City Council Election Systems

Presentation by Douglas Johnson
National Demographics Corporation

March 17-20, 2014
Agenda

1. Background

2. Election System Options

3. Examples and Common Impacts of each option
   - This information is drawn from experience with, and study of, jurisdictions across California and other states.
   - *Turlock may or may not experience similar results from the adoption of an election system.*
   - This information is provided to establish a common reference for public discussion.

4. Comparisons to Other Cities

5. Process

6. Discussion
The California Voting Rights Act

- Adopted in 2002
- Suspended by initial Court ruling, then reinstated in 2006
- Written to generally follow the federal VRA, but to make it easier for plaintiffs to force a change to by-district elections
Federal Voting Rights Act

Districts may be required if:

1. A reasonably compact district can be drawn where the “protected class” constitutes a majority of the voters
2. The “Protected Class” votes as a coherent block
3. The candidate favored by the “protected class” loses
4. The “totality of circumstances” indicates racially-charged campaigns and/or voting
Districts or other remedies may be required if:

1. A reasonably compact district can be drawn where the “protected class” constitutes a majority of the voters
2. The “Protected Class” votes as a coherent block
3. The candidate favored by the “protected class” loses
4. The “totality of circumstances” indicates racially-charged campaigns and/or voting
Impact of the New Law

- Changed so far:
  - 1 County
  - 8 cities
  - about 10 Water and other Special Districts
  - about 20 Community College Districts
  - about 90 School districts

- And the City of Santa Clarita is switching to “Cumulative Voting”
Impact of the New Law

- Expensive Cases: (Media-reported figures)
  - Santa Clarita: six-figure settlement
  - Anaheim: rumored $1 million settlement
  - Tulare Regional Medical District: $500,000
  - Modesto: $3 million
  - Escondido: $385,000
  - Madera Unified: $162,000
  - City of Compton: six-figure settlement

- In most cases, more Latinos were elected after the change to districts, though not always, and fewer African-Americans have been elected
Election System Options
1. Three Categories of Options

- **At Large**
  - Candidates live anywhere, and all voters vote for all Councilmembers

- **By District**
  - Candidates live in the district and are elected by voters in that district

- **From District**
  - Candidates live in the district, but elected at large

- Many variations and hybrids exist

*California Government Code Section 34871 dictates election system options available for General Law cities like Turlock.*
By District

- Districts drawn
- Separate election in each district
- Candidates must live in the district they wish to represent
- Only the voters who live in a given district vote on who will represent that district

_Councilmembers live in, and are elected by, a district._
Examples: By District

- Larger cities are more likely to use By District elections:
  - 9 of California’s 15 largest cities use By District elections
    - Chula Vista is switching in 2016, and Anaheim has a pending vote on a switch
  - Among the 330 cities of 55,000 residents or less, only 9 are known to use By District elections
    - Hanford, Colton, Watsonville, Hollister, Sanger, Seal Beach, Dinuba, Parlier, and Bradbury
  - Among the 104 cities of 50-100,000 residents, including Turlock:
    - 8 use By District elections
    - 2 are From District
    - 1 is Mixed
    - 93 are At Large
      - With 1 pending vote on a switch (Whittier)
Examples: By District

- **Pasadena**
  - 137,000 people
  - 7 Councilmembers elected By District
  - Mayor elected in separate At Large election

- **Colton**
  - 52,000 people
  - 6 Councilmembers elected By District
  - Mayor elected in separate At Large election

- **Hanford**
  - 54,000 people
  - 5 Councilmembers elected By District
  - Mayor selected from and by Council
Common Impacts: By District

- Neighborhoods have more of a voice on the Council
- Candidates’ campaign costs tend to be lower than in From District and At Large elections
- Citywide planning and concerns sometimes are supplanted in favor of neighborhood issues
- Each voter votes only for his/her district’s Councilmember
- Focus on district service may necessitate additional City staff to provide support for City Councilmembers

Brings the focus to the neighborhood level.
Variants: By District

- Victory requires plurality vs majority (runoff)
- At Large Mayor
- Multi-member districts
From District

- The districts are drawn just like in a by-district system
- A separate election contest is held for each district
- Candidates must live in the district they wish to represent
- Voters **citywide** choose which candidate will represent a given district

*Councilmembers live in a district, but are elected citywide.*
Examples: From District

- Santa Ana
  - 324,500 people
  - 6 Councilmembers elected From District
  - Mayor elected in separate At Large election

- Alhambra
  - 83,000 people
  - 5 Councilmembers elected From District

- Reedley
  - 24,000 people
  - 5 Councilmembers elected From District

March 17-20, 2014
Common Impacts: From District

- Neighborhoods have more of a voice on the Council, though not as much as By District approach
- A District’s representative may not have won the votes of a majority within the district
- Neighborhood issues have a spokesperson on the Council
- Council focus tends to be on citywide issues
- Each voter votes for all Councilmembers

A mix of neighborhood and citywide influences.
Variants: From District

- Victory requires plurality vs majority (runoff)
- Multi-member districts
- In-district primary, At large general election
At Large

- No districts used
- Candidates may live anywhere in the City

Candidates and votes are citywide.
Examples: At Large

The majority of California’s 482 cities use At Large elections:

- 441 out of 482 use At Large elections *
  - Smallest: Vernon (112 people)
  - Largest: Anaheim (336,000 people)

* Among the remaining 41 cities, 32 use By District elections, 7 use From District, and 2 use unique systems.
Common Impacts: At Large

- Citywide focus in campaigns and Council deliberations
- One or more neighborhoods may be overrepresented on the Council
- Campaigns tend to be more expensive than By District elections
- Council focus tends to be on citywide issues
- Each voter votes for all Councilmembers

Brings the focus to the citywide level.

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Variants: At Large

- “Post” system
  - At-large elections for specific chairs or posts

- “Group” system
  - All candidates run together, and the top finishers are elected
    - The number elected depends on how many open seats there are that election
  - Winner usually by plurality, though Burbank has a runoff

- Victory requires plurality vs majority (runoff)
  - Including “Instant Run Off” option
Other Variants

- Mixed Systems
  - Some By District seats, some At Large seats

- Cumulative Voting
  - Everyone gets the same number of votes as there are open seats
  - Divides votes up among candidates, but allowed to allocate more than one vote to one candidate

- Proportional Voting
  - Parliamentary system of voting for ordered slates of candidates

- Instant Runoff Voting
  - Rank choices from top to bottom
## Summary of Options and Impacts

<table>
<thead>
<tr>
<th>Election System:</th>
<th>At Large</th>
<th>From District</th>
<th>By District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal</td>
<td>By Seat with Runoff</td>
<td>Group, no Runoff</td>
<td>In-District Primary</td>
</tr>
<tr>
<td>Citywide Focus</td>
<td>Y</td>
<td>Y</td>
<td>Mixed</td>
</tr>
<tr>
<td>Neighborhood Representation</td>
<td>N</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Neighborhood Accountability</td>
<td>N</td>
<td>N</td>
<td>Y</td>
</tr>
<tr>
<td>Cost of Campaigns</td>
<td>High</td>
<td>Middle</td>
<td>High</td>
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<tr>
<td>Geographically Concentrated Minority's Opportunity to Elect</td>
<td>Very Slim</td>
<td>Modest</td>
<td>Likely</td>
</tr>
<tr>
<td>Safe from a CVRA lawsuit</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
</tbody>
</table>
Comparison Cities
<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Latino</th>
<th>Pct</th>
<th>System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chino Hills</td>
<td>74,799</td>
<td>21,802</td>
<td>29%</td>
<td>At L.</td>
</tr>
<tr>
<td>Mountain View</td>
<td>74,066</td>
<td>16,071</td>
<td>22%</td>
<td>At L.</td>
</tr>
<tr>
<td>Alameda</td>
<td>73,812</td>
<td>8,092</td>
<td>11%</td>
<td>At L.</td>
</tr>
<tr>
<td>Upland</td>
<td>73,732</td>
<td>28,035</td>
<td>38%</td>
<td>At L.</td>
</tr>
<tr>
<td>Folsom</td>
<td>72,203</td>
<td>8,064</td>
<td>11%</td>
<td>At L.</td>
</tr>
<tr>
<td>San Ramon</td>
<td>72,148</td>
<td>6,250</td>
<td>9%</td>
<td>At L.</td>
</tr>
<tr>
<td>Pleasanton</td>
<td>70,285</td>
<td>7,264</td>
<td>10%</td>
<td>At L.</td>
</tr>
<tr>
<td>Lynwood</td>
<td>69,772</td>
<td>60,452</td>
<td>87%</td>
<td>At L.</td>
</tr>
<tr>
<td>Union City</td>
<td>69,516</td>
<td>15,895</td>
<td>23%</td>
<td>At L.</td>
</tr>
<tr>
<td>Apple Valley</td>
<td>69,135</td>
<td>20,156</td>
<td>29%</td>
<td>At L.</td>
</tr>
<tr>
<td>Redlands</td>
<td>68,747</td>
<td>20,810</td>
<td>30%</td>
<td>At L.</td>
</tr>
<tr>
<td>Turlock</td>
<td>68,549</td>
<td>24,957</td>
<td>36%</td>
<td>At L.</td>
</tr>
<tr>
<td>Perris</td>
<td>68,386</td>
<td>49,079</td>
<td>72%</td>
<td>At L.</td>
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<tr>
<td>Manteca</td>
<td>67,096</td>
<td>25,317</td>
<td>38%</td>
<td>At L.</td>
</tr>
<tr>
<td>Milpitas</td>
<td>66,790</td>
<td>11,240</td>
<td>17%</td>
<td>At L.</td>
</tr>
<tr>
<td>Redondo Beach</td>
<td>66,748</td>
<td>10,142</td>
<td>15%</td>
<td>By D.</td>
</tr>
<tr>
<td>Davis</td>
<td>65,622</td>
<td>8,172</td>
<td>12%</td>
<td>At L.</td>
</tr>
<tr>
<td>Camarillo</td>
<td>65,201</td>
<td>14,958</td>
<td>23%</td>
<td>At L.</td>
</tr>
<tr>
<td>Yuba City</td>
<td>64,925</td>
<td>18,413</td>
<td>28%</td>
<td>At L.</td>
</tr>
<tr>
<td>Rancho Cordova</td>
<td>64,776</td>
<td>12,740</td>
<td>20%</td>
<td>At L.</td>
</tr>
<tr>
<td>Palo Alto</td>
<td>64,403</td>
<td>3,974</td>
<td>6%</td>
<td>At L.</td>
</tr>
<tr>
<td>Yorba Linda</td>
<td>64,234</td>
<td>9,220</td>
<td>14%</td>
<td>At L.</td>
</tr>
<tr>
<td>Walnut Creek</td>
<td>64,173</td>
<td>5,540</td>
<td>9%</td>
<td>At L.</td>
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<tr>
<td>South San Francisco</td>
<td>63,632</td>
<td>21,645</td>
<td>34%</td>
<td>At L.</td>
</tr>
<tr>
<td>San Clemente</td>
<td>63,522</td>
<td>10,702</td>
<td>17%</td>
<td>At L.</td>
</tr>
<tr>
<td>Pittsburg</td>
<td>63,264</td>
<td>26,841</td>
<td>42%</td>
<td>At L.</td>
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<tr>
<td>Laguna Niguel</td>
<td>62,979</td>
<td>8,761</td>
<td>14%</td>
<td>At L.</td>
</tr>
<tr>
<td>Pico Rivera</td>
<td>62,942</td>
<td>57,400</td>
<td>91%</td>
<td>At L.</td>
</tr>
<tr>
<td>Montevello</td>
<td>62,500</td>
<td>49,578</td>
<td>79%</td>
<td>At L.</td>
</tr>
<tr>
<td>Lodi</td>
<td>62,134</td>
<td>22,613</td>
<td>36%</td>
<td>At L.</td>
</tr>
<tr>
<td>Madera</td>
<td>61,416</td>
<td>47,103</td>
<td>77%</td>
<td>At L.</td>
</tr>
<tr>
<td>Monterey Park</td>
<td>60,269</td>
<td>16,218</td>
<td>27%</td>
<td>At L.</td>
</tr>
<tr>
<td>La Habra</td>
<td>60,239</td>
<td>34,449</td>
<td>57%</td>
<td>At L.</td>
</tr>
</tbody>
</table>

Cities of 60,000 to 75,000 Population

March 17-20, 2014
<table>
<thead>
<tr>
<th>City</th>
<th>2010 Population</th>
<th>Election System</th>
</tr>
</thead>
<tbody>
<tr>
<td>Modesto</td>
<td>201,165</td>
<td>By District</td>
</tr>
<tr>
<td>Turlock</td>
<td>68,549</td>
<td></td>
</tr>
<tr>
<td>Ceres</td>
<td>45,417</td>
<td>At-large, considering change</td>
</tr>
<tr>
<td>Riverbank</td>
<td>22,678</td>
<td>At-large, considering change</td>
</tr>
<tr>
<td>Oakdale</td>
<td>20,675</td>
<td>At-large</td>
</tr>
<tr>
<td>Patterson</td>
<td>20,413</td>
<td>At-large</td>
</tr>
<tr>
<td>Newman</td>
<td>10,224</td>
<td>At-large, considering change</td>
</tr>
<tr>
<td>Waterford</td>
<td>8,456</td>
<td>At-large, considering change</td>
</tr>
<tr>
<td>Hughson</td>
<td>6,640</td>
<td>At-large</td>
</tr>
</tbody>
</table>

Table is to the best of NDC’s knowledge. Some change may have occurred since we last spoke to a given city.
Turlock Elections & Demographics
Looking only at surnames in a quick initial analysis of candidate ethnicity
## City General Demographics

### 2008 – 2012 American Community Survey Data

<table>
<thead>
<tr>
<th>Age</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>age0-19</td>
<td>30%</td>
<td></td>
</tr>
<tr>
<td>age20-60</td>
<td>54%</td>
<td></td>
</tr>
<tr>
<td>age60plus</td>
<td>16%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Immigration</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>immigrants</td>
<td>25%</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Housing Stats</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>vacant</td>
<td>7%</td>
<td></td>
</tr>
<tr>
<td>occupied</td>
<td>93%</td>
<td></td>
</tr>
<tr>
<td>rented</td>
<td>46%</td>
<td></td>
</tr>
<tr>
<td>owned</td>
<td>54%</td>
<td></td>
</tr>
<tr>
<td>singlefamily</td>
<td>77%</td>
<td></td>
</tr>
<tr>
<td>multifamily</td>
<td>23%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Language spoken at home</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>english</td>
<td>57%</td>
<td></td>
</tr>
<tr>
<td>spanish</td>
<td>24%</td>
<td></td>
</tr>
<tr>
<td>asian-lang</td>
<td>3%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Children at Home</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>child-under18</td>
<td>35%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Work (percent of pop age 16+)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>employed</td>
<td>54%</td>
<td></td>
</tr>
<tr>
<td>Commute on Public Transit</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Household Income</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>hhincome0-25k</td>
<td>25%</td>
<td></td>
</tr>
<tr>
<td>hhincome25-50k</td>
<td>23%</td>
<td></td>
</tr>
<tr>
<td>hhincome50-75k</td>
<td>18%</td>
<td></td>
</tr>
<tr>
<td>hhincome75-200k</td>
<td>31%</td>
<td></td>
</tr>
<tr>
<td>hhincome200k-plus</td>
<td>3%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education (among those age 25+)</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; hs degree</td>
<td>21%</td>
<td></td>
</tr>
<tr>
<td>hs-grad</td>
<td>57%</td>
<td></td>
</tr>
<tr>
<td>bachelor</td>
<td>15%</td>
<td></td>
</tr>
<tr>
<td>graduated degree</td>
<td>8%</td>
<td></td>
</tr>
</tbody>
</table>
• Total Population:
  - 68,549 in 2010 Census
    ▪ Up from 55,810 in 2000
    ▪ Over 8,500 of the just under 13,000 increase were Latino
  - 36% Latino
    ▪ Up from 29% in 2000
  - 53% Non-Hispanic White
    ▪ Down from 60% in 2000
  - 7% Asian American
    ▪ Up from 5% in 2000
  - 4% Other, incl. African-American

• Citizen Voting Age Population:
  - 25% Latino
    ▪ Up from 17% in 2000
  - 65% Non-Hispanic White
    ▪ Down from 74% in 2000
  - 5% Asian American
    ▪ Up from 3% in 2000
  - 5% Other, incl. African-American

• Registered Voters (2012 Nov):
  - Latino: 25%
    ▪ Up from 15% in 2000
  - Asian-American: 4%
    ▪ Up from 3% in 2000
  - Filipino: 2%

• Voter Turnout (2012 Nov):
  - Latino: 21%
    ▪ Up from 12% in 2002
  - Asian-American: 4%
  - Filipino: 2%
Asian % of CVAP

Map layers:
- Census Block
- Incorporated Cities
- Streets
- Census Place
- Landmark Point
- Landmark Area
- Pipeline/Power Line
- Railroad
- River
- ElemSchool
- SecSchool
- Unif School
- Council
- Asn. CVAP pct
- 0% to 25%
- 25% to 35%
- 35% to 50%
- 50% to 65%
- 65% to 75%
- 75% to 100%
- No Population

March 17-20, 2014
Latino % of CVAP

March 17-20, 2014
FAQ
Q. Will the cost of elections be higher with one system than another?
A. The cost to the City Clerk of running elections is typically greater in ‘at large’ and ‘from district’ systems, and the cost to candidates is lower in ‘by district’ systems.

Q. What is the right system for my city?
A. Every city has different history, people, neighborhoods and issues. There is no one “right” answer that any can provide. Experts can provide context and information, but ultimately it is the community that must decide what is right for itself.
Q. For how many Councilmembers do I get to vote?
A. The answer varies depending on the system:

**By District:** only one: each voter only casts a ballot for the Council seat representing the voter’s home district.

**From District:** all residents vote on all Council seats, with the top vote-getter from each district taking office.

**At Large:** all residents vote for all Council seats, and the top vote-getters take office.

**Mayor:** either elected by voters at large, or selected by Council from among the Council.
Q. Has anyone fought a CVRA challenge?

A. Not successfully (at least yet):
   Modesto challenged the law’s constitutionality, but did not go to court on the facts of the case.
   After an initial vote to fight, Anaheim has settled with plaintiffs.
   The only case so far is the City of Palmdale. The City lost in LA County Superior Court, and its appeal is pending.
Compiled by the Modesto Charter Review Commission:


Useful for placing cities into the context of the rest of state and local government in California.


Reed, Thomas Harrison, MUNICIPAL GOVERNMENT IN THE UNITED STATES (1926)

Institute for Local Government (ILG): www.ilsg.org
Process

March 17-20, 2014
Timeline

- Council will decide on a preferred approach in April
- If Council chooses district elections:
  - Draft and discuss election districts in May
  - Council selects a plan in June and votes to put question on the ballot
  - November 2014 vote on the question
<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Time</th>
<th>Location</th>
</tr>
</thead>
</table>
| Monday    | March 17, 2014  | 6:00 p.m. | California State University, Stanislaus  
1 University Circle, Turlock, CA  
Mary Stuart Rogers Building, Room 130  
*(Free parking will be available in Lot 11)* |
| Tuesday   | March 18, 2014  | 6:00 p.m. | Senior Citizens Center  
1191 Cahill Avenue, Turlock |
| Wednesday | March 19, 2014  | 6:00 p.m. | Turlock Public Safety Center  
244 N. Broadway, Turlock |
| Thursday  | March 20, 2014  | 11:00 a.m. | Covenant Village – Berg Hall  
2125 N. Olive Avenue, Turlock, CA  
*(Street Parking Only)* |