

California Municipal Democracy Index 2016

-Key Findings-



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1. Key Findings

Government Structure

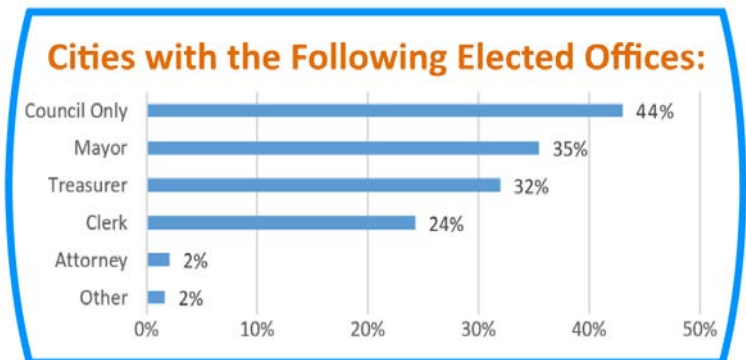


City Organization. Most cities (360 cities, 75% of all cities) in California are **General Law Cities**. These cities are bound by the general laws of the state, including how they structure their municipal government or conduct their elections. The remaining quarter of California cities (122 cities, 25% of all cities) are **Charter Cities**. Charter cities have adopted a city charter, akin to a city constitution, which grants them autonomy from state law with respect to certain municipal issues, including local government structure and election methods. While numerically there are more general law cities, most of the state's largest cities are charter cities; as a result, *more people* live in charter cities (18.9 million, 58% of the population residing in cities) than general law cities (13.8 million, 42%).



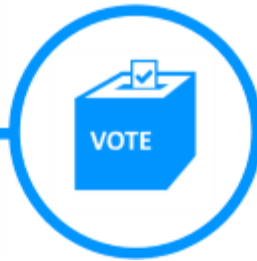
Form of Government. The overwhelming majority of cities (468 cities, 97%) employ the **Council-Manager** form of government, where the executive responsibilities of municipal government are placed under the day-to-day supervision and control of a council-appointed city manager. Only in the very largest and the very smallest cities does this form not predominate. Only five California cities use the **Mayor-Council** (or **Strong Mayor**) form of government, where an elected mayor serves as the City's chief executive. However, these five are among California's largest cities with a combined population of 7.2 million residents (22% of the population). Nine small cities have decentralized the administration of the city's executive branch, with department heads reporting either directly to the council as a whole or to individual councilmembers.

Elected Officials. Every city in California elects a city council. In 44 percent of cities (210 cities), the city council is the only elected municipal office. Most cities have **five-member city councils** (432 cities, 90%), which is the minimum required by law. Los Angeles has the largest city council at 15 members. In most cities, the mayor is selected by and from the council (311 cities, 65%) to preside over meetings. About one-third of cities (170 cities) instead have a directly



elected mayor. In terms of other elected offices, a third of cities have an elected city **treasurer** (153) to manage city finances and a quarter have an elected city **clerk** (118) to manage city records and oversee elections. A few charter cities have other elected offices, for example city **attorney** (10) and city **auditor** (4).

Voting System

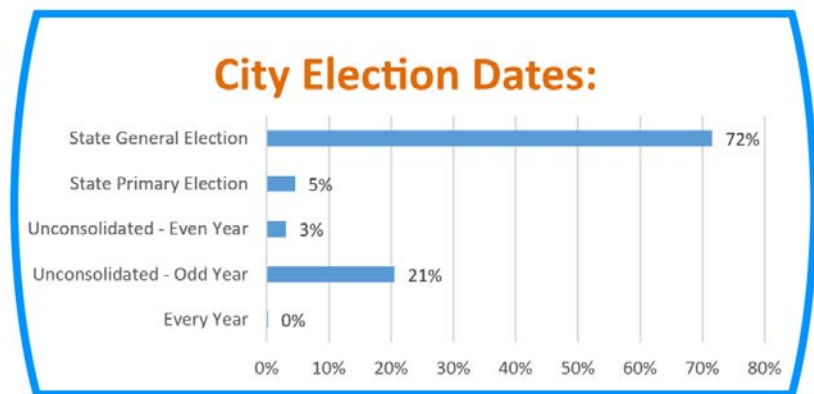


By-District vs. At-Large Voting. Most cities (415 cities, 86%) elect their city councils **at-large**. Under this system, city council candidates run for office citywide and are elected by a citywide electorate. Alternatively, 12 percent of cities (59 cities) elect their council **by district**: a candidate runs for office in a particular council district and is elected only by the voters from that districts. Cities that use by-district elections tend to be larger cities: 13.9 million people (42% of the population) live in these cities. That number is growing as civil rights litigation forces many cities to change from at-large to by-district elections. Eight cities use a hybrid system called **from-district** elections where candidates run to represent a district but are still elected citywide. Until recently, state law required city councils, in general law cities with by-district or from-district elections, to re-draw their own districts every ten years to ensure they remain substantially equal in population; eight charter cities have instead established **independent redistricting commissions** for this task.



Voting Method. Almost all cities (462 cities, 96% of all cities) use **plurality** voting, where the candidate receiving the most votes is elected, even if less than a majority. State law requires general law cities to use plurality voting. However, many big charter cities have adopted **majority-winner** voting systems (20 cities, 4% of all cities but 34% of the population residing in cities). Sixteen cities use a form of **runoff** election, where, if no candidate receives a majority in the primary election, the two top vote-getters advance to a second runoff election. Additionally, four cities use **instant runoff voting**, where voters rank the candidates on their ballot and, if no candidate has a majority of first-choice votes, voters' second and third choices are used to determine who would win a runoff without the need for a second election. Majority-winner voting methods are mostly found in cities that use by-district elections (19 of 59 cities, or 32%).

Voting Dates. State law establishes seven possible dates for municipal elections: four in odd years and three in even years. Most cities synchronize their elections with state elections: 72 percent of cities (346 cities) hold their elections along with the state general election in November of even years, while 5 percent (22 cities) hold their elections with the state primary election in June of even years. These cities are said to be **on-cycle**. The remainder of cities hold their elections **off-cycle** from state elections (114 cities, 24% of all cities and 30% of the population residing in cities), mostly in odd-years. New state legislation will force many off-cycle cities to move on-cycle.





Contribution Limits. State law does not establish any **contribution limits** to campaigns for local elective office. This means, unless a city adopts its own limits, a person can give any dollar amount directly to a candidate's campaign for city office. One-fifth of cities (108 cities, 22%) have adopted contribution limits; most (374 cities, 78%) have not. However, because many large cities have adopted limits, about half of the state's city population (16.7 million, 51%) live in a city with contribution limits. Contribution limits range from a low of \$100 per contributor per election up to \$4,200 per election for individuals. The median individual contribution limit is \$500. Seven charter cities have coupled their contribution limits with partial campaign **public financing** programs to further offset candidates' reliance on large donors; in these cities, a candidate's small donor contributions receive a city match at a specified ratio.

Online Reporting. The state Political Reform Act (PRA) requires candidates running for city office to file regular **campaign finance disclosures** with the city clerk. In an election year, at least four reports must generally be filed: two semi-annual statements and two pre-election statements. In the majority of cities (329 cities, 68%), these disclosures are filed in paper form and are only available to be copied or inspected at the city clerk's office. To increase public access and transparency, some jurisdictions (116 cities, 24%) scan these reports and publish them online. A small minority of cities also require (24 cities, 5%) or allow (13 cities, 3%) these disclosures to be filed online instead.













Local Enforcement. The state Fair Political Practices Commission (FPPC) is the primary enforcing body for violations by local candidates of state campaign reporting requirements. However, generally the FPPC does not have authority to enforce any city-enacted campaign finance ordinance. By default, violations of local ordinances are enforced either by the city attorney or the county district attorney. Ten charter cities have established **ethics commissions**, many modelled off of the FPPC, with varying powers to investigate and bring administrative actions to enforce local ethics and campaign finance ordinances. (However, two of those cities' ethics commissions have jurisdiction over ethics laws only.)

Observations & Trends



The Ten Largest vs. All Other Cities. When it comes to local governance and elections, there is a great deal of difference between California’s ten largest cities and the rest of the cities in the state. Most California cities are general law cities; have a council-selected mayor; hold at-large elections; and do not regulate local campaign contributions. By contrast, the state’s ten largest cities are all charter cities and much more likely to have an elected mayor who is the chief executive of the city; to elect councilmembers by district using a majority-winner voting method; and to regulate city campaigns through contribution limits and the establishment of an ethics commission.

 The Median CA City (pop. 30,000)	The 10 Largest CA Cities (avg. pop. 980,000) 
 ... is a general law city.	 ... are all charter cities.
 ... has a 5-member city council with a council-selected mayor and appointed city manager .	 ... have 5 to 15-member city councils with an elected mayor . Half are strong mayor cities.
 ... holds at-large, plurality winner council elections.	 ... all hold by-district council elections; 8/10 use majority winner voting methods.
 ... has no campaign contribution limits and no local ethics commission.	 ... nearly all (9/10) have campaign contribution limits between \$400 and \$4,200. Half have a local ethics commission.

Recent Trends. The two biggest governance changes of the past few decades are how and when city elections are held. First, the number of cities using by-district elections has grown rapidly as a result of the **California Voting Rights Act of 2001 (CVRA)**, which prohibits local governments from using at-large elections that dilute minority voting power. Since its enactment, the number of cities with by-district elections has nearly tripled to 59 today. Another 16 are set to hold their first by-district election in the next few years.

Second, to combat low voter turnout, cities increasingly synchronize their elections with higher-turnout state elections. In 2000, 37 percent of cities held off-cycle elections: that percentage has fallen to 24 percent (114 cities) today. Of these cities, 31 have already passed laws to move on-cycle in future elections. A 2015 law, the **California Voter Participation Rights Act**, will soon require all off-cycle cities with low voter turnout to synchronize municipal elections with state elections.