

From: Theresa Nowak <theresaincapobeach@yahoo.com>

Date: May 9, 2018 at 8:51:37 PM GMT+2

To: kward@danapoint.org

Subject: Re-Districting

Dear Council,

At this point I'm not sure why I am bothering to write an email, for it seems a decision was made before any of the events I attended to put my name on a chart I favored. In fact, when I was at these events it seemed the one chart that had the most signatures in favor of was the FOUR DISTRICT map.

It is sad when we feel our elected officials do not hear us. In recent months I have agreed with each one of you on different topics but this particular issue seems different. I hope you will reconsider looking at this once again and doing your best to represent the majority of your city for the good of our city.

Do your best,

Theresa Nowak

Agenda Item No. 12
May 19, 2018

May 11, 2018

City of Dana Point
33282 Golden Lantern Street
Dana Point, CA 92629

Mayor Richard Viczorek
Mayor Pro Tem Joesph Muller
Council Member Debra Lewis
Council Member John Tomlinson
Council Member Paul Wyatt

CITY OF DANA POINT

2018 MAY 11 P 12:45

RECEIVED
CITY CLERK'S DEPARTMENT

Honorable Mayor and Members of the City Council:

On May 8, 2018, I filed with the City Clerk's office California Form 501: "Candidate Intention Statement" for the City Council election in November 2018. My desire to run for City Council began mid-year 2017, a fact that is documented in correspondence, other documents and meetings that occurred throughout the course of 2017 and 2018. Community supporters and my finance and campaign manager attended several of these meetings with me.

The City Council is aware that I have been considering a run for a City Council seat for some time. My appearances at City Council meetings, my remarks during public comment and specific agenda item discussions, and my letters to both the City Council and City Attorney have been largely critical of City Council and City Attorney actions, which no doubt indicates my displeasure with many City Council actions and policies.

My concern about the response to Russel Myrick's letter alleging the City is in violation of the California Voting Rights Act is well documented. Letters to the City Council and City Attorney Patrick Munoz left no doubt about my disappointment in how the city was more fixated on limiting legal fees rather than analyzing the allegations and doing what is in the best interest for Dana Point's residents. The actions of this Council have taken away residents' right to vote on 4 of 5 City Council members.

In my April 1, 2018, letter to City Attorney Patrick Munoz, I expressed shock to a draft district map that drew a district border down my short neighborhood residential street, potentially affecting my right to run for City Council. I believed then, as I believe now, that the Oak and Pine draft maps at that time were a "...deliberate infringement on my right to run for City Council" and that, further, it was "... a calculated, punitive action designed to disenfranchise me as an American citizen to run for office."

Four Council members have chosen to limit the voting rights of Dana Point's residents without even asking for public input on the concept of by-district v. at large City Council elections. You unilaterally rushed a response to Attorney Myrick without any input from the people of Dana Point. When you finally decided to share this information with the people, the response was negative. Voluntary public comment, both written and oral at

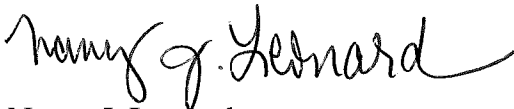
Agenda Item No. 12
May 15, 2018

City Council meetings and by-district/mapping workshops has been overwhelmingly negative towards by-district elections. The City Attorney did not even authorize the protocol studies, which were advised by the demographer retained by the City Attorney, to determine whether Dana Point had polarized voting until there was a public demand to do so. The results of those studies remain hidden from the public.

The actions of this City Council to date may deny others and me the right to run for City Council in 2018, and have adversely affected the voting rights of Dana Point's residents. This is a violation of the Federal Civil Rights Act, without due process, and further violates Section 1983 of said Act.

In order to reclaim my civil rights, I will have to ask the United States District Court for injunctive relief, as well as attorney's fees and court costs. I would prefer that the City Council recognize that by forcing by-district elections on the people of Dana Point, you are disenfranchising the people and certainly not curing any voter polarization, either real or imagined. Please consider your decision to move to by-district elections inasmuch that would solve my issue and would also enfranchise the people of Dana Point so that each could have input in selecting all City Council members.

Very truly yours,

A handwritten signature in cursive script that reads "Nancy J. Leonard". The signature is written in black ink and is positioned above the printed name.

Nancy J. Leonard

Cc: Patrick Munoz, City Attorney
Mark Denny, City Manager