

California Municipal Democracy Index 2016



Nicolas Heidorn
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About California Common Cause

California Common Cause is a nonpartisan, grassroots organization dedicated to upholding the core values of American democracy. We work to create open, honest, and accountable government that serves the public interest; promote equal rights, opportunity, and representation for all; and empower all people to make their voices heard in the political process.

In the last decade, we have championed efforts at the state and local level to create a more participatory and inclusive democracy, particularly relating to voting systems, voter registration, election dates, redistricting, campaign finance, and transparency reforms.

For more information about California Common Cause and our issues, you may contact us at 916-443-1792 or visit us at www.CommonCause.org/States/California.

Author Acknowledgments

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Index

Foreword	1
Overview & Purpose	1
Methodology	2
1. Key Findings	3
2. Government Structure	7
Charter Cities vs. General Law Cities	7
Form of Government	8
Elected Offices	13
3. Election System	17
Voting Method	17
Council Electorate	24
Redistricting	33
Election Dates	36
4. Campaign Finance	39
Reporting	39
Contribution Limits	41
Public Financing	42
Enforcement	44
5. Observations & Trends	46
Summary of Results	46
Median vs. Ten Largest Cities	48
Trends	48
Appendix – Survey Results	53

Foreword

Overview & Purpose

When people think of the everyday services government provides, they are often thinking of their city governments. In total, 32.7 million Californians – 83% of the state's population¹ – live in incorporated cities. In California, cities generally provide police and fire protection, maintain roads and issue building permits, operate parks and libraries, and sometimes even run utilities. One study found that California's cities, combined, account for \$55.8 billion in direct government spending – *more* than California's state government.²

Just what mix of services are provided, at what level, how, and where are intimately local decisions left to the mayors, city councilmembers, and city managers of each city. This makes the study of municipal democracy, while often underappreciated,³ incredibly important on its own. California has 482 cities, 2,375 city councilmembers, 170 elected mayors, and 468 city managers. The exact governance, election, and campaign rules that the state requires or authorizes, or that charter cities exercising their home rule powers have adopted, can have a great effect on how decisions are made and who gets elected to make them. Cities have adopted different approaches to questions like...

How should power be allocated between a city's executive and legislative branches?

Which positions in City Hall should be elected, and which filled by professional staff?

What election method should be used to best represent voters' preferences?

Should cities regulate city campaigns to prevent corruption or undue influence by special interests?

California Common Cause's 2016 Municipal Democracy Index (MDI) collects in one place every California city's answer to these and other important questions of municipal democracy.

The report is broken into five parts. Part 1 provides an overview of the report's **Key Findings**. Part 2 looks at **Government Structure**, in particular how power is allocated within City Hall and which responsibilities are assigned to elected or appointed officials. Part 3 examines the numerous different **Voting Systems** used to elect California's local officials and what effects these voting rules can have on who gets elected. Part 4 identifies local **Campaign Finance** reforms some cities have adopted to regulate money in city elections. Finally, Part 5 concludes with some **Observations & Trends** regarding what municipal democracy looks like in California in 2016, and where it appears to be heading.

The purposes of the Index are to provide a comprehensive look at how municipal democracy exists in practice in California, to predict where it is headed, and to create a rich dataset for considering or analyzing public policy changes in this area. In furtherance of these goals, the raw data for the report is included in the Appendix and can also be downloaded in excel format online here: goo.gl/Yh1iLS.

If states are, as is said, the laboratories of democracy, then maybe cities are its test tubes, with hundreds of little democratic experiments bubbling away. Hopefully the data presented here will be a useful tool in informing, inspiring, refining, and evaluating further democratic reform.

¹ California Department of Finance, *E-1 Population Estimates for Cities, Counties, and the State — January 1, 2015 and 2016*, available at: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/> (last accessed Nov. 2016).

² Bill Fletcher and Ed Ring, *How Big Are California's State and Local Governments Combined?* Cal. Policy Center (Jun. 21, 2013) (calculating, for the 2010-11 fiscal year, \$48.7 billion in direct state spending, versus \$55.8 billion in city spending), available at: <http://californiapublicpolicycenter.org/how-big-are-californias-state-and-local-governments-combined/>.

³ See, e.g., Brian Dollery and Joe L. Wallis, *THE POLITICAL ECONOMY OF LOCAL GOVERNMENT* viii (2001) (Local Government "has attracted far less attention in the [scholarly] literature. ... Local Government is often seen as the 'poor relation' of higher tiers of governance both in terms of size and autonomy and thus as less deserving of intensive study.").

Methodology

Common Cause emailed surveys to every California city clerk's office with a public email address. The surveys were sent out multiple times in late 2015 and early 2016. For cities that did not have public email addresses or that did not respond to the initial email surveys, Common Cause followed up with phone surveys. In all, 393 of 482 cities (81%) responded to the survey.

Common Cause conducted research on the 89 remaining non-responsive cities, reviewing official city websites, municipal codes, and pre-existing compilations of city election and governance practices to answer their surveys. The following resources were particularly useful in completing this research:

- California Common Cause's prior research on local election dates⁴ and campaign contribution limits;⁵
- the California League of Cities's compilation of charter cities⁶ and survey of city managers;⁷
- the Center for California Studies at Sacramento State University's California Election Data Archive;⁸
- the Fair Political Practices Commission's database of local campaign ordinances;⁹
- the Secretary of State's index of cities allowing electronic campaign statement filing¹⁰ and roster of public officials;¹¹
- the Santa Rosa Charter Review Committee's analysis of election practices in other cities;¹²
- the Rose Institute's Report on by-district elections;¹³ and
- the National Demographics Corporation's unpublished list of cities' election systems.

Common Cause staff attempted to confirm any outlier survey responses by verifying those responses with city officials or examining that city's charter or municipal code. In recognition that local democracy in California in 2016 is changing rapidly, Common Cause also attempted to update the dataset to reflect significant policy changes adopted this year, especially by ballot measure at the June and November 2016 elections. Finally, in the month prior to publishing this report, Common Cause emailed every city clerk in the state asking them to confirm that their city's information was still current or to submit any updates since the initial survey: 307 cities (64%) responded, resulting in a handful of minor changes.

⁴ Sarah Swanbeck et al., *Getting to 100%*, California Common Cause (Feb. 2015), available at: <http://www.commoncause.org/states/california/research-and-reports/getting-to-100-how-changing.pdf> (last visited Oct. 2016).

⁵ Nicolas Heidorn, *No Limits: Campaign Contributions in Local Elections*, California Common Cause (Apr. 2016), available at: <http://www.commoncause.org/states/california/research-and-reports/local-campaign-contribution-limits.pdf> (last visited Nov. 2016).

⁶ California League of Cities, *Charter Cities*, available at: <http://www.cacities.org/Resources/Charter-Cities> (last visited Jan. 2016).

⁷ California League of Cities, *City/Town Manager Compensation Survey* (Oct. 6, 2010), available at: <https://www.cacities.org/Resources/Open-Government/City-Manager-Compensation-FinalSurveyResult92010.aspx> (last visited Jan. 2016).

⁸ Center for California Studies, *California Election Data Archive*, Sacramento State University, available at: http://www.csus.edu/isr/reports/california_elections/ (last visited Jan. 2016).

⁹ Fair Political Practices Commission, *Local Campaign Ordinances*, available at: www.fppc.ca.gov/learn/campaign-rules/local-campaign-ordinances.html (last visited Feb. 2016).

¹⁰ Secretary of State, *City and County Electronic Filings*, available at: <http://www.sos.ca.gov/campaign-lobbying/cal-access-resources/city-and-county-electronic-filings> (last visited Aug. 2016).

¹¹ Secretary of State, *California Roster 2016* (May 13, 2016), available at: <http://admin.cdn.sos.ca.gov/ca-roster/2016/pdf/00-2016-ca-roster2.pdf> (last visited Oct. 2016).

¹² City of Santa Rosa's Charter Review Committee, *Election Overview 42-45* (Jan. 2012), available at: http://ci.santa-rosa.ca.us/doclib/agendas_packets_minutes/Documents/NDC%20Santa%20Rosa%20Charter%20Review%20Overview%20v2.pdf (last visited Jan. 2016).

¹³ Justin Levitt et al., *Quiet Revolution in California Local Government Gains Momentum*, Rose Institute for State & Local Government (Nov. 3, 2016), available at: <http://10294-presscdn-0-68.pagely.netdna-cdn.com/wp-content/uploads/2016/11/CVRA-White-Paper-2.pdf> (last visited Oct. 2016).

1. Key Findings

Government Structure

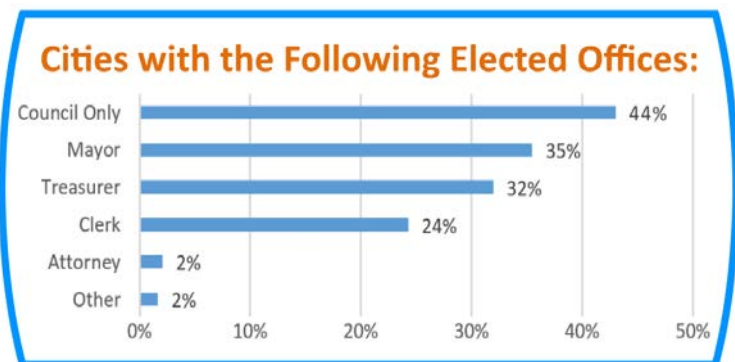


City Organization. Most cities (360 cities, 75% of all cities) in California are **General Law Cities**. These cities are bound by the general laws of the state, including how they structure their municipal government or conduct their elections. The remaining quarter of California cities (122 cities, 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%). *For more, see p. 7.*

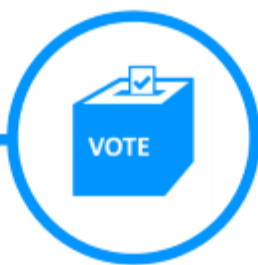


Form of Government. The overwhelming majority of cities (468 cities, 97%) employ the **Council-Manager** form of government, where the executive responsibilities of municipal government are placed under the day-to-day supervision and control of a council-appointed city manager. Only in the very largest 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. *For more, see p. 8.*

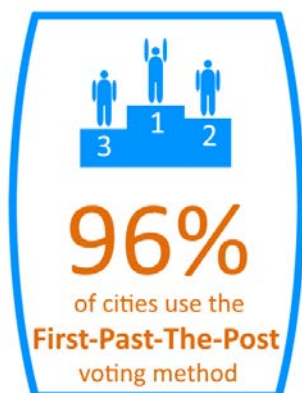
Elected Officials. Every city in California elects a city council. In 44 percent of cities (210 cities), the city council is the only elected municipal office. Most cities have **five-member city councils** (432 cities, 90%), which is the minimum required by law. Los Angeles has the largest city council 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). *For more, see p. 13.*



Voting System

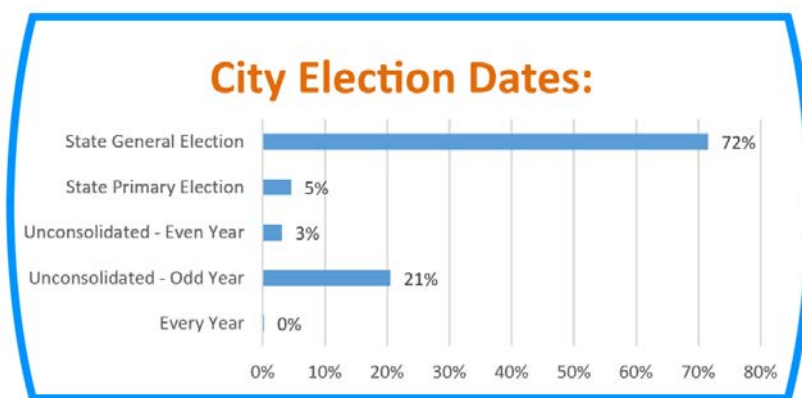


By-District vs. At-Large Voting. Most cities (415 cities, 86%) elect their city councils **at-large**. Under this system, city council candidates run for office citywide and are elected by a citywide electorate. Alternatively, 12 percent of cities (59 cities) elect their council **by district**: a candidate 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. *For more, see p. 24.*



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%). *For more, see p. 17.*

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. *For more, see p. 36.*





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.

For more, see p. 41.

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. *For more, see p. 39.*



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.) *For more, see p. 44.*

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. *For more, see p. 48.*

 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. *For more, see p. 48.*

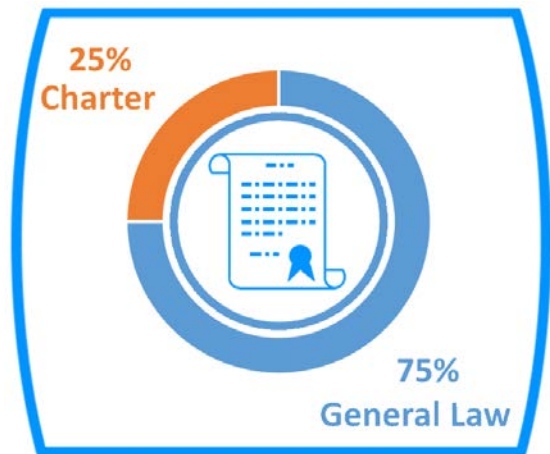
2. Government Structure

California state law provides how general law cities are to be governed, how many councilmembers a city may have, and which city offices may be elected. Most cities are required to follow these laws. However, some cities, called charter cities, have exercised their California constitutional right of municipal home rule to diverge from these laws.

Charter Cities vs. General Law Cities

The California Constitution identifies two types of cities in California: “**charter cities**” (also known as “chartered cities”) and “**general law cities**.”¹⁴ By default, cities are general law cities. General law cities must follow the general laws of the state, as enacted by the State Legislature.¹⁵ Charter cities, on the other hand, are given greater autonomy with respect to municipal affairs. Any city, no matter its size, may become a charter city. The only requirement to become a charter city is for a city’s electorate to adopt, by majority vote, a city charter.¹⁶ There is no requirement for what must be included in a city charter;¹⁷ generally, however, a city charter will set out the municipal government’s fundamental structure and powers, akin to that city’s “constitution.” Once adopted, a city council may not pass laws that violate the city charter.¹⁸

Charter vs. General Law Cities



Cities mostly adopt charters to increase local autonomy.¹⁹

Charter cities are expressly exempted from many state laws that apply to general law cities;²⁰ more importantly, the California Supreme Court has explained that charter cities “may enact and enforce laws that conflict with general state laws, so long as the city regulates a ‘municipal affair’ rather than a matter of ‘statewide concern.’”²¹ For the same reason, some voters oppose adopting a city charter, preferring to constrain their city elected officials to the requirements of state law.²²

¹⁴ See Cal. Const. Art. XI, Sec. 3. See also Cal. Gov. Code Sec. 34101 (“Cities organized under a charter shall be ‘chartered cities.’”) and Sec. 34102 (“Cities organized under the general law shall be ‘general law cities.’”).

¹⁵ See Cal. Const. Art. XI, Sec. 7: “A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”

¹⁶ See Cal. Const. Art. XI, Sec. 3(a): “For its own government, a county or city may adopt a charter by majority vote of its electors voting on the question. ...” See also Cal. Gov. Code Sec. 34450 et seq.

¹⁷ See League of California Cities, *Charter Cities: A Quick Summary for the Press and Researchers*, available at: <https://www.cacities.org/Resources-Documents/Resources-Section/Charter-Cities/Charter-Cities-A-Quick-Summary-for-the-Press-and-R> (last visited Oct. 2016).

¹⁸ See Cal. Const. Art. XI, Sec. 5(a) (a city may “make and enforce all ordinances and regulations in respect to municipal affairs, subject only to restrictions and limitations provided in their several charters”). See also *City of Grass Valley v. Walkinshaw*, 34 Cal. 2d 595, 598-99 (1949) (a city charter “operates not as a grant of power, but as an instrument of limitation and restriction on the exercise of power over all municipal affairs which the city is assumed to possess”).

¹⁹ See, e.g., Cathedral City Measure HH, Argument in Favor (Nov. 8, 2016) (“Currently Cathedral City operates from a Constitution dependent on State law. As a Charter City, a locally drafted Charter approved by a City’s voters becomes its Constitution. Cathedral City’s voters — not Sacramento politicians — better understand OUR needs.”).

²⁰ See, e.g., Cal. Elec. Code Sec. 10103 (certain state law requirements for write-in candidacies apply to general law cities only).

²¹ See *Johnson v. Bradley*, 4 Cal.4th 389, 394 (1992).

²² See, e.g., Cathedral City Measure HH, Argument Against (Nov. 8, 2016) (“Currently, Cathedral City cannot add a property transfer fee, nor can it increase fines and penalties for code violations. If [a charter is adopted,] however, a new property transfer fee can be instituted as well as unlimited code violation fines and penalties without your approval.”).

The distinction between charter cities and general law cities is especially important with respect to local democracy. Charter cities have much greater liberty in conducting and regulating local elections than general law cities. The California Constitution specifically guarantees charter cities the right to provide for the “conduct of city elections” and gives them “plenary authority” to regulate “the manner in which, the method by which, the times at which, and the terms for which the several municipal officers ... shall be elected.”²³ The distinction between charter cities and general law cities, where relevant, will be highlighted in the sections that follow.

Responses to the MDI survey indicate that there are 122 charter cities (25% of cities) and 360 general law cities (75% of cities) in California. San Francisco has the unique distinction of being a consolidated charter city *and* county, which is why its legislative body is called the board of supervisors rather than the city council. While there are more general law cities, a greater proportion of California’s population resides in charter cities: 58 percent of Californians living in cities reside in charter cities, compared with only 42 percent in general law cities. As a general rule, most large cities tend to be charter cities (median population: 77,000) whereas most smaller cities tend to be general law cities (median population: 25,000). Cathedral City will soon increase the number of charter cities to 123; in November 2016 voters passed a ballot measure adopting a city charter which will go into effect in January 2017.²⁴

Form of Government

A city’s form of government describes how legislative and executive power is allocated in city hall. There are four basic forms of government in California. Far and away the most popular form of city government is the “**Council-Manager**” (or “City Manager”²⁵) form, where executive power is centralized in a council-appointed city manager or administrator. Amongst California’s largest cities the “**Mayor-Council**” (or “Strong Mayor”) form is equally popular. Under this form the elected mayor instead serves as the head of the city’s executive branch.²⁶

At the other end of the population spectrum, some very small cities in California operate without any centralized executive. In some of these cities, department heads report directly to the Council as a whole in what might be called a **decentralized** form of government. Although only practiced by few cities, this is the default form of government provided for by state law. In other cities, said to use the “**Commission**” form of government, councilmembers are assigned supervisorial responsibility of a different city department, effectively blending legislative and executive power.

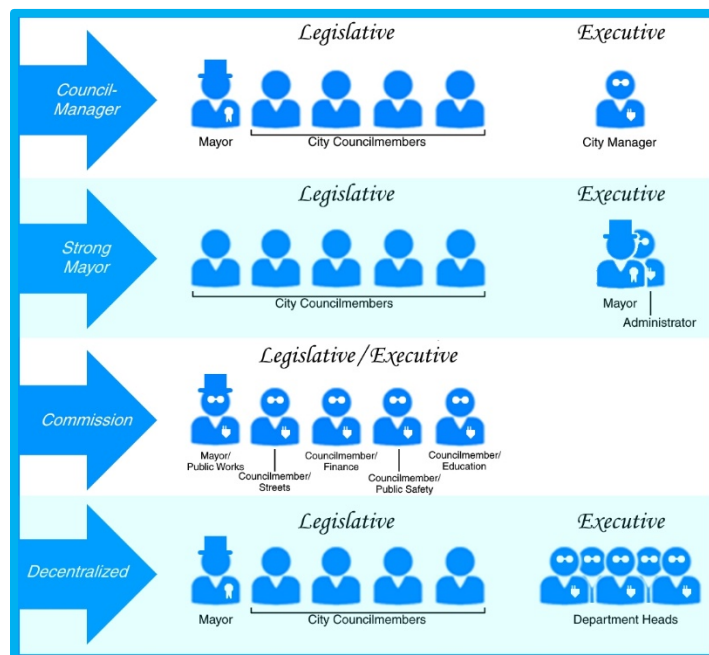
²³ See Cal. Const. Art. XI, Sec. 5(b).

²⁴ Cathedral City Measure HH (Nov. 8, 2016).

²⁵ See Cal. Gov. Code Sec. 34851.

²⁶ See Brian P. Janiskee and Ken Masugi, DEMOCRACY IN CALIFORNIA: POLITICS AND GOVERNMENT IN THE GOLDEN STATE 104 (3rd ed. 2011). See also National League of Cities, *Forms of Municipal Government* (last visited Nov. 2015), available at: www.nlc.org/build-skills-and-networks/resources/cities-101/city-structures/forms-of-municipal-government.

Forms of City Government in California



A brief discussion of these different forms of local government is provided below with the caveat that these are only *general* descriptions of the common forms of city governance. There is a great deal of diversity in how city governments are structured in California, making neat and comprehensive descriptions difficult.

Council-Manager

The Council-Manager form of government was an early 20th century Progressive Era reform, intended to depoliticize and professionalize the day-to-day management of cities.²⁷ Under the Council-Manager form of government the executive powers of the city are vested in a **city manager** (sometimes called a “city administrator”) who is hired by and accountable to the city council.²⁸ The exact powers and duties of the city manager are to be specified by ordinance.²⁹ Generally, the city manager becomes the head of the executive branch, oversees day-to-day city operations, and has authority to hire and fire most subordinate city officers, excluding the city attorney.³⁰ An overwhelming 97 percent of California cities use the city manager form of government.

According to the California City Management Foundation, which is an advocacy organization for city managers, the “Council-manager government encourages neighborhood input into the political process, diffuses the power of special interests, and eliminates partisan politics from municipal hiring, firing, and contracting decisions.”³¹ Detractors argue, instead, that this form of government has weak political accountability because the city’s chief executive is an unelected bureaucrat, and there is no single person the voters can blame if they are unhappy with the direction the city is going.³²

²⁷ Victor S. DeSantis and Tari Renner, *City Government Structures: An Attempt at Clarification*, 34 STATE & LOCAL GOVERNMENT REVIEW 96 (Spring 2002).

²⁸ See Cal. Gov. Code Sec. 34855.

²⁹ See Cal. Gov. Code Sec.

³⁰ See Cal. Gov. Code Sec. 34856.

³¹ California City Management Foundation, *Council-Manager or Strong Mayor: The Choice is Clear* (2009), available at: www.icma.org/en/icma/knowledge_network/documents/kn/Document/302618/CouncilManager_or_Strong_Mayor_The_Choice_is_Clear (last visited Oct. 2016).

³² See, e.g., Sacramento Measure L, Ballot Argument in Favor (Nov. 4, 2014) (strong mayor ballot measure).

Traditionally, under the Council-Manager form, the mayor serves on the city council as part of the city's legislative branch and, other than presiding over council meetings and performing certain ceremonial duties, has powers and responsibilities that are nearly identical to other city councilmembers.³³ The mayor is typically not elected to that office by the people directly, but is instead a city councilmember elevated to that position by vote of his or her fellow councilmembers.³⁴ The mayor in a Council-Manager government, whether elected or not, is often called a “**weak mayor**” because they lack executive powers.³⁵

Mayor-Council

The Mayor-Council, or “**strong mayor**,” form of government, is the opposite of the Council-Manager form because it vests executive power in an elected mayor. Typically, the mayor under this form will not be a member of or have a vote on the city council. Instead, the mayor will possess executive power similar to that of a governor or the U.S. President: for example, the power to present a budget, appoint and remove subordinate officers including the city administrator (if there is one), and veto proposed legislation.³⁶ This form more closely parallels the national and state forms of government, where both the legislative (Congress/State Legislature) and executive branches (President/Governor) are elected. Unlike the Council-Manager form, state law does not authorize cities to use the Mayor-Council form of government, so it may only be adopted by charter cities.

Precise definition of the Mayor-Council form of government is difficult. The exact mix of powers given to a strong mayor vary greatly by city: for example, in Los Angeles³⁷ the Mayor can veto legislative proposals, whereas in Oakland³⁸ the mayor has no veto power but can break tie votes. Moreover, many weak mayor cities have strong mayor elements, further blurring the lines between these forms. For example, in the weak mayor city of Redondo Beach, the mayor may nonetheless veto council actions.³⁹

To proponents, Mayor-Council government provides more political leadership and accountability because the executive branch is elected; voters may elect, defeat, or recall a mayor depending on her performance or vision for the city. Detractors fear that an elected executive results in politicized city management and can strengthen special interests' ability to influence policy through the mayor.⁴⁰

³³ See Cal. Gov. Code Sec. 34903 (“The mayor is a member of the city council and has all of the powers and duties of a member of the city council.”). See also *id.* Sec. 36803. But see, e.g., Cal. Gov. Code Sec. 36802 (mayor presides over council meeting) and Sec. 40605 (elected mayor appoints boards and commissions with city council confirmation).

³⁴ See Cal. Gov. Code Sec. 36801.

³⁵ See Brian P. Janiskee and Ken Masugi, *DEMOCRACY IN CALIFORNIA: POLITICS AND GOVERNMENT IN THE GOLDEN STATE* 104 (3rd ed. 2011); Jack Rabin, *ENCYCLOPEDIA OF PUBLIC ADMINISTRATION AND PUBLIC POLICY* 530 (2003); Terry Christensen and Tom Hogen-Esch, *LOCAL POLITICS* 111 (2d ed. 2006). However, some scholars only apply the “weak mayor” designation to cities where the mayor is elected but lacks formal executive power. See Jeffrey M. Elliot and Sheikh R. Ali, *THE STATE AND LOCAL GOVERNMENT POLITICAL DICTIONARY* 242 (1988). Still others limit the “weak mayor” designation to cities that have no centralized executive, which in this report is called the decentralized form of government. See James H. Svara, *OFFICIAL LEADERSHIP IN THE CITY* 72 (1990).

³⁶ See, e.g., Los Angeles Charter, Art. II, Sec. 231 (mayor is chief executive; can appoint and remove staff; and prepare and submit budget) and Sec. 240 (mayoral veto).

³⁷ Los Angeles Charter Sec. 240.

³⁸ Oakland Charter Sec. 200.

³⁹ Redondo Beach Charter Sec. 5 (“The municipal government provided by this Charter shall be known as the Council-Manager form of government.”) and Sec. 8.4 (“The Mayor shall have the right to veto any action of the City Council... The City Council may override the action of the Mayor by four (4) affirmative votes.”).

⁴⁰ Compare, e.g., Sacramento Measure L, Ballot Argument in Favor (Nov. 4, 2014) *with id.*, Ballot Argument Against (strong mayor ballot measure).

There are five cities in California commonly described as having the Mayor-Council form of government: Fresno,⁴¹ Los Angeles,⁴² Oakland,⁴³ San Diego,⁴⁴ and San Francisco.⁴⁵ Until recently San Bernardino⁴⁶ was also considered to have a Mayor-Council form of government; however, in November 2016 voters amended the charter⁴⁷ to adopt the Council-Manager form instead. As the table below demonstrates, there is a great degree of variety in how Mayor-Council governments are structured.

Mayoral Powers in California's Mayor-Council Cities

	Identified as chief executive officer?	Appoints & Removes City Manager/Administrator?	Prepares Budget?	Delivers State of City Address?	Veto Power?	Serves on Council?	Max # of terms:
Fresno	Yes	Yes	Yes	[Silent]	Yes; unless overridden by 5/7 vote	No	2
Los Angeles	Yes	Yes; appoints all chief administrative officers with council confirmation	Yes	Yes	Yes; unless overridden by 2/3 vote	No	2
Oakland	Yes: "Chief Elective Officer"	Yes; appointment confirmed by council	Yes	Yes	No; can require reconsideration of ordinances once	No; except to break ties	2
San Bernardino (pre-Nov. 2016 charter)	Yes	Yes; appointment confirmed by council and removal confirmed by 2/3 vote of council	No; budget submitted by City Manager	May do so in writing	Yes; unless passed or overridden by 5/7 vote	Presides over meetings but does not vote except to break ties	None
San Diego	Yes	Yes; appointment confirmed by council	Yes	Yes; by message	Yes; unless overridden by 6/9 vote	No; but may speak at any council meeting	2
San Francisco	Yes	Yes; appointment confirmed by board	Yes	[Silent]	Yes; unless overridden by 2/3 vote	No; but may speak on any board matter	2

No Centralized Executive

Four very small cities with fewer than 3,000 residents – Alturas, Amador, Fort Jones, and Loyalton – do not have a city administrator or city manager overseeing the city's executive branch. Instead, executive power is **decentralized**: each department head is appointed by and reports directly to the city council as a whole.⁴⁸ In some cases, the city clerk acts as an informal city manager.⁴⁹ While little used today, decentralized governance is among the oldest forms of municipal governance in the United States and default form of government for a general law city.⁵⁰

Originally borne of a distrust of strong executive power,⁵¹ today California cities with decentralized management are more likely to choose this model because they cannot afford professional city management. Surprisingly, there is no widely-accepted name for this form of government, but in some other states it is called the **weak mayor-**

⁴¹ Fresno Charter Sec. 2-101.

⁴² Los Angeles Charter Sec. 230.

⁴³ Oakland Charter Sec. 107.

⁴⁴ San Diego Charter Sec. 250.

⁴⁵ San Francisco Charter Sec. 3.100.

⁴⁶ Former San Bernardino Charter, Art. IV, Sec. 50 (2015).

⁴⁷ San Bernardino Measure L (Nov. 8, 2016).

⁴⁸ Chloe Kachscovsky and Ashley Underlee, *California City Managers: 2015*, Grassroots Lab 1 (2015).

⁴⁹ *Id.*

⁵⁰ See Cal. Gov. Code Sec. 34851 (council or the voters must, by ordinance, enact a city manager form of government).

⁵¹ Jack Rabin, *ENCYCLOPEDIA OF PUBLIC ADMINISTRATION AND PUBLIC POLICY* 530 (2003)

strong council form.⁵² Its asserted virtues are preventing the accumulation of too much power in any one individual; its drawbacks are that it “encourages fragmented authority and bureaucratic independence ... [and] undermines official accountability, governmental coordination, administrative management, and program delivery.”⁵³

Commission

Once popular amongst major, turn-of-the-twentieth-century California cities,⁵⁴ today only Etna, Montague, Tehama, Tulelake, and Westmorland use the Commission form of government. Each city has fewer than 2,500 residents. In its original form, councilmembers (called “commissioners”) were elected not only to the city’s legislative body but also to individually run different departments of the city. For example, Sacramento’s 1911 Charter had a five-member commission (i.e. city council) consisting of the Commissioners of Education, Finance, Public Health & Safety, Public Works, and Streets.⁵⁵ In the five cities that still use this method, the city council votes to assign each councilmember supervisory responsibilities over the city’s various departments.⁵⁶

At least two cities have adopted soft hybrids of the commission form of government, but where the assignment of commissions has become mostly ceremonial. Alhambra’s city charter⁵⁷ specifies that, on a nine-month rotation, councilmembers are assigned supervisory responsibilities over different departments; however, since the city charter was amended to create a Council-Manager form of government the commission assignments have become titles only. Blythe’s municipal code requires the mayor to appoint councilmembers either individually as commissioners or in small groups as committees to oversee different municipal functions; in practice the city only appoints committees which advise the council as a whole.⁵⁸

In its pure form, Commission government is unique in that it blends executive and legislative powers in the same branch, which is directly at odds with the separation of powers philosophy embraced in the state and national government structure. To proponents, this unification of legislative and executive power provides for a more representative government that also allows councilmembers to specialize and lead on specific areas of city policy.⁵⁹ Others argue that this form of government is unwieldy, frequently characterized by council infighting, and can politicize city administration.⁶⁰ By the middle of the last century the Commission form of government had waned in favor of the Council-Manager form, although outside of California some prominent cities still have commissions, including Portland, Oregon.⁶¹

⁵² See Michael Cerra, *Forms of Government*, New Jersey State League of Municipalities, available at: www.njslom.org/magart0307_p14.html (last visited Oct. 2016). Some academics also accept some variation of the “weak mayor” designation for cities without a strong executive position (mayor or city manager). See James H. Svara, *OFFICIAL LEADERSHIP IN THE CITY* 72 (1990) (“weak mayor-council cities”).

⁵³ Jeffrey M. Elliot and Sheikh R. Ali, *THE STATE AND LOCAL GOVERNMENT POLITICAL DICTIONARY* 243 (1988).

⁵⁴ See J.H. Quire, *California Cities in the New Census Report*, 9.1 MUNICIPAL RECORD 223 (Jan. 6, 1916) (five of California’s nine biggest cities used the commission form: Berkeley, Oakland, Pasadena, Sacramento, and San Diego). See also former Cal. Elec. Code Sec. 752a (1912) (authorizing cities to adopt the commission form of government).

⁵⁵ Former Sacramento City Charter Art. II, Sec. 11 (1911).

⁵⁶ See, e.g., Etna City Council Minutes (May 20, 2013); Montague City Council Minutes (Jan. 8, 2015); City of Tehama Website, *About Us* (“The council is composed of five elected commissioners who elect a mayor yearly. Each member is responsible for different areas of City management.”), available at: www.cityoftehama.us/about (last visited Mar. 2016).

⁵⁷ Alhambra Charter Sec. 29.

⁵⁸ See Blythe Mun. Code Secs. 2.08.010 – 2.08.030.

⁵⁹ See, e.g., Doug Moran et al., *Keep Portland Weird: Retaining the Commission Form of Government*, MORE THAN MAYOR OR MANAGER (eds. James Svara and Douglas Watson, 2010).

⁶⁰ See, e.g., *id.* See also Jack Rabin, *ENCYCLOPEDIA OF PUBLIC ADMINISTRATION AND PUBLIC POLICY* 530 (2003).

⁶¹ See Portland Charter Sec. 2-302.

Elected Offices

The only elected office that a city must have is that of city councilmember.⁶² General law cities may also elect a mayor, city treasurer, and city clerk – although only a minority do so. Some charter cities have created additional elected offices.

City Council

There are 2,540 elected city councilmembers in California, including elected mayors who serve on the council. Under state law, general law cities must have at least five councilmembers.⁶³ General law cities that choose to have district-based city council elections must have five, seven, or nine councilmembers (or four, six, or eight councilmembers, with an elective mayor who is a member of the city council).⁶⁴ Most cities (432 cities, 90%) have settled on electing five city councilmembers. A few cities, but particularly large charter cities, elect an even greater number of councilmembers than the general law provides. The largest city in California, Los Angeles, also elects the largest number of councilmembers: 15.⁶⁵ In contrast, however, the other two largest cities in the United States, New York City and Chicago, have 51 and 50 member city councils, respectively.

Cities with More than Five Councilmembers (50)

Council Seats (total # of cities)	List of Cities
Six Members (2)	Eureka, Redondo Beach
Seven Members (35)	Anaheim, Chico, Colton, Fresno, Garden Grove, Gilroy, Hayward, Huntington Beach, Madera, Merced, Modesto, Mountain View, Needles, Newport Beach, Oroville, Pacific Grove, Petaluma, Pomona, Redwood City, Richmond, Salinas, San Buenaventura (Ventura), San Leandro, Santa Ana, Santa Barbara, Santa Clara, Santa Cruz, Santa Monica, Santa Rosa, Stockton, Sunnyvale, Torrance, Vallejo, Watsonville, Woodside
Eight Members (5)	Bakersfield, Oakland, Pasadena, Riverside, San Bernardino
Nine Members (4)	Berkeley, Palo Alto, Sacramento, San Diego
Ten Members (1)	Long Beach
Eleven Members (2)	San Francisco, San Jose
Fifteen Members (1)	Los Angeles

The average California city councilmember represents 25,000 residents. For cities with by-district elections, the average drops to 16,000 residents. Santa Ana councilmembers, who are elected at-large, represent the largest number of constituents: 343,000. Among cities with by-district elections, Los Angeles councilmembers represent the most constituents (269,000) even though Los Angeles also has the biggest city council in the state.

Not surprisingly, even-numbered city councils are rare (10 cities) because they could produce tie votes that deadlock council action. Most even-numbered city councils avoid this problem by allowing the mayor to vote only in the event of a tie, even though the mayor otherwise presides over council meetings.⁶⁶

⁶² San Francisco, which is both a city and a county, instead has a board of supervisors.

⁶³ See Cal. Gov. Code Sec. 36501.

⁶⁴ See Cal. Gov. Code Sec. 34871.

⁶⁵ See Los Angeles Charter, Art. II, Sec. 241.

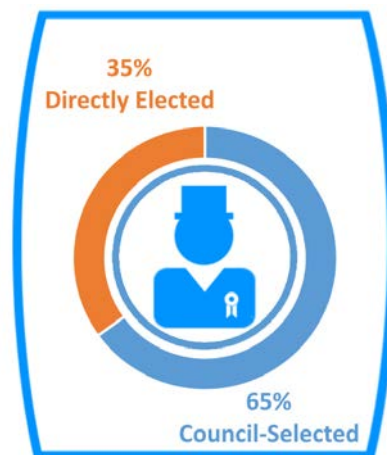
⁶⁶ See Bakersfield Charter Sec. 14; Eureka Charter Sec. 401; Redondo Beach Charter Sec. 8.2; Riverside Charter Sec. 405; San Bernardino Charter Sec. 303. See also Oakland Charter Sec. 200 (mayor does not participate in council meetings but may resolve tie votes). But see Long Beach Charter Sec. 202 (mayor presides over council meetings but cannot vote) and Pasadena Charter Sec. 406 (mayor can vote).

Unless a city provides otherwise, the default term for councilmembers elected by or from districts is four years.⁶⁷ In practice, virtually every city – including cities with district-based or at-large elections – elect their councilmembers for a four-year term. Vernon is the one outlier: it elects its five-member city council to five-year terms, requiring it to hold an at-large city council election each year.⁶⁸ State law allows cities to set term limits for the office of city council.⁶⁹ One study from 2000 found that 19 percent had done so.⁷⁰

Elected Mayor

In most California cities – 312 out of 482, or 65 percent -- the mayor is not its own elected office but is instead a title conferred on a sitting member of the city council. In the vast majority of cities without elected mayors, the city council will choose one councilmember to be mayor after each municipal election.⁷¹ However, in some cities the title of mayor rotates amongst the incumbent councilmembers,⁷² or, even less frequently, is awarded to the councilmember who receives the most votes in the most recent at-large city council election.⁷³ The council-selected mayor presides over all city council meetings⁷⁴ and has certain additional ministerial responsibilities,⁷⁵ but otherwise remains a member of the council and has the same rights and duties as other councilmembers.

Elected vs. Council-Selected Mayor



State general law also permits the citywide election of the mayor.⁷⁶ In general law cities, an elected mayor is granted the additional privilege, with council approval, to make “all appointments to boards, commissions, and committees.”⁷⁷ Some charter cities have granted even more powers to elected mayors, including five cities that have adopted the Mayor-Council (or Strong Mayor) form of government. In all, 170 cities (35%) have an elected mayor. Under the general law, a mayor can be elected to a two or four year term. The MDI survey did not ask about the duration of a mayor’s term; however, a study from 2000 concluded that cities were about evenly split between two year and four year mayoral terms.⁷⁸ Cities may also impose term limits on elected mayors; that same study found that 27 percent of cities had done so.⁷⁹

⁶⁷ See Cal. Gov. Code Sec. 34879.

⁶⁸ Vernon Charter, Art. 3, Ch. 3.4.

⁶⁹ See Cal. Gov. Code Sec. 36502(b).

⁷⁰ Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 76 (2002), available at: www.ppic.org/content/pubs/report/R_302ZHR.pdf (last visited Nov. 2016).

⁷¹ See Cal. Gov. Code Sec. 36801 (council selects mayor). See also Zoltan L. Hajnal et al., *Municipal Elections in California: Turnout, Timing, and Competition*, Public Policy Institute of California 72 (2002) (finding in 55% of cities the mayor is selected by the council, in 10% the mayoral position rotates amongst councilmembers, and in 2% the councilmember receiving the most votes is elected; the remaining 33% of mayors were elected).

⁷² See, e.g., Alhambra Charter, Art. V, Sec. 29(B).

⁷³ See, e.g., Roseville Charter Sec. 2.03.

⁷⁴ Cal. Gov. Code Sec. 36802.

⁷⁵ Cal. Gov. Code Secs. 40602 – 40603.

⁷⁶ Cal. Gov. Code Sec. 34900.

⁷⁷ Cal. Gov. Code Sec. 40605.

⁷⁸ Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 51 n.2 (2002).

⁷⁹ *Id.* at 76.

Other Elected Offices

City councilmembers must be elected; all other city offices can be appointed.⁸⁰ In addition to the mayor, state law identifies two other offices that can be elected: city clerk and city treasurer.⁸¹ The city clerk is responsible for maintaining the city's records, including "an accurate record of the proceeding of the legislative body" and records of the city's financial condition.⁸² In some cities, the city clerk also runs the municipality's elections.⁸³ One hundred and seventeen cities (24% of cities) have an elected city clerk.

The city treasurer is responsible for "receiv[ing] and safely keep[ing] all money coming into his hands as treasurer;" this can include paying out on all city warrants and accounting for all city revenue and disbursements.⁸⁴ There are 153 elected city treasurers (32% of cities) in California.

A few charter cities have created other elective offices. The next most commonly elected position is city attorney, who is responsible for advising the city on legal matters, preparing ordinances or resolutions, and performing other legal services for the city.⁸⁵ While generally appointed,⁸⁶ 10 charter cities (2% of cities) have chosen to make this an elective office. A handful of other cities – less than one percent -- have created other elective offices. For example, in Oakland the City Auditor is elected, as is the Police Chief in Santa Clara, and the Rent Stabilization Board in Berkeley. San Francisco, as a city and a county, also has elective *county* offices not found in other cities, including Assessor-Recorder, District Attorney, Public Defender, and Sheriff. Overall, 35 percent of cities elect an office other than mayor or city council.

Elective Offices Other Than City Council, Mayor, City Clerk, and City Treasurer

Other Elective Offices (total # of cities)	Cities
City Attorney (10) ⁸⁷	Chula Vista, Compton, Huntington Beach, Long Beach, Los Angeles, Oakland, Redondo Beach, San Diego, San Francisco, San Rafael
City Auditor (4) ⁸⁸	Alameda, Berkeley, Long Beach, Oakland
Rent Board (2) ⁸⁹	Berkeley, Santa Monica
City Controller (1) ⁹⁰	Los Angeles
City Prosecutor (1) ⁹¹	Long Beach
Police Chief (1) ⁹²	Santa Clara
Misc. County Offices (1) ⁹³	San Francisco

⁸⁰ See Cal. Gov. Code Sec. 36508.

⁸¹ See Cal. Gov. Code Sec. 36509 (city clerk and city treasurer). The Government Code also regulates the public records policies of city auditors, whether they are appointed or elective offices, but does not on its own provide for the election of city auditors. See Cal. Gov. Code Sec. 36525 (city auditor).

⁸² See Cal. Gov. Code Sec. 40801 *et seq.*

⁸³ See Cal. Elec. Code Sec. 320 (defining "election official" to include city clerk).

⁸⁴ See Cal. Gov. Code Sec. 41001 *et seq.*

⁸⁵ See Cal. Gov. Code Sec. 41801 *et seq.*

⁸⁶ See Cal. Gov. Code Sec. 36505.

⁸⁷ See Chula Vista Charter Sec. 503; Compton Charter Sec. 500; Huntington Beach Charter Sec. 300; Long Beach Charter Sec. 601; Los Angeles Charter, Vol. I, Sec. 202; Oakland Charter Sec. 401; Redondo Beach Charter Art. X, Sec. 10; San Diego City Charter Art. V, Sec. 40; San Francisco Charter Sec. 6.102; San Rafael City Charter Art. VI, Sec. 1. Until Nov. 2016, the city attorney for San Bernardino had been elected as well. See Former San Bernardino Charter Sec. 55 (elected city attorney) and San Bernardino Measure L (Nov. 8, 2016) (making city attorney an appointed office).

⁸⁸ Alameda Charter Sec. 2-1; Berkeley Charter Sec. 8; Long Beach Charter Sec. 801; Oakland Charter Sec. 403.

⁸⁹ Berkeley Charter Sec. 121; Santa Monica Charter Sec. 1803.

⁹⁰ Los Angeles Charter, Vol. I, Sec. 202.

⁹¹ Long Beach Charter Sec. 701.

⁹² Santa Clara Charter Sec. 600.

⁹³ San Francisco Charter Art. VI.

While school board members *are* elected, school districts are organized and run separate from city government,⁹⁴ so are not counted here as a city office. School districts are provided for separately under state law and have their own budgets and staffing entirely independent from city government. This is true even when a school district's boundaries are coterminous with a city's, which is not always the case.

However, as allowed under the state constitution,⁹⁵ in some charter cities the manner in which school district elections are conducted is determined by city law. For example, the Pasadena City Charter⁹⁶ establishes a redistricting commission just for Pasadena school board member districts and the Oakland City Charter⁹⁷ requires that school board members be elected using instant runoff voting.

⁹⁴ See Cal. Const. Art. IX, Sec. 14 ("The Legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and community college districts, of every kind and class, and may classify such districts."); See also Institute of Local Government, *Types and Responsibilities of Local Agencies*, available at: www.ca-ilg.org/sites/main/files/file-attachments/types_responsibilities_of_local_agencies.pdf (last visited Oct. 2016) ("Unlike some other states, in California public schools and cities/counties have separately elected governing bodies.").

⁹⁵ See Cal. Const. Art. IX, Sec. 16 (city charters may provide "for the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards"). See also Cal. Educ. Code Sec. 5200 *et seq.* and *Hazzard v. Brown*, No. A095375, 2002 WL 863186 (Cal. App. 1st Dist. May 7, 2002) (upholding city charter amendment providing that the mayor could appoint three members to the governing board of the Oakland Unified School District).

⁹⁶ Pasadena Charter Sec. 713.

⁹⁷ Oakland Charter Sec. 1105.

3. Election System

There are many ways that California cities can organize their elections. First, cities must decide what **voting method** to use, which is to say what share of the vote a candidate must receive to be elected. In most cities, receiving the most votes (i.e. a plurality) is sufficient to be elected. However, some charter cities require a candidate to receive a majority of the vote (i.e. 50% + 1) to be elected, which may require a runoff election.

Second, for city council elections, cities must select who gets to vote for which councilmember, which might be called the **council electorate**. In most cities, each councilmember is elected at-large by all registered voters in the city. In a growing number of cities, the city is divided into equal-population districts and a councilmember is elected to represent each district by the registered voters of that district. Cities that do chose to elect councilmembers by district must re-draw, or **redistrict**, these district boundary lines every ten years; while traditionally this is done by the city council itself, some cities have turned this power over to redistricting commissions.

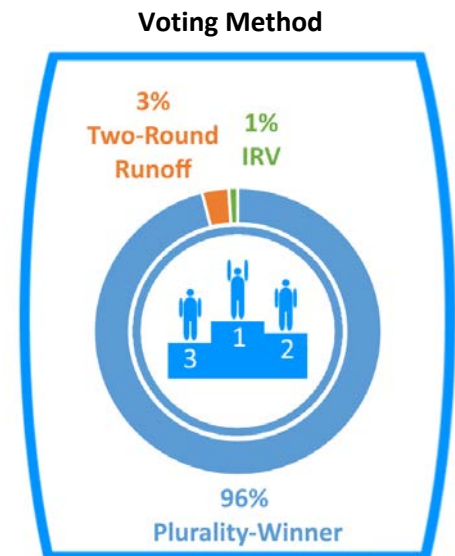
Finally, cities must also choose an **election date** on which to hold the election. The greatest difference is between cities that synchronize their elections with higher-turnout state election dates and those that do not.

Voting Method

Under California law, general law cities must elect their officials using the “**plurality-winner voting**” (or “**first-past-the-post**”) method, meaning that the candidate who receives the most votes is elected.⁹⁸ Some charter cities have taken advantage of the autonomy granted to them by the Elections Code⁹⁹ and the State Constitution¹⁰⁰ to adopt different voting methods, particularly **majority-winner voting** methods. The two most common majority-winner voting methods are the **two-round runoff** and **instant runoff voting (IRV)**.

Plurality-Winner Voting

Plurality-winner voting is by far the most common voting method in California. Under this method, whichever candidate receives the most votes is elected, even if that candidate receives less than majority support. In total, 462 cities (96%) use the plurality method to elect their city council. The largest city to use plurality-winner voting is Bakersfield (379,000 residents); the smallest is Amador (190 residents).

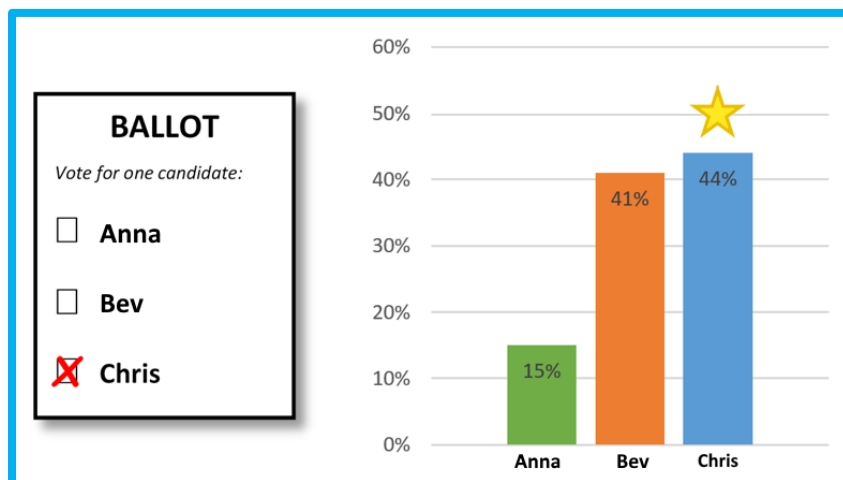


⁹⁸ See Cal. Elec. Code Secs. 15450 (“A plurality of the votes given at any election shall constitute a choice where not otherwise directed in the California Constitution...”); 15452 (“The person who receives a plurality of the votes cast for any office is elected or nominated to that office in any election...”); 8000(e) (general law cities may not use runoffs). *But see* Election Code Sec. 15651(b) (“the legislative body of any county, city, or special district ... may resolve a tie vote by the conduct of a special runoff election involving those candidates who received an equal number of votes and the highest number of votes”).

⁹⁹ See Cal. Elec. Code Secs. 15452(a) (plurality voting not required in “election[s] for which different provision is made by any city or county charter”); 15450 (same).

¹⁰⁰ See Cal. Const. Art. XI, Sec. 5 (giving charter cities authority over the manner of electing municipal officers).

Plurality-Winner Voting Method



Plurality Single-Seat Election: Each voter gets one vote. The candidate receiving the most votes wins; in this case, Chris.

As discussed further in the next section on the **Council Electorate**, plurality voting may be used to elect one candidate (a “single-seat” election), as in the example above, or to elect several councilmembers at once (a “multi-seat” election). Mayors, city clerks, city treasurers and other non-legislative offices are all elected in single-seat contests, as are city councilmembers who are elected by district. At-large city council elections, however, are usually multi-seat elections, with two or three councilmembers being elected at each election. If the example above had been an at-large election to fill two council seats using plurality voting, each voter could have marked two candidates on their ballot and Bev and Chris, as the two highest vote-getters, would have been elected.

The chief advantage of plurality-winner voting is that it is easy to understand and administer;¹⁰¹ additionally, because this method requires only one election to determine a winner, the election can be scheduled at the same time as the state general election when turnout is highest, unlike two-round runoff elections which can suffer from drop-offs in voter participation.

The chief criticism of plurality-winner voting is that, due to vote-splitting, it can result in winners who have little popular support.¹⁰² In single-seat elections, candidates are sometimes elected even though two-thirds of the electorate preferred someone else. California Common Cause’s analysis of every California single-seat city election from 2006 through 2014 found that 13 percent of winning candidate were elected with less than majority support.¹⁰³ Examining only races with three or more candidates, when vote splitting becomes mathematically possible, the percentage of city candidates elected without majority support jumped to 42 percent.

¹⁰¹ See Douglas Amy, BEHIND THE BALLOT BOX 42 (2000).

¹⁰² See *id.*

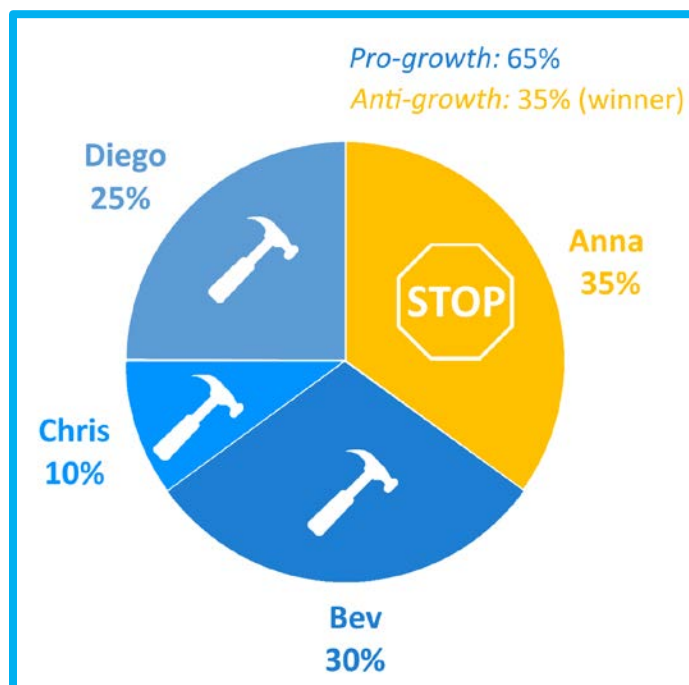
¹⁰³ Calculations based on election results reported in: Center for California Studies at California State University, Sacramento, *California Elections Data Archive*, available at: www.csus.edu/calst/california_elections_data_archive.html (last visited Jan. 2016).

Examples of Plurality-Winners in Single-Seat City Elections (2014)

Office:	Elected:	Won by:	Percent voting <i>against</i> winner:
Moreno Valley City Council (#2) ¹⁰⁴	Jeff Giba (21.6%)	0.1% (7 votes)	78.3%
Pomona City Council (# 5) ¹⁰⁵	Ginna Escobar (28.9%)	2.0% (63 votes)	71.1%
Adelanto Mayor ¹⁰⁶	Rich Kerr (30.5%)	3.4% (67 votes)	69.5%
Glendale City Council ¹⁰⁷	Paula Devine (33.4%)	11.6% (2,302 vote)	66.4%

In some cases, when many candidates are running for a single seat, it is possible that the electorate's vote will be so divided that the most *disliked* candidate in the race is elected. This is called the “**spoiler effect**.” For example, imagine four candidates run for mayor, three pro-growth candidates receiving 30, 25, and 10 percent of the vote each and one anti-growth candidate receiving 35 percent. Under plurality voting, the anti-growth candidate would be elected, even though 65 percent of the electorate voted pro-growth.

Spoiler Effect Illustration



Vote-splitting and the spoiler effect can also occur in multi-seat plurality elections, like most at-large city council elections. Compared with single-seat by-district elections, at-large city council elections typically have more candidates because there are several seats up for election and no district residency requirements limiting who

¹⁰⁴ Riverside County Registrar of Voters, *Final Official Results: Consolidated General Election* (Nov. 4, 2014), available at: <http://www.voteinfo.net/Elections/20141104/eresults/Election%20Result.htm>.

¹⁰⁵ Los Angeles County Registrar of Voters, *Final Official Election Returns* (Jun. 3, 2014), available at: <http://rrcc.co.la.ca.us/elect/14110014/rr0014p21.htm#3478>.

¹⁰⁶ San Bernardino County Registrar of Voters, *Final Certified Election Results: Statewide General Election* (Nov. 4, 2014), available at: <http://www.sbcounty.gov/rov/elections/Results/20141104/default.html>.

¹⁰⁷ Los Angeles County Registrar of Voters, *Final Official Election Returns* (Jun. 3, 2014), available at: <http://rrcc.co.la.ca.us/elect/14062043/rr2043p18.htm#2911>.

can run. As a result, candidates are sometimes elected with a very small share of the total vote cast, calling into question whether the council is representative of the preferences of the electorate. For example, in the 2014 Dana Point city council election nine candidates ran for 3 seats, with none of the winning candidate receiving more than 15 percent of the vote.¹⁰⁸

Conversely, sometimes multi-seat plurality elections can dramatically *over-represent* the preferences of the majority. As discussed further in the **Council Electorate** section, because voters in at-large elections get one vote per seat it is possible for a slim but cohesively-voting majority of the electorate (e.g., 51%) to win every available seat on a city council, effectively shutting out even a substantial minority of the electorate (e.g., 49%) from electing any representative.

Two-Round Runoff

To address the problem of candidates being elected with low voter support, many charter cities¹⁰⁹ have adopted the “two-round runoff” election method, also known as the “**second-ballot system**,”¹¹⁰ to elect their city councils. Under this method, traditionally, if no candidate receives a majority of the vote, the top two vote-getting candidates advance to a second election, where the candidate who receives the most votes is elected. In all, 16 cities (3 percent) use some form of city council runoffs, primarily in cities that also use by-district elections. California’s three largest cities, Los Angeles,¹¹¹ San Diego,¹¹² and San Jose,¹¹³ all use runoffs. The other cities are: Burbank,¹¹⁴ Chula Vista,¹¹⁵ Compton,¹¹⁶ Fresno,¹¹⁷ Inglewood,¹¹⁸ Long Beach,¹¹⁹ Pasadena,¹²⁰ Redondo Beach,¹²¹ Riverside,¹²² Sacramento,¹²³ San Bernardino,¹²⁴ Seal Beach,¹²⁵ and Stockton.¹²⁶

General law cities, however, may not use runoff elections.¹²⁷ A bill before the State Legislature this past session would have allowed general law cities to adopt the traditional runoff for their local elections, but it was vetoed by the Governor.¹²⁸

¹⁰⁸ Orange County Registrar of Voters, *Election Results Archive: November 4, 2014*, available at: <https://www.ocvote.com/data/election-results-archive/>.

¹⁰⁹ In addition to their home rule powers over election, the state Elections Code provides that charter cities may adopt majority winner voting methods. See Elec. Code Secs. 14540 (“A plurality of the votes given at any election shall constitute a choice where not otherwise directed in the California Constitution, provided that it shall be competent in all charters of cities, counties, or cities and counties framed under the authority of the California Constitution to provide the manner in which their respective elective officers may be elected and to prescribe a higher proportion of the vote therefor.”) and 15452 (“The person who receives a plurality of the votes cast for any office is elected or nominated to that office in any election, except: (a) An election for which different provision is made by any city or county charter.”).

¹¹⁰ See Douglas Amy, *Behind the Ballot Box* 44 (2000).

¹¹¹ Los Angeles Charter Sec. 425.

¹¹² San Diego Charter Sec. 10.

¹¹³ San Jose Charter Sec. 1600.

¹¹⁴ Burbank Charter Sec. 800; Burbank Mun. Code 2-3-303(B) & 2-3-402(B).

¹¹⁵ Chula Vista Charter, Art. 3, Sec. 300.

¹¹⁶ Compton Charter, Secs. 1301, 1302; Compton Mun. Code Sec. 6-20.

¹¹⁷ Fresno Charter Sec. 1400.

¹¹⁸ Inglewood Charter, Art. VII, Sec. 1.5.

¹¹⁹ Long Beach Charter, Secs. 1905 and 1906.

¹²⁰ Pasadena Charter Sec. 1204.

¹²¹ Redondo Beach Charter Sec. 18.4.

¹²² Riverside Charter, Art. 4, Sec. 400.

¹²³ Sacramento Charter, Art. 10, Sec. 152.

¹²⁴ San Bernardino Charter, Art. II, Secs. 10 and 10-A.

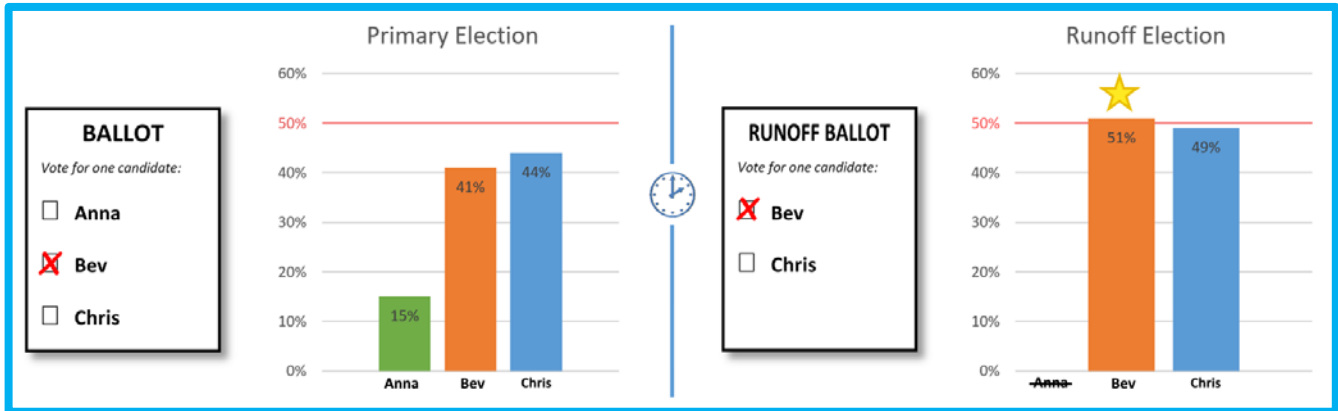
¹²⁵ Seal Beach Charter Sec. 509.

¹²⁶ Stockton Charter Sec. 601.

¹²⁷ This is true with one exception. Where two candidates receive an *equal* number of votes, state general law allows cities to determine the winner using a runoff election. See Cal. Elec. Code Sec. 15651(b).

¹²⁸ Senate Bill 1288 (Leno, 2016).

Two-Round Runoff Election



Two-Round Runoff Single-Seat Election: Each voter gets one vote. If a candidate receives a majority of the vote, he or she is elected. If not, the two candidates receiving the most votes advance to a second runoff election where the candidate receiving the most votes is elected. Here, no candidate received a majority in the general election, so Bev and Chris advanced to a second runoff election, where Bev prevailed.

A slight variation of the traditional two-round runoff, sometimes called the mandatory “**top two runoff system**,”¹²⁹ is used in Chula Vista,¹³⁰ Stockton,¹³¹ and, beginning in 2018, San Diego.¹³² (However, also in 2018, Stockton will switch to the traditional two-round runoff.¹³³) Under this system, which is used to elect California’s state and federal elected officials,¹³⁴ candidates first run in a primary election. The top two candidates in the primary then advance to a runoff general election, *regardless* of whether one of those candidates received an outright majority in the primary election. As a result, the main difference between this method and the traditional two-round runoff is that, under a mandatory top two runoff system, a runoff always occurs.

Runoff elections are almost exclusively used to elect single-seat offices, like mayor or city councilmembers elected by-district instead of at-large. Only one city has adopted runoffs for multi-seat at-large elections. In Burbank,¹³⁵ candidates run at-large in a nominating election. Voters have as many votes as there are seats to be filled. Any candidate who is marked on the ballots of a majority of the electorate is elected outright. If, however, there is not a majority-winner for every seat up for election, then the next two highest vote-getting candidates for every remaining seat advance to a runoff. For example, assume ten candidates run for three seats on the Burbank city council. If no candidate receives a majority, the six highest vote-getters (2 x 3 seats) would advance to an at-large runoff; however, if one candidate receives a majority, she would be elected and only the four next highest vote-getters (2 x 2 remaining seats) would advance. Like single-seat runoff elections, Burbank’s multi-seat runoff voting method is not available to general law cities.

The primary advantage of runoff elections is that they ensure a candidate receives the support of a majority of the electorate, and thus eliminates the spoiler effect in most cases.¹³⁶ Under a runoff, if an unrepresentative candidate received a plurality of the votes in the first election, they are not elected outright. The runoff provides a second election for the majority to consolidate its vote on the more representative of the two remaining candidates. Runoff

¹²⁹ Keith Smith, *Proposition 14 and California’s Minor Parties*, 6 CALIF. J. POLITICS & POLICY 438 (2014)

¹³⁰ Chula Vista Charter, Art. 3, Sec. 300.

¹³¹ Former Stockton Charter Sec. 704 (2015).

¹³² San Diego Measure K (Nov. 8, 2016) (amending Charter Sec. 10).

¹³³ Stockton Measure N (Nov. 8, 2016) (amending Charter Secs. 601 and 704).

¹³⁴ See Cal. Const. Art. II, Sec. 5. The Superintendent of Public Instruction, as a non-partisan office, is the one exception. See Cal. Const. Art. II, Sec. 6.

¹³⁵ Burbank Charter Sec. 800; Burbank Mun. Code 2-3-303(B) & 2-3-402(B).

¹³⁶ See Douglas Amy, *BEHIND THE BALLOT BOX* 45-46 (2000).

elections can also provide an opportunity for voters to take a second-look at the most viable candidates and focus in on their different visions for where the city should go.

There are two main disadvantages to two-round runoff elections. First, runoffs are more expensive than plurality elections because they require a city to pay for two elections instead of one. San Francisco officials, for example, estimated that their city saved millions of dollars in avoided runoff election costs by replacing its two-round runoff with another election method.¹³⁷

Second, depending on when the general (first-round) and runoff (second-round) elections are scheduled, there can be vastly different turnout between these elections. When city runoff elections are not synchronized with higher-visibility state elections, turnout in the runoff will mostly depend on how excited voters are about that particular race. In many cases, if the runoff is for a low-profile office, turnout will decline precipitously. This was the case in the 2001 election for San Francisco city attorney. In the general election, which also included more attention-grabbing competitions for several board of supervisor seats, 122,415 votes were cast for city attorney. However, in the ensuing city attorney runoff election, only 75,061 voters cast ballots -- a 39 percent drop-off in turnout.¹³⁸

By contrast, when the runoff is consolidated with the state general election, turnout can greatly increase. For example, San Diego has held its general elections in June of even years and its runoffs (when needed) in November of even-numbered years, both consolidated with the state elections. Because November state general elections attract much more voter attention than June state primary elections, turnout usually doubled between San Diego's general and runoff elections.¹³⁹ While an increase in turnout is a positive result, it is important to remember that most elections are decided without the need for a runoff; this means that the smaller, less diverse June electorate usually picked most of the city's elected officials. This was one of the reasons for why San Diegans voted to use, beginning in 2018, a mandatory top two runoff where the November electorate will always have the final say.

Instant Runoff Voting

Instant runoff voting (IRV), commonly called "**ranked choice voting** (RCV),"¹⁴⁰ is the next most used majority-winner voting system. Under IRV, voters have the option of ranking the candidates on their ballot by order of preference. If a candidate receives a majority of the first choice votes, she is elected. If no candidate receives a majority, the candidate who received the fewest votes is eliminated and her votes are redistributed to her voters' second choice. The votes are then recounted to see if any candidate now has a majority. If not, this process repeats, eliminating the lowest-scoring candidates sequentially and redistributing their votes, until a candidate receives a majority of the continuing votes and is elected. IRV gets its name because, since voters' preferences between candidates are known in advance, it can simulate the results of a runoff instantly, without a second election.

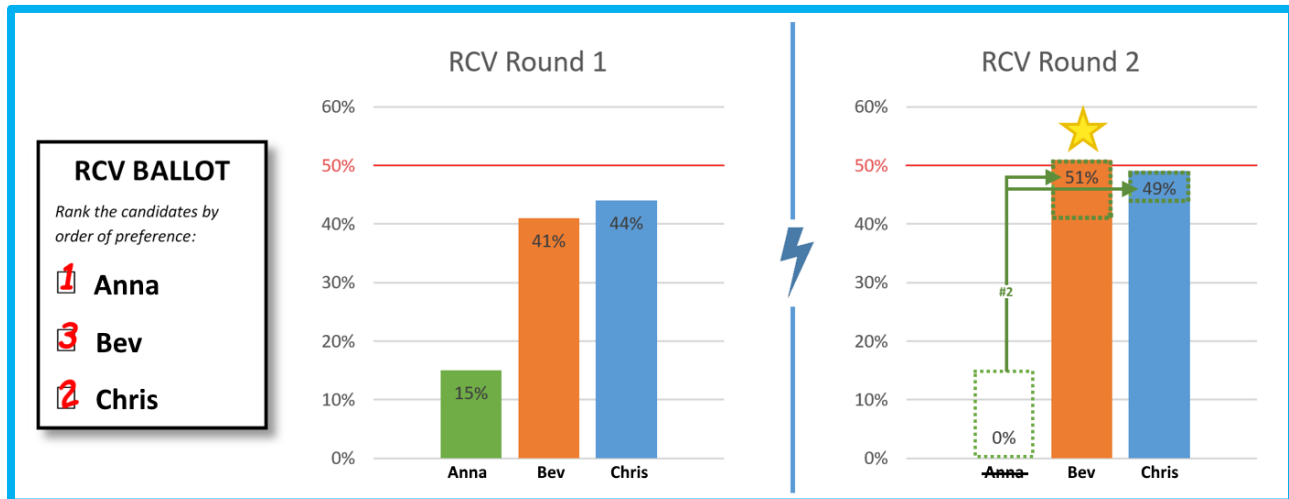
¹³⁷ See Supervisors Avalos and Campos, Press Release: *Supervisors Invest in Democracy* (Jan. 10, 2011), available at: <http://www.sfbos.org/modules/showdocument.aspx?documentid=40482>.

¹³⁸ San Francisco Department of Elections, *December 11, 2001 Municipal Run-Off Election and November 6, 2001 Consolidated Municipal Election*, available at: <http://sfgov.org/elections/past-election-results>.

¹³⁹ See David Garrick, *Measures K, L would boost power of November electorate*, SAN DIEGO UNION TRIBUNE (Oct. 22, 2016).

¹⁴⁰ See *id.* at 49. Although RCV is often used as a synonym for IRV, IRV is more precisely described as the single-member variant of RCV. IRV is also called the "Alternative Vote" outside of the United States.

Instant Runoff Voting Election



Instant Runoff Voting Election: Each voter has the option of ranking the candidates on their ballot. In Step 1, if a candidate receives a majority of the first-choice votes they are elected. If not, in Step 2 the candidate receiving the fewest votes is eliminated and their votes redistributed according to their voters' next ranked preferences. If a candidate now has a majority she is elected; otherwise this step repeats with the next lowest vote-getting candidate. In this example, no candidate had a majority of the first choice votes so Anna, receiving the fewest votes, was eliminated; most of her voters picked Bev as their second choice, enabling her to win a majority of the votes cast after adding Anna's redistributed second choice votes to her total.

RCV was first used in California municipal elections in 2004. Today, four Bay Area cities use RCV: Berkeley,¹⁴¹ Oakland,¹⁴² San Francisco,¹⁴³ and San Leandro.¹⁴⁴ This voting method is only available to charter cities. A bill before the State Legislature this past session would have allowed general law cities to adopt IRV for their local elections, but it was vetoed by the Governor.¹⁴⁵

To proponents,¹⁴⁶ IRV provides the same majority-winner benefits of the two-round runoff but, because the winner can be determined without needing a second election, it has none of the turnout discrepancies that can accompany runoffs. Oakland, for example, used to conduct its regular elections in June, consolidated with the state primary, to allow for a possible runoff in November, consolidated with the state general election. Most elections did not require a runoff and so were decided in lower-turnout June elections. After switching to RCV in 2010, the city moved its regular elections to November, resulting in a 40 percent increase in turnout over the prior 2006 midterm election.¹⁴⁷ Eliminating the need for a second election can also reduce a city's election administration costs and, by eliminating a second campaign fundraising cycle, may help less wealthy or politically-connected candidates compete.

There is also evidence that IRV encourages people to vote more honestly for their preferred candidate.¹⁴⁸ Plurality elections discourage voting for anyone other than the two most viable candidates because voting for any other

¹⁴¹ Berkeley Mun. Code, Tit. 2, Ch. 2.14 (Sec. 2.14.010 et seq.).

¹⁴² Oakland Charter Sec. 1105.

¹⁴³ San Francisco Charter Sec. 13.102.

¹⁴⁴ San Leandro Mun. Code, Tit. 1, Ch. 1-11, art. 3 (Sec. 1-11-300 et seq.).

¹⁴⁵ Senate Bill 1288 (Leno 2016).

¹⁴⁶ See, e.g., San Francisco Proposition A, Argument in Favor (Mar. 5, 2002).

¹⁴⁷ Ella Baker Center and Oakland Rising, Infographic: *Ranked Choice Voting* (2011), available at: http://ellabakercenter.org/sites/default/files/downloads/ebc_2010_mayoral_election_rcv_infographic.pdf.

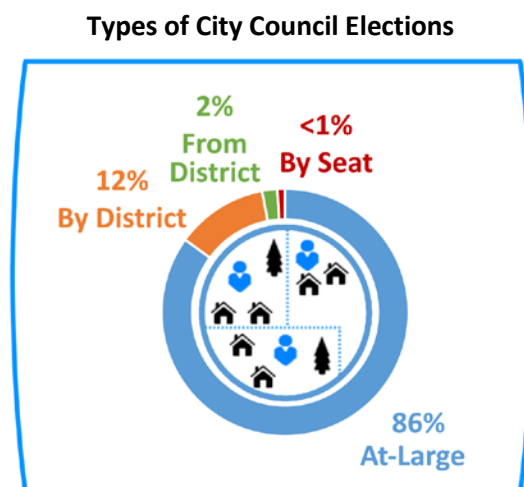
¹⁴⁸ Francis Neely, *An Assessment of Ranked Choice Voting in the San Francisco 2004 Election*, Public Research Institute at San Francisco State University 67 (May 2005) (47% of San Franciscans said they were "more likely" to vote for their most

candidate risks spoiling the election. Under IRV, however, a voter can rank their most preferred candidate first, regardless of their viability, then a safer choice further down on their ballot to prevent the possibility of vote-splitting in close elections.

Critics of IRV contend that its vote-counting methodology confuses voters,¹⁴⁹ especially minority and low-income voters who may be disenfranchised as a result.¹⁵⁰ The concern is that voters may not understand the concept of ranking, as opposed to selecting, candidates. Proponents dispute this, pointing out that the ballot error rate under IRV is comparable to the state mandatory top-two runoff¹⁵¹ and that voters' self-reported understanding of IRV is identical to other local voting methods.¹⁵² Advocates for the traditional two-round runoff also argue that requiring a second election when there is no outright majority winner is an advantage over IRV because it provides the electorate with an opportunity to further scrutinize just the most viable candidates.¹⁵³

Council Electorate

Elected mayors, city clerks, city treasurers, and other city officers are always elected by citywide vote. However, for city council elections, state law allows councilmembers to be elected “**at-large**,” at-large “**from districts**,” or “**by district**.”¹⁵⁴ In traditional at-large elections, councilmembers run for office at-large and are voted on by all the residents of the city. In by-district elections, the city is divided into four or more districts; candidates run to represent a district and are voted for only by the voters of that district. From-district elections are a hybrid of traditional at-large and by-district elections: candidates run to represent a particular district but are voted for by the entire city electorate. Two charter cities have adopted another variation of traditional at-large voting called at-large “**by-seat**.” Under this system, candidates run citywide for a particular seat on the council (e.g. Seat 1, Seat 2), even though that seat does not represent a geographic area.



preferred candidate under RCV than under the traditional runoff; 51% said it made “no difference” and 3% said it made them “less likely”).

¹⁴⁹ See, e.g., John Cote, *S.F. ranked-choice voting confusing, poll says*, SAN FRANCISCO CHRONICLE (Mar. 2011).

¹⁵⁰ Lance Williams, *Low-income voters struggled with ranked-choice voting*, CALIFORNIA WATCH (Jan. 5, 2011).

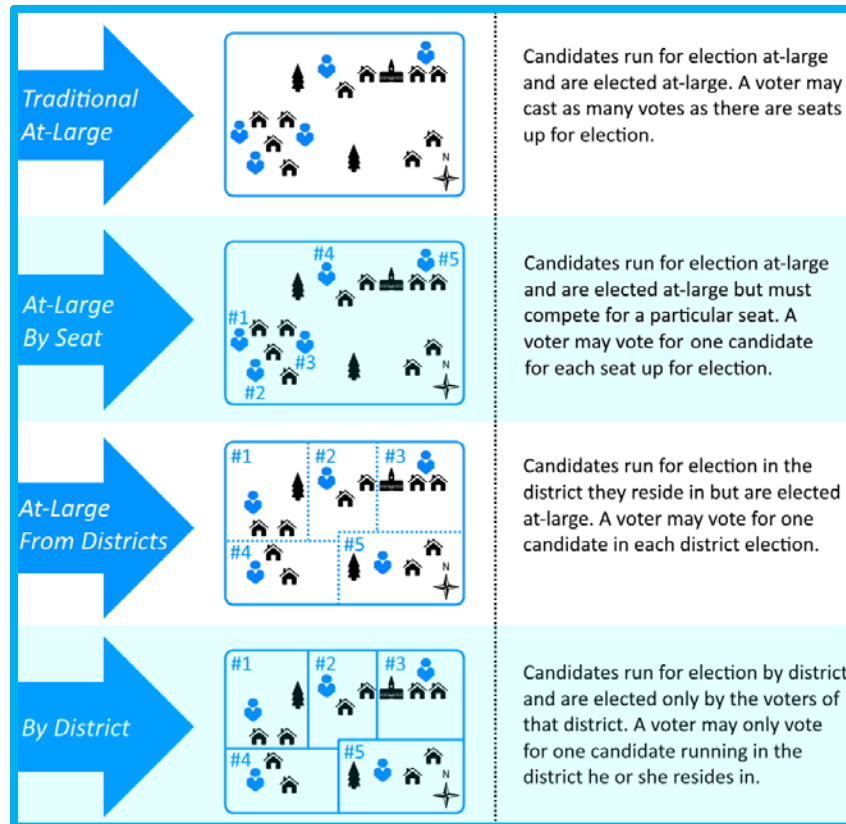
¹⁵¹ Rob Richie, *Voter Error in Top Two Primary Can Be Far Higher than in RCV Races*, Fairvote (Aug. 12, 2014), available at: www.fairvote.org/voter-error-in-top-two-primary-can-be-far-higher-than-in-rcv-races.

¹⁵² See Sarah John and Caroline Tolbert, *Socioeconomic and Demographic Perspectives on Ranked Choice Voting in the Bay Area*, Fairvote 22 & 25 (Apr. 2015) (finding no statistical difference between Bay Area voters' self-reported understanding of plurality [83%], IRV [84%] and top-two runoff [85%]).

¹⁵³ Lance Williams, *Despite setbacks, critic of ranked-choice voting persists*, CALIFORNIA WATCH (May 27, 2011).

¹⁵⁴ See Cal. Gov. Code Sec. 57116(b) (upon incorporation voters must decide whether “members of the city council in future elections are to be elected by district, from district, or at large”). See also Cal. Gov. Code Secs. 34871 (allowing by- or from-district elections), 34873 (allowing repeal of by- or from-district elections), 34884 (allowing option of at-large elections); *Bridges v. City of Wildomar*, 238 Cal.App.4th 859 (2015) (city could revert to at-large elections).

City Council Election Systems



The general rule had been that cities may only change from one system to another by majority vote of that city's electorate;¹⁵⁵ however, as of 2016 cities with fewer than 100,000 residents may transition from at-large or from-district elections to by-district elections with a city council-passed ordinance, if that change was done to address concerns of racial minority vote dilution.¹⁵⁶ Beginning in 2017, new legislation will allow any-sized city to transition to by-district elections without a confirming vote of the electorate.¹⁵⁷

Overview of At-Large Elections

The **at-large** election is the most common system for electing city councils in California, although many cities are now switching to by-district elections in the face of civil rights complaints. In an at-large election system, city council candidates run for office citywide and are elected by the city's electorate as a whole, rather than by district.¹⁵⁸ At-large elections were a Progressive-era reform, "intended to reduce the parochial influence of machine-organized ethnic neighborhoods on the city as a whole."¹⁵⁹ Proponents of at-large elections believe that under this system "[b]etter-qualified individuals are elected to the council because the candidate pool is larger"

¹⁵⁵ See Cal. Gov. Code Sec. 57116(b) (city formation); Cal. Gov. Code Secs. 34871 & 34873 (transitioning election systems).

¹⁵⁶ See Cal. Gov. Code Sec. 34886 ("the legislative body of a city with a population of fewer than 100,000 people may adopt an ordinance that requires the members of the legislative body to be elected by district or by district with an elective mayor ... without being required to submit the ordinance to the voters for approval.").

¹⁵⁷ See AB 2220 (Cooper) (Ch. 751, Statutes of 2016) (amending Cal. Gov. Code Sec. 34886).

¹⁵⁸ Cal. Elec. Code Sec. 14026(a)(1) ("At-large method of election' means ... [o]ne in which the voters of the entire jurisdiction elect the members to the governing body.").

¹⁵⁹ Larry Gerston and Terry Christensen, CALIFORNIA POLITICS AND GOVERNMENT: A PRACTICAL APPROACH 128 (13th ed. 2016).

and that these councilmembers are better able to “rise above the limited perspective of a single district and concern themselves with the problems of the whole community.”¹⁶⁰

At-large elections have come under heavy criticism in recent decades. Detractors argue that at-large systems can lead to certain areas of the city, especially low-income and minority areas, being unrepresented and politically neglected.¹⁶¹ Some civil rights organizations are also critical of at-large election systems because, by giving each voter one vote per seat to be elected, they can enable a cohesively voting majority to elect every seat on the city council, effectively preventing even a substantial minority population from having any representation. For example, if a city with extremely racially polarized voting has an electorate that is 55 percent white and 45 percent Latino, traditional at-large voting could enable white voters to elect 100 percent of the council seats – shutting out all minority representation.¹⁶²

In response, the Legislature passed the California Voting Rights Act of 2001 (CVRA) to prohibit the use of at-large elections that “impair[] the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election” as a result of racially polarized voting.¹⁶³ A protected class is defined to mean “members of a race, color, or language minority group” pursuant to the federal Voting Rights Act.¹⁶⁴ Although a judge has discretion in terms of what remedies she imposes under the CVRA, the most common remedy has been to require a city to move to by-district elections, often with the requirement that one or more majority-minority districts be created.¹⁶⁵ The CVRA, which was held to apply to charter cities,¹⁶⁶ has prompted dozens of cities to since switch to by-district elections.

Nonetheless, according to the MDI survey, a majority of cities (423 cities, 88%) still use some form of at-large voting. Interestingly, neither the state Elections Code nor the Government Code specify exactly how at-large elections should be conducted in general law cities.¹⁶⁷ In practice, there are three types of at-large voting systems in California: traditional at-large, at-large from-districts, and at-large by-seat.¹⁶⁸ While not presently in use in California, in the past decade some cities have expressed interest in two other at-large systems because they do a better job of ensuring minority representation: cumulative voting and single transferable vote.

Traditional At-Large Voting

Traditional at-large voting, sometimes also called the “**pure at-large**,” “**at-large by group**,” or “**block voting**” system, is the only true multi-seat election system used in California. In a traditional at-large election, each voter may cast a number of votes equal to the number of seats that are up for election. All candidates run citywide and

¹⁶⁰ National League of Cities, *Municipal Elections*, available at: <http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-officials/municipal-elections> (last accessed Jan. 2016).

¹⁶¹ *Id.*

¹⁶² In cities with racially-polarized voting but where minority voter turnout is lower than white voter turnout, at-large voting can also produce all-white city councils in majority non-white cities. See Will Evans, *White-dominated boards face legal threats over racial makeup*, CALIFORNIA WATCH (Mar. 9, 2012) (finding 13 majority non-white California cities with all-white city councils and 21 cities with only one non-white councilmember).

¹⁶³ Cal. Gov. Code Sec. 14027.

¹⁶⁴ Cal. Gov. Code Sec. 14026(e).

¹⁶⁵ Cal. Gov. Code Sec. 14029.

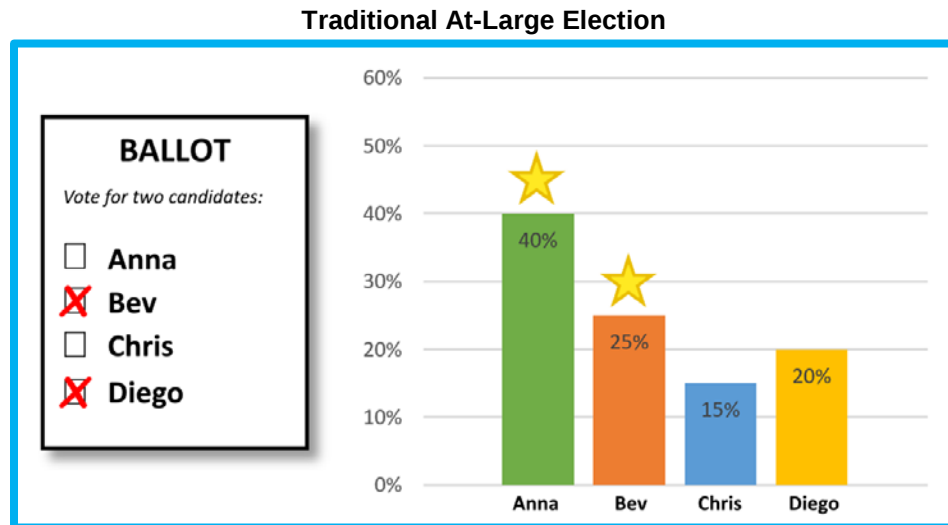
¹⁶⁶ *Jauregui v. City of Palmdale*, 226 Cal. App. 4th 781 (2014).

¹⁶⁷ See, e.g., Cal. Gov. Code Sec. 34884, 57116, 57178. However, the California Voting Rights Act, which prohibits the use of at-large elections when it produces discriminatory results, defines at-large election method as: “(1) One in which the voters of the entire jurisdiction elect the members to the governing body” or “(2) One in which the candidates are required to reside within given areas of the jurisdiction and the voters of the entire jurisdiction elect the members to the governing body.” Cal. Elec. Code Sec. 14026(a).

¹⁶⁸ *Aldasoro v. Kennerson*, 922 F. Supp. 339, 355 (S.D. Cal. 1995) (“the three most commonly used at-large election systems [are] pure at-large..., at-large with a residency subdistrict, and at-large with posts or places”).

the candidates that receive the highest number of votes (i.e., a plurality¹⁶⁹) up to the number of seats to be filled are elected.

For example, if four candidates are running for two seats in an at-large election, each voter would be asked to vote for two different candidates. Of the four candidates, the two who receive the most number of votes would be elected.



Traditional At-Large: Each voter gets as many votes as there are open seats, in this case two. The candidates receiving the most votes win, in this case Anna and Bev.

The overwhelming majority of California cities (413 cities, 86%), representing 16.9 million Californians (52% of the city population), use this traditional form of at-large voting to elect their city councils. This system is particularly popular among small and mid-sized cities. The smallest city to use traditional at-large voting is Amador (190 residents), while the largest is Irvine (258,000 residents). As discussed further in **Part 5: Observations & Trends**, because of civil rights litigation a number of cities have recently moved away from this voting system.

At-Large From-Districts Voting

The next most common form of at-large voting, which is expressly provided for in the Government Code,¹⁷⁰ is the **at-large from-districts** election, sometimes called “**at-large by residency**” elections. Under this system, candidates run to represent (and must reside in) a particular district in the city, but are nonetheless elected by voters citywide (rather than from just that district). The candidate from each district who receives the most votes is elected. Unlike traditional at-large voting, because candidates are running to represent a district, voters only cast one vote per district but may still vote for every council position in the city.

The from-district system is intended to provide broader geographic representation on the city council than traditional at-large elections while still ensuring that councilmembers are accountable to the electorate as a whole. However, like traditional at-large voting, it can still enable a bare majority of the electorate to win every available seat, effectively shutting out minority representation.

¹⁶⁹ At-large election all use the plurality voting method except for the city of Burbank, which uses a two-round runoff at-large election system.

¹⁷⁰ Cal. Gov. Code Sec. 34871 (“The term ‘from districts’ shall mean election of members of the legislative body who are residents of the district from which they are elected by the voters of the entire city.”).

In 2016, eight cities had at-large from-district elections: Alhambra,¹⁷¹ Elk Grove,¹⁷² Eureka,¹⁷³ Newport Beach,¹⁷⁴ Reedley,¹⁷⁵ Stockton,¹⁷⁶ Santa Ana,¹⁷⁷ and Woodside.¹⁷⁸ In November 2016, voters in Eureka and Stockton repealed their from-district election systems and will be conducting by-district elections in the future.¹⁷⁹

Up until its repeal in 2016, Stockton¹⁸⁰ used a unique variation of the at-large from-district system that incorporated mandatory top two runoffs. Candidates first ran for nomination in an election where only district residents could vote. The top two district vote-getters then advanced to a second, citywide election to determine who would represent that district. Incumbents under this system were thus directly accountable to *two electorates*: district voters and citywide voters.

At-Large By-Seat Voting

Two cities use at-large elections but require candidates to run for a numbered seat (e.g. Seat 1, Seat 2, etc.). The **at-large by-seat** voting system, also called the “**at-large by numbered post**” system, differs from the at-large from-district system because the seats do not represent a geographic area; a candidate may run for *any* seat up for election. In theory, this system promotes greater political accountability than a traditional at-large election, because candidates may target specific incumbents to challenge.¹⁸¹ While a rare voting system for cities, superior court elections are conducted using at-large by seat elections¹⁸² and school and community college districts are expressly authorized to use this system.¹⁸³

Currently, only two charter cities, Santa Clara¹⁸⁴ and Sunnyvale,¹⁸⁵ use at-large by seat elections. Until recently, Chula Vista¹⁸⁶ and Modesto¹⁸⁷ also used this system, but both cities have since transitioned to by-district elections in the face of civil rights lawsuits. Because state law does not expressly allow general law cities to use this voting method, it may only be available to general law cities.

At-Large Voting Systems Used Outside of California

A few other municipal at-large voting systems used outside California and have been explored for use in this state, particularly to address the concerns of minority disenfranchisement in traditional at-large voting.

Cumulative Voting: Outside of California, many cities have adopted cumulative voting as a way of empowering minority communities in at-large voting.¹⁸⁸ Cumulative voting is set up the same as traditional at-large voting in

¹⁷¹ Alhambra Charter, Art. 3, Sec. 7.

¹⁷² Elk Grove City Council, Resolution No. 2016-089 (May 11, 2016).

¹⁷³ Former Eureka Charter, Art. 2, Sec. 201.

¹⁷⁴ Newport Beach Charter, Art. 4, Sec. 400.

¹⁷⁵ Reedley Mun. Code, Tit. 1, Sec. 1-5-10.

¹⁷⁶ Former Stockton Charter Sec. 601 (2015) (“The six (6) Councilmembers shall be nominated from districts, and shall be elected by the qualified electors of the City at large.”).

¹⁷⁷ Santa Ana Charter, Art. 4, Sec. 400.

¹⁷⁸ Woodside Mun. Code, Tit. 3, Sec. 30.02.

¹⁷⁹ Eureka Measure P (Nov. 8, 2016) (amending Charter Sec. 201); Stockton Measure N (Nov. 8, 2016) (amending Charter Sec. 601).

¹⁸⁰ Former Stockton Charter Sec. 601 (2015).

¹⁸¹ See Rod Diridon, Jr., *A Comparison of Basic At-Large and At-Large By-Seat Elections Systems in the State of California* 6-7 (2013) (unpub. San Jose State University Master’s thesis), available at: www.scholarworks.sjsu.edu/cgi/viewcontent.cgi?article=1289&context=etd_projects (last visited Jan. 2016).

¹⁸² Cal. Elec. Code Sec. 8200 *et seq.*

¹⁸³ Cal. Elec. Code Sec. 10601.

¹⁸⁴ Santa Clara Charter Sec. 700.1.

¹⁸⁵ Sunnyvale Charter Sec. 601.

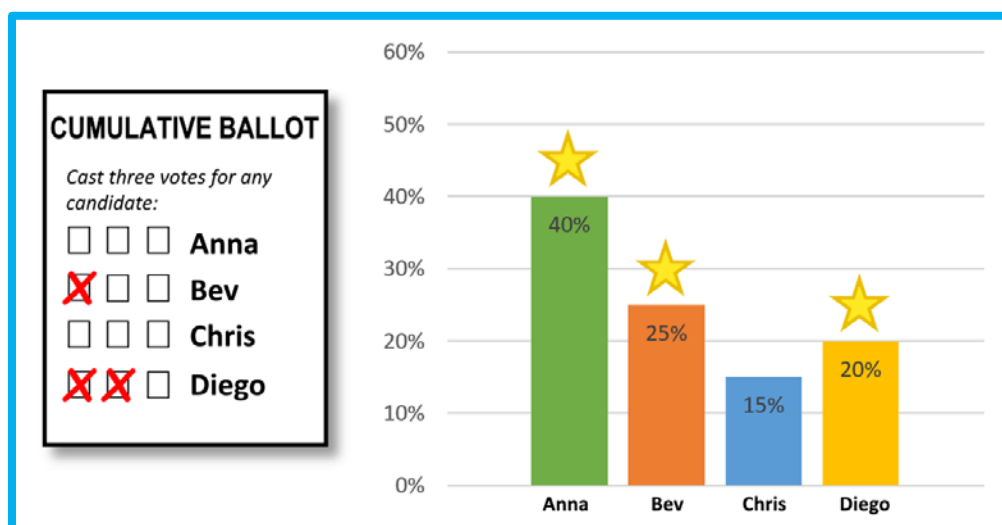
¹⁸⁶ See Chula Vista, Proposition B (Nov. 6, 2012) (amending Chula Vista Charter Sec. 300).

¹⁸⁷ See Modesto, Measure N (Feb. 5, 2008) (amending Modesto Charter Sec. 501).

¹⁸⁸ See, e.g., Pam Adams, *Cumulative voting worked, surviving plaintiffs says* PEORIA JOURNAL STAR (Nov. 1, 2011) (cumulative voting adopted in 1987 consent decree settling civil rights complaint).

that candidates run at-large, voters are allocated a number of votes equal to the number of seats to be filled, and the winner is determined by plurality vote. However, under cumulative voting a voter is not required to cast each vote for a separate candidate: voters have the option of allocating *all* their votes to the same candidate. Cumulative voting may help minority voters elect a candidate of their choice by enabling them to consolidate most or all of their votes in one single candidate (often called “plumping” or “bullet voting”), increasing that candidate’s chance of being elected.

At-Large Cumulative Voting Election



Cumulative Voting At-Large Election: Each voter gets as many votes as there are open seats, in this case three. The voter may allocate these votes however they want, including giving multiple votes to the same candidate. The candidates receiving the most votes win, in this case Anna, Bev, and Diego.

In California, a few cities have considered moving to cumulative voting to settle or address CVRA lawsuits. The Highland City Council endorsed moving to cumulative voting if their current at-large system was struck down.¹⁸⁹ In 2015 Santa Clarita reached a settlement agreement with CVRA plaintiffs to adopt cumulative voting to address concerns of minority disenfranchisement. However, the judge rejected the settlement agreement, grounding his decision on the fact that Santa Clarita, as a general law city, was not authorized to adopt this voting system.¹⁹⁰

Proponents argue that cumulative voting generally results in better representation for political and racial minorities than traditional at-large voting.¹⁹¹ It can also result in better representation for ethnic minorities than by-district elections where the underrepresented group is dispersed across the city and cannot be drawn into its own district. Opponents argue that cumulative voting incentivizes strategic voting and remains vulnerable to the spoiler effect. In combination, cumulative voting can lead to “inconsistent results, sometimes giving [voting blocs] far more or far fewer seats than they deserve.”¹⁹²

Single Transferable Vote: Historically, a number of U.S. cities, including Sacramento in the early twentieth century,¹⁹³ used an at-large system of proportional representation called single transferable vote (STV), also sometimes known as “**choice voting**.” STV is the multi-seat version of instant runoff voting (IRV), discussed above in the **Voting Methods** section. While STV is extensively used abroad for parliamentary elections,

¹⁸⁹ Sandra Emerson, *Highland City Council supports cumulative voting system* REDLANDS DAILY FACTS (Nov. 10, 2015).

¹⁹⁰ Luke Money, *Court rules against cumulative voting in Santa Clarita* SANTA CLARITA VALLEY SIGNAL (Sep. 22, 2015).

¹⁹¹ See Douglas Amy, *BEHIND THE BALLOT BOX* 119 (2000).

¹⁹² *Id.* at 123.

¹⁹³ The system was held unconstitutional by a court of appeal under a section of the California Constitution that has since been repealed. See *People ex rel. Devine v. Elkus*, 59 Cal. App. 396 (1922).

Cambridge, Massachusetts¹⁹⁴ is the only U.S. city using STV today; however, in 2006 Davis voters passed an advisory measure recommending that the city consider using STV.¹⁹⁵ As a general law city, Davis is not able to adopt STV.

Like IRV, STV ballots differ from traditional at-large ballots in that voters rank the candidates in order of preference (i.e., #1, #2, #3, etc.), rather than casting an equal vote for multiple candidates up to the number of open seats. Under STV, candidates are still elected at-large but, unlike traditional at-large voting, they must receive at least a certain threshold of voter support to be elected; the percent of the vote needed to be elected depends on the number of seats to be filled.¹⁹⁶ Fairvote, a national organization which advocates for STV, describes the vote-counting methodology as follows:

“A candidate who reaches the [vote threshold from first choice votes] is elected, and any excess votes over the threshold are then counted for the voters’ second choices. Then, after excess votes are counted, the candidate with the fewest votes is eliminated. The voters who selected the defeated candidate as a first choice will then have their votes counted for their second choice. This process continues until all seats are filled.”¹⁹⁷

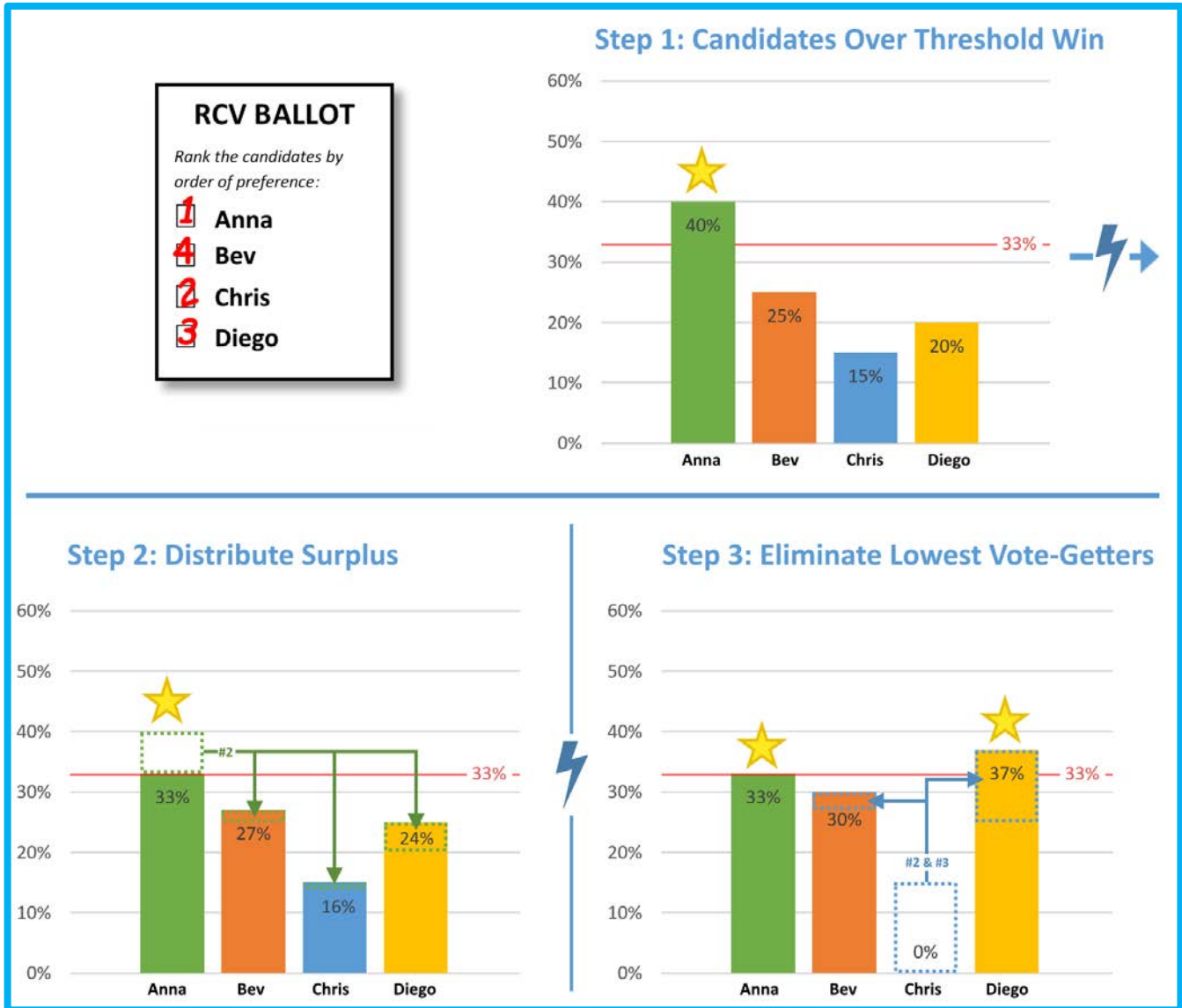
¹⁹⁴ See Cambridge, MA City Mun. Code, Tit. II, Sec. 2.02.030; Massachusetts Gen. L., Part I, Tit. VII, Ch. 43, Sec. 96.

¹⁹⁵ Davis, Measure L (Nov. 7, 2006).

¹⁹⁶ The most common votes-to-be-elected threshold is the “Droop Quota,” calculated as the total number of votes cast divided by one more than the number of seats to be filled, plus one vote. In equation form: Votes needed = (votes cast / seats + 1) + 1. The Droop Quota represents the smallest possible vote threshold which will result in a candidate being elected to every seat without any other candidate being capable of reaching that vote threshold.

¹⁹⁷ Fairvote, *Ranked Choice Voting / Instant Runoff Voting*, available at: http://www.fairvote.org/rcv#how_rcv_works (last visited Jan. 2016).

Single Transferable Vote Election



Single Transferable Vote (STV) Election: STV is a proportional election system requiring candidates to reach a certain threshold of votes, dependent on the number of seats being voted on, to be elected. Each voter has the option of ranking the candidates on their ballot. The vote is calculated in a series of steps. In Step 1, any candidate who receives more first-choice votes than the threshold (here, $33\% + 1$ in a 2-seat election) is elected. In this example, Anna is elected outright. In Step 2, any surplus votes that a winning candidate received (i.e. first-choice votes exceeding the threshold to be elected) are redistributed proportionally according to their voters' second-choices. In Step 3, if no candidate has received sufficient votes to reach the threshold, the candidate who received the fewest votes (here, Chris) is eliminated and their votes redistributed according to their voters' next ranked preferences. This last step may repeat until a number of candidates equaling the number of seats to be filled reach the threshold and are elected. In this case, Diego reaches the threshold after Chris's votes are redistributed, and is elected.

As a pure proportional representation voting method, proponents argue that STV does the best job of electing a legislative body that matches the diverse preferences of the electorate as whole.¹⁹⁸ In particular, STV is more

¹⁹⁸ See Fairvote, *Proportional Representation*, available at http://www.fairvote.org/proportional_representation#what_is_fair_voting (last visited Jan. 2016).

likely to result in representation for a substantial minority voting bloc than any other at-large election system. However, critics of STV argue that the system is confusing and can enable fringe candidates to get elected.¹⁹⁹

By-District Voting

Fifty-nine, or 12 percent of cities, use single-seat, district-based (or, “**by-district**” or “**by-ward**”) elections to elect their city councilmembers. Large cities are especially likely to use this system. To proponents, by-district elections do a better job of ensuring that every area of the city is represented and has an elected advocate. Per the National League of Cities, “[d]istrict elections give all legitimate groups, especially those with a geographic base, a better chance of being represented on the city council, especially minority groups.”²⁰⁰ By-district elections may also reduce the cost of campaigning because there are fewer voters that a candidate needs to reach out to. By contrast, critics argue that by-district elections promote balkanization and parochialism, and can produce more intra-city council conflict as each member tries to maximize resources for their particular district.²⁰¹

There are 59 cities using by-district elections, representing 12 percent of cities and 44 percent of the state’s city population. The number of cities using by-district elections is growing rapidly; since 2002, when the CVRA was adopted, the number of cities with by-district elections has increased almost *threefold*.²⁰² Sixteen additional cities have already committed to transitioning to by-district elections after 2016, mostly in 2017 or 2018.

Cities with By-District Elections (59)

Anaheim	Hollister	Sacramento
Bakersfield	Inglewood	Salinas
Banning	King City	San Bernardino
Berkeley	Long Beach	San Diego
Bradbury	Los Angeles	San Francisco
Buena Park	Los Banos	San Jose
Chino	Madera	San Juan Capistrano
Chula Vista	Menifee	San Leandro
Colton	Merced	Sanger
Compton	Modesto	Santa Barbara
Dinuba	Moreno Valley	Seal Beach
Dixon	Oakland*	Tulare
Downey*	Palmdale	Turlock
Eastvale	Parlier	Visalia
Escondido	Pasadena	Watsonville
Fresno	Patterson	Whittier
Garden Grove	Pomona	Wildomar
Hanford	Redondo Beach	Woodland
Hemet	Riverbank	Yucaipa
Highland	Riverside	

**Mixed systems where one councilmember is elected at-large and the remainder by district.*

¹⁹⁹ See Douglas Amy, BEHIND THE BALLOT BOX 84 & 138 (2000).

²⁰⁰ National League of Cities, *Municipal Elections*, available at: <http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-officials/municipal-elections> (last visited Jan. 2016).

²⁰¹ See, e.g., National League of Cities, *Municipal Elections*, available at: <http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-officials/municipal-elections> (last visited Jan. 2016).

²⁰² Zoltan L. Hajnal et al, *Municipal Elections in California: Turnout, Timing, and Competition*, Public Policy Institute of California 21 (2002) (identifying 21 cities with by district elections in 2002).

Cities Transitioning to By-District Elections After 2016 (16)

Bellflower (2018)	Fullerton (2018)
Cathedral City (by 2022)	La Mirada (2017)
Ceres (2017)	Placentia (2018)
Chino Hills (2018)	Rancho Cucamonga (2018)
Corona (2018)	Redlands (2018)
Costa Mesa (2018)	San Marcos (2018)
El Cajon (2018)	Stockton (2018)
Eureka (2018)	Upland (2018)

While plurality voting still dominates, cities with by-district elections are much more likely than cities with at-large elections to adopt majority-winner voting methods. Whereas nearly every city with at-large elections use plurality-winner voting, 32 percent of cities (19 cities) with by-district elections use either the two-round runoff or IRV.

Mixed Election Systems

Some cities eschew pure at-large or pure by-district elections for their city councils in favor a mixed system, where some members of the city council are elected at-large and others are elected by district. For example, the city of Boston, Massachusetts, has 13 council members, four of whom are elected at-large and nine by district.²⁰³ Mixed systems are designed to produce councils that will consider and better balance district and citywide needs.

While nationally many cities use mixed election systems,²⁰⁴ they are rare in California. Only Oakland²⁰⁵ and Downey²⁰⁶ have a mixed system, but in both cities only *one* councilmember is elected at-large with the remainder being elected by district. This does not provide the strong citywide perspective that is traditionally sought in mixed systems and, in practice, is not much different from the 35 California cities with (at-large) elected mayors that serve on councils elected by district.

Redistricting

U.S. Supreme Court precedent, interpreting the U.S. Constitution's Equal Protection Clause, requires states and cities that use by-district elections to redraw district boundaries every ten years to ensure each district is substantially equal in population.²⁰⁷ This process is called "**redistricting**" or sometimes (incorrectly) "**reapportionment**."²⁰⁸ Under California law, general law cities whose legislative bodies are elected by or from districts must redraw their district boundaries by "the first day of November of the year following the year in which

²⁰³ Massachusetts Acts of 1982, Ch. 605, Sec. 1.

²⁰⁴ National League of Cities, *Municipal Elections*, available at: www.nlc.org/build-skills-and-networks/resources/cities-101/city-officials/municipal-elections (last visited July 2016) ("Twenty-one percent of municipalities combine these two methods by electing some council members at large and some from districts.").

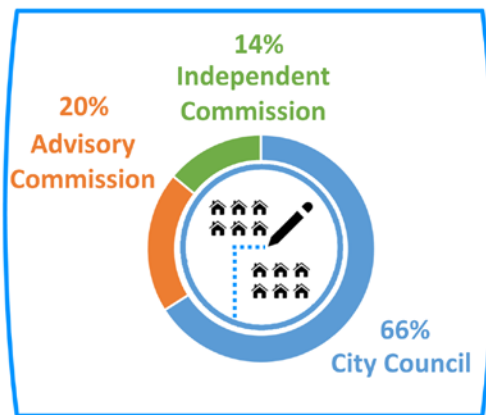
²⁰⁵ Oakland Charter Sec. 203.

²⁰⁶ Downey Charter Sec. 1305.

²⁰⁷ *Reynolds v. Sims*, 377 U.S. 533, 584 (1964) (redistricting should occur at least every 10 years); *Avery v. Midland County*, 390 U.S. 474, 476 (1968) ("one person, one vote" applies to cities).

²⁰⁸ Strictly-speaking, redistricting refers to the once-per-decade re-drawing of legislative district boundaries (for the U.S. House of Representatives, the state legislature, city council, etc.) to ensure that each district is nearly or substantially equal in population. By contrast, reapportionment is the determination of how many U.S. House seats each state receives after based on updated decennial census figures. See U.S. Census, *Frequently Asked Questions: What is the difference between apportionment and redistricting?*, available at: <https://ask.census.gov/faq.php?id=5000&faqId=985> (last visited Oct. 2016). However, California's Elections Code uses the terms interchangeably. Compare, e.g., Cal. Elec. Code Secs. 21000 ("reapportionment") and 21001 ("redistricting").

Redistricting Body in Cities with By-District Elections



each decennial federal census is taken.”²⁰⁹ The power to redraw city council district boundaries was, until recently, reserved for the city council.²¹⁰ In establishing district boundaries, a council may consider the following factors: “(a) topography, (b) geography, (c) cohesiveness, contiguity, integrity, and compactness of territory, and (d) community of interests of the districts.”²¹¹

The historical practice of having state legislatures and city councils draw their own district boundaries has been heavily criticized by good government groups as an inherent conflict of interest.²¹² Incumbents have often used this line-drawing power to protect themselves from electoral competition or to harm their political opponents.²¹³ In 2008 Californians sought to fix this problem by passing Proposition 11, which turned over the line-

drawing power from the State Legislature to an independent citizens commission. The Commission, which redrew state legislative and congressional boundaries in 2011, drew districts that were more compact, split fewer cities, increased minority representation, and were more politically competitive than the prior Legislature-drawn lines.²¹⁴

Several charter cities, many expressly inspired by the state model, have adopted their own local redistricting commissions. Commissions vary greatly in size, who appoints the commissioners, who can serve on the commission, what criteria commissioners must use in drawing new district lines, and most importantly whether the commissions are merely **advisory** bodies or are **independent** commissions that have been handed over the line-drawing power. For example, in San Jose commissioners are directly appointed by councilmembers and can provide advice only. By contrast, in San Diego a retired panel of judges appoints a commission with full line-drawing powers. In the past few years several cities -- including Berkeley, Chula Vista, Oakland, and Sacramento -- have taken inspiration from the state redistricting commission and adopted independent commissions where commissioners are picked through a combination of random selection and commissioner self-selection.

In all, 22 cities with by-district elections either recently used or have established either advisory (14) or independent (8) redistricting commissions. Some commissions are permanent creations, whereas others were only established for the most recent districting or redistricting and many not be brought back for the 2021 redistricting cycle.

²⁰⁹ Cal. Elections Code Sec. 21602.

²¹⁰ Cal. Elections Code Sec. 21601. See also Cal. Gov. Code 34884 (upon incorporation, city council first city council districts).

²¹¹ Cal. Elections Code Sec. 21601.

²¹² See Text of Proposition 11 Sec. 2(a) (Nov. 2014 Gen. Elec.) (“Allowing politicians to draw their own districts is a serious conflict of interest that harms voters.”).

²¹³ See, e.g., Steven Hill, *The \$20,000 bargain to keep your seat*, SAN FRANCISCO CHRONICLE (Dec. 5, 2004) (“The Democrats also drew safe seats for the state Senate and Assembly districts. Those resulted in 90 percent of state legislative races won by landslides in the recent election. The incumbents literally did away with most legislative elections in California. ... Most elections are decided during the line-rigging process, when the politicians use sophisticated computers to handpick their voters before voters pick them.”).

²¹⁴ Nicholas Stephanopoulos, *Communities and the California Commission*, 23 STANFORD L. AND POLICY R. 281 (2012).

Independent (8) and Advisory (14) Redistricting Commissions

City	Duration	Power	Size	Selection Process	Authority
Anaheim ²¹⁵	One-time	Advises council	5	Random selection of retired judges	Resolution
Berkeley ²¹⁶	Ongoing	Adopts maps	13	Random & self-selection	Charter
Chula Vista ²¹⁷	Ongoing	Adopts maps with council input	7	Random & self-selection	Charter
Dinuba ²¹⁸	Ongoing	Advises council	[Variable]	[council selects process]	Charter
Downey ²¹⁹	Ongoing	Advises council	5+	Political appointees	Charter
Escondido ²²⁰	Ongoing	Adopts maps with council input	7	Selected by retired judges	CVRA Settlement
Los Angeles ²²¹	Ongoing	Advises council	21	Political appointees	Charter
Menifee ²²²	One-time	Advises council	5	Political appointees	Motion
Merced ²²³	One-time	Provides two draft maps for council approval	7+	Nominated by League of Women Voters and confirmed by council	Motion
Modesto ²²⁴	Ongoing	Adopts maps with council input	9	Political appointees	Charter
Oakland ²²⁵	Ongoing	Adopts maps	13	Random & self-selection	Charter
Pasadena ²²⁶	One-time	Advises council	9	Political appointees	Motion
Sacramento ²²⁷	Ongoing	Adopts maps	13	Random & self-selection	Charter
Salinas ²²⁸	One-time	Advises council	7	Political appointees	Motion
San Diego ²²⁹	Ongoing	Adopts maps	7	Selected by retired judges	Charter
San Francisco ²³⁰	Ongoing	Adopts maps	9	Political & Elections Committee appointees	Charter
Sanger ²³¹	One-time	Advises council		Political appointees	Motion
San Jose ²³²	Ongoing	Advises council	11	Political appointees	Charter
Seal Beach ²³³	Ongoing	Advises council	[varies]	Political appointees	Charter
Stockton ²³⁴	Ongoing	Advises council	7	Political appointees	Charter
Watsonville ²³⁵	One-time	Advises council	7	Political appointees	Resolution
Woodland ²³⁶	One-time	Advises council	5	Political appointees	Motion

²¹⁵ Anaheim Resolution No. 2015-147 (Apr. 7, 2015).

²¹⁶ Berkeley Charter Art. V, Sec. 9.5.

²¹⁷ Chula Vista Charter Sec. 300.5.

²¹⁸ Dinuba Charter Sec. 2.02.

²¹⁹ Downey Charter Sec. 1306. Note: in 2011, the council appointed city staff to form this committee.

²²⁰ Escondido, Consent Decree, Sec. IX (Apr. 19, 2013) (in *Gomez v. Escondido*, No. 37-2011-00060480-CU-CR-NC (San Diego Sup. Ct)).

²²¹ Los Angeles Charter Sec. 204.

²²² Menifee City Council, Minute Order, Agenda Item 12.4 (Jul. 19, 2011).

²²³ Merced City Council, Resolution No. 2015-08 (Mar. 2, 2015).

²²⁴ Modesto Charter Sec. 501.

²²⁵ Oakland Charter Sec. 220.

²²⁶ Pasadena City Council, Minute Order (Jun. 20, 2011).

²²⁷ Sacramento Charter Art. 12.

²²⁸ Salinas City Council, Minute Order, Consent Resolution (Feb. 15, 2011)

²²⁹ San Diego Charter Sec. 5.1.

²³⁰ San Francisco Charter Sec. 13.110.

²³¹ Sanger City Council, Minute Order (Dec. 1, 2011).

²³² San Jose Charter Sec. 403.

²³³ Seal Beach Charter Sec. 515. Note: in 2011, the council appointed councilmembers to form this committee.

²³⁴ Stockton Charter Sec. 201.

²³⁵ Watsonville City Council Resolution No. 51-11 (Mar. 22, 2011).

²³⁶ Woodland Minute Order (May 21, 2013) (item 12).

Until recently, state law only allowed general law cities to establish advisory redistricting commissions, with the power to advise the city council on new district boundaries but not to adopt new maps independently.²³⁷ Recent legislation, set to go into effect on January 1, 2017, authorizes general law cities to establish independent redistricting commissions if they meet certain criteria, including:²³⁸

- **Application Process:** Cities must select commissioners using an open application process;
- **Qualifications:** Commissioners must be city residents. Commissioners cannot all be of the same political party. City elected officials and their family and staff, recent candidates for city office and their campaign staff and major donors, or county party officials or employees are prohibited from serving on the commission;
- **Post-Service Restrictions:** Commissioners are prohibited, for ten years from the date of their appointment, from running for city office and, for four years from the date of appointment, from being hired by a city elected official or appointed to a city commission;
- **Transparency:** Redistricting commissions must comply with the Brown Act and Public Records Act; and
- **Prohibited Criteria:** Commissioners may not draw lines to advantage or disadvantage a candidate for office.

Stockton (when it held from-district elections) was unique in that it had fully turned over the power to redraw council district boundaries to its appointed City Clerk.²³⁹ However, in November 2016 the voters amended the charter to establish an advisory redistricting commission and give the city council ultimate approval to adopt district boundaries.²⁴⁰

Election Dates

Under the California Constitution, charter cities may hold their elections at any time.²⁴¹ By contrast, general law cities are required to hold their regular elections on an established election date.²⁴² State law establishes *four* possible election dates in odd years, and *three* possible dates in even years:²⁴³

- The first Tuesday after the first Monday in March of each *odd*-numbered year.
- The second Tuesday of April in *each* year.
- The first Tuesday after the first Monday in June in *each* year.
- The first Tuesday after the first Monday in November of *each* year.

²³⁷ See former Cal. Elec. Code Sec. 21605 (2015).

²³⁸ Senate Bill 1108 (Allen) (adding Sec. 23000 *et seq.* to the Elections Code).

²³⁹ Former Stockton City Charter Sec. 200 (2015) (“Following adoption of this Section and thereafter following each decennial Federal census, and using the census as a basis, the City Clerk shall adjust the boundaries of any or all of the districts of the City so that the districts shall be as nearly equal in population as may be according to the latest Federal decennial census.”).

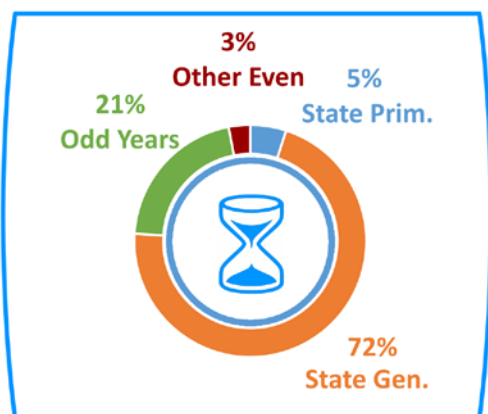
²⁴⁰ Stockton Measure N (Secs. 200 through 203).

²⁴¹ Cal. Const. Sec. 5(b) (“plenary authority is hereby granted ... [to charter cities] to provide ... [for] the times at which... the several municipal officers ... shall be elected”). See *also* Cal. Elec. Code Sec. 1003(b) (requirement to hold elections on established election dates does not apply to charter cities).

²⁴² Cal. Elec. Code Sec. 1002.

²⁴³ Cal. Elec. Code Sec. 1000. While Elections Code Section 1000 only provides the second Tuesday of April in *even* years as an established election date, Section 1301(b) expressly allows municipal elections to be held on “the second Tuesday of April in *each* year.” (Emphasis added.)

Election Dates



State and federal regular elections are always held in June and November of even years; cities which hold their elections on these days are said to hold their elections **concurrently**²⁴⁴ – or “**on-cycle**”²⁴⁵ – with regular state elections.²⁴⁶

In practice, most cities hold their elections “on-cycle” with state election dates. In total, 346 cities (72%) schedule their elections with the November state general election and another 22 cities (5%) schedule their elections with the June state primary election. However, 114 cities (24%) still hold their elections “**off-cycle**” in odd years or in even years on a day other than a state election date.

A very small number of cities hold their elections both on and off cycle. For example, Inglewood²⁴⁷ and Riverside²⁴⁸ hold council

elections in odd years but mayoral elections in even years, with the state general election. San Francisco is the opposite, holding its supervisorial elections in even years but its mayoral and other citywide elections in odd years.²⁴⁹ For purposes of this report, a city is categorized as being on-cycle if its council elections are held concurrently with a state election. Vernon, whose councilmembers serve five-year terms, is the only city to hold an off-cycle election *every year*.²⁵⁰

Because state and federal races are typically higher-profile than local races, local elections that are held concurrently with state elections tend to have significantly higher turnout than cities that hold stand-alone local elections.²⁵¹ One recent study of California mayoral elections from 1995 through 2014 found that, on average, turnout increased by 15 percent when cities switched from off-cycle to on-cycle elections.²⁵² An earlier study found that California cities holding on-cycle elections had, on average, 21 to 36 percent higher turnout.²⁵³ A potential drawback of concurrent elections is that, with many contests on the ballot, local races may receive less attention.

As discussed further in **Part 5**, the trend in California has been towards holding concurrent elections. A study in 2000²⁵⁴ estimated that 37 percent of city elections were off-cycle; today, only 24 percent conduct nonconcurrent elections. However, in the future, nonconcurrent elections are likely to become even rarer. Recent legislation²⁵⁵ prohibits cities from holding off-cycle if they result in local turnout that is more than 25 percent lower than the

²⁴⁴ State law differentiates between concurrent elections, nonconcurrent elections, and consolidated elections. See, e.g., Cal. Elections Code Secs. 14053 (concurrent), 14052(a) (nonconcurrent), & 10402.5 (consolidated). A local election is concurrent with a state election when they are held on the same day. A nonconcurrent local election is one which is held on a day other than a state election date, for example odd year local elections. Concurrent local elections are also said to be consolidated with a state election if they appear on the same ballot as the state election. Most concurrent local elections are also consolidated with state elections.

²⁴⁵ Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 18 (2002). Some elections experts identify a difference between concurrent elections, which means an election which held on the same date as another, and consolidated elections, which

²⁴⁶ Cal. Elec. Code Sec. 1001 (June and November even-year elections are statewide elections).

²⁴⁷ Inglewood Charter, Art. VII, Sec. 1.

²⁴⁸ Riverside Charter Sec. 500.

²⁴⁹ San Francisco Charter Sec. 13.101.

²⁵⁰ Vernon Charter, Art. 3, Ch. 3.4.

²⁵¹ See Sarah Swanbeck et al., *Getting to 100%*, California Common Cause (Feb. 2015) (citing PPIC study showing a 26 to 35 percent turnout increase from holding local elections on statewide election dates).

²⁵² Melissa Marschall and John Lappie, *Mayoral Elections in California: 1995-2014*, Rice University's Kinder Institute for Urban Research (Mar. 2016).

²⁵³ Public Policy Institute of California, *Increasing Turnout in City Elections: Is Timing Everything?*, Research Brief Issue #56 (Mar. 2002).

²⁵⁴ Zoltan Hajnal and Paul Lewis, *Municipal Institutions and Voter Turnout in Local Elections*, URBAN AFFAIRS REVIEW Vol. 38.5 (May 2003)

²⁵⁵ Senate Bill 415 (Hueso, Ch. 235, Statutes of 2015) (adding Cal. Elec. Code Sec. 14050 et seq.).

average state general election turnout for that city. Few cities will meet that standard. Since 2015, already an additional 31²⁵⁶ of the 114 cities with off-cycle elections have passed laws to switch to on-cycle elections by 2022.

**Cities with Off-Cycle Elections as of 2016 (114)
And Cities* Transitioning to On-Cycle Elections No Later than 2022 (31)**

Agoura Hills* (CG 2018)	Desert Hot Springs	Los Angeles* (CP 2020)	San Carlos
Arcadia	Diamond Bar	Lynwood	San Dimas* (by 2022)
Artesia* (CG 2018)	Duarte	Manhattan Beach* (CG 2020)	San Fernando* (by 2022)
Avalon	El Centro	Maywood	San Gabriel
Azusa	El Monte* (CG 2018)	Mill Valley	San Marino
Baldwin Park* (CG 2018)	El Segundo	Millbrae* (CG 2018)	San Mateo
Bell	Fairfax	Modesto	San Rafael
Bell Gardens* (CG 2018)	Foster City* (CG 2018)	Monrovia	Santa Barbara
Bellflower* (CG 2018)	Gardena	Montebello	Santa Fe Springs* (CG 2018)
Belmont	Glendale	Monterey Park	Sierra Madre
Beverly Hills	Glendora	Norco* (CG 2018)	Signal Hill
Blythe	Hawaiian Gardens	Norwalk	South El Monte* (CG 2018)
Bradbury	Hawthorne	Novato	South Gate
Brawley	Hermosa Beach	Palm Springs	South Pasadena* (CG 2018)
Brisbane	Hidden Hills* (CG 2020)	Palos Verdes Estates* (CG 2018)	South San Francisco* (CG 2018)
Burbank	Huntington Park	Paramount	Temple City
Burlingame	Industry	Pasadena	Tiburon
Calabasas* (CG 2018)	Inglewood	Pico Rivera* (CG 2018)	Vernon
Calipatria	Irwindale	Portola Valley* (CG 2018)	Walnut
Carmel-By-The-Sea	La Canada Flintridge	Rancho Mirage	West Covina* (CG 2018)
Ceres	La Habra Heights	Rancho Palos Verdes* (CG 2020)	W.Hollywood* (CG 2020)
Cerritos	La Mirada	Redondo Beach	Westlake Village* (CG 2018)
Claremont	La Puente* (CG 2018)	Redwood City	Whittier
Clovis	La Verne	Riverside	Woodside* (CG 2018)
Commerce	Lakewood	Rolling Hills* (CG 2020)	
Compton	Lancaster	Rolling Hills Estates	
Corte Madera* (CP 2022)	Larkspur	Rosemead	
Covina	Lawndale	San Anselmo	
Cudahy	Lomita	San Bernardino* (CG 2018)	
Culver City	Long Beach	San Bruno	

** indicates city has passed a law to transition to concurrent elections, either with the state primary (CP) or general (CG) election, by 2022*

²⁵⁶ Agoura Hills Ord. No. 16-424 (Aug. 24, 2016); Artesia Ord. No. 16-836 (Oct. 10, 2016); Baldwin Park Mun. Code Sec. 30.05; Bellflower Mun. Code Sec. 2.28.010; Bell Gardens Ord. No. 881 (Dec. 12, 2016); Calbasas Ord. No. 2016-339 (Sep. 14, 2016); Carson Mun. Code Sec. 2150; Corte Madera Ord. No. 957 (Oct. 4, 2016); El Monte Mun. Code Sec. 1.12.010; Foster City Ord. No. 604 (Nov. 7, 2016); Hidden Hills Ord. No. 358 (Oct. 10, 2016); Los Angeles Charter Sec. 401; Manhattan Beach Ord. No. 18-006 (Oct. 18, 2016); Millbrae Mun. Code Sec. 2.35.010; Norco Mun. Code Sec. 2.44.010; Palos Verdes Estates Ord. No. 16-719 (Nov. 8, 2016); Pico Rivera Ord. No. 1103 (Nov. 8, 2016); Portola Valley Res. No. 2712-2016 (Oct. 26, 2016); Rancho Palos Verdes Ord. No. 591 (Nov. 15, 2016); San Bernardino Measure L (Nov. 8, 2016); San Dimas Ord. No. 1241 (Jan. 26, 2016); San Fernando Res. No. 7754 (Jul. 18, 2016); Santa Fe Springs Ord. No. 1078 (Dec. 8, 2016); South El Monte Mun. Code Sec. 1.12.010; South Pasadena Ord. No. 2301 (Oct. 5, 2016); South San Francisco Ord. No. 16-744 (Sep. 28, 2016); West Covina Ord. No. 2303 (Nov. 20, 2016); West Hollywood Ord. No. 16-986 (Sep. 19, 2016); Westlake Village Ord. No. 246-16 (Sep. 28, 2016); Woodside Mun. Code Sec. 30.01.

4. Campaign Finance

The state Political Reform Act (PRA) governs the reporting of campaign contributions and expenditures at the state and local level.²⁵⁷ The PRA also sets contribution limits to candidate campaigns for state office, which the state Fair Political Practices Commission (FPPC) adjusts every two years for inflation.²⁵⁸ In 2016, individuals could donate a maximum of \$4,200 to a candidate for state legislature.²⁵⁹ There is no state limit on campaign contributions to candidates for local office, but state law allows cities to adopt contribution limits for local office by resolution or ordinance.²⁶⁰ Any city that adopts a campaign finance ordinance is required to forward a copy to the state Fair Political Practices Commission (FPPC).²⁶¹

Reporting

Candidates for city office are required to file most of the same PRA-mandated campaign finance reports as state candidates. Each report, which must be periodically filed with the city clerk, discloses the candidate's campaign receipts and expenditures since their last filing. In an election year where a candidate is active for the whole year, the PRA would generally require a city candidate to file two semi-annual statements and two pre-election statements:

- The semi-annual statements cover two six-month periods ending on June 30 and December 31 and must be filed by July 31 and January 31, respectively.²⁶²
- Pre-election statements cover reporting up to 45 and up to 17 days before the election and are due no later than 40 days and 12 days before the election, respectively.²⁶³
- Late contribution reports are also required for any contribution exceeding \$1,000 that is received in the last 90 days leading up to and including election day.²⁶⁴

Cities may require additional campaign finance reporting beyond what state law requires, so long as it does not conflict with the PRA's requirements.²⁶⁵ For example, Mountain View requires a third pre-election statement due on the Thursday before the election.²⁶⁶ Poway requires contributors who give more than \$25 to be identified in campaign finance reports, which is lower than the PRA's \$100 threshold for identification.²⁶⁷ And Santa Barbara requires 24 hour reporting of late contributions exceeding \$500, instead of the PRA's \$1,000 threshold.²⁶⁸

City campaign finance reports are filed with the city clerk of the city the candidate is running for office in.²⁶⁹ According to MDI survey responses, in the overwhelming majority of cities (445 cities, 92% of cities) candidates file only **paper versions** of their campaign finance reports. The public must submit a Public Records Act request

²⁵⁷ Cal. Gov. Code Sec. 81000 *et seq.*

²⁵⁸ Cal. Gov. Code Sec. 85301(a) (set original individual campaign contribution limit for state legislature at \$3,000); 85316(b)(4) (requires FPPC to adjust contribution limits by the consumer price index)

²⁵⁹ See FPPC, *State Contribution Limits and Voluntary Expenditure Ceilings*, available at: <http://www.fppc.ca.gov/learn/campaign-rules/state-contribution-limits.html> (last visited Dec. 2015).

²⁶⁰ Cal. Elections Code Sec. 10202: "A city may, by ordinance or resolution, limit campaign contributions in municipal elections." See also Cal. Gov. Code Sec. 85703 (PRA does not prohibit local campaign contribution limits).

²⁶¹ Cal. Gov. Code Sec. 81009.5(a).

²⁶² Cal. Gov. Code Sec. 84200.

²⁶³ Cal. Gov. Code Sec. 84200.8.

²⁶⁴ Cal. Gov. Code Sec. 84203 (reporting requirement); 82036 (defining late contribution).

²⁶⁵ See Cal. Gov. Code Sec. 81009.5(b) (local Government agencies may enact campaign finance reporting rules for local elections); 81013 (local agency may impose additional requirements if "they do not prevent [a] person from complying with" the PRA).

²⁶⁶ Mountain View Mun. Code Sec. 2.103.

²⁶⁷ Compare Poway Mun. Code Sec. 2.28.060 with Cal. Gov. Code Sec. 84211(f).

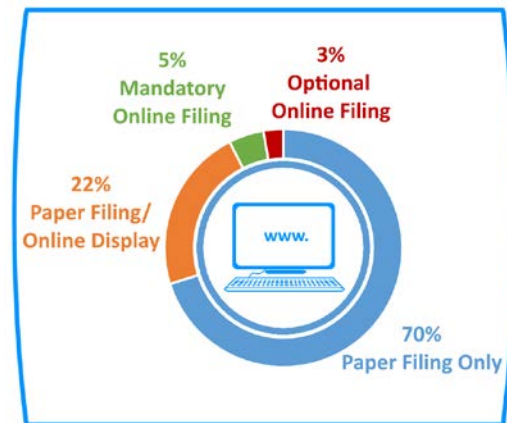
²⁶⁸ Compare Santa Barbara Mun. Code Sec. 2.03.110(B) with Cal. Gov. Code Secs. 82036 and 84203.

²⁶⁹ See Cal. Gov. Code Sec. 84215(d).

or go to the city clerk's office to view these records. However, state law allows cities to require that these reports be filed online for any candidate who raises or spends more than \$1,000 in support of their campaign.²⁷⁰ Twenty-four cities²⁷¹ (5%) require **online filing** of campaign finance reports, which are posted online generally in a searchable format; 13 cities (3%) give candidates the **option** between filing campaign reports online or hard copy.

Although online *filing* is still rare, 116 cities (24%) scan and **publish online** non-searchable copies of the paper reports they receive. This is a big increase in the online availability of these records; a previous study from 2013 estimated that less than 10 percent of municipalities had put this information online.²⁷² However, because there is no centralized state archive for these reports, the ease of finding these online reports varies greatly by city. In some cities, the file names and document locations of these reports make them very difficult for the average citizen to find.²⁷³ Moreover, since these are scans of paper reports, the public is unable to search the filings by keyword (e.g. contributor name), which is a common feature of many online systems.

Campaign Finance Report Filing Practices



Legislation enacted in 2016 requires the Secretary of State to modernize the state's online campaign finance filing and disclosure website, Cal-Access. One provision of that law requires, to the extent feasible, that the modernized system be capable of accepting campaign statements from local filers, although further statutory changes would be needed to permit this.²⁷⁴

²⁷⁰ See Cal. Gov. Code Sec. 84615. See also, e.g., Santa Monica Mun. Code Sec. 10-32.060.

²⁷¹ See Berkeley Mun. Code Sec. 2.12.032 (committees reporting \$1,000+); Carlsbad Mun. Code Sec. 1.13.026 (committees reporting \$1,000+); Chico Mun. Code Sec. 1.30.065; Cotati Mun. Code Sec. 1.09.100(E); Fresno Mun. Code Sec. 2-1105(d) (committees reporting \$1,000+); Huntington Beach Mun. Code Sec. 2.07.155 (committees reporting \$2,000+); Long Beach Mun. Code Sec. 2.02.010 (starting "as soon as feasible"); Los Angeles Mun. Code Sec. 49.7.17(B) (committees reporting \$10,000+); Oakland Mun. Code Sec. 3.12.340; Oceanside Mun. Code Sec. 2.77 (committees reporting \$1,000+); Palo Alto Mun. Code Sec. 2.40.065 (committees reporting \$1,000+); Pleasanton Mun. Code Sec. 1.20.030; Sacramento Mun. Code Sec. 2.13.130; San Bernardino Mun. Code Sec. 2.57.010; San Diego Mun. Code Sec. 27.2931 (committees reporting \$10,000+); San Francisco Campaign and Governmental Conduct Code Sec. 1.112; San Jose Mun. Code Sec. 12.06.915; Santa Ana Mun. Code Sec. 2-110 (committees reporting \$1,000+); Santa Barbara Mun. Code Sec. 2.03.110 (committees reporting \$5,000+); Santa Monica Mun. Code Sec. 11.04.100 (committees reporting \$2,000+); Santa Rosa Mun. Code Sec. 10-32.060 (committees reporting \$1,000+); Stockton Mun. Code Sec. 2.12.010 (committees reporting \$2,000+); West Hollywood Mun. Code Sec. 2.76.067 (committees reporting \$1,000+); and Yountville Mun. Code Sec. 2.06.010 (committees reporting \$1,000+). See also Chula Vista Mun. Code Sec. 2.52.125 (commencing in 2017); Mountain View Ord. No 16.16 (Nov. 22, 2016) (commencing 2017); Novato Mun. Code Sec. 21-15 (requiring electronic campaign filing once the city council approves a system); West Sacramento Mun. Code Sec. 2.19.010 (commencing in 2017).

²⁷² Alexandra Bjerg, *The state of municipal campaign finance in California*, California Forward (Nov. 14, 2013).

²⁷³ For example, to find these reports from Sausalito's homepage, a user must follow at least six links: [Home] → I want to → Download → Documents → Administration → Elections → [Select Election] → [Candidate]. Clicking on a candidate's name includes a list of every campaign form the candidate has filed with the clerk. The website does not explain that these are campaign finance reports and simply labels each report according to its FPPC form number, although the average citizen is likely unaware of what these forms are for. See Sausalito website, available at:

<http://www.ci.sausalito.ca.us/index.aspx?page=1952&parent=4682> (last visited Oct. 2016).

²⁷⁴ Senate Bill 1349 (Hertzberg, Ch. 845, Statutes of 2016) (Gov. Code Sec. 84602(b)(1)(A)(iv)).

Cities Mandating (24) or Soon to Mandate (3) Online Filing of Campaign Disclosures

Berkeley	Sacramento
Carlsbad	San Bernardino
Chico	San Diego
Chula Vista* (2017)	San Francisco
Cotati	San Jose
Fresno	Santa Ana
Huntington Beach	Santa Barbara
Long Beach	Santa Monica
Los Angeles	Santa Rosa
Mountain View* (2017)	Stockton
Oakland	West Hollywood
Oceanside	West Sacramento* (2017)
Palo Alto	Yountville
Pleasanton	

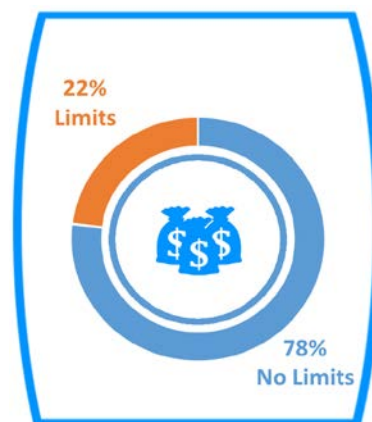
* cities requiring online filing after 2016.

Contribution Limits

A contribution limit is a cap on the amount of money that a candidate can receive from a single donor in an election cycle. California is in the minority of states that have no state-imposed local contribution limits.²⁷⁵ This means, unless a local government adopts contribution limits of its own, a donor can give any amount to a candidate for local office, so long as it is reported. For example, a Common Cause report found several examples of candidates receiving five-figure contributions, including a candidate for mayor of Palm Springs who received a \$91,400 contribution from a single donor.²⁷⁶ Most cities (374, 78%) have not adopted any contribution limits.

A total of 108 cities (22%) have adopted their own campaign contribution limits. While most cities adopt a single, uniform limit for all contributions to a city candidate, some cities have developed more tailored campaign contribution rules. There are many ways contribution limits can be structured. Some cities adopt different contribution limits depending on the identity of the donor, for example when the donor is an individual versus an organization.²⁷⁷ Other cities entirely prohibit campaign contributions from certain persons or entities. For example, Berkeley bans contributions to candidates from businesses and labor unions,²⁷⁸ Glendale prohibits contributions from large city contractors,²⁷⁹ and San Francisco bans contributions from city lobbyists.²⁸⁰ Some cities vary the amount that can be contributed based on the office being sought,²⁸¹ whether cash or an in-kind donation is being given,²⁸² whether the candidate receiving the funds

Cities with Contribution Limits



²⁷⁵ Nicolas Heidorn, *No Limits: Campaign Contributions in Local Elections*, California Common Cause (Apr. 2016).

²⁷⁶ *Ibid.*

²⁷⁷ See, e.g., Burlingame Mun. Code Sec. 2.25.020 (\$500 limits for individuals but \$1,000 limits for organizations).

²⁷⁸ Berkeley Mun. Code Sec. 2.12.415.

²⁷⁹ Glendale Mun. Code Sec. 1.10.060.

²⁸⁰ Campaign and Governmental Conduct Code Sec. 2.115(e).

²⁸¹ See, e.g., Pomona Mun. Code Sec. 10-34(a) (contribution limits of \$500 for city council and \$1,000 for mayor).

²⁸² See, e.g., Walnut Mun. Code Sec. 17A-4(c) (\$1,000 cash contribution limit and \$2,000 in-kind limit).

has agreed to a maximum spending limit for their entire campaign,²⁸³ or whether an opposing candidate has spent over a certain amount of their personal wealth.²⁸⁴ Finally, many cities have also adopted time restrictions on when contributions can be given. For example, Agoura Hill prohibits contributions more than six months out from the election²⁸⁵ whereas Pleasant Hill prohibits contributions in the three days before and including election day.²⁸⁶

For consistent comparison, the LDI only asked cities with campaign contribution limits what the dollar limit was for individual contributions to city council candidates.²⁸⁷ The lowest individual contribution limit to a candidate for city council is \$100 (Davis, Del Mar, Galt, Poway, Scotts Valley, Vernon); the highest is \$4200 per individual (Fresno). The median individual campaign contribution limit, among cities that have them, is \$500, whereas the mean is \$626. For cities with over 100,000 residents, the median individual campaign contribution limit was \$600. For cities with fewer than 100,000 residents, the median limit was \$400.

A bill this past session proposed to establish \$4,200 default contribution limits for all local campaigns (same as the state limits), unless the local jurisdiction had adopted its own contribution limits, be they lower or higher; however, the bill did not become law.²⁸⁸

Public Financing

Several states have established public campaign financing systems as a way to decrease candidates' reliance on big donors.²⁸⁹ Public financing programs are designed to reduce the risk or appearance of corruption²⁹⁰ and diversify both who contributes to political campaigns²⁹¹ and who runs for office.²⁹² Generally, these systems provide a participating candidate with matching public funds after she raises a certain amount in small donor contributions and agrees to limit her total campaign expenditures.

For the past three decades, California state law prohibited all state and local governments (including cities) from using public money for political campaigns.²⁹³ However, the California Supreme Court held that charter cities are not bound by this restriction because of their home rule authority.²⁹⁴ As a result, seven charter cities – Berkeley, Long Beach, Los Angeles, Oakland, Richmond, Sacramento, and San Francisco -- have adopted small donor matching funds programs, where small contributions (generally under \$250) from city residents are matched by the government at a ratio which ranges from one public dollar for every two private dollars in Long Beach up to six public dollars for every one private dollar in Berkeley. Other cities, while stopping short of providing candidates

²⁸³ See, e.g., Gilroy Mun. Code Sec. 8B.4(b) (candidate accepting the maximum spending limit can accept \$250 contributions, compared to \$100 for candidates rejecting the spending limit).

²⁸⁴ See, e.g., West Sacramento Mun. Code Sec. 2.18.050(A)(1)-(2) (\$250 contribution limits unless a candidate spends more than \$2,500 of their own money on their campaign, in which case the limits increase to \$500).

²⁸⁵ Agoura Hills Mun. Code Sec. 21007.

²⁸⁶ Pleasant Hill Mun. Code Sec. 2.55.040(C).

²⁸⁷ Where individual limits varied based on candidates agreeing to maximum spending limits, the higher limit was chosen.

²⁸⁸ Assembly Bill 2523 (Mullin 2016).

²⁸⁹ Michael Malbin, *Citizen Funding for Elections*, The Campaign Finance Institute 5-6 (2015).

²⁹⁰ See, e.g., *Johnson v. Bradley*, 4 Cal.4th 389, 410 (1992) ("it seems obvious that public money reduces rather than increases the fund raising pressures on public office seekers and thereby reduces the undue influence of special interest groups") (quoting the court of appeal).

²⁹¹ See, e.g., Elizabeth Genn et al., *Donor Diversity Through Public Matching Funds*, Brennan Center for Justice at New York University and the Campaign Finance Institute 4 (2012).

²⁹² See, e.g., Center for Governmental Studies, *Public Campaign Financing in California: A Model Law for 21st Century Reform* 11-12 (2012).

²⁹³ See former Cal. Gov. Code Sec. 85300 ("No public officer shall expend and no candidate shall accept any public moneys for the purpose of seeking elective office.").

²⁹⁴ See *Johnson v. Bradley*, 4 Cal.4th 389, 394 (1992).

with public campaign funds, provide other forms of subsidies to candidates who accept voluntary expenditure limits, like waiving the candidate statement fee to appear in the ballot pamphlet.²⁹⁵

Cities with Campaign Public Matching Funds Programs for City Council Races

	Qualification	Match Ratio (public match : private contributions)	Maximum Matching Funds	Campaign Expenditure Limit
Berkeley ²⁹⁶	Raise \$500 in contributions between \$10 and \$50 from 30 or more city residents	6:1 on city resident contributions up to \$50	\$40,000	None
Long Beach ²⁹⁷	Raise \$5,000 in contributions counting only the first \$100 of each contribution of up to \$400	<i>General:</i> 1:2 <i>Runoff:</i> 1:1 on contributions up to \$400	<i>General:</i> ~\$21,000 <i>Runoff:</i> ~\$15,500 (varies by district: 33% and 50% of the expenditure limit)	<i>General:</i> ~\$63,000 <i>Runoff:</i> ~\$31,000 (varies by council district based on voter registration)
Los Angeles ²⁹⁸	(A) Submit <u>500 or 1,000</u> signatures from district voters; (B) Raise \$25,000 from city contributors counting only the first \$250 of each contribution; (C) Receive 200 or more in-district contributions over \$5; & (D) Agree to debate opponent	<u>500 signatures:</u> 1:1 or <u>1,000 signatures:</u> ~ <i>Primary:</i> 2:1 ~ <i>General:</i> 4:1 (+ \$25,000 grant) on city resident contributions up to \$250	<i>Primary:</i> \$100,000 <i>General:</i> \$125,000	<i>Primary:</i> \$489,000 <i>General:</i> \$408,000 <i>Personal funds:</i> \$31,700
Oakland ²⁹⁹	Raise ~\$6,500 (varies by district: 5% of the expenditure limit) from city residents or businesses	1:1 for the first \$100 of city contributions, paid in lump sums as a reimbursement	~\$39,000 (varies by district: 30% of the expenditure limit)	~\$130,000 (varies by council district based on population)
Richmond ³⁰⁰	Raise \$10,000 for first disbursement	1:2 paid in lump sums	\$25,000	\$75,000
Sacramento ³⁰¹	Raise \$7,500 from contributions of \$250 or less	1:1 for the first \$250 of contributions	\$35,200	\$88,000 <i>Personal funds:</i> \$7,500
San Francisco ³⁰²	\$10,000 (challengers) or \$15,000 (incumbents) in contributions of \$10 to \$100 from city residents	2:1 for first \$50,000 raised, thereafter a 1:1 match in lump sums on contributions up to \$500 from city residents	<i>Challengers:</i> \$155,000 <i>Incumbents:</i> \$152,500	\$250,000 <i>Personal funds:</i> \$5,000

Recent legislation, which will go into effect on January 1, 2017, creates an exception to the absolute ban on public financing and will permit the state and local jurisdictions, including general law cities, to create public financing programs if certain criteria are met.³⁰³ Programs must be voluntary for all candidates; adopted by a resolution, ordinance, or charter provision which specifies candidate qualification criteria; and cannot discriminate on the basis of incumbency or political party preference.

²⁹⁵ See, e.g., Santa Rosa Mun. Code, Title 10, Sec. 10-33-030 (city's "Voter Update" mailer to voters includes candidate statements for all candidate accepting voluntary expenditure limits). See also Santa Rosa Charter Sec. 57. ("The Council shall consider and by ordinance enact new election campaign finance reform measures...The ordinance shall include at least the following provisions: ... Provisions that provide for public financing of Council election campaigns."). See also Mountain View Mun. Code Sec. 2.105 (subsidized candidate ballot statement).

²⁹⁶ Berkeley Charter, Art. III, Sec. 6.2.

²⁹⁷ Long Beach Mun. Code, Title 2, Sec. 2.01.410.

²⁹⁸ Los Angeles Mun. Code, Chapter 4, Secs. 49.7.23 – 29. Los Angeles Administrative Code, Division 24, Sec. 24.32;

²⁹⁹ Oakland Mun. Code, Title 3, Ch. 3.13.

³⁰⁰ Richmond Mun. Code Art. 2, Ch. 2.43.

³⁰¹ Sacramento Mun. Code Sec. 2.14.

³⁰² San Francisco Campaign and Governmental Conduct Code, Art. I, Sec. 1.138.

³⁰³ Senate Bill 1107 (Allen, Ch. 837, Statutes of 2016) (amending Section 85300 of the Cal. Elections Code, to allow public financing if certain criteria are met).

Enforcement

The Political Reform Act, including its campaign finance reporting requirements applicable to local candidates, is primarily enforced by the state Fair Political Practices Commission (FPPC). The FPPC can issue administrative fines of up to \$5,000 per violation of the Act, and also has the authority to bring civil suits to enforce its provisions.³⁰⁴ The county district attorney³⁰⁵ and elected city attorneys in charter cities³⁰⁶ may also bring civil actions (of up to \$5,000 per violation) or seek injunctive relief against local candidates who violate certain provisions of the PRA. Knowing and willful violations of the PRA may also be charged as misdemeanors.³⁰⁷

The FPPC is not, however, authorized to enforce local campaign finance ordinances, in those jurisdictions that have adopted them. The Legislature has made two exceptions, allowing the city of Stockton and the county of San Bernardino to contract with the FPPC to enforce their local ordinances.³⁰⁸ (Only San Bernardino County has done so to date.) A bill in this past legislative session would have authorized the FPPC to contract with any city to enforce their local campaign ordinances; however, it was not enacted.³⁰⁹

The violation of a city campaign finance ordinance is generally a misdemeanor enforceable either by the city attorney or by the county district attorney.³¹⁰ Some local ordinances authorize individuals to bring actions to enforce city campaign finance laws.³¹¹

While state law allows cities to set up administrative bodies to handle the violation of local ordinances,³¹² only a few have done so. Six mostly large charter cities have established ethics commissions with varying authority to police local campaign finance laws. (Two other cities have established ethics commissions to review ethics violations alone.) In 2015, the Sacramento city council³¹³ voted to establish an ethics commission, but has yet to pass an implementing ordinance.

³⁰⁴ Cal. Gov. Code Sec. 83116(c).

³⁰⁵ Cal. Gov. Code Sec. 91005.5 ("Any person who violates any provision of this Title [with certain exceptions] ... shall be liable in a civil action brought by the commission or the district attorney ... for an amount up to five thousand dollars (\$5,000) per violation.").

³⁰⁶ Cal. Gov. Code Sec. 91001.5 ("In any case in which a district attorney could act as the civil or criminal prosecutor under the provisions of this title, the elected city attorney of any charter city may act as the civil or criminal prosecutor with respect to any violations of this title occurring within the city.").

³⁰⁷ Cal. Gov. Code Sec. 91000.

³⁰⁸ Cal. Gov. Code Sec. 83123.6 (Stockton) and Sec. 83123.5 (San Bernardino County).

³⁰⁹ See AB 910 (Harper, 2015).

³¹⁰ Cal. Gov. Code Sec. 36900(a) ("Violation of a city ordinance is a misdemeanor unless by ordinance it is made an infraction. The violation of a city ordinance may be prosecuted by city authorities in the name of the people of the State of California..."); Cal. Gov. Code Sec. 26500 (district attorney is public prosecutor).

³¹¹ See, e.g., Ukiah Mun. Code Sec. 2087(F).

³¹² Cal. Gov. Code § 53069.4(a)(1) ("The legislative body of a local agency. . . may by ordinance make any violation of any ordinance enacted by the local agency subject to an administrative fine or penalty. The local agency shall set forth by ordinance the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of those administrative fines or penalties.")

³¹³ Sacramento City Council, Motion No. 2015-0242 (Sep. 15, 2015).

Cities with Ethics Commissions

City	Name	Members	Appointment Method	Jurisdiction	Subpoena Powers?	Enforcement Authority?
Berkeley ³¹⁴	Fair Campaign Practices Commission	9	Each councilmember appoints one member	Campaign finance	Yes	Yes
Chula Vista ³¹⁵	Board of Ethics	7	Panel of two city non-Chula Vista city managers review Board applications and nominate members for city council for approval	Ethics	No	No
Los Angeles ³¹⁶	City Ethics Commission	5	Mayor, City Attorney, Controller, Council President, and President pro Tempore nominate one member each for city council approval	Campaign finance, ethics, lobbying	Yes	Yes
Oakland ³¹⁷	Public Ethics Commission	7	Mayor, City Attorney, and City Auditor can each appoint one member, who can be vetoed by the city council; the remaining 4 members are appointed by majority vote of existing Commissioners	Campaign finance, ethics, lobbying, open meetings, transparency	Yes	Yes
Riverside ³¹⁸	Board of Ethics	9	Nominated and appointed by mayor and city council	Ethics	Yes	No
San Diego ³¹⁹	Ethics Commission	7	Mayor appoints from a pool of nominees submitted by councilmembers and the city attorney	Campaign finance, ethics, lobbying	Yes	Yes
San Francisco ³²⁰	Ethics Commission	5	Mayor, Board of Supervisors, City Attorney, District Attorney, and Assessor each appoint one member	Campaign finance, ethics, lobbying, open meetings, transparency	Yes	Yes
San Jose ³²¹	Ethics Commission	5	City council and mayor review applicants and appoint members by 2/3 vote	Campaign finance, ethics, lobbying	Yes	Yes
Simi Valley ³²²	Citizens Election Advisory Commission	5	Mayor, with council approval, appoints after considering a selection board's recommendations	Campaign finance	No	No

At least one city, Pomona, has delegated administrative enforcement power to its city clerk.³²³ Yorba Linda requires the council to annually designate a special counsel to review and potentially enforce campaign violations.³²⁴

³¹⁴ Berkeley Mun. Code, Tit. 2, Sec. 2.12.170.

³¹⁵ Chula Vista Mun. Code, Tit. 2, Sec. 2.28.010.

³¹⁶ Los Angeles Charter, Art. VII.

³¹⁷ Oakland Charter Sec. 603.

³¹⁸ Riverside Mun. Code Sec. 2.80.010.

³¹⁹ San Diego Mun. Code, Ch. 2, Sec. 26.0401.

³²⁰ San Francisco City Charter Sec. 15.100.

³²¹ San Jose Mun. Code Tit. 2, Sec. 2.08.1600 and Tit. 12.

³²² Simi Valley Mun. Code Tit. 2, Sec. 2-3.201.

³²³ See Pomona Mun. Code Sec. 10-41(b).

³²⁴ See Yorba Linda Mun. Code Sec. 2.44.110.

5. Observations & Trends

Summary of Results

There are many ways that California municipalities organize city hall, conduct elections, and regulate political campaigns. The two tables below summarize the range of democratic practices reported in the inaugural MDI survey. The first table summarizes current practice as of December 2016, while the second table summarizes what city democracy is expected to look like in 2018, accounting for upcoming changes already enacted in law.

City Democratic Practices - December 2016

		Number of Cities		City Population			Largest City	Smallest City
		Total	%	Total	%	Median		
Total		482	100%	32,746,444	100%	30,613	Los Angeles (4,030,904)	Amador (190)
Type	Charter	122	25%	18,909,471	58%	77,586	Los Angeles (4,030,904)	Vernon (210)
	General Law	360	75%	13,836,973	42%	25,077	Fremont (229,324)	Amador (190)
Form of Government	Council-Manager	468	97%	25,503,727	78%	30,791	San Jose (1,042,094)	Vernon (210)
	Mayor-Council	5	1%	7,232,472	22%	866,583	Los Angeles (4,030,904)	Oakland (422,856)
	Commission	5	1%	5,889	0%	1,010	Westmorland (2,256)	Tehama (431)
	Decentralized	4	1%	4,356	0%	741	Alturas (2,684)	Amador (190)
	Other	1	0%	1,010	0%	1,010	Other	Other
Elected Officials (other than council)	Mayor	170	35%	21,200,951	65%	54,716	Los Angeles (4,030,904)	Sand City (381)
	Treasurer	153	32%	8,084,454	25%	30,061	San Francisco (866,583)	Amador (190)
	Clerk	118	24%	5,924,273	18%	30,791	Fontana (209,895)	Amador (190)
	Attorney	10	2%	7,888,561	24%	343,963	Los Angeles (4,030,904)	San Rafael (60,582)
	Auditor	4	1%	1,107,006	3%	271,386	Long Beach (484,958)	Alameda (79,277)
	Other	6	1%	5,719,752	17%	304,355	Los Angeles (4,030,904)	Santa Monica (93,640)
	None except Council	210	44%	8,135,436	25%	24,884	Santa Clarita (219,611)	Vernon (210)
Council Size	5	432	90%	18,053,523	55%	26,169	Chula Vista (265,070)	Amador (190)
	6	2	0%	96,259	0%	48,130	Redondo Beach (69,494)	Eureka (26,765)
	7	35	7%	4,623,466	14%	93,640	Fresno (520,453)	Needles (5,035)
	8	5	1%	1,483,176	5%	324,696	Oakland (422,856)	Pasadena (141,023)
	9	4	1%	2,065,481	6%	302,799	San Diego (1,391,676)	Palo Alto (68,207)
	10	1	0%	484,958	1%	484,958	Long Beach (484,958)	-
	11	2	0%	1,908,677	6%	1,908,677	San Jose (1,042,094)	San Francisco (866,583)
Council Electorate	At-Large	413	86%	16,983,128	52%	25,556	Irvine (258,386)	Amador (190)
	By District	57	12%	13,898,188	42%	85,934	Los Angeles (4,030,904)	Bradbury (1,123)
	From District	8	2%	1,055,967	3%	85,526	Santa Ana (342,930)	Woodside (5,664)
	By Seat	2	0%	272,124	1%	136,062	Sunnyvale (148,372)	Santa Clara (123,752)
	Mixed (By District & At-Large)	2	0%	537,037	2%	268,519	Oakland (422,856)	Downey (114,181)
Redistricting (by district cities only)	Council-Controlled	38	64%	4,314,257	30%	70,772	Fresno (520,453)	Bradbury (1,123)
	Advisory Commission	13	22%	6,206,162	43%	101,593	Los Angeles (4,030,904)	Dinuba (24,657)
	Independent Commission	8	14%	3,914,446	27%	343,963	San Diego (1,391,676)	Berkeley (119,915)
Voting Method	Plurality	462	96%	21,614,194	66%	28,415	Bakersfield (379,110)	Amador (190)
	Runoff	16	3%	9,635,196	29%	290,331	Los Angeles (4,030,904)	Seal Beach (25,078)
	RCV	4	1%	1,497,054	5%	271,386	San Francisco (866,583)	San Leandro (87,700)
Council Election Date	With State General	346	72%	17,909,338	55%	28,337	San Francisco (866,583)	Amador (190)
	With State Primary	22	5%	4,869,112	15%	19,632	San Diego (1,391,676)	Belvedere (2,162)
	Even Years, Off-Cycle	14	3%	986,423	3%	31,824	Long Beach (484,958)	Bradbury (1,123)
	Odd Years	99	21%	8,981,361	27%	36,218	Los Angeles (4,030,904)	Industry (441)
	Every Year, Off-Cycle	1	0%	210	0%	210	Vernon (210)	-
Campaign Disclosure	Paper Filing Only	329	68%	11,086,487	34%	20,814	Fremont (229,324)	Amador (190)
	Paper Filing Put Online	116	24%	8,359,415	26%	61,637	Bakersfield (379,110)	Del Mar (4,274)
	Online Filing - Optional	13	3%	1,933,104	6%	123,752	Anaheim (358,136)	San Dimas (34,144)
	Online Filing - Required	24	5%	11,367,438	35%	185,580	Los Angeles (4,030,904)	Yountville (2,987)
Campaign Regulation	Has Contribution Limits	108	22%	16,713,535	51%	58,862	Los Angeles (4,030,904)	Vernon (210)
	Has Public Financing	7	1%	6,521,277	20%	484,958	Los Angeles (4,030,904)	Richmond (110,378)
	Has Ethics Commission	10	2%	9,076,644	28%	454,270	Los Angeles (4,030,904)	Berkeley (119,915)

City Democratic Practices – 2018 (Projected)

		Number of Cities		City Population			Largest City	Smallest City
		Total	%	Total	%	Median		
Total		482	100%	32,746,444	100%	30,613	Los Angeles (4,030,904)	Amador (190)
Type	Charter	123	26%	18,963,732	58%	77,246	Los Angeles (4,030,904)	Vernon (210)
	General Law	359	74%	13,782,712	42%	24,924	Fremont (229,324)	Amador (190)
Form of Government	Council-Manager	468	97%	25,503,727	78%	30,791	San Jose (1,042,094)	Vernon (210)
	Mayor-Council	5	1%	7,232,472	22%	866,583	Los Angeles (4,030,904)	Oakland (422,856)
	Commission	5	1%	5,889	0%	1,010	Westmorland (2,256)	Tehama (431)
	Decentralized	4	1%	4,356	0%	741	Alturas (2,684)	Amador (190)
Elected Officials (other than council)	Mayor	170	35%	21,261,293	65%	55,964	Los Angeles (4,030,904)	Sand City (381)
	Treasurer	152	32%	8,039,094	25%	29,576	San Francisco (866,583)	Amador (190)
	Clerk	116	24%	5,824,652	18%	30,407	Fontana (209,895)	Amador (190)
	Attorney	10	2%	7,888,561	24%	343,963	Los Angeles (4,030,904)	San Rafael (60,582)
	Auditor	4	1%	1,107,006	3%	271,386	Long Beach (484,958)	Alameda (79,277)
	Other	6	1%	5,719,752	17%	304,355	Los Angeles (4,030,904)	Santa Monica (93,640)
	None except Council	209	43%	8,020,833	24%	24,844	Santa Clarita (219,611)	Vernon (210)
Council Size	5	431	89%	17,938,920	55%	26,138	Chula Vista (265,070)	Amador (190)
	6	2	0%	96,259	0%	48,130	Redondo Beach (69,494)	Eureka (26,765)
	7	36	7%	4,738,069	14%	101,099	Fresno (520,453)	Needles (5,035)
	8	5	1%	1,483,176	5%	324,696	Oakland (422,856)	Pasadena (141,023)
	9	4	1%	2,065,481	6%	302,799	San Diego (1,391,676)	Palo Alto (68,207)
	10	1	0%	484,958	1%	484,958	Long Beach (484,958)	-
	11	2	0%	1,908,677	6%	1,908,677	San Jose (1,042,094)	San Francisco (866,583)
	15	1	0%	4,030,904	12%	4,030,904	Los Angeles (4,030,904)	-
Council Electorate	At-Large	400	83%	15,742,087	48%	24,720	Irvine (258,386)	Amador (190)
	By District	72	15%	15,481,586	47%	84,948	Los Angeles (4,030,904)	Bradbury (1,123)
	From District	6	1%	713,610	2%	85,526	Santa Ana (342,930)	Woodside (5,664)
	By Seat	2	0%	272,124	1%	136,062	Sunnyvale (148,372)	Santa Clara (123,752)
	Mixed (By District & At-Large)	2	0%	537,037	2%	268,519	Oakland (422,856)	Downey (114,181)
Redistricting (by district cities only)	Council-Controlled	52	70%	5,582,063	35%	76,069	Fresno (520,453)	Bradbury (1,123)
	Advisory Commission	14	19%	6,522,114	41%	101,593	Los Angeles (4,030,904)	Dinuba (24,657)
	Independent Commission	8	11%	3,914,446	24%	343,963	San Diego (1,391,676)	Berkeley (119,915)
Voting Method	Plurality	462	96%	21,614,194	66%	28,415	Bakersfield (379,110)	Amador (190)
	Runoff	16	3%	9,635,196	29%	290,331	Los Angeles (4,030,904)	Seal Beach (25,078)
	RCV	4	1%	1,497,054	5%	271,386	San Francisco (866,583)	San Leandro (87,700)
Council Election Date	With State General	367	76%	18,939,708	58%	28,064	San Francisco (866,583)	Amador (190)
	With State Primary	22	5%	4,869,112	15%	19,632	San Diego (1,391,676)	Belvedere (2,162)
	Even Years, Off-Cycle	13	3%	945,902	3%	30,152	Long Beach (484,958)	Bradbury (1,123)
	Odd Years	79	16%	7,991,512	24%	36,716	Los Angeles (4,030,904)	Industry (441)
	Every Year, Off-Cycle	1	0%	210	0%	210	Vernon (210)	-
Campaign Disclosure	Paper Filing Only	329	68%	11,086,487	34%	20,814	Fremont (229,324)	Amador (190)
	Paper Filing Put Online	116	24%	8,359,415	26%	61,637	Bakersfield (379,110)	Del Mar (4,274)
	Online Filing - Optional	10	2%	1,537,027	5%	132,388	Anaheim (358,136)	San Dimas (34,144)
	Online Filing - Required	27	6%	11,763,515	36%	175,948	Los Angeles (4,030,904)	Yountville (2,987)
Campaign Regulation	Has Contribution Limits	108	22%	16,713,535	51%	58,862	Los Angeles (4,030,904)	Vernon (210)
	Has Public Financing	7	1%	6,521,277	20%	484,958	Los Angeles (4,030,904)	Richmond (110,378)
	Has Ethics Commission	10	2%	9,076,644	28%	454,270	Los Angeles (4,030,904)	Berkeley (119,915)

Median vs. Ten Largest Cities

Despite the great diversity in how cities can structure their municipal government and elections, the MDI also reveals that there is a great deal of commonality in how *most* cities operate. There is a clear profile of what the average California city looks like. The median city is a **general law** city (75% of cities), with a **five-member** city council (90%), and an **appointed mayor** (65%). Councilmembers are elected **at-large** (86%) using a **plurality** election method (96%) on the same day as the **state general election** (72%). There is virtually **no campaign finance regulation** besides what is required by state law: campaign finance forms are not available online (68%), there are no campaign contribution limits (68%), and no local body to enforce campaign finance laws (98%).

Yet, the picture is entirely different when considering the democratic practices of only California's largest cities. Compared to most cities, California's ten most populous cities are more likely to be **charter cities** (10/10) with a **strong mayor** (5/10); elect their councilmembers **by district** (10/10) using **majority-winner** voting methods (8/10); and have **campaign contribution limits** (9/10), **campaign public financing** (5/10), and a local **ethics commission** (6/10) to enforce those rules. Many of these differences are deviations from the state's general law, possible only because California's largest cities are all charter cities. Taken as a whole, these practices reflect a preference in large cities for a strong, elected executive branch; more representative election systems; and stricter campaign finance regulation.

Comparison: Median vs. Top Ten Most Populous CA Cities

City	Pop.	Type:	Form of government:	Council size:	Elected mayor?	Other elected?	Voting method:	Council elected:	Redistricting Commission?	Max Council Campaign Contribution (\$)	Campaign Public Financing?	Ethics/Election Commission?
Median City	30,000	General Law	Council-Manager	5	No	No	Plurality	At-Large	N/A	None	No	No
Los Angeles	4,031,000	Charter	Mayor-Council	15	Yes	Yes	Runoff	By District	Yes	\$700	Yes	Yes
San Diego	1,392,000	Charter	Mayor-Council	9	Yes	Yes	Runoff	By District	Yes	\$550	No	Yes
San Jose	1,042,000	Charter	Council-Manager	11	Yes	No	Runoff	By District	Yes	\$600	No	Yes
San Francisco	867,000	Charter	Mayor-Council	11	Yes	Yes	IRV	By District	Yes	\$500	Yes	Yes
Fresno	520,000	Charter	Mayor-Council	7	Yes	No	Runoff	By District	No	\$4,200	No	No
Sacramento	486,000	Charter	Council-Manager	9	Yes	No	Runoff	By District	Yes	\$1,650	Yes	Yes*
Long Beach	485,000	Charter	Council-Manager	10	Yes	Yes	Runoff	By District	No	\$400	Yes	No
Oakland	423,000	Charter	Mayor-Council	8	Yes	Yes	IRV	Mixed**	Yes	\$700	Yes	Yes
Bakersfield	379,000	Charter	Council-Manager	8	Yes	No	Plurality	By District	No	None	No	No
Anaheim	358,000	Charter	Council-Manager	5	Yes	No	Plurality	By District	Yes	\$1,900	No	No

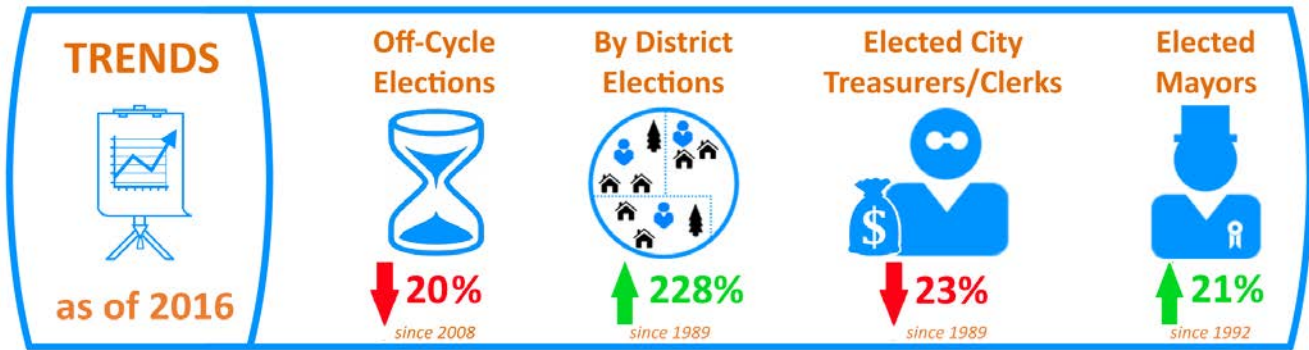
*The Sacramento city council adopted a framework to create an ethics commission which has not yet been implemented.

**Oakland elects seven councilmembers by district and one at-large.

Trends

Almost one hundred years after the great Progressive era municipal reforms, including the council-manager form of government, at-large elections, and odd-year elections, local democracy in California is once again in a period of great transformation. In just the past few decades, there have been significant changes in terms of the voting systems used to elect city councils (at-large vs. by district); when elections are held (off-cycle vs. on-cycle); and even which local officials are elected (city treasurer and city clerk vs. mayor). Recent state legislation from just the past two years is set to accelerate many of these trends, and in some cases represents a complete reversal of those Progressive era solutions.

Summary of Recent Trends



The Rebirth of By-District Voting

One of the biggest changes in the past fifteen years has been the rebirth of by-district voting. While most cities still use at-large elections for city council, in just the past five years the number of cities using by-district elections has more than doubled from 29 to 59, with an additional 15 cities set to use by-district elections by 2018.

Most of the dramatic growth³²⁵ in by-district elections has been a result of litigation, or the threat of litigation, under the California Voting Rights Act of 2001 (CVRA).³²⁶ The CVRA prohibits local jurisdictions, including cities, from using an at-large method of election if it “impairs the ability of [a race, color, or language minority group] to elect candidates of its choice”³²⁷ due to racially polarized block voting. In traditional at-large elections, a cohesive majority can elect every member of a city council, effectively preventing even significant minority voting blocs from electing a representative.

By-district elections can overcome citywide minority vote dilution through the creation of majority-minority districts. In all likelihood, more and more cities will be transitioning to by-district elections: recently-enacted legislation³²⁸ has sped up the transition process by allowing cities to move from at-large to by-district elections without a popular vote if the change “is being made in furtherance of the purposes of the California Voting Rights Act.”³²⁹ This process is faster than scheduling a vote on by-district elections and cannot be voted down by the electorate.³³⁰

Cities Using Different City Council Voting Systems

Year	At-Large	By-District	From-District
1989 ³³¹	417 (94%)	18 (4%)	10 (2%)
2000 ³³² (estimate)	(93%)	(5%)	(2%)
2011 ³³³	444 (92%)	31 (6%)	7 (2%)
2016	415 (86%)	59 (12%)	8 (2%)
2018 (projected)	402 (83%)	74 (15%)	6 (2%)

³²⁵ Ethan Jones, *Analysis of Senate Bill 493 (Cannella)*, Assembly Committee on Elections and Redistricting 3 (Jul. 1, 2015).

³²⁶ Cal. Elections Code Sec. 14025 et seq.

³²⁷ Cal. Elections Code Sec. 14027.

³²⁸ Senate Bill 493 (Cannella, Ch. 735, Statutes of 2015) (authorizing cities with a population under 100,000 to transition from at-large to by-district elections without a vote of the electorate); Assembly Bill 2220 (Cooper, Ch. 751, Statutes of 2016) (extending this authorization to all cities); & Assembly Bill 350 (Alejo, Ch. 737, Statutes of 2016) (capping attorney’s fees for cities that agree to transition from at-large to by-district elections within a certain time period).

³²⁹ Cal. Government Code Sec. 34886.

³³⁰ See, e.g., Highland, Measure T (Nov. 2014) (electorate voted down moving to by-district elections).

³³¹ Mark Stein, *Suit Alleges At-Large City Council Elections Are Discriminatory*, Los Angeles Times (Jan. 23, 1987) (citing League of California Cities data).

³³² Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 21 (2002).

³³³ National Demographics Corporation, Presentation to City of Visalia Elections Task Force (Dec. 12, 2011), available at: <http://www.ci.visalia.ca.us/civicax/filebank/blobdload.aspx?blobid=12036> (last visited Oct. 2012).

The Decline in Off-Cycle Voting

Off-cycle elections, which include odd-year and nonconcurrent even year elections, were once the norm in California. Progressive era reformers of the early twentieth century favored off-cycle local elections to focus voters' attention on these local races, which might otherwise be in the shadows of state and federal races.³³⁴ Up until 1981, general law cities were required to hold their elections off-cycle in the month of April in either odd or even years.³³⁵

However, off-cycle elections come at significant cost, both in terms of administration costs and the drop-off in turnout compared to on-cycle elections. Now, a supermajority of cities use on-cycle elections, which are even-year elections held concurrently with state and federal elections. That trend is not slowing. In the past fifteen years, 13 percent of cities have switched from off- to on-cycle elections. And, in the past two years alone, 31 additional cities have passed laws to move on-cycle beginning in 2018, 2020, or 2022.

Cities Holding On-Cycle vs. Off-Cycle Elections

Year	On-Cycle	Off-Cycle
2000 ³³⁶ (estimate)	(63%)	(37%)
2008 ³³⁷	340 (71%)	137 (29%)
2016	368 (76%)	114 (24%)
2018 (projected)	389 (81%)	93 (19%)

For two reasons, off-cycle elections are likely to decline even more precipitously in the next few years. First, the development of new voting equipment will remove one of the biggest obstacles to consolidating local elections in Los Angeles county, where the biggest bloc of off-cycle cities is. State law requires all on-cycle municipal elections to be consolidated with state elections, meaning that the county must run those elections together on the same ballot. However, since 1985 state law has also excepted Los Angeles County from this requirement, because, as explained by the Assembly Elections Committee, "its voting system could accommodate only a limited number of contests at each election, and the county was concerned that the move by cities to hold their elections at the same time as the statewide election would exceed the capacity of that voting system."³³⁸ Los Angeles County, however, is in the process of developing and implementing new voting equipment which should be able to accommodate local election consolidation by 2020.³³⁹ In anticipation, Los Angeles, which is the largest city in the state to hold off-cycle elections, has already amended its charter to conduct on-cycle, even-year elections beginning in 2020.³⁴⁰

Second, the California Voter Participation Rights Act,³⁴¹ a new law enacted in 2015, will force most of the remaining off-cycle cities to move on-cycle. The law requires, beginning in 2018, that a city hold its election on the same date as a state general or primary election if that city's voter turnout is "25 percent less than the average voter turnout ... for the previous four statewide general elections."³⁴² Cities that fail to meet this threshold may be sued by any voter in that jurisdiction to compel election synchronization. However, cities may delay moving to concurrent elections until 2022 if, prior to January 1, 2018, the city council adopts a plan to move their elections on-cycle.

³³⁴ Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 7 (2002).

³³⁵ Sarah F. Anzia, *TIMING & TURNOUT* 172 (2014).

³³⁶ Zoltan L. Hajnal et al., *Municipal Elections in California*, Public Policy Institute of California 19 (2002).

³³⁷ Sarah F. Anzia, *TIMING & TURNOUT* 173 (2014).

³³⁸ Ethan Jones, *Analysis of Senate Bill 415 (Hueso)*, Assembly Committee on Elections and Redistricting (Jul. 1, 2015).

³³⁹ *Id.* See also Los Angeles County, *Voting Systems Assessment Project*, available at <https://lavote.net/vsap/about> (last visited Nov. 2016).

³⁴⁰ See Los Angeles City Measure 1 (Mar. 3, 2015).

³⁴¹ Senate Bill 415 (Hueso, Ch. 235, Statutes of 2015).

³⁴² Cal. Elec. Code Secs. 14051 & 14052.

Because turnout in municipal elections is so low, few cities are expected to meet this standard.³⁴³ Since the law's passage, 31 cities with off-cycle elections have passed laws to synchronize their elections by 2022 at the latest. Even in the highly unlikely situation that no other city changes its election date, these pledges alone will drop the percentage of cities with off-cycle elections from 24 percent today to 17 percent by 2022.

It is unclear, as of now, whether the Participation Rights Act applies to charter cities, because the state's interest in increasing voter participation may conflict with the constitutional authority charter cities have to decide the timing of their elections.³⁴⁴ To be safe, many charter cities will comply rather than risk litigation. Other charter cities will do so just as a fiscal matter: as other local governments transition to on-cycle elections it will become increasingly costly for a charter city to hold a stand-alone off-cycle election.³⁴⁵ However, some city charters³⁴⁶ mandate off-cycle elections, which would make compliance difficult because charters may only be amended by popular vote.

Elected vs. Appointed Offices

One gradual but steady trend has been the change in which offices, other than city council, are elected. Whereas around 1990 more clerks (35%) and treasurers (42%) were elected than mayors (30%), today the opposite is true: 35 percent of mayors are elected, compared with 24 percent of clerks and 32 percent of treasurers.

Elected City Clerks, Treasurers, and Mayors

Year	Elected City Clerk	Elected City Treasurer	Year	Elected Mayor
1989 ³⁴⁷	161 (35%)	193 (42%)	1992 ³⁴⁸	140 (30%)
2006 ³⁴⁹	154 (32%)	174 (36%)	2007 ³⁵⁰	147 (31%)
2016	118 (24%)	153 (32%)	2016	170 (35%)

Two crossing trends explain a lot of this reversal. First, there is a growing perception that the offices of clerk and treasurer are primarily technical and ministerial positions, and so should go to qualified professionals instead of elected officials. In 2015 and 2016 there were 16 council-initiated measures on local ballots to make either the elected city clerk or city treasurer appointed instead, nine of which passed.³⁵¹ For example, the ballot argument proposing to make the Atascadero city clerk and city treasurer positions appointed explained:

³⁴³ See Stephanie Baer, *A bill aimed at increasing voter participation in LA County is creating a lot of confusion, frustration*, PASADENA STAR-NEWS (Oct. 31, 2016).

³⁴⁴ Cal. Const. Art. XI, Sec. 5. *But see Jauregui v. City of Palmdale*, 226 Cal. App. 4th 781 (2014) (holding that charter cities plenary authority over elections can be overcome by the state's interest in ensuring the integrity of elections).

³⁴⁵ Bill Silverfarb, *Even or odd? Council undecided on Elections*, DAILY JOURNAL (Oct. 19, 2016) ("The average cost for Redwood City's past four municipal elections was \$74,256. That cost could climb as high as \$425,000 if Redwood City holds a standalone election...").

³⁴⁶ See, e.g., Redondo Beach Charter, Art. XVIII, Sec. 18; Pasadena City Charter Sec. 1205.

³⁴⁷ City Manager Report to Mayor and Council, *Ballot Measure for Appointed City Clerk and City Treasurer*, City of Concord (Apr. 1, 2008), available at: <http://www.ci.pleasant-hill.ca.us/DocumentCenter/View/12198> (last visited Oct. 2016).

³⁴⁸ Jonathan Gaw, *Santa Clarita Officials Consider Direct Election of Town's Mayor*, LOS ANGELES TIMES (Mar. 25, 1993) (citing League of California Cities).

³⁴⁹ City Council Staff Report, *Council Consideration & Direction On Converting Elected City Clerk & Treasurer Positions*, City of Morgan Hill, (Jun. 16, 2010) (citing League of California Cities).

³⁵⁰ League of California Cities, *Directly Elected Mayors Roster* (Jun. 5, 2007), available at: http://huntingtonbeachca.gov/government/boards_commissions/files/cities_with_elected_mayor.pdf (last visited Oct. 2016).

³⁵¹ **November 8, 2016:** Atascadero Measure F-16 (Appoint clerk? Passed.) and Measure G-16 (Appoint treasurer? Failed.); Auburn Measure K (Appoint clerk? Passed.); Cathedral City Measure HH (Appoint clerk and other changes? Passed.); Clearlake Measure W (Appoint clerk? Passed.) and Measure X (Appoint treasurer? Failed.); Dixon Measure L (Appoint treasurer? Failed.); Dunsmuir Measure D (Appoint clerk? Passed.); Pittsburg Measure H (Appoint clerk? Failed.); Rio Vista Measure N (Appoint treasurer? Passed.); San Bernardino Measure L (Appoint clerk, eliminate treasurer, and other changes? Passed.); and Taft Measure W (Appoint clerk? Failed.). **June 7, 2016:** Antioch Measure G (Appoint Treasurer? Failed.) **November 3, 2015:** San Bruno Measure R (Appoint treasurer? Passed.) and Measure U (Appoint clerk? Passed.).

- **Clerk:**³⁵² “The selection of the Atascadero City Clerk should be based on qualifications and experience, not on the results of a political campaign. There is no guarantee that an elected City Clerk will possess the necessary skills and expertise. ... City clerks now require a high level of expertise and training with knowledge of local and state laws relating to the Public Records Act, Brown Act, Political Reform Act, Municipal Elections, and the Municipal Code. ... The public deserves the duties of the City Clerk to be performed professionally and efficiently.”
- **Treasurer:**³⁵³ “The City Treasurer is responsible for investing and safekeeping City funds. Therefore, the position requires a person who possesses technical experience and knowledge of public investments. ... Individuals elected in the future could cause serious financial problems if an unqualified individual was elected to perform the City Treasurer’s responsibilities.”

Second, with many cities now transitioning from at-large to by-district elections under threat of a CVRA lawsuit, there is often a desire to retain some citywide elected representation to push policy on behalf of the city as a whole.³⁵⁴ Often, in municipalities where the city council is elected by district, an elected mayor will be the sole citywide elected official. Other cities also choose to have an elected mayor, even though the council is also elected at-large, simply to give the public an opportunity to vote for the city’s symbolic leader and to endorse his or her vision for the future.³⁵⁵

³⁵² Atascadero Measure F-16, Ballot Argument in Favor (Nov. 8, 2016).

³⁵³ Atascadero Measure G-16, Ballot Argument in Favor (Nov. 8, 2016).

³⁵⁴ See, e.g., Costa Mesa Measure EE (changing to by-district elections with an elected mayor) (measure passed).

³⁵⁵ See, e.g., Albany Measure Y, Ballot Argument in Favor (Nov. 4, 2008) (“Albany residents should be able to directly elect their mayor, choosing leadership and vision for their city. Measure Y gives voters this right.”) (measure failed).

Appendix – Survey Results

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Adelanto	San Bernardino	1970	33,497	C	C	E	N	5	AL	P	CG	P	-	N	N	-
Agoura Hills	Los Angeles	1982	21,211	G	C	S	N	5	AL	P	NO ¹	P	\$250	N	N	-
Alameda	Alameda	1854	79,277	C	C	E	Au, T	5	AL	P	CG	W	-	N	N	-
Albany	Alameda	1908	18,893	C	C	S	T	5	AL	P	CG	W	-	N	N	-
Alhambra	Los Angeles	1903	86,782	C	C	S	N	5	FD	P	CG	P	-	N	N	N
Aliso Viejo	Orange	2001	50,509	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Alturas	Modoc	1901	2,684	G	D	S	C, T	5	AL	P	CP	P	-	N	N	-
Amador	Amador	1915	190	G	D	S	C, T	5	AL	P	CG	P	-	N	N	-
American Canyon	Napa	1992	20,374	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Anaheim	Orange	1876	358,136	C	C	E	N	7	BD	P	CG	O	\$1,900	N	N	A
Anderson	Shasta	1956	10,485	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Angels City	Calaveras	1912	4,045	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Antioch	Contra Costa	1872	112,968	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Apple Valley	San Bernardino	1988	74,656	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Arcadia	Los Angeles	1903	57,050	C	C	S	C	5	AL	P	NE	P	-	N	N	-
Arcata	Humboldt	1858	18,169	G	C	S	N	5	AL	P	CG	P	\$190	N	N	-
Arroyo Grande	San Luis Obispo	1911	17,731	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Artesia	Los Angeles	1959	16,883	G	C	S	N	5	AL	P	NO ¹	P	-	N	N	-
Arvin	Kern	1960	20,978	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Atascadero	San Luis Obispo	1979	30,879	G	C	E	T	5	AL	P	CG	W	-	N	N	-
Atherton	San Mateo	1923	7,150	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Atwater	Merced	1922	30,061	G	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Auburn	Placer	1888	14,070	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Avalon	Los Angeles	1913	3,678	G	C	E	T	5	AL	P	NE	P	-	N	N	-
Avenal	Kings	1979	12,373	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Azusa	Los Angeles	1898	49,485	G	C	E	C, T	5	AL	P	NO	P	-	N	N	-
Bakersfield	Kern	1898	379,110	C	C	E	N	8	BD	P	CP	W	-	N	N	N
Baldwin Park	Los Angeles	1956	74,738	G	C	E	C, T	5	AL	P	NO ¹	W	-	N	N	-
Banning	Riverside	1913	30,834	G	C	S	C, T	5	BD	P	CG	P	-	N	N	N
Barstow	San Bernardino	1947	24,360	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-

¹ Transitioning to CG in 2018.

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Beaumont	Riverside	1912	45,118	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Bell	Los Angeles	1927	36,716	C	C	S	N	5	AL	P	NO	P	-	N	N	-
Bell Gardens	Los Angeles	1961	42,952	G	C	S	N	5	AL	P	NO ¹	P	- ²	N	N	-
Bellflower	Los Angeles	1957	76,363	G	C	S	N	5	AL ³	P	NO ¹	P	-	N	N	-
Belmont	San Mateo	1926	27,834	G	C	S	C, T	5	AL	P	NO	W	\$500	N	N	-
Belvedere	Marin	1896	2,162	G	C	S	N	5	AL	P	CP	P	-	N	N	-
Benicia	Solano	1850	27,501	G	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Berkeley	Alameda	1878	119,915	C	C	E	Au, O ⁴	9	BD	I	CG	M	\$250	Y	Y	M
Beverly Hills	Los Angeles	1914	34,763	G	C	S	T	5	AL	P	NO	P	\$450	N	N	-
Big Bear Lake	San Bernardino	1980	4,905	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Biggs	Butte	1903	1,899	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Bishop	Inyo	1903	3,971	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Blue Lake	Humboldt	1910	1,287	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Blythe	Riverside	1916	19,813	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Bradbury	Los Angeles	1957	1,123	G	C	S	N	5	BD	P	NE	P	-	N	N	N
Brawley	Imperial	1908	26,566	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Brea	Orange	1917	43,710	G	C	S	T	5	AL	P	CG	W	-	N	N	-
Brentwood	Contra Costa	1948	58,784	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Brisbane	San Mateo	1961	4,699	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Buellton	Santa Barbara	1992	4,957	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Buena Park	Orange	1953	83,347	C	C	S	N	5	BD	P	CG	P	-	N	N	N
Burbank	Los Angeles	1911	105,110	C	C	S	C, T	5	AL	R	NO	W	\$400	N	N	-
Burlingame	San Mateo	1908	29,724	G	C	S	N	5	AL	P	NO	W	\$500	N	N	-
Calabasas	Los Angeles	1991	24,263	G	C	S	N	5	AL	P	NO ¹	P	-	N	N	-
Calexico	Imperial	1908	40,211	G	C	S	N	5	AL	P	CG	P	-	N	N	-
California City	Kern	1965	13,992	G	C	E	T	5	AL	P	CG	P	-	N	N	-
Calimesa	Riverside	1990	8,289	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Calipatria	Imperial	1919	7,468	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Calistoga	Napa	1886	5,180	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Camarillo	Ventura	1964	69,924	G	C	S	N	5	AL	P	CG	P	-	N	N	-

¹ Becomes CG in 2018.

² Obsolete municipal code section established \$250 limits.

³ Becomes BD in 2018.

⁴ Rent Stabilization Board.

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Campbell	Santa Clara	1952	42,584	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Canyon Lake	Riverside	1990	10,681	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Capitola	Santa Cruz	1949	10,150	G	C	S	T	5	AL	P	CP	W	\$200	N	N	-
Carlsbad	San Diego	1952	112,930	C	C	E	C, T	5	AL	P	CG	M	-	N	N	-
Carmel-By-The-Sea	Monterey	1916	3,833	G	C	E	N	5	AL	P	NE	P	-	N	N	-
Carpinteria	Santa Barbara	1965	13,928	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Carson	Los Angeles	1968	93,993	G	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Cathedral City	Riverside	1981	54,261	G ¹	C	E ²	C ³ , T	5	AL ⁴	P	CG	P	-	N	N	-
Ceres	Stanislaus	1918	47,166	G	C	E	T	5	AL ⁴	P	NO	P	-	N	N	-
Cerritos	Los Angeles	1956	49,412	C	C	S	N	5	AL	P	NO	P	-	N	N	-
Chico	Butte	1872	92,464	C	C	S	N	7	AL	P	CG	M	\$500	N	N	-
Chino	San Bernardino	1910	85,934	G	C	E	N	5	BD	P	CG	W	-	N	N	N
Chino Hills	San Bernardino	1991	78,866	G	C	S	N	5	AL ⁴	P	CG	W	-	N	N	-
Chowchilla	Madera	1923	18,547	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Chula Vista	San Diego	1911	265,070	C	C	E	At	5	BD	R ⁵	CP	O ⁶	\$320	N	Y	M
Citrus Heights	Sacramento	1997	86,291	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Claremont	Los Angeles	1907	36,218	G	C	S	N	5	AL	P	NO	P	\$250	N	N	-
Clayton	Contra Costa	1964	11,209	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Clearlake	Lake	1980	15,468	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Cloverdale	Sonoma	1872	8,825	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Clovis	Fresno	1912	108,039	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Coachella	Riverside	1946	45,407	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Coalinga	Fresno	1906	16,667	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Colfax	Placer	1910	2,068	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Colma	San Mateo	1924	1,509	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Colton	San Bernardino	1887	53,351	G	C	E	C, T	7	BD	P	CG	P	-	N	N	N
Colusa	Colusa	1868	6,315	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Commerce	Los Angeles	1960	13,127	G	C	S	N	5	AL	P	NO	P	\$1,000	N	N	-

¹ Becomes C in 2017.

² Becomes S in 2018.

³ Clerk becomes appointed in 2018.

⁴ Becomes BD in 2017 (Ceres), in 2018 (Chino Hills), and by 2022 (Cathedral City).

⁵ Mandatory top-two runoff.

⁶ Becomes M in 2017.

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Compton	Los Angeles	1888	101,226	C	C	E	At, C, T	5	BD	R	NO	P	-	N	N	N
Concord	Contra Costa	1905	129,707	G	C	S	T	5	AL	P	CG	P	\$1,000	N	N	-
Corcoran	Kings	1914	22,691	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Corning	Tehama	1907	7,500	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Corona	Riverside	1896	164,659	G	C	S	T	5	AL ¹	P	CG	P	-	N	N	-
Coronado	San Diego	1890	25,230	G	C	E	N	5	AL	P	CG	P	\$200	N	N	-
Corte Madera	Marin	1916	9,344	G	C	S	N	5	AL	P	NO ²	W	-	N	N	-
Costa Mesa	Orange	1953	114,603	G	C	S ³	N	5 ⁴	AL ¹	P	CG	W	-	N	N	-
Cotati	Sonoma	1963	7,153	G	C	S	N	5	AL	P	CG	M	\$350	N	N	-
Covina	Los Angeles	1901	49,291	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Crescent City	Del Norte	1854	6,592	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Cudahy	Los Angeles	1960	24,602	G	C	S	N	5	AL	P	NO	W ⁵	\$1,000	N	N	-
Culver City	Los Angeles	1917	40,448	C	C	S	N	5	AL	P	NE	P	\$500	N	N	-
Cupertino	Santa Clara	1955	58,185	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Cypress	Orange	1956	49,743	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Daly City	San Mateo	1911	109,139	G	C	S	C, T	5	AL	P	CG	W	-	N	N	-
Dana Point	Orange	1989	33,415	G	C	S	N	5	AL	P	CG	W	\$670	N	N	-
Danville	Contra Costa	1982	42,865	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Davis	Yolo	1917	68,314	G	C	S	N	5	AL	P	CP	P	\$100	N	N	-
Del Mar	San Diego	1959	4,274	C	C	S	N	5	AL	P	CG	W	\$100	N	N	-
Del Rey Oaks	Monterey	1953	1,666	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Delano	Kern	1915	52,999	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Desert Hot Springs	Riverside	1963	29,048	C	C	E	N	5	AL	P	NO	P	-	N	N	-
Diamond Bar	Los Angeles	1989	57,081	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Dinuba	Tulare	1906	24,657	C	C	S	N	5	BD	P	CG	P	-	N	N	A
Dixon	Solano	1878	19,018	G	C	E	T	5	BD	P	CG	P	-	N	N	N
Dorris	Siskiyou	1908	981	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Dos Palos	Merced	1935	5,378	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Downey	Los Angeles	1956	114,181	C	C	S	N	5	BD&AL ⁶	P	CG	P	\$1,500	N	N	A
Duarte	Los Angeles	1957	22,177	G	C	S	N	5	AL	P	NO	W ⁵	-	N	N	-

¹ Becomes BD in 2018.

² Becomes CP in 2022.

³ Becomes E in 2018.

⁴ Expanding to 7 in 2018.

⁵ Current officeholders only.

⁶ Four councilmembers elected BD and one AL.

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Dublin	Alameda	1982	57,349	G	C	E	N	5	AL	P	CG	W	\$500	N	N	-
Dunsmuir	Siskiyou	1909	1,618	G	C	S	T	5	AL	P	CG	P	-	N	N	-
East Palo Alto	San Mateo	1983	30,545	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Eastvale	Riverside	2010	63,162	G	C	S	N	5	BD	P	CG	P	-	N	N	N
El Cajon	San Diego	1912	102,337	C	C	E	N	5	AL ¹	P	CG	P	-	N	N	-
El Centro	Imperial	1908	45,170	C	C	S	N	5	AL	P	NO	P	-	N	N	-
El Cerrito	Contra Costa	1917	24,378	G	C	S	N	5	AL	P	CG	P	-	N	N	-
El Monte	Los Angeles	1912	113,885	G	C	E	C, T	5	AL	P	NO ²	P	-	N	N	-
El Paso De Robles	San Luis Obispo	1889	31,398	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
El Segundo	Los Angeles	1917	16,646	G	C	S	C, T	5	AL	P	NE	P	\$750	N	N	-
Elk Grove	Sacramento	2000	167,965	G	C	E	N	5	FD	P	CG	W	-	N	N	N
Emeryville	Alameda	1896	11,721	C	C	S	N	5	AL	P	CG	W	-	N	N	-
Encinitas	San Diego	1986	61,928	G	C	E	N	5	AL	P	CG	W	\$250	N	N	-
Escalon	San Joaquin	1957	7,065	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Escondido	San Diego	1888	150,760	G	C	E	T	5	BD	P	CG	P	\$4,100	N	N	M
Etna	Siskiyou	1878	736	G	Com	S	T	5	AL	P	CG	P	-	N	N	-
Eureka	Humboldt	1856	26,765	C	C	E	N	6	FD ¹	P	CG	P	\$500	N	N	N
Exeter	Tulare	1911	11,047	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Fairfax	Marin	1931	7,426	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Fairfield	Solano	1903	112,637	G	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Farmersville	Tulare	1960	11,161	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Ferndale	Humboldt	1893	1,434	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Fillmore	Ventura	1914	15,529	G	C	S	C, T	5	AL	P	CG	P	\$250	N	N	-
Firebaugh	Fresno	1914	8,154	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Folsom	Sacramento	1946	77,246	C	C	S	N	5	AL	P	CG	W	\$150	N	N	-
Fontana	San Bernardino	1952	209,895	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Fort Bragg	Mendocino	1889	7,672	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Fort Jones	Siskiyou	1872	710	G	D	S	C, T	5	AL	P	CG	P	-	N	N	-
Fortuna	Humboldt	1906	11,848	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Foster City	San Mateo	1971	33,201	G	C	S	N	5	AL	P	NO ²	W ³	-	N	N	-
Fountain Valley	Orange	1957	56,714	G	C	S	N	5	AL	P	CG	P	\$500	N	N	-
Fowler	Fresno	1908	5,944	G	C	S	N	5	AL	P	CG	P	-	N	N	-

¹ Becomes BD in 2018.

² Becomes CG in 2018.

³ Current officeholders only.

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Fremont	Alameda	1956	229,324	G	C	E	N	5	AL	P	CG	P	\$600	N	N	-
Fresno	Fresno	1885	520,453	C	M	E	N	7	BD	R	CP	M	\$4,200	N	N	N
Fullerton	Orange	1904	142,457	G	C	S	N	5	AL ¹	P	CG	W	-	N	N	-
Galt	Sacramento	1946	25,450	G	C	S	C, T	5	AL	P	CG	W	\$100	N	N	-
Garden Grove	Orange	1956	177,303	G	C	E	N	7	BD	P	CG	W	-	N	N	N
Gardena	Los Angeles	1930	60,785	G	C	E	C, T	5	AL	P	NO	W	\$500	N	N	-
Gilroy	Santa Clara	1870	55,170	C	C	E	N	7	AL	P	CG	P	\$750	N	N	-
Glendale	Los Angeles	1906	201,668	C	C	S	C, T	5	AL	P	NO	O	\$1,000	N	N	-
Glendora	Los Angeles	1911	52,362	G	C	S	N	5	AL	P	NO	W ²	-	N	N	-
Goleta	Santa Barbara	2002	31,235	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Gonzales	Monterey	1947	8,473	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Grand Terrace	San Bernardino	1978	12,315	G	C	E	N	5	AL	P	CG	P	\$250	N	N	-
Grass Valley	Nevada	1893	12,955	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Greenfield	Monterey	1947	17,446	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Gridley	Butte	1905	6,575	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Grover Beach	San Luis Obispo	1959	13,397	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Guadalupe	Santa Barbara	1946	7,348	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Gustine	Merced	1915	5,842	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Half Moon Bay	San Mateo	1959	12,528	G	C	S	N	5	AL	P	CP	P	\$1,000	N	N	-
Hanford	Kings	1891	55,840	G	C	S	N	5	BD	P	CG	P	-	N	N	N
Hawaiian Gardens	Los Angeles	1964	14,926	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Hawthorne	Los Angeles	1922	88,003	G	C	E	C, T	5	AL	P	NO	P	-	N	N	-
Hayward	Alameda	1876	158,985	C	C	E	N	7	AL	P	CP ³	W	\$1,295	N	N	-
Healdsburg	Sonoma	1867	11,699	G	C	S	N	5	AL	P	CG	W	\$500	N	N	-
Hemet	Riverside	1910	80,070	G	C	S	T	5	BD	P	CG	P	-	N	N	N
Hercules	Contra Costa	1900	24,791	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Hermosa Beach	Los Angeles	1907	19,801	G	C	S	C, T	5	AL	P	NO	P	\$250	N	N	-
Hesperia	San Bernardino	1988	93,226	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Hidden Hills	Los Angeles	1961	1,872	G	C	S	N	5	AL	P	NO ³	P	-	N	N	-
Highland	San Bernardino	1987	53,645	G	C	S	N	5	BD	P	CG	P	-	N	N	N

¹ Becomes BD in 2018.

² Mun. Code says O, but not yet implemented.

³ Becomes CG in 2018 (Hayward) and 2020 (Hidden Hills).

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Hillsborough	San Mateo	1910	11,687	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Hollister	San Benito	1872	36,484	G	C	E	T	5	BD	P	CG	P	-	N	N	N
Holtville	Imperial	1908	6,093	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Hughson	Stanislaus	1972	7,150	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Huntington Beach	Orange	1909	195,212	C	C	S	At, C, T	7	AL	P	CG	M	\$540	N	N	-
Huntington Park	Los Angeles	1906	59,718	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Huron	Fresno	1951	6,914	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Imperial	Imperial	1904	18,165	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Imperial Beach	San Diego	1956	27,434	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Indian Wells	Riverside	1967	5,412	C	C	S	N	5	AL	P	CG	W	-	N	N	-
Indio	Riverside	1930	88,058	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Industry	Los Angeles	1957	441	C	C	S	N	5	AL	P	NO	P	-	N	N	-
Inglewood	Los Angeles	1908	116,648	C	C	E	C, T	5	BD	R	NO	P	-	N	N	N
Ione	Amador	1953	7,085	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Irvine	Orange	1971	258,386	C	C	E	N	5	AL	P	CG	O	\$470	N	N	-
Irwindale	Los Angeles	1957	1,415	C	C	S	N	5	AL	P	NO	P	-	N	N	-
Isleton	Sacramento	1923	846	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Jackson	Amador	1905	4,902	G	C	S	C	5	AL	P	CG	P	-	N	N	-
Jurupa Valley	Riverside	2011	98,177	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Kerman	Fresno	1946	14,366	G	C	E	N	5	AL	P	CG	P	-	N	N	-
King City	Monterey	1911	14,221	C	C	S	N	5	BD	P	CG	P	-	N	N	N
Kingsburg	Fresno	1908	12,101	C	C	S	N	5	AL	P	CG	P	-	N	N	-
La Canada Flintridge	Los Angeles	1976	20,556	G	C	S	N	5	AL	P	NO	P	-	N	N	-
La Habra	Orange	1925	62,064	G	C	S	N	5	AL	P	CG	P	-	N	N	-
La Habra Heights	Los Angeles	1978	5,459	G	C	S	N	5	AL	P	NO	P	-	N	N	-
La Mesa	San Diego	1912	59,982	G	C	E	T	5	AL	P	CG	P	-	N	N	-
La Mirada	Los Angeles	1960	49,639	G	C	S	N	5	AL ¹	P	NO	P	-	N	N	-
La Palma	Orange	1955	16,057	G	C	S	N	5	AL	P	CG	P	-	N	N	-
La Puente	Los Angeles	1956	40,521	G	C	S	N	5	AL	P	NE ²	P	-	N	N	-
La Quinta	Riverside	1982	39,977	C	C	E	N	5	AL	P	CG	P	-	N	N	-

¹ Becomes BD in 2017.

² Becomes CG in 2018.

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La Verne	Los Angeles	1906	33,200	G	C	E	N	5	AL	P	NO	P	-	N	N	-
Lafayette	Contra Costa	1968	24,924	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Laguna Beach	Orange	1927	23,617	G	C	S	C, T	5	AL	P	CG	W	\$360	N	N	-
Laguna Hills	Orange	1991	30,681	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Laguna Niguel	Orange	1989	66,142	G	C	S	N	5	AL	P	CG	W	\$1,000	N	N	-
Laguna Woods	Orange	1999	16,213	G	C	S	N	5	AL	P	CG	P	\$250	N	N	-
Lake Elsinore	Riverside	1888	61,006	G	C	S	T	5	AL	P	CG	W	-	N	N	-
Lake Forest	Orange	1991	83,910	G	C	S	N	5	AL	P	CG	O	-	N	N	-
Lakeport	Lake	1888	4,765	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Lakewood	Los Angeles	1954	78,471	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Lancaster	Los Angeles	1977	157,094	C	C	E	N	5	AL	P	NE	W	-	N	N	-
Larkspur	Marin	1908	12,445	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Lathrop	San Joaquin	1989	22,112	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Lawndale	Los Angeles	1959	33,496	G	C	E	C	5	AL	P	NE	P	-	N	N	-
Lemon Grove	San Diego	1977	26,611	G	C	E	N	5	AL	P	CG	P	\$1,050	N	N	-
Lemoore	Kings	1900	26,199	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Lincoln	Placer	1890	47,339	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Lindsay	Tulare	1910	12,960	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Live Oak	Sutter	1947	8,346	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Livermore	Alameda	1876	88,138	G	C	E	N	5	AL	P	CG	W	\$250	N	N	-
Livingston	Merced	1922	13,849	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Lodi	San Joaquin	1906	63,219	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Loma Linda	San Bernardino	1970	24,649	C	C	S	N	5	AL	P	CP	P	-	N	N	-
Lomita	Los Angeles	1964	20,290	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Lompoc	Santa Barbara	1888	44,116	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Long Beach	Los Angeles	1897	484,958	C	C	E	At, Au, O ¹	10	BD	R	NE	M	\$400	Y	N	N
Loomis	Placer	1984	6,692	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Los Alamitos	Orange	1960	11,738	C	C	S	N	5	AL	P	CG	W	-	N	N	-

¹ City Prosecutor.

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Los Altos	Santa Clara	1952	31,353	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Los Altos Hills	Santa Clara	1956	8,658	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Los Angeles	Los Angeles	1850	4,030,904	C	M	E	At, O ¹	15	BD	R	NO ²	M	\$700	Y	Y	A
Los Banos	Merced	1907	39,359	G	C	E	C, T	5	BD	P	CG	P	-	N	N	N
Los Gatos	Santa Clara	1887	31,376	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Loyalton	Sierra	1901	772	G	D	S	C	5	AL	P	CG	P	-	N	N	-
Lynwood	Los Angeles	1921	72,505	G	C	S	C, T	5	AL	P	NO	W	-	N	N	-
Madera	Madera	1907	65,474	G	C	E	N	7	BD	P	CG	P	-	N	N	N
Malibu	Los Angeles	1991	12,706	G	C	S	N	5	AL	P	CG	P	\$250	N	N	-
Mammoth Lakes	Mono	1984	8,024	G	C	S	N	5	AL	P	CP	P	-	N	N	-
Manhattan Beach	Los Angeles	1912	35,297	G	C	S	T	5	AL	P	NO ³	P	\$250	N	N	-
Manteca	San Joaquin	1918	73,841	G	C	E	N	5	AL	P	CG	O	-	N	N	-
Maricopa	Kern	1911	1,140	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Marina	Monterey	1975	20,982	C	C	E	N	5	AL	P	CG	W	-	N	N	-
Martinez	Contra Costa	1876	37,057	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Marysville	Yuba	1851	12,010	C	C	E	N	5	AL	P	CG	P	-	N	N	-
Maywood	Los Angeles	1924	28,219	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
McFarland	Kern	1957	14,658	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Mendota	Fresno	1942	11,763	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Menifee	Riverside	2008	89,004	G	C	E	N	5	BD	P	CG	W	-	N	N	A
Menlo Park	San Mateo	1927	33,863	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Merced	Merced	1889	83,962	C	C	E	N	7	BD	P	CG	W	\$598	N	N	A
Mill Valley	Marin	1900	14,880	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Millbrae	San Mateo	1948	23,136	G	C	S	N	5	AL	P	NO ²	W	-	N	N	-
Milpitas	Santa Clara	1954	75,521	G	C	E	N	5	AL	P	CG	W	\$250	N	N	-
Mission Viejo	Orange	1988	96,701	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Modesto	Stanislaus	1884	211,903	C	C	E	N	7	BD	P	NO	W	-	N	N	M
Monrovia	Los Angeles	1887	37,531	G	C	E	C, T	5	AL	P	NO	P	-	N	N	-

¹ City Controller.

² Becomes CP in 2020.

³ Becomes CG in 2020.

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Montague	Siskiyou	1909	1,456	G	Com	S	N	5	AL	P	CG	P	-	N	N	-
Montclair	San Bernardino	1956	38,686	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Monte Sereno	Santa Clara	1957	3,475	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Montebello	Los Angeles	1920	63,924	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
Monterey	Monterey	1890	28,610	C	C	E	N	5	AL	P	CG	W	-	N	N	-
Monterey Park	Los Angeles	1916	61,346	G	C	S	C, T	5	AL	P	NO	W	-	N	N	-
Moorpark	Ventura	1983	36,715	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Moraga	Contra Costa	1974	16,513	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Moreno Valley	Riverside	1984	205,383	G	C	S	N	5	BD	P	CG	W	-	N	N	N
Morgan Hill	Santa Clara	1906	43,645	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Morro Bay	San Luis Obispo	1964	10,722	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Mount Shasta	Siskiyou	1905	3,367	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Mountain View	Santa Clara	1902	77,925	C	C	S	N	7	AL	P	CG	O ¹	-	N	N	-
Murrieta	Riverside	1991	113,795	G	C	S	N	5	AL	P	CG	O	\$1,090	N	N	-
Napa	Napa	1872	80,576	C	C	E	N	5	AL	P	CG	P	-	N	N	-
National City	San Diego	1887	60,768	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Needles	San Bernardino	1913	5,035	C	C	E	N	7	AL	P	CG	P	-	N	N	-
Nevada City	Nevada	1856	3,260	G	C	S	C, T	5	AL	P	CP	P	-	N	N	-
Newark	Alameda	1955	44,733	G	C	E	N	5	AL	P	CG	P	\$500	N	N	-
Newman	Stanislaus	1908	10,840	G	C	E	T	5	AL	P	CG	P	-	N	N	-
Newport Beach	Orange	1906	84,270	C	C	S	N	7	FD	P	CG	W	\$1,100	N	N	N
Norco	Riverside	1964	26,896	C	C	S	N	5	AL	P	NO ²	P	-	N	N	-
Norwalk	Los Angeles	1957	105,292	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Novato	Marin	1960	54,749	G	C	S	N	5	AL	P	NO	W	\$400	N	N	-
Oakdale	Stanislaus	1906	22,348	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Oakland	Alameda	1852	422,856	C	M	E	At, Au	8	BD&AL ³	I	CG	M	\$700	Y	Y	M

¹ Becomes M in 2017.

² Becomes CG in 2018.

³ Seven councilmembers elected BD and one AL.

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Oakley	Contra Costa	1999	40,141	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Oceanside	San Diego	1888	175,948	C	C	E	C, T	5	AL	P	CG	M	-	N	N	-
Ojai	Ventura	1921	7,477	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Ontario	San Bernardino	1891	169,869	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Orange	Orange	1888	141,420	G	C	E	C, T	5	AL	P	CG	P	\$1,000	N	N	-
Orange Cove	Fresno	1948	9,220	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Orinda	Contra Costa	1985	18,749	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Orland	Glenn	1909	7,676	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Oroville	Butte	1906	17,996	C	C	E	T	7	AL	P	CG	P	-	N	N	-
Oxnard	Ventura	1903	206,997	G	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Pacific Grove	Monterey	1889	15,352	C	C	E	N	7	AL	P	CG	P	\$600	N	N	-
Pacifica	San Mateo	1957	37,806	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Palm Desert	Riverside	1973	49,335	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Palm Springs	Riverside	1938	46,654	C	C	E	N	5	AL	P	NO	P	-	N	N	-
Palmdale	Los Angeles	1962	160,072	C	C	E	N	5	BD	P	CG	P	-	N	N	N
Palo Alto	Santa Clara	1894	68,207	C	C	S	N	9 ¹	AL	P	CG	M	-	N	N	-
Palos Verdes Estates	Los Angeles	1939	13,712	G	C	S	T	5	AL	P	NO ²	P	-	N	N	-
Paradise	Butte	1979	25,405	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Paramount	Los Angeles	1957	56,400	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Parlier	Fresno	1921	15,395	G	C	E	C, T	5	BD	P	CG	P	-	N	N	N
Pasadena	Los Angeles	1886	141,023	C	C	E	N	8	BD	R	NO	O	-	N	N	A
Patterson	Stanislaus	1919	22,590	G	C	E	N	5	BD	P	CG	W	-	N	N	N
Perris	Riverside	1911	73,722	G	C	E	C	5	AL	P	CG	W	-	N	N	-
Petaluma	Sonoma	1858	60,375	C	C	E	N	7	AL	P	CG	W	\$200	N	N	-
Pico Rivera	Los Angeles	1958	64,272	G	C	S	N	5	AL	P	NO ²	P	-	N	N	-
Piedmont	Alameda	1907	11,219	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Pinole	Contra Costa	1903	18,739	G	C	S	T	5	AL	P	CG	W	\$500	N	N	-
Pismo Beach	San Luis Obispo	1946	8,181	G	C	E	N	5	AL	P	CG	W	-	N	N	-
Pittsburg	Contra Costa	1903	67,817	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Placentia	Orange	1926	52,263	C	C	S	C, T	5	AL ³	P	CG	P	-	N	N	-

¹ Reducing to 7 in 2019.

² Becomes CG in 2018 (Pico Rivera) and 2020 (Palos Verdes Estates).

³ Transitioning to BD in 2018.

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Placerville	El Dorado	1854	10,702	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Pleasant Hill	Contra Costa	1961	34,077	G	C	S	T	5	AL	P	CG	P	\$500	N	N	-
Pleasanton	Alameda	1894	74,982	G	C	E	N	5	AL	P	CG	M	-	N	N	-
Plymouth	Amador	1917	1,015	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Point Arena	Mendocino	1908	448	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Pomona	Los Angeles	1888	155,604	C	C	E	N	7	BD	P	CG	P	\$500	N	N ¹	N
Port Hueneme	Ventura	1948	22,702	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Porterville	Tulare	1902	60,070	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Portola	Plumas	1946	2,180	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Portola Valley	San Mateo	1964	4,751	G	C	S	N	5	AL	P	NO ²	P	-	N	N	-
Poway	San Diego	1980	50,103	G	C	E	N	5	AL	P	CG	P	\$100	N	N	-
Rancho Cordova	Sacramento	2003	72,203	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Rancho Cucamonga	San Bernardino	1977	175,251	G	C	E	C, T	5	AL ³	P	CG	P	-	N	N	-
Rancho Mirage	Riverside	1973	18,070	C	C	S	N	5	AL	P	NE	P	-	N	N	-
Rancho Palos Verdes	Los Angeles	1973	43,041	G	C	S	N	5	AL	P	NO ²	W	-	N	N	-
Rancho Santa Margarita	Orange	2000	48,516	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Red Bluff	Tehama	1876	14,048	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Redding	Shasta	1887	90,230	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Redlands	San Bernardino	1888	68,368	G	C	S	C, T	5	AL ³	P	CG	P	-	N	N	-
Redondo Beach	Los Angeles	1892	69,494	C	C	E	At, C, T	6	BD	R	NO	P	-	N	N	N
Redwood City	San Mateo	1867	85,992	C	C	S	N	7	AL	P	NO	W	-	N	N	-
Reedley	Fresno	1913	25,999	G	C	S	N	5	FD	P	CG	P	-	N	N	N
Rialto	San Bernardino	1911	107,330	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Richmond	Contra Costa	1905	110,378	C	C	E	N	7	AL	P	CG	W	\$2,500	Y	N	-
Ridgecrest	Kern	1963	28,064	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Rio Dell	Humboldt	1965	3,416	G	C	S	N	5	AL	P	CG	P	-	N	N	-

¹ City clerk enforces campaign laws.

² Becomes CG in 2018 (Portola Valley) and 2020 (Rancho Palos Verdes).

³ Becomes BD in 2018.

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Rio Vista	Solano	1894	8,601	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Ripon	San Joaquin	1945	14,724	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Riverbank	Stanislaus	1922	23,913	G	C	E	N	5	BD	P	CG	P	-	N	N	N
Riverside	Riverside	1883	324,696	C	C	E	N	8	BD	R	NO	W	-	N	Y	N
Rocklin	Placer	1893	60,351	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Rohnert Park	Sonoma	1962	42,003	G	C	S	N	5	AL	P	CG	P	\$500	N	N	-
Rolling Hills	Los Angeles	1957	1,943	G	C	S	N	5	AL	P	NO ¹	P	-	N	N	-
Rolling Hills Estates	Los Angeles	1957	8,028	G	C	S	N	5	AL	P	NO	P	\$250	N	N	-
Rosemead	Los Angeles	1959	55,231	G	C	S	N	5	AL	P	NO	W	-	N	N	-
Roseville	Placer	1909	134,073	C	C	S	N	5	AL	P	CG	W	\$500	N	N	-
Ross	Marin	1908	2,527	G	C	S	N	5	AL	P	CP	P	-	N	N	-
Sacramento	Sacramento	1850	485,683	C	C	E	N	9	BD	R	CP	M	\$1,650	Y	Y ²	M
Salinas	Monterey	1874	161,042	C	C	E	N	7	BD	P	CG	P	-	N	N	A
San Anselmo	Marin	1907	12,867	G	C	S	C, T	5	AL	P	NO	W	-	N	N	-
San Bernardino	San Bernardino	1869	215,491	C	C ³	E	N ⁴	8	BD	R	NO ¹	M	-	N	N	N
San Bruno	San Mateo	1914	45,360	G	C	E	C ⁵ , T ⁵	5	AL	P	NO	P	-	N	N	-
San Carlos	San Mateo	1925	29,008	G	C	S	T	5	AL	P	NO	P	-	N	N	-
San Clemente	Orange	1928	66,245	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
San Diego	San Diego	1850	1,391,676	C	M	E	At	9	BD	R ⁶	CP	M	\$550	N	Y	M
San Dimas	Los Angeles	1960	34,144	G	C	E	N	5	AL	P	NO ⁷	O	-	N	N	-
San Fernando	Los Angeles	1911	24,533	G	C	S	T	5	AL	P	NO ⁷	P	\$500	N	N	-
San Francisco	San Francisco	1850	866,583	C	M	E	At, T, O ⁸	11	BD	I	CG	M	\$500	Y	Y	M
San Gabriel	Los Angeles	1913	40,424	G	C	S	C, T	5	AL	P	NO	P	-	N	N	-
San Jacinto	Riverside	1888	47,656	G	C	S	T	5	AL	P	CG	P	-	N	N	-
San Joaquin	Fresno	1920	4,047	G	C	S	N	5	AL	P	CG	P	-	N	N	-
San Jose	Santa Clara	1850	1,042,094	C	C	E	N	11	BD	R	CP	M	\$600	N	Y	A

¹ Becomes CG in 2020 (Rolling Hills) and 2018 (San Bernardino).

² Ethics commission enacted but not implemented.

³ Was M through November 2016.

⁴ Was C, T, and At through Nov. 2016.

⁵ Appointed beginning in 2017.

⁶ Mandatory top two runoff beginning in 2018.

⁷ Transitioning to on-cycle no later than 2022.

⁸ County offices: Assessor-Recorder, District Attorney, Public Defender, Sheriff.

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San Juan Bautista	San Benito	1896	1,843	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
San Juan Capistrano	Orange	1961	36,085	G	C	S	N	5	BD	P	CG	P	\$500	N	N	N
San Leandro	Alameda	1872	87,700	C	C	E	N	7	BD	I	CG	W	-	N	N	N
San Luis Obispo	San Luis Obispo	1856	46,117	C	C	E	N	5	AL	P	CG	W	\$300	N	N	-
San Marcos	San Diego	1963	93,295	C	C	E	N	5	AL ¹	P	CG	W	\$250	N	N	-
San Marino	Los Angeles	1913	13,566	G	C	S	N	5	AL	P	NO	W	-	N	N	-
San Mateo	San Mateo	1894	102,659	C	C	S	N	5	AL	P	NO	W	\$250	N	N	-
San Pablo	Contra Costa	1948	30,829	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
San Rafael	Marin	1874	60,582	C	C	E	At, C	5	AL	P	NO	W	-	N	N	-
San Ramon	Contra Costa	1983	78,363	C	C	E	N	5	AL	P	CG	P	-	N	N	-
Sand City	Monterey	1960	381	C	C	E	N	5	AL	P	CG	P	-	N	N	-
Sanger	Fresno	1911	26,024	G	C	E	N	5	BD	P	CG	P	-	N	N	A
Santa Ana	Orange	1886	342,930	C	C	E	N	7	FD	P	CG	M	\$1,000	N	N	N
Santa Barbara	Santa Barbara	1850	93,190	C	C	E	N	7	BD	P	NO	M	-	N	N	N
Santa Clara	Santa Clara	1852	123,752	C	C	E	C, O ²	7	BS	P	CG	O	\$550	N	N	-
Santa Clarita	Los Angeles	1987	219,611	G	C	S	N	5	AL	P	CG	W	\$1,000	N	N	-
Santa Cruz	Santa Cruz	1866	64,632	C	C	S	N	7	AL	P	CG	W	\$350	N	N	-
Santa Fe Springs	Los Angeles	1957	18,459	G	C	S	N	5	AL	P	NO ³	P	-	N	N	-
Santa Maria	Santa Barbara	1905	104,404	C	C	E	C, T	5	AL	P	CG	W	-	N	N	-
Santa Monica	Los Angeles	1886	93,640	C	C	S	O ⁴	7	AL	P	CG	M	\$340	N	N	-
Santa Paula	Ventura	1902	30,752	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Santa Rosa	Sonoma	1868	175,667	C	C	S	N	7	AL	P	CG	M	\$500	N	N	-
Santee	San Diego	1980	56,757	C	C	E	N	5	AL	P	CG	P	\$700	N	N	-
Saratoga	Santa Clara	1956	30,219	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Sausalito	Marin	1893	7,217	G	C	S	N	5	AL	P	CG	W	\$250	N	N	-
Scotts Valley	Santa Cruz	1966	12,143	G	C	S	N	5	AL	P	CG	P	\$100	N	N	-
Seal Beach	Orange	1915	25,078	C	C	S	N	5	BD	R	CG	W	\$500	N	N	A
Seaside	Monterey	1954	34,071	G	C	E	N	5	AL	P	CG	P	-	N	N	-

¹ Becomes BD in 2018.

² Police chief.

³ Becomes CG in 2018.

⁴ Rent Control Board.

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Sebastopol	Sonoma	1902	7,527	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Selma	Fresno	1893	24,844	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Shafter	Kern	1938	18,048	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Shasta Lake	Shasta	1993	10,523	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Sierra Madre	Los Angeles	1907	11,013	G	C	S	C, T	5	AL	P	NE	P	-	N	N	-
Signal Hill	Los Angeles	1924	11,673	C	C	S	C, T	5	AL	P	NO	P	\$550	N	N	-
Simi Valley	Ventura	1969	127,167	G	C	E	N	5	AL	P	CG	W	\$1,000	N	Y	-
Solana Beach	San Diego	1986	13,494	G	C	S	N	5	AL	P	CG	P	\$160	N	N	-
Soledad	Monterey	1921	25,556	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Solvang	Santa Barbara	1985	5,451	C	C	E	N	5	AL	P	CG	P	-	N	N	-
Sonoma	Sonoma	1883	10,865	G	C	S	N	5	AL	P	CG	P	\$200	N	N	-
Sonora	Tuolumne	1851	4,892	G	C	S	C	5	AL	P	CP	P	-	N	N	-
South El Monte	Los Angeles	1958	20,814	G	C	E	N	5	AL	P	NO ¹	P	-	N	N	-
South Gate	Los Angeles	1923	99,578	G	C	S	C, T	5	AL	P	NO	P	\$1,000	N	N	-
South Lake Tahoe	El Dorado	1965	20,807	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
South Pasadena	Los Angeles	1888	26,028	G	C	S	C, T	5	AL	P	NO ¹	P	-	N	N	-
South San Francisco	San Mateo	1908	64,585	G	C	S	C, T	5	AL	P	NO ¹	P	-	N	N	-
St Helena	Napa	1876	6,004	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Stanton	Orange	1956	39,751	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Stockton	San Joaquin	1850	315,592	C	C	E	N	7	FD ²	R ³	CP	M	-	N	N ⁴	A ⁵
Suisun City	Solano	1868	29,091	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Sunnyvale	Santa Clara	1912	148,372	C	C	S	N	7	BS	P	CG	O	-	N	N	-
Susanville	Lassen	1900	14,614	G	C	S	N	5	AL	P	CP	P	-	N	N	-
Sutter Creek	Amador	1913	2,588	G	C	S	T	5	AL	P	CG	P	-	N	N	-
Taft	Kern	1910	9,405	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Tehachapi	Kern	1909	12,217	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-

¹ Becomes CG in 2018.

² Becomes BD in 2018.

³ Mandatory top two runoff: two candidates are nominated by district voters then elected at a citywide runoff. Becomes R after 2016.

⁴ Can contract with FPPC for enforcement but has not.

⁵ Until November 2016, city clerk drew districts.

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Tehama	Tehama	1906	431	G	Com	S	C, T	5	AL	P	CG	P	-	N	N	-
Temecula	Riverside	1989	109,064	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Temple City	Los Angeles	1960	36,534	C	C	S	N	5	AL	P	NO	P	-	N	N	-
Thousand Oaks	Ventura	1964	132,365	G	C	S	N	5	AL	P	CG	W	\$510	N	N	-
Tiburon	Marin	1964	9,503	G	C	S	N	5	AL	P	NO	P	-	N	N	-
Torrance	Los Angeles	1921	147,175	C	C	E	C, T	7	AL	P	CP	W	\$1,000	N	N	-
Tracy	San Joaquin	1910	89,208	G	C	E	T	5	AL	P	CG	W	-	N	N	-
Trinidad	Humboldt	1870	367	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Truckee	Nevada	1993	15,370	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Tulare	Tulare	1888	63,515	C	C	S	N	5	BD	P	CG	P	-	N	N	N
Tulelake	Siskiyou	1937	1,010	G	Com	S	C, T	5	AL	P	CG	P	-	N	N	-
Turlock	Stanislaus	1908	72,050	G	C	E	T	5	BD	P	CG	W	-	N	N	N
Tustin	Orange	1927	82,717	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Twentynine Palms	San Bernardino	1987	26,138	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Ukiah	Mendocino	1876	16,186	G	C	S	T	5	AL	P	CG	W	\$500	N	N	-
Union City	Alameda	1959	72,952	G	C	E	N	5	AL	P	CG	W	\$720	N	N	-
Upland	San Bernardino	1906	75,774	G	C	E	T	5	AL ¹	P	CG	W	\$1,000	N	N	-
Vacaville	Solano	1892	97,667	G	C	E	C, T	5	AL	P	CG	P	-	N	N	-
Vallejo	Solano	1868	117,322	C	C	E	N	7	AL	P	CG	W	-	N	N	-
Ventura (San Buenaventura)	Ventura	1866	108,557	C	C	S	N	7	AL	P	CG	W	\$300	N	N	-
Vernon	Los Angeles	1905	210	C	C	S	N	5	AL	P	NO & NE ²	P	\$100	N	N	-
Victorville	San Bernardino	1962	123,510	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Villa Park	Orange	1962	5,948	G	C	S	N	5	AL	P	CG	W	-	N	N	-
Visalia	Tulare	1874	130,231	C	C	S	N	5	BD	P	CG	P	-	N	N	N
Vista	San Diego	1963	98,896	C	C	E	N	5	AL	P	CG	W	\$440	N	N	-
Walnut	Los Angeles	1959	30,152	G	C	S	N	5	AL	P	NE	W	\$1,000	N	N	-

¹ Becomes BD in 2018.

² Nonconcurrent elections held each year (councilmembers have 5 year terms).

City	County	Incorporation Year	Population	Charter (C) or general law (G) city?	Government form: Mayor-Council (M), Council-Manager (C), decentralized (D), or Commission (Com).	Elected (E) or council-selected (S) mayor?	Other elected offices? Clerk (C), treasurer (T), attorney (At), auditor (Au), other (O), or none (N).	Council size:	Voting geography: at-large (AL), by district (BD), from district (FD), or by seat (BS).	Voting method: plurality (P), runoff (R), or instant runoff (I).	Election date: concurrent with state primary (CP) or state general (CG) election or nonconcurrent odd (NO) or even (NE) years.	Campaign finance disclosures are filed on paper (P) but are displayed on the city website (W). Or, online filing is optional (O) or mandatory (M).	Individual campaign contribution limit:	Has campaign public financing? Yes (Y) or no (N).	Has an ethics commission? Yes (Y) or no (N).	Has a mandatory (M), advisory (A), or no (N) redistricting commission?
Walnut Creek	Contra Costa	1914	70,018	G	C	S	T	5	AL	P	CG	W	\$175	N	N	-
Wasco	Kern	1945	26,471	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Waterford	Stanislaus	1969	8,788	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Watsonville	Santa Cruz	1868	52,891	C	C	S	N	7	BD	P	CG	W	\$400	N	N	A
Weed	Siskiyou	1961	2,769	G	C	S	N	5	AL	P	CG	P	-	N	N	-
West Covina	Los Angeles	1923	107,873	G	C	S	C, T	5	AL	P	NO ¹	W	\$500	N	N	-
West Hollywood	Los Angeles	1984	35,923	G	C	S	N	5	AL	P	NO ¹	M	\$500	N	N	-
West Sacramento	Yolo	1987	53,082	G	C	E	N	5	AL	P	CG	O ²	\$250	N	N	-
Westlake Village	Los Angeles	1981	8,384	G	C	S	N	5	AL	P	NO ¹	P	-	N	N	-
Westminster	Orange	1957	94,073	G	C	E	N	5	AL	P	CG	P	-	N	N	-
Westmorland	Imperial	1934	2,256	G	Com	S	C, T	5	AL	P	CP	P	-	N	N	-
Wheatland	Yuba	1874	3,519	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Whittier	Los Angeles	1898	88,341	C	C	E	N	5	BD	P	NE	P	-	N	N	N
Wildomar	Riverside	2008	35,168	G	C	S	N	5	BD	P	CG	P	-	N	N	N
Williams	Colusa	1920	5,413	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Willits	Mendocino	1888	4,879	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Willows	Glenn	1886	6,213	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Windsor	Sonoma	1992	27,031	G	C	S	N	5	AL	P	CG	P	-	N	N	-
Winters	Yolo	1898	7,214	G	C	S	C, T	5	AL	P	CP	P	-	N	N	-
Woodlake	Tulare	1941	7,648	C	C	S	N	5	AL	P	CG	P	-	N	N	-
Woodland	Yolo	1871	57,526	G	C	S	N	5	BD	P	CG	P	-	N	N	N
Woodside	San Mateo	1956	5,664	G	C	S	N	7	FD	P	NO ¹	P	-	N	N	N
Yorba Linda	Orange	1967	67,637	G	C	S	N	5	AL	P	CG	W	-	N	N ³	-
Yountville	Napa	1965	2,987	G	C	E	N	5	AL	P	CG	M	-	N	N	-
Yreka	Siskiyou	1857	7,832	G	C	S	C, T	5	AL	P	CG	P	-	N	N	-
Yuba City	Sutter	1908	68,052	G	C	S	C, T	5	AL	P	CG	W	-	N	N	-
Yucaipa	San Bernardino	1989	53,779	G	C	S	N	5	BD	P	CG	P	-	N	N	N
Yucca Valley	San Bernardino	1991	21,281	G	C	S	N	5	AL	P	CG	P	-	N	N	-

¹ Becomes CG in 2018 (West Covina, Westlake Village, Woodside) and 2020 (West Hollywood).

² Becomes M in 2017.

³ Special ethics council appointed for enforcement.

Notes on the MDI survey data: The raw data for the Municipal Democracy Index survey, presented in this Appendix, was compiled over a year from city clerk survey answers, review of prior compilations of city election and campaign practices, and examination of city charters and municipal codes.

Some decisions needed to be made in recording and presenting the data to ensure that the data provided a consistent basis for comparison between cities. The clarifications below on survey methodology may be useful to the reader.

Snapshot in time: The data reproduced here represents *current* city election practices, as of December 15, 2016. The data does not reflect *prospective* changes that have been adopted, but have not yet gone into effect. This means, for election systems, the data reflects how the city conducted its last election. For example, if a city's last election was an at-large election in 2015, but it has passed an ordinance to go to by-district elections in 2018, the data does not reflect this change since it has not yet occurred. (However, prospective changes are noted in footnotes to this appendix.)

Mayor-Council: Some cities self-define as having the Mayor-Council form of government because they have an elected mayor. As used in this survey, the Mayor-Council form of government only includes those cities where the mayor is the chief executive officer of the city, rather than the city manager.

Council data: Some cities have different election practices for their city councils and other offices. For example, in some cities the council is elected in even-numbered years whereas the mayor is elected in odd-numbered years, or the city council is elected by plurality voting whereas the mayor is elected by a two-round runoff, or candidates for city council must comply with lower contribution limits than candidates for mayor. For consistency, the data here reflects the rules applicable to city councilmembers, when these rules differ from other offices within the city.

Council Size: If a mayor presides over council meetings and has a vote on the council, even just to break a tie vote, they were counted as a member of the city council for purposes of calculating council size. As a result, the only mayors who did not count towards the size of the council were the five elected mayors in Mayor-Council cities.

Contribution Limits: Most cities with campaign contribution limits adopt a uniform limit. In some cities, contribution limits vary depending on the contributor (e.g. individuals vs. businesses) or whether a candidate has accepted a maximum expenditure ceiling. For consistency, in the few cases where these differences exist, this data reflects the individual contribution limit applicable to candidates who accepted an expenditure ceiling.

Not applicable: When data is not applicable to a particular city, this is indicated using a dash (" - "). For example, cities without contribution limits cannot indicate the amount of these limits, and cities without district elections would have no reason to adopt a redistricting commission.



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