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April 17, 2015

The Honorable Roger Hernández
California State Assembly
State Capitol Building, Room 5016
Sacramento, CA 95814

**RE: AB 278 (Hernández). District-based municipal elections (as amended April 13, 2015)
Notice of Opposition**

Dear Assembly Member Hernández,

The League of California Cities respectfully remains opposed to Assembly Bill 278, which requires that all cities with populations over 100,000 adopt an ordinance to switch to district-based elections.

While the bill was amended to exempt charter cities, it still relies on an arbitrary population threshold. The measure does not take into account that the affected general law cities all have unique population and geographic characteristics.

The California Voting Rights Act (CVRA) already provides voters a strong legal avenue in the event there is an issue of vote dilution. The CVRA gives significant legal leverage to someone seeking to challenge an at-large election system of a city, school district, community college district or any other district authorized by the state. In fact, under the CVRA it is easier for plaintiffs to bring and prevail in lawsuits alleging that their votes are diluted in at-large elections.

By-district elections systems are not the only remedy under the CVRA. The courts have held that other options are available such as in the case of Santa Clarita where the courts allowed a cumulative voting system to be considered compliant with the act. AB 278 implements a one-size-fits-all policy and neglects to evaluate the individual circumstances and election turn-out in different communities.

As you recall, the League offered amendments during the previous attempt of this bill that included an alternative pathway to transition to a by-district system, rather than a mandate. This concept, which is similar to what community college districts are permitted to do, is reflected in a current measure, SB 493(Canella). It allows cities to switch to a by-district system while still keeping the decision to transition at the local level.

AB 278 has additional language regarding public participation and gives a prescriptive layout of what must occur during the district-line drawing process. We are fully committed to public engagement and participation, however, as currently drafted the process is overly burdensome and would be unreasonably costly to implement. If there is going to be a discussion regarding best-practices for districting or redistricting, it should involve a broad range of stakeholders in order to ensure that the process is manageable and affordable for the entities responsible for implementation.

We suggest the real problem we need to work to address is low voter turnout and civic engagement. Efforts by both local and state government should be focused on getting people to vote and reenergizing

the public about political participation. We would like to see more funding made available to support such efforts and collaboration on ways to help ignite political interest in different community groups.

In short, existing law is robust and working. Rather than creating unnecessary mandates, help provide more funding to support collaborative voter outreach efforts.

For the reasons stated above, we oppose this legislation. If you have any questions, or if I can be of any assistance, please call me at (916) 658-8254.

Sincerely,

A handwritten signature in cursive script that reads "Alicia Lewis".

Alicia Lewis
Legislative Representative

CC: Chair and Members, Assembly Local Government Committee