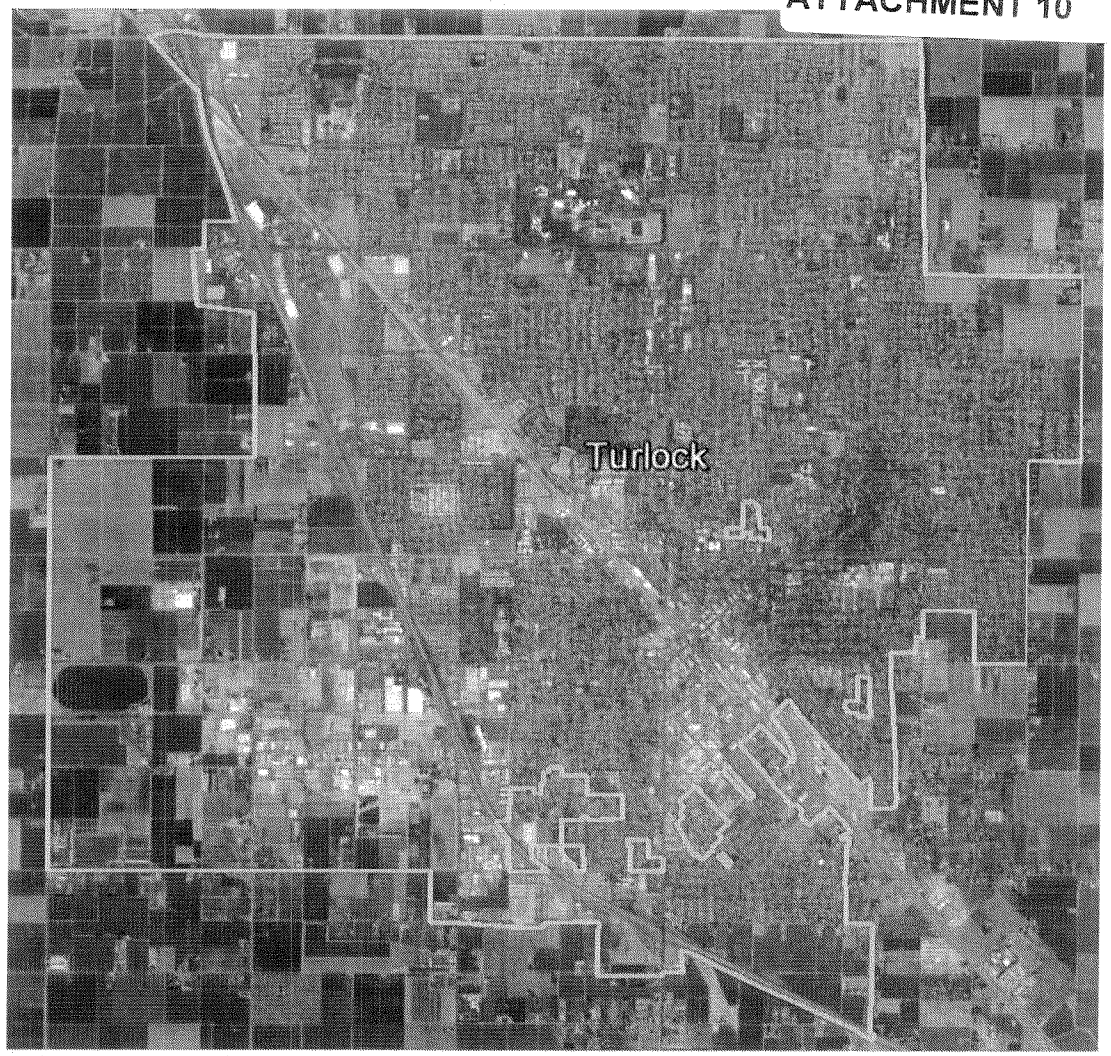
ATTACHMENT 10

NDC
National Demographics Corporation



City Council Election Systems

March 17-20, 2014

Presentation by Douglas Johnson
National Demographics Corporation

National Demographics Corporation

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

National Demographics Corporation

3 Background

March 17-20, 2014

National Demographics Corporation

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

NDC
National Demographics Corporation

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

NDC
National Demographics Corporation

California Voting Rights Act

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~~

National Demographics Corporation

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"

NDC
National Demographics Corporation

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

National Demographics Corporation

9

Election System Options

March 17-20, 2014

National Demographics Corporation

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.

National Demographics Corporation

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.

National Demographics Corporation

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)

National Demographics Corporation

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

National Demographics Corporation

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.

NDC
National Demographics Corporation

Variants: By District

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

NDC
National Demographics Corporation

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.

National Demographics Corporation

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

National Demographics Corporation

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.

NDC
National Demographics Corporation

Variants: From District

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

National Demographics Corporation

At Large

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

Candidates and votes are citywide.

National Demographics Corporation

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.

NDC
National Demographics Corporation

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.

National Demographics Corporation

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

NDC
National Demographics Corporation

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

NDC
National Demographics Corporation

Summary of Options and Impacts

Election System:	At Large		From District		By District	
Goal	By Seat with Runoff	Group, no Runoff	In-District Primary	No Primary	Runoff	No Runoff
Citywide Focus	Y	Y	Mixed	Y	N	N
Neighborhood Representation	N	N	Y	Y	Y	Y
Neighborhood Accountability	N	N	Y	N	Y	Y
Cost of Campaigns	High	Middle	High	Middle	Middle	Low
Geographically Concentrated Minority's Opportunity to Elect	Very Slim	Modest	Likely	Modest	Strong	Strong
Safe from a CVRA lawsuit	N	N	N	N	Y	Y

National Demographics Corporation

26 Comparison Cities

March 17-20, 2014

NDC
National Demographics Corporation

Cities of 60,000 to 75,000 Population

City	Population	Latino	Pct	System
Chino Hills	74,799	21,802	29%	At L
Mountain View	74,066	16,071	22%	At L
Alameda	73,812	8,092	11%	At L
Upland	73,732	28,035	38%	At L
Folsom	72,203	8,064	11%	At L
San Ramon	72,148	6,250	9%	At L
Pleasanton	70,285	7,264	10%	At L
Lynwood	69,772	60,452	87%	At L
Union City	69,516	15,895	23%	At L
Apple Valley	69,135	20,156	29%	At L
Redlands	68,747	20,810	30%	At L
Turlock	68,549	24,957	36%	At L
Perris	68,386	49,079	72%	At L
Manteca	67,096	25,317	38%	At L
Milpitas	66,790	11,240	17%	At L
Redondo Beach	66,748	10,142	15%	By D
Davis	65,622	8,172	12%	At L
Camarillo	65,201	14,958	23%	At L
Yuba City	64,925	18,413	28%	At L
Rancho Cordova	64,776	12,740	20%	At L
Palo Alto	64,403	3,974	6%	At L
Yorba Linda	64,234	9,220	14%	At L
Walnut Creek	64,173	5,540	9%	At L
South San Francisco	63,632	21,645	34%	At L
San Clemente	63,522	10,702	17%	At L
Pittsburg	63,264	26,841	42%	At L
Laguna Niguel	62,979	8,761	14%	At L
Pico Rivera	62,942	57,400	91%	At L
Montebello	62,500	49,578	79%	At L
Lodi	62,134	22,613	36%	At L
Madera	61,416	47,103	77%	At L
Monterey Park	60,269	16,218	27%	At L
La Habra	60,239	34,449	57%	At L

NDC
National Demographics Corporation

Stanislaus County Cities

City	2010 Population	Election System
Modesto	201,165	By District
Turlock	68,549	
Ceres	45,417	At-large, considering change
Riverbank	22,678	At-large, considering change
Oakdale	20,675	At-large
Patterson	20,413	At-large
Newman	10,224	At-large, considering change
Waterford	8,456	At-large, considering change
Hughson	6,640	At-large

Table is to the best of NDC's knowledge. Some change may have occurred since we last spoke to a given city.

National Demographics Corporation

29

Turlock Elections & Demographics

March 17-20, 2014

National Demographics Corporation

City Election History

Looking only at surnames in a quick initial analysis of candidate ethnicity

30

Year	DATE	OFFICE	VOTE#	LASTNAME	FIRSTNAME	BALDESIG	INC	CAND#	VOTES	WRITEIN	TOTVOTES	PERCENT	ELECTED	
2002	11/5/2002	City Council	2	Hatcher	Beverly	Appointed Incumbent	Yes	2	7754	0	14,930	52%	Yes	
2002	11/5/2002	City Council	2	Wallen	Billy A.	Incumbent	Yes	2	7176	0	14,930	48%	Yes	
2002	*11/5/2002*	*MAYOR*	*1*	*Andre*	*Curt*	*Mayor/Optometrist*	*Yes*	*1*	*10711*	*0*	*10,711*	*100%*	*Yes*	
2004	11/2/2004	City Council	2	Lazar	John S.	Turlock City Councilmember	No	3	12290	140	27,592	45%	Yes	
2004	11/2/2004	City Council	2	Weide	Kurt Vander	Senior Field Representative	No	3	8073	140	27,592	29%	Yes	
2004	11/2/2004	City Council	2	Yerby	Martin D.	Council Member	No	3	7089	140	27,592	26%	No	
2004	*11/2/2004*	*City Treasurer*	*1*	*Lewis*	*Diana*	*Incumbent*	*Yes*	*1*	*14393*	*230*	*14,623*	*98%*	*Yes*	
2006	11/7/06	City Council	2	Howze	Ted	Veterinarian	N	15	4325	65	25,686	17%	Yes	
2006	11/7/06	City Council	2	Spycher	Kurt	Agribusiness	N	15	3823	65	25,686	15%	Yes	
2006	11/7/06	City Council	2	Bublak	Amy	Law Enforcement	N	15	3640	65	25,686	14%	No	
2006	11/7/06	City Council	2	Hillberg	Jeff	Graduate Student	N	15	2763	65	25,686	11%	No	
2006	11/7/06	City Council	2	Dias	Elvis	Realtor	N	15	2193	65	25,686	9%	No	
2006	11/7/06	City Council	2	Wallen	Billy A.	Incumbent	Y	15	2144	65	25,686	8%	No	
2006	11/7/06	City Council	2	Jackson	Mary	Marketer/Television Reporter	N	15	2036	65	25,686	8%	No	
2006	11/7/06	City Council	2	Hackler	Nick	Businessman	N	15	1023	65	25,686	4%	No	
2006	11/7/06	City Council	2	Hopkins	Steven John	Manager – Stanislaus County	N	15	746	65	25,686	3%	No	
2006	11/7/06	City Council	2	Balisha	Ingrid	Homemaker	N	15	715	65	25,686	3%	No	
2006	11/7/06	City Council	2	Hoyle	William E.	Retired Safety Engineer	N	15	635	65	25,686	2%	No	
2006	11/7/06	City Council	2	Hall	Wally	Retired Businessman	N	15	517	65	25,686	2%	No	
2006	11/7/06	City Council	2	Minjares	Gilbert	Litigation Specialist	N	15	420	65	25,686	2%	No	
2006	11/7/06	City Council	2	Budworth	Richard	Retired Fire Inspector	N	15	389	65	25,686	2%	No	
2006	11/7/06	City Council	2	Rocha	Jeremy	No Ballot Designation	N	15	252	65	25,686	1%	No	Latino?
2006	*11/7/06*	*MAYOR*	*1*	*Lazar*	*John*	*Vice Mayor*	*N*	*3*	*8401*	*43*	*14,213*	*59%*	*Yes*	
2006	*11/7/06*	*MAYOR*	*1*	*VanderWeide*	*Kurt*	*Turlock City Councilman*	*N*	*3*	*4616*	*43*	*14,213*	*32%*	*No*	
2006	*11/7/06*	*MAYOR*	*1*	*Fransen, Jr.*	*David*	*Turlock Maintenance Worker*	*N*	*3*	*1153*	*43*	*14,213*	*8%*	*No*	
2008	11/4/2008	City Council	2	Bublak	Amy	Law Enforcement	N	6	9,348	0	35,899	26%	Yes	
2008	11/4/2008	City Council	2	Jackson	Mary	Public Relations / Educator	N	6	9,105	0	35,899	25%	Yes	
2008	11/4/2008	City Council	2	Vander Weide	Kurt	Turlock City Councilman	Y	6	8,612	0	35,899	24%	No	
2008	11/4/2008	City Council	2	Fransen	David	Public Employee	N	6	5,414	0	35,899	15%	No	
2008	11/4/2008	City Council	2	Sarnowsky	Jim	Maintenance Man	N	6	2,012	0	35,899	6%	No	
2008	11/4/2008	City Council	2	Anderson	Jeff	Electrical Estimator / Electrician	N	6	1,408	0	35,899	4%	No	
2008	*11/4/2008*	*City Treasurer*	*1*	*Lewis*	*Diana*	*Incumbent*	*Y*	*1*	*14,973*	*0*	*14,973*	*100%*	*Yes*	
2010	11/2/2010	City Council	2	DeHart, Jr.	William W.	Director of Marketing	N	7	4,555	127	25,392	18%	Yes	
2010	11/2/2010	City Council	2	White	Forrest J.	Retired CEO	N	7	4,552	127	25,392	18%	Yes	
2010	11/2/2010	City Council	2	LaVelle	Timm	Business Owner	N	7	4,356	127	25,392	17%	No	
2010	11/2/2010	City Council	2	Fransen, Jr.	David	Business Owner	N	7	4,034	127	25,392	16%	No	
2010	11/2/2010	City Council	2	Rocha	Jeremy	Agribusinessman	N	7	3,419	127	25,392	13%	No	Latino?
2010	11/2/2010	City Council	2	Barlow	Shawn L.	Criminal Prosecutor	N	7	2,375	127	25,392	9%	No	
2010	11/2/2010	City Council	2	Noda	Patrick	Businessman	N	7	1,974	127	25,392	8%	No	
2010	*11/2/2010*	*MAYOR*	*1*	*Lazar*	*John*	*Mayor of Turlock*	*Y*	*1*	*12,673*	*710*	*13,383*	*95%*	*Yes*	
2012	11/6/2012	City Council	2	Bublak	Amy	Councilmember/Police Officer	Y	4	10,662	111	32,756	33%	Yes	
2012	**11/6/2012**	**City Council**	**2**	**Nascimento**	**Steven**	**District Director/Businessman**	**N**	**4**	**9,482**	**111**	**32,756**	**29%**	**Yes**	**Latino**
2012	11/6/2012	City Council	2	Jackson	Mary	Councilmember/Communications Consultant	Y	4	8,272	111	32,756	25%	No	
2012	**11/6/2012**	**City Council**	**2**	**Alvarado**	**Sergio A.**	**Postal Service Employee**	**N**	**4**	**4,229**	**111**	**32,756**	**13%**	**No**	**Latino**
2012	*11/6/2012*	*City Treasurer*	*1*	*Lewis*	*Diana*	*Incumbent*	*Y*	*1*	*14,136*	*258*	*14,394*	*98%*	*Yes*	

National Demographics Corporation

City General Demographics

2008 – 2012 American Community Survey Data

Age	age0-19	30%
	age20-60	54%
	age60plus	16%
Immigration	immigrants	25%
Housing Stats	vacant	7%
	occupied	93%
	rented	46%
	owned	54%
	singlefamily	77%
	multifamily	23%
Language spoken at home	english	57%
	spanish	24%
	asian-lang	3%
Children at Home	child-under18	35%
Work (percent of pop age 16+)	employed	54%
	Commute on Public Transit	0%
Household Income	hhincome0-25k	25%
	hhincome25-50k	23%
	hhincome50-75k	18%
	hhincome75-200k	31%
	hhincome200k-plus	3%
Education (among those age 25+)	< hs degree	21%
	hs-grad	57%
	bachelor	15%
	graduatedegree	8%

National Demographics Corporation

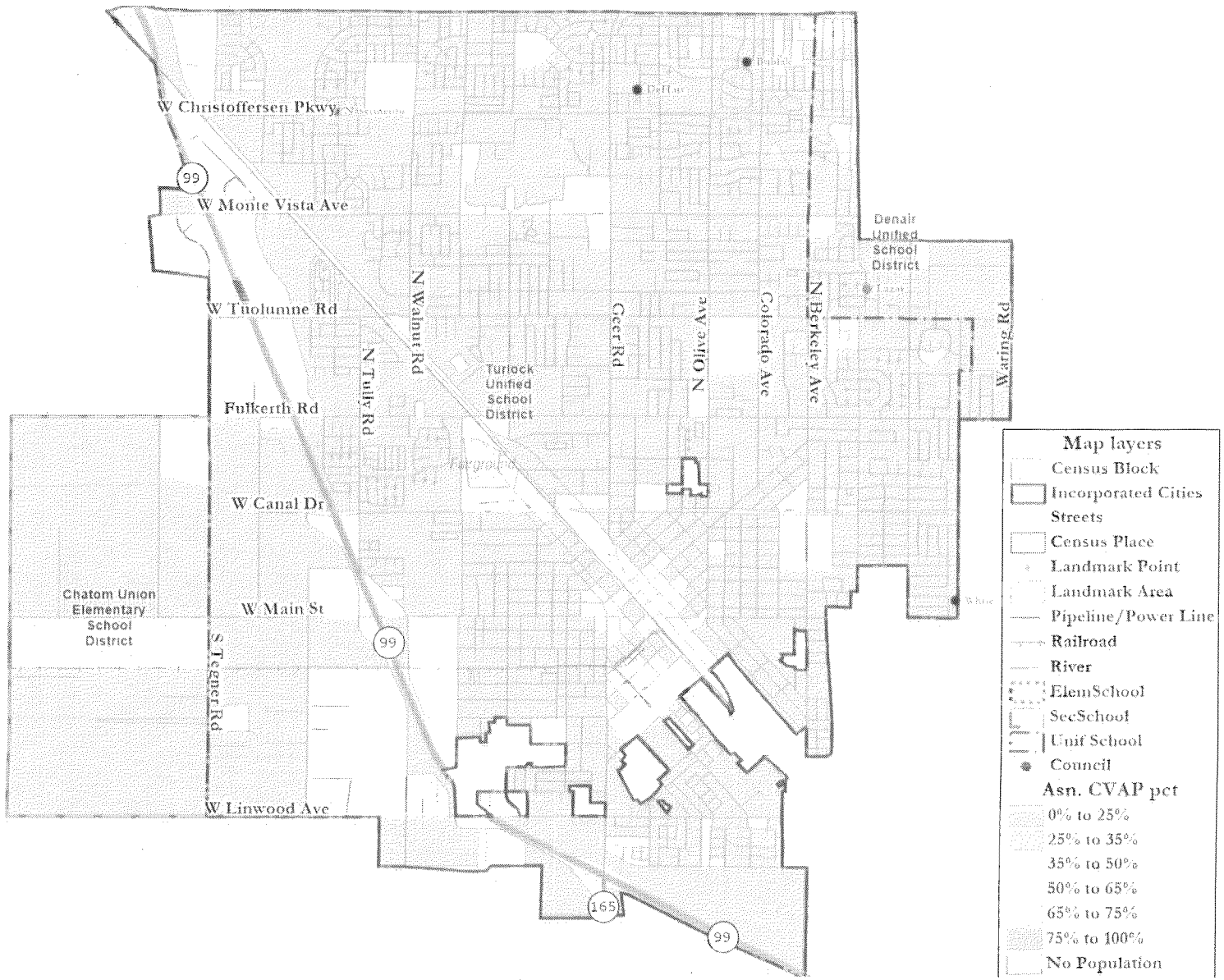
Turlock Racial & Ethnic Demographics

- 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%

National Demographics Corporation

33

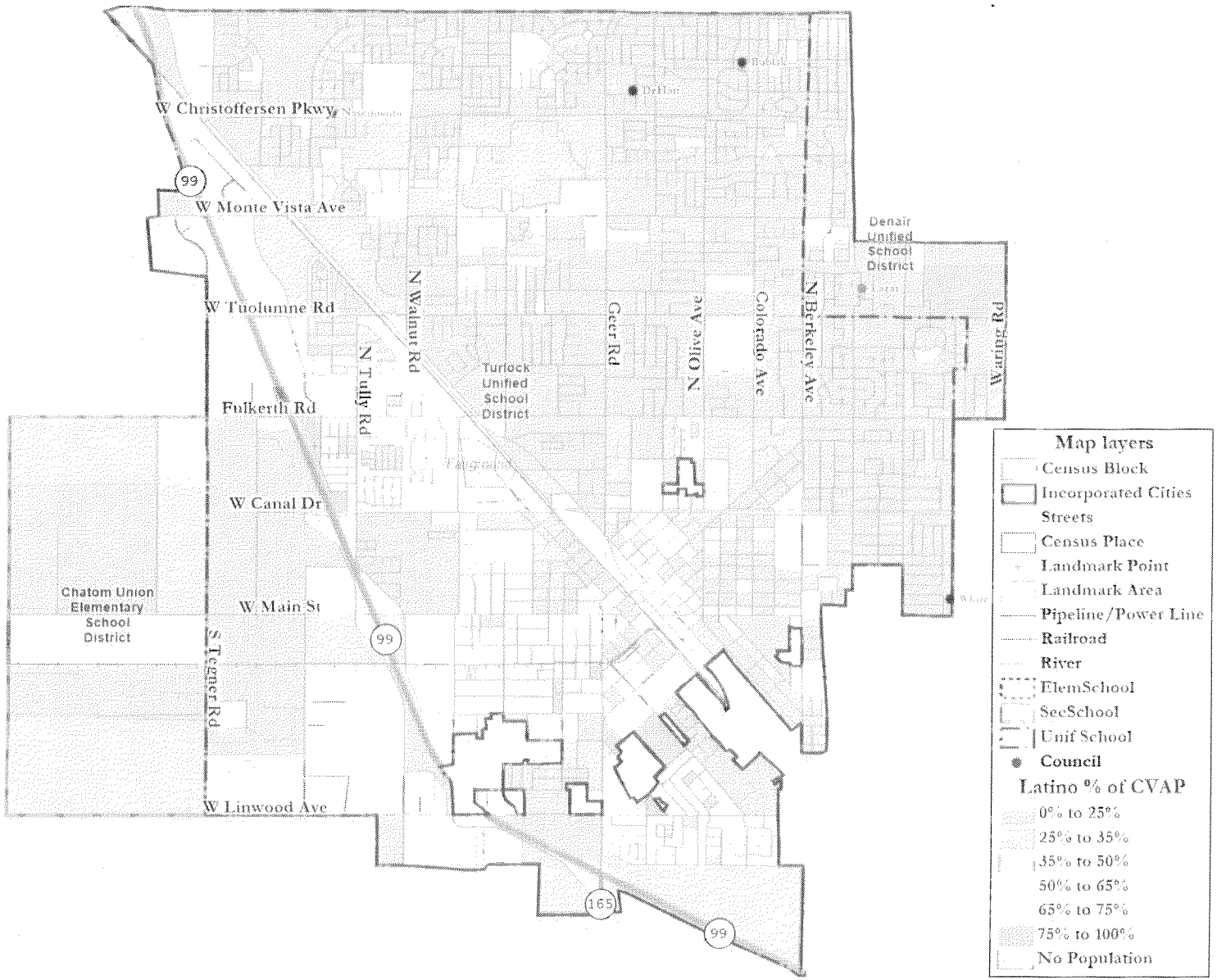
Asian % of CVAP



March 17-20, 2014

NDC
National Demographics Corporation

Latino % of CVAP



National Demographics Corporation

35

FAQ

March 17-20, 2014

NDC
National Demographics Corporation

Common Questions and Answers

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.

NDC
National Demographics Corporation

More Common Questions and Answers

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.

National Demographics Corporation

More Common Questions

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.

Other Resources

Compiled by the Modesto Charter Review Commission:

Frug, Gerald E., CITY MAKING: BUILDING COMMUNITIES WITHOUT BUILDING WALLS, Princeton University Press (1999).

Giventer, Laurence, GOVERNING CALIFORNIA, McGraw-Hill (2004).
Useful for placing cities into the context of the rest of state and local government in California.

Janiskee, Brian P. and Masugi, Ken, DEMOCRACY IN CALIFORNIA: POLITICS AND GOVERNMENT IN THE GOLDEN STATE, Rowman and Littlefield (2004).

Janiskec, Brian P. and Masugi, Ken, eds ., THE CALIFORNIA REPUBLIC: INSTITUTIONS, STATESMANSHIP & POLICIES, Rowman and Littlefield (2004).

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

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

National Demographics Corporation

40

Process

March 17-20, 2014

NDC
National Demographics Corporation

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

National Demographics Corporation

42 Discussion

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)***