

STAFF REPORT

City of Lancaster

3/24/2025

Date: March 24, 2025

To: Lancaster Ad Hoc Committee

From: City Attorney Allison E. Burns and Bear Demographics & Research

Subject: California Voting Rights Act (CVRA) Options

Recommendation:

Recommend one or more options to the City Council for their consideration.

G.C. Section 84308: No

Fiscal Impact:

None.

Background:

Staff considered four options for the Ad Hoc Committee to consider that would provide opportunities to increase minority voter turnout in the City of Lancaster and have the potential of increasing minority representation on the City Council. Below is a discussion of each option.

1. Council District-based Elections

As previously discussed, the only remedy available to provide safe harbor under the CVRA is moving to Council District-based elections based on California Elections Code Sections 14027-29. In order to avoid the potential for liability under the CVRA, the Ad Hoc Committee should recommend the initiation of the Council District formation process to the City Council.

2. Elections Consolidation

Voter turnout has been consistently higher in state and federal elections for the last three election cycles in Lancaster, including 2024. In the General Municipal Election that took place on April 9, 2024, voter turnout was 13,757 voters (15 percent). In comparison, turnout was 22,110 voters (24.1 percent) on March 5, 2024 in the State of California's Presidential Primary Election.

In the 2022 Statewide Primary Election on June 7, 2022, turnout out was 18,348 voters (20 percent) citywide. In the General Municipal Election on April 12, 2022, turnout was 8,157 voters (8.9 percent). Similar figures for 2020 include 29,307 voters (33.7 percent) in the

2020 Statewide Primary Election on March 3, 2020, and 13,158 voters (15.2 percent) on April 14, 2020 in the General Municipal Election.

Consolidation of elections typically brings a much higher voter turnout citywide as seen with the above statistics, as well as higher turnout among minority voters – in this case the Latino community that makes up 41 percent of the Citizen Voting Age Population (CVAP) citywide, but only 21 percent of the 2024 Municipal General Election turnout.

Among the options available for the City’s consideration is consolidating the Municipal General Election with the Statewide General Election in November of even years. Turnout in the 2020 Statewide General Election was 64,977 voters (73.3 percent), and in 2022 it was 32,341 voters (35.9 percent). Historically the Statewide General Election has the highest turnout in any election cycle.

The Ad Hoc Committee may recommend the City Council take an amendment to the Charter to consolidate city elections with the state and federal primary (March/June) or general (November) election to the voters in 2026. While this action does not provide safe harbor under the CVRA, elections consolidation will improve voter participation and turnout citywide, including among minority voters.

3. Cumulative Voting

Another option that has the potential to increase minority voter turnout is cumulative voting. Cumulative voting is a system of voting where each voter is allowed as many votes as there are candidates and may give all to one candidate or varying numbers to several. This is a voting system that is used regularly by company shareholder voters, HOAs, and other voting processes.

For example, in the 2024 General Municipal Election there were two City Council seats that were up for election. Under a cumulative voting system, a voter could vote for two individuals to serve on the Council, or give both votes to one individual. This type of voting system has the potential to provide an opportunity for minority voters to elect a candidate of their choice. Although this may increase minority participation on the City Council, cumulative voting does not provide safe harbor under the CVRA.

4. Single Transferrable Voting

Single Transferrable Voting, sometimes mistakenly conflated with ranked choice voting, is a multi-winner electoral system in which each voter casts a single vote in the form of a ranked-choice ballot. Voters have the option to rank candidates, and their vote may be transferred according to alternative preferences if their preferred candidate is eliminated or elected. Although this may increase minority participation on the City Council, cumulative voting does not provide safe harbor under the CVRA.

5. Increase the Number of Councilmembers to 6

An increase in the number of councilmembers from 4 to 6 would increase the opportunity for minority candidates to successfully run for council.

Conclusion:

Although elections consolidation will improve voter turnout in the Municipal General Election, and cumulative voting or single transferrable voting may increase minority representation on the

City Council, under the CVRA and subsequent updates to state law, the only safe harbor available to the City to reduce and/or eliminate potential liability is moving from at-large Council elections to Council District-based elections. (Cal. Elec. Code Sections 10010 and 14027-29.) While a court may apply these additional remedies in litigation and the City can apply them voluntarily, they do not provide safe harbor from the CVRA.

Attachment:
Demographic Maps