



OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF RIVERSIDE
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MICHAEL A. HESTRIN
DISTRICT ATTORNEY

August 20, 2024

Mayor Pro Tem Ron deHarte
Palm Springs City Council
City Attorney Jeffrey Ballinger
City Manager Scott Stiles
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

To Whom It May Concern:

The Riverside County District Attorney's Office has received multiple requests to investigate a potential residency violation by Palm Springs City Councilmember Christy Holstege, which may jeopardize the finality of any action taken by the Palm Springs City Council during the pendency of the violation.

According to our investigation, we have determined that Ms. Holstege does not own the residence that she publicly claims as her primary residence within District 4. We have also discovered that this District 4 residence has been consistently listed as a rental home on Airbnb.com and rented out since 2022. Our investigation revealed that Ms. Holstege owns a residence located in District 3 within in Palm Springs. We have found sufficient credible evidence that Ms. Holstege primarily resides at her home in District 3, instead of the residence located in District 4.

Palm Springs City Municipal Code §2.02.005(A)(2) specifically mandates that all Palm Springs City Councilmembers reside in the district they represent:

*Any Councilmember elected or appointed to represent a district **must reside in that district and be a registered voter in that district**, and any candidate for City Council must reside in, and be a registered voter in, the district in which he or she seeks election at the time nomination papers are issued. (emphasis added)*

In the event that a councilmember no longer resides in the district that they represent, Palm Springs Municipal Code §2.02.005(A)(3) deems the councilmember to have vacated their seat on the city council:

Termination of residency in a district by a Councilmember shall create a vacancy for that City Council district unless a substitute residence within the

district is immediately declared and established within 30 days after the termination of residency.

Any vacancy that occurs before the end of a councilmember's term may only be filled by appointment or special election per Palm Springs Municipal Code §2.02.005(A)(4).

The California Attorney General's Office, or any private citizen, including a city attorney or other public agency with the approval of the Attorney General's Office, has the authority to file a *quo warranto* action to resolve disputes over whether certain individuals have the legal right to hold their elected positions, including disputes over whether an elected official has legally vacated their position. The statutes relating to *quo warranto* actions can be found starting at section 803 of the California Code of Civil Procedure. City Attorney Ballinger has publicly acknowledged that a *quo warranto* proceeding is the appropriate remedy to address the types of concerns raised here.

Based upon the facts as we understand them, our legal analysis has concluded that Ms. Holstege's occupancy of her primary residence in District 3 constitutes a clear violation of the City of Palm Springs Code of Ordinances. The District Attorney of the County of Riverside is committed to enforcing local residency requirements for city councilmembers, which is to ensure that members represent the interests and concerns of the specific communities they represent.

Therefore, the Riverside County District Attorney herein submits a formal written demand asking the Palm Springs City Council to cure or correct Ms. Holstege's vacancy of her District 4 council seat as set forth above, as well as to cure or correct any illegal action taken during her vacancy in compliance with all applicable California laws.

Please either cure or correct the challenged actions or inform our office of your decision not to do so within 30 days from the receipt of this demand. Should you fail to cure or correct pursuant to this demand letter, our office shall take any and all appropriate legal action, including but not limited to, referring this matter to the California Attorney General's Office with a request that they seek judicial invalidation of Ms. Holstege's position on the Palm Springs City Council by filing a *quo warranto* action, or alternatively, submitting an application to do so.

Very truly yours,



MICHAEL A. HESTRIN
District Attorney

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