL CALL - COUNCIL**

Mayor Hupp called the Closed Session to order at 6:30 p.m. all Council Members were present except for Council Member Vargas.

Council Member Vargas joined the Closed Session at 6:32 p.m.

Present: Hupp, Parker, Marick, Vargas, Simonoff

- 1. Public Comment**  
None.

<small>Closed Session may convene to consider matters of purchase / sale of real property (G. C. §54956.8), pending litigation [G.C. §54956.9(d)(1)], potential litigation [G.C. §54956.9(d)(2)(3) or (4)], liability claims (G. C. §54961) or personnel items (G.C. §54957.6). Records not available for public inspection.</small>
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- 2. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(2) - Anticipated Litigation. Significant Exposure to Litigation: 1 potential case.**

Mayor Hupp adjourned the Study Session at 6:50 p.m.

**6:55 p.m. - Council Chamber  
Plaza Level**

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**Pledge of Allegiance**

Dorothy Heaton of Girl Scout Troop 6000 led the Pledge of Allegiance.

**Invocation**

City Clerk Harris-Neal delivered the Invocation.

**GENERAL SESSION  
7:00 p.m. - Council Chamber  
Plaza Level**

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**CALL TO ORDER/ ROLL CALL - COUNCIL**

Mayor Hupp called the General Session to order at 7:02 p.m., all Council Members were present.

**PUBLIC HEARING** - *This portion of the meeting is for matters that legally require an opportunity for public input. Audience participation is encouraged and is limited to 5 minutes per speaker.*

**3. Public Hearing to Receive Input from the Community Regarding the Proposed Transition to By-District City Council Elections; Selection of a District Map and Election Sequence; and Introduction of Ordinance No. 1225, Establishing a By-District System for City Council Elections**

Douglas Johnson, National Demographics presented a PowerPoint that included: why the City is districting; California Voting Rights Act (CVRA) impact; districting process; redistricting rules and goals; draft maps overview; maps 103,108, 115,116, 117, 118 (revised map 106), 119, 120, and 121; summary of maps by California Voting Age by Population (CVAP); public hearing and discussion.

In response to Council questions, Mr. Johnson provided the changes made to map 106 and clarified that the Federal law requirements do not apply to the City of Brea but State law does.

**Mayor Hupp opened the public hearing.**

Emeritus CEO for Brea Chamber of Commerce, Heidi Gallegos, stated that the Chamber expressed concern about the negative consequences if by-district voting is approved.

Sean Thomas announced that the City of Diamond Bar voted to change from at-large voting to by-district voting and expressed support for by-district voting.

Dwight Manley urged Council to wait for the Santa Monica and Irvine lawsuit results before approving a by-district map and discussed the Shenkman lawsuit and dilution of voting.

Glen Vodhanel stated that Council candidates can win an election without a large amount of money and stated that he is not in favor of by-district elections in the City of Brea.

City Clerk Harris-Neal read two (2) comments received via email.

Debbie Louis asked are Planning Commissioners required to live within the district of the Council Member that appoints them and will other Commission/Committees members be required to represent a certain district.

Ann Summers expressed opposition to district elections and expressed concern about grouping residents according to their ethnic or racial background. She asked if there will be a change in the by-district boundaries if the Brea 265 project occur because of the population increase.

Keith Fullington expressed concern about by-district elections in the City of Brea.

**Hearing no further testimony, Mayor Hupp closed the public hearing.**

In response to the public's questions, Attorney Jim Markman confirmed that Planning Commissioners are not required to live in the district of the Council Member that appoints them and that the City can only redistrict every 10 years after the census results are provided or if the City annexes an area causing a substantial impact on the number of residents.

In response to Council Member Vargas' question regarding recall of Council Members, Mr. Markman confirmed that if the City begins district elections and a recall of a Council Member is on the ballot, only the people in the said district can vote for the recall.

Council discussed having most of the districts touch certain parts of the City, engaging the

community, risking a financial expense to defend possible litigation, keeping south Brea together, the City's obligation to finalize a map, public outreach, narrowing the number of maps to consider, the number of maps received by the public, having an online poll for public input, concerns for the business community, a referendum, timeline for adoption of an Ordinance, consequences for not having a district election during the November 2022 elections, and Shenkman's past and present lawsuits.

Mr. Markman reminded Council that the Shenkman litigation is not all about money, the City is risking the opportunity to choose their own district map if the City loses during a legal battle.

Council decided that map 117 and 118 will be the focus maps and agreed that they will bring the item back to a Special Meeting to allow more time for residents to provide input on which of the two (2) maps they believe is best for the City of Brea.

**MATTERS FROM THE AUDIENCE**

None.

**ADJOURNMENT**

Mayor Hupp adjourned the General Session at 8:33 p.m.

Respectfully submitted,

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Lillian Harris-Neal, City Clerk



The foregoing minutes are hereby approved this 23rd day of March, 2022.

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Cecilia Hupp, Mayor

