



CITY OF WILDOMAR

PRESS RELEASE

**23873 Clinton Keith
Road,
Suite 201
Wildomar, CA 92595
Phone (951) 677-7751
Fax (951) 698-1463
www.cityofwildomar.org**

**APPROVED FOR IMMEDIATE
RELEASE BY: Gary Nordquist
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CALIFORNIA VOTING RIGHTS ACT

Wildomar, CA - At last night's City Council meeting, City Attorney Thomas Jex reported the City Council's direction from closed session to immediately take all steps necessary to commence the process for establishing five single-member districts for City Council elections. The Council took this action after receipt of a letter on December 21, 2015 containing unsubstantiated allegations that the City's current at-large election system violates the California Voting Rights Act. The letter appeared ignorant of the fact that Wildomar, a very new City, has had only three elections for City Council in its short history, and currently has an incumbent Council Member of Mexican heritage serving as Mayor who was elected at-large.

The City Council issued direction to commence the process to move to district elections to avoid spending tax dollars in the defense of the meritless but potentially extremely expensive suit, even if the City is victorious. For example, The City of Whittier won dismissal of the CVRA lawsuit against it, but was still required to pay plaintiffs' attorneys over \$900,000.00, in addition to the fees of its own lawyers. The City of Bellflower settled very shortly after CVRA litigation was filed against it, but was nevertheless required to pay plaintiffs' attorneys \$275,000.00. The City of Palmdale lost the CVRA lawsuit against it after a trial, and paid plaintiffs' attorneys \$4.5 million in order to settle the appeal of the trial court's judgment.

Wildomar's new districts will be used for the first time for City Council elections in November 2016. The City currently uses an at-large method of election in which all voters vote for all candidates for City Council.

In the single-member district system, a “by-district system” under California law, a candidate must live in the district he or she wishes to represent and is elected only by the voters in that district. The council will take advantage of a new law, California Government Code section 34886, enacted by the California Legislature last year that permits city councils of small cities to change to district elections by ordinance. The City’s five electoral districts will be formulated in accordance with federal and state law requirements.

State law also requires an open and public process, including a minimum of three public hearings. The City Council directed the City Manager and City Attorney to retain a demographer, develop a schedule for hearings and Council action, and otherwise take all necessary steps to assist the Council in the preparation of an ordinance pursuant to Government Code 34886(a) requiring members of the City Council be elected “by-district” and to submit the ordinance to the Council for consideration of adoption in sufficient time to utilize the districts in the November 2016 election.

Just six months ago, the City was victorious in the appeal of a lawsuit upholding the legality of Wildomar’s current at-large electoral system. *Bridges v. City of Wildomar*, 238 Cal. App. 4th 859 (2015). The plaintiff in that lawsuit, however, did not allege a violation of the California Voting Rights Act. Therefore, that lawsuit does not resolve the issue raised in the letter asserting the City’s at-large electoral system violates the California Voting Rights Act.

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