



## LEAGUE OF CALIFORNIA CITIES RIVERSIDE COUNTY DIVISION

The Honorable Rodger Hernandez  
Member, California State Assembly  
Assembly District, 48  
State Capitol – Room 5016  
Sacramento, CA 95814

**RE: (AB 278 Hernandez) – Municipal Elections (as amended February 18, 2016)**  
**Opposed**

Dear Assemblymember Hernandez:

The Riverside County Division of the League of California Cities®, representing 27 cities in the county, opposes your Assembly Bill (AB) 278. We appreciate the removal of the mandate language that would have applied a ‘one-size-fits-all’ policy by forcing all cities move to a by-district voting mechanism and instead provide cities with a population of *over* 100,000 the option to switch to by-district voting through the local ordinance process.

A similar version of this measure was signed into law last year [Senate Bill (SB) 493, Canella] which allows cities with a population size *under* 100,000 to use this method. Since then, some of the cities within our Division have been able to utilize this cost saving mechanism and pro-actively switch to district-based election systems. We believe that allowing cities to switch to a by-district system while still keeping the decision to transition at the local level is a fair and balanced approach.

In fact, the League of California Cities along with the Mexican American Legal Defense and Educational Fund (MALDEF) are co-sponsoring AB 2220 (Cooper) which expands upon SB 493 by simply removing the population threshold.

While AB 278 has been amended to reflect, in concept, the language in AB 2220 our division still has significant concerns about the remaining provisions of your bill and cannot support this measure in its current form.

### **Removal of the Planning Commission Review Process**

Under current law the Planning Commission process only applies to an “amendatory ordinance” or redistricting. If a city is facing a lawsuit under the California Voting Rights Act (CVRA), adding additional bureaucracy achieves little other than to drive up legal fees—when you take into account that maps drawn by the legislative body are reviewed by the Registrar of Voters and the public through the hearing process.

Additionally, by adding the Planning Commission review in original districting, the bill creates a scenario where the legislative body is trying to voluntarily switch and implement district elections but the Planning Commission may act in a contrary manner—once again adding additional time and cost for a city looking to pro-actively switch to districts.



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### **Removal of “Proponents of the Initiative Measure” Drawing District Maps**

As amended, AB 278 would allow the proponents to draw new district maps regardless of whether a city chooses to move to districts through the ordinance process or through the conventional election process. This is a departure from current law, which states that the legislative body shall establish the boundaries of the council districts by ordinance (Sec. 34872 of the California Government Code). This departure from current law is unwarranted, and would need to be amended.

It is important to note that the League supports and encourages the public’s engagement in the drawing of the maps. For example the City of Rancho Cucamonga, who is currently facing a CVRA lawsuit, has done extensive public outreach calling for community members to draw their own maps for consideration. This includes drawing a full citywide map of proposed districts, drawing one specific district, or even submitting a written statement with ideas on how districts should best be drawn. The “draw your own map” outreach is in addition to three public hearings where the final adoption of the maps will be discussed and voted on.

The legislative body serves the public and thus welcomes their input—but the city is liable for the maps they adopt and therefore must retain the authority to make the final decision in their adoption. As with any action taken by the Counsel, if the public does not feel the Counsel is acting in the best interest of the city the public has the right to overturn such action through the referendum process.

For these reasons, the Riverside County Division opposes AB 278.

SCOTT MANN  
Mayor Menifee  
Riverside County Division President

cc: The Honorable Ben Allen, Senate Elections and Constitutional Elections (Chair)  
The Honorable Joel Anderson, Senate Elections and Constitutional Elections (Vice Chair)  
Members, Senate Elections and Constitutional Elections  
Darren Chesin, Chief Consultant Senate Elections and Constitutional Elections  
Cory Botts, Senate Elections and Constitutional Elections, Republican Caucus  
Daniel Seeman, Deputy Legislative Secretary, Office of Governor Edmund G. Brown  
Meg Desmond, League of California Cities



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