

# Garden Grove Mayor Will Continue to be Elected on At-Large Basis

By [Thy Vo](#) January 27, 2016 at 11:12 AM

Garden Grove will expand its city council and keep an at-large elected mayor, after the City Council Tuesday evening approved a settlement to a lawsuit challenging its transition to district elections.

The city was sued last July by a Latino resident and city council candidate, Rickk Montoya, who alleged the city's at-large elections system dilutes the Latino vote and therefore violates the California Voting Rights Act.

The city chose to settle Montoya's lawsuit and begin the process of transitioning to a new elections system, where council members would be elected from five districts and the mayor would be a ceremonial position rotated amongst them.

Then last month, just as a consultant hired by the city began the process of collecting public input to draw the maps, a citizen's group, the Central Garden Grove Neighborhood Association, [filed a lawsuit](#) challenging the elimination of an at-large elected mayor, citing a 1970 ballot measure.

The group sought to intervene in the city's settlement with Montoya, claiming that the city had no right to eliminate the at-large mayor without voter approval.

At the council meeting Tuesday night, audience members cheered after council members voted 3-0 to approve the settlement, with two council members absent from the vote, although they were present during the closed session.

Councilman Phat Bui left the meeting ill, and Councilman Steve Jones left because of a family emergency.

"The city should have educated us about this issue long ago when other cities were moving forward to getting sued," Maureen Blackmun, one of the residents leading the effort to maintain an at-large elected mayor. "For voters to get shafted because of lack of action on the city's part is inexcusable."

Under the terms of the new settlement, the city will be divided into six council districts, with an at-large elected mayor holding the seventh seat on the city council.

According to the city's outside demographer, David Ely, the changes will not change the mapping process significantly, as they are still in the process of gathering public input.

The city will also be required to pay the legal fees for both parties, including \$18,000 for the Neighborhood Association. Montoya -- looking to combat rumors that he will profit financially from the settlement -- noted that the \$290,000 in fees paid by the city will go directly to his attorney, Kevin Shenkman.

[Read the full text of the settlement.](#)

Shenkman said Montoya chose to settle out of concern for the city's ongoing legal costs.

"This really came down to a pragmatic decision by Mr. Montoya and one that he shouldn't have been required to make. The Central Garden Grove Association basically held the city and its elections hostage," Shenkman said.

He believes that, should the issue be heard in court, a judge would have found no legal backing for the group's claim.

"It's a compromise to make the election in 2016 happen so we don't have to have another two years of Latinos not being able to vote, essentially to resolve a frivolous suit," Shenkman said.

Mark Rosen, the attorney for the Neighborhood Association and a former city council member, disagreed with Shenkman's comments and his interpretation of the law.

"Mr. Montoya and his attorney should be celebrating the fact that there will be districts in Garden Grove, rather than trying to beat up on a local neighborhood association," Rosen added.

For his part, Montoya said after the council meeting that he is happy the groups were able to reach a settlement and allow the transition to district elections to continue.

"Now thanks to the efforts of all involved, our city will now be in compliance with the Law and our communities will now be allowed to nominate and elect someone of their choosing from within their community," he said.

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