In a stunning announcement, the ABC Unified School District Board of Education confirmed on Tuesday night that it has settled a civil rights law suit that will end at large voting for trustee elections beginning in 2015.

The decision will now break up the school district into seven different voting districts where board members will be selected in smaller, more compact districts.

This decision ensures that voters in Artesia, Lakewood, and Norwalk will be able to have equitable representation on the influential school board that has traditionally be dominated by members who reside in the City of Cerritos.

Hews Media Group-Community Newspaper has learned that the vote to accept the settlement was 5-2 with school board members Sophia Tse and Lynda Johnson opposing the deal. School Board members Celia Spitzer, Olympia Chen, Armin Reyes, Maynard Law, and James Kang supported the settlement.

It was also announced that the school district will cover more than $143,000 in attorney fees that have been accumulated during the past two years, primarily racked up by a Northern California law firm who was retained by a group of local residents who sought to have the district's longstanding at-large voting practices abolished.

John Paul Drayer, who is an elected member of the Cerritos College Board of Trustees, told Hews Media Group-Community Newspaper in an interview on Tuesday night that he was “excited that the settlement was reached and now smaller district elections will now become a reality.”

Drayer said that the ABC School Board will now “have representatives from the entire district, not from just one city within the district.”

“This decision gives candidates in Hawaiian Gardens, Artesia, Lakewood and Norwalk the opportunity to finally get a voice on the school board,” Drayer said.

“This law firm sues school districts up and down the state. That settlement cost taxpayers more than $140,000. This is a shame,” said Richard Hathaway, a longtime member of the ABC Federation of Teachers. Hathaway made his comments during the school board meeting.
School boards

ABC Unified settles lawsuit, agrees to school board elections by district

By Nadra Nittle, nadra.nittle@langnews.com, @NadraKareem on Twitter

Posted: 11/20/13, 5:25 PM PST

Amid a lawsuit alleging violations of the California Voting Rights Act, the ABC Unified School District will change the way it holds school board elections, switching from an at-large model to a by-district model.

The school board voted 5-2 this week to make the shift, settling a lawsuit filed earlier this year by the Mexican American Legal Defense and Educational Fund and Oakland law firm Goldstein, Borgen, Dardarian & Ho that alleged ABC’s at-large school board elections violated the California Voting Rights Act by diluting Latino voting power.

“We’re very happy that the district decided to settle the case,” said Laura Ho, a partner of Goldstein, Borgen, Dardarian & Ho. “We think that the school district should be commended for putting a new system in place that allows all community members to have a chance to be represented on the school board.”

Celia Spitzer, president of the board, said that ABC decided to settle the suit because of financial concerns.

“We did not want to spend millions of dollars of school district money to give money to attorneys,” she said. “The focus of everybody in the school district is student achievement.”

Mary Sieu, superintendent of ABC Unified School District, said the board made the appropriate decision. She said school officials worried that lengthy litigation could put the school's resources for students at risk. But Spitzer and Sieu both denied the board took part in any wrongdoing.

“We feel there’s no evidence of the board having violated the California Voting Rights Act,” Sieu said.

The suit filed against the district points out that no Latinos serve on the school board despite the fact that Latinos comprise almost a quarter of the voting-age population in the district, which spans across several cities, including Artesia, Cerritos, Lakewood and Hawaiian Gardens. Sixteen years have passed since the last Latino sat on the school board.

Mexican-American Olga Rios, one of three plaintiffs in the suit and a mother of two children enrolled in ABC schools, tried to change that pattern when she applied to be placed in an open seat on the school board in 2011. The board ultimately decided to wait until the next school board election to appoint a new member, despite the fact that Rios, a Lakewood resident, has a master’s degree in education from Harvard University.

Today, two whites and five Asian-Americans sit on the school board, but its racial makeup may change now that the board has agreed to hold by-district elections rather than at-large elections.

In at-large races, candidates aren’t required to reside in a particular part of the district and voters can back any candidate throughout the area, regardless of where in the district the voter lives. In contrast, the by-district election model divides a voting area into zones, giving residents a better chance to elect candidates who represent their interests and cultural background.

As a result of the settlement, ABC must create at least seven districts, one of which must have a majority Latino constituency, by its November 2015 school board race. A demographer will help the district create the seven districts, or trustee areas.

Rios, who’s pursuing a doctorate in educational leadership at USC, welcomes the move.

“I’m definitely excited,” she said. “I think what this means is that Latinos will have a voice as well as residents from outside of Cerritos.”

At present, every member of the school board resides in Cerritos, but the district’s Hispanic population is largely concentrated in places such as Hawaiian Gardens, where Rios, 42, grew up. She said that the by-district system will allow Latinos to elect candidates who represent their interests and issues.

“This is a great opportunity,” she said. “Students benefit greatly when they have someone who represents their social needs.”

Rios said she would absolutely consider running for the ABC school board but would have to weigh that decision against her duties as a parent and graduate student.
Spitzer said she’s unsure what effect the by-district election system will have on the school board.

“I just hope whoever runs when the [districts] are decided upon are quality people who have the interests of the entire district at heart and not just the area in which they live,” she said.

Contact Nadra Nittle at 562-499-1291.
MODESTO BEE

Plan to split Waterford school board trustee areas gets hearing

Bee Staff Reports, November 30, 2013

WATERFORD — To head off potential allegations that it is violating California’s Voting Rights Act, Waterford’s school board is proposing that future trustees be elected from five different neighborhoods rather than from the school district as a whole.

A public hearing on that plan is scheduled Dec. 10 by the Stanislaus County Committee on School District Organization.

The Waterford Unified School District includes the city of Waterford, plus rural regions to the west, north and east of the city. A map of how the 1,900-student district would be divided will be considered.

According to the most recent U.S. Census Bureau data, 51 percent of Waterford’s residents are non-Latino whites and nearly 47 percent are Latino. But that ethnic diversity is not reflected on the existing school board.

The five current trustees are Lisa Hawkins, Matt Erickson, Sheila Collins, Timothy Bomgardner and Jim Weaver, all of whom were elected by voters in at-large elections. An at-large election means every registered voter living anywhere in the school district can vote for any school board candidate.

That would change if this new plan is approved. Instead, each of the five future school board members would have to reside in and be elected by voters living in a different part of the district.

In theory, electing trustees from different neighborhoods will help diversify the school board.

The Dec. 10 public hearing will begin at 4:45 p.m. at the school district office, 219 S. Reinway Ave.
Palmdale ordered to hold by-district election for City Council posts

Los Angeles County Superior Court judge had earlier found the city to be in violation of the California Voting Rights Act.
By Jean Merl

9:54 PM PST, December 2, 2013

A Los Angeles County Superior Court judge, who earlier this year found the city of Palmdale to be in violation of the California Voting Rights Act, has ordered the city to hold a new by-district election for its four City Council posts.

In a ruling dated last week and received by the involved parties over the weekend, Judge Mark V. Mooney ordered that the special election, to replace the balloting for council seats held last month, is to be conducted June 3, the same day as the California primary.

Future elections are to be held in November of even-numbered years, to dovetail with state and federal balloting, in the expectation that such coordination will increase voter turnout.

The judge allowed Palmdale to continue to elect its mayor by voters throughout the city. That means Mayor James Ledford's recent reelection will not be affected by the ruling.

A Palmdale official on Monday reaffirmed the city's intention to appeal the trial court's finding that the practice of electing council members at large, rather than by geographic district, deprives minorities of an opportunity to elect candidates they feel can best represent them.

"We're still analyzing the opinion and our options," Assistant City Atty. Noel Doran said Monday. "We've needed this ruling ... so we can appeal the entire matter."

As yet unclear is what, if any, effect a pending appellate court decision on whether to certify last month's election will have on the case.

The city's election system has been under attack since last year, when several minority residents filed suit claiming that the method of electing officials from across the city diluted their ability to participate in government. About two-thirds of residents are minorities, but voters had chosen only one Latino for office since its 1962 incorporation.
Last month, Palmdale elected its first African American council member, whose status, along with that of his three council colleagues, has been thrown into doubt by the court’s edict. Mooney ruled that none of the current council members can serve past July 9, 2014, presumably allowing enough time for the special election to be conducted and the results certified.

The judge rejected the city's proposed new districts in favor of a plan offered by the plaintiffs, which will give the city two Latino-majority districts and another with substantial numbers of black and Latino residents.

"The current members of the Palmdale City Council were elected through an unlawful election," Mooney wrote. "The citizens of the city of Palmdale are entitled to have a council that truly represents all members of the community."

City officials have maintained throughout the court process that its election system does not hinder minorities. They blamed a lack of experience, community involvement or a viable campaign for minorities' failure to win office.

Attorneys for the plaintiffs said they were "generally pleased" with the ruling, although they had sought to create a fifth council district and have the mayor's post rotate among the members rather than elected separately.

"I think this is going to have a huge impact on Palmdale city government," plaintiffs' attorney Kevin I. Shenkman said.

Shenkman said he hopes other cities battling voting rights lawsuits "look at what has transpired in Palmdale and think better of it. It doesn't benefit anyone to carry on this sort of fight."

The ruling makes Palmdale the first California city to have its election system upended in court under the 12-year-old state Voting Rights Act. Many other local governments with significant minority populations but few or no minority representatives have switched voluntarily to elections by geographic district or have done so to settle lawsuits.

A handful of others, including Anaheim and Whittier, are facing trials after deciding to defend their practice of electing council members citywide.

jean.merl@latimes.com

Copyright © 2013, Los Angeles Times
Anaheim hopes to settle suit over alleged Latino political exclusion

Trial over ACLU accusations that Anaheim's at-large voting process excludes Latinos from office may be unnecessary if accord is reached.
By Paloma Esquivel and Adolfo Flores

10:56 PM PST, December 5, 2013

Anaheim is in talks to settle a lawsuit filed by the ACLU accusing the city of effectively excluding Latinos from holding political office and violating the California Voting Rights Act.

The case is set to go to trial in March but key hearings and depositions have been delayed because the parties appear to be moving toward a deal, according to court records and a plaintiff.

"For me, certainly, any settlement talks are about the city agreeing toward the direction of establishing districts, authentic districts, where the representatives are voted for by the residents of those districts," said Jose Moreno, a plaintiff in the suit.

The ACLU filed the case on behalf of Moreno and two other Latino residents of Anaheim last year in an effort to end the city's at-large elections. Anaheim is the largest city in California that still elects its leaders at large rather than by districts.

Latinos make up nearly 53% of the city's population but less than half of eligible voters. Only a few Latinos have ever been elected to the City Council.

A Los Angeles Times analysis in 2012 showed the city is deeply segregated along ethnic and economic lines.

In July, the Anaheim City Council rejected a recommendation by a council-appointed citizens commission to allow voters to decide whether to create council districts. Instead, it adopted an election model that maintained at-large voting but imposed residency requirements. The plaintiffs rejected that model, saying it did not address their concerns.

Cities and boards across the state have been under growing pressure to abandon at-large voting and adopt districts.
A Los Angeles County Superior Court judge last week ordered the city of Palmdale to hold new elections after he found the city's at-large election system to be unlawful. Earlier this year, the Anaheim Union High School District agreed to abandon at-large voting in favor of districts for its board of trustees.

Anaheim City Atty. Michael Houston declined to comment on the pending litigation and an attorney for the ACLU did not respond to an email and phone call requesting comment.

In mid-October, the plaintiffs asked the court to delay hearings and depositions because lawyers on both sides had entered into discussions "that could lead to a resolution of the case," according to court records.

In November, Anaheim asked to further delay hearings, saying the parties were engaged in discussions that could make the hearings moot.

The city's charter requires significant changes to its election system to be approved by voters, meaning that any settlement moving toward district-based voting would likely require the city to put the question on the ballot.

paloma.esquivel@latimes.com

adolfo.flores@latimes.com

Copyright © 2013, Los Angeles Times
NEWMAN – A proposal to switch from at-large school board elections to trustee-area balloting moved closer to reality last week, when the Stanislaus County Committee on School District Organization approved the change.

The Newman-Crows Landing Unified School District had requested the election switch after receiving a letter from the Hispanic Community Roundtable of Stanislaus County threatening legal action if the district did not do away with at-large elections, which the group contends is in violation of the California Voter Rights Act.

A local public hearing and approval by the county committee is required as part of that process.

Just one member of the public turned out to speak to the issue when the committee convened in the McConnell Adult Education Center.

Mary Moore told committee members that trustee-area voting, in which the school district is divided into five zones, which will each have their own elections, was a violation of her right to vote for her candidate of choice in future board races.

“I cannot vote for the people on the other end of town, and I think that discriminates against me,” Moore told the committee, adding that many people don’t even realize the election change is taking place.

Committee members acknowledged that the shift is a fundamental change in how the district will elect its board members.

In the at-large elections of the past, any qualified candidate residing anywhere in the school district could run, and the outcome was decided by voters of the district as a whole.
Under the trustee-area elections, candidates can run only in the zone in which they reside – and only residents of that geographic zone can vote in what essentially becomes a smaller-scale election.

The goal, committee members said, is to ensure equal representation from throughout the district as a whole.

In the at-large balloting, committee member Stephen Stroud commented, a board might be comprised of influential residents who all live in the same part of town.

“This is supposed to prevent that, so there is a representative from all walks of life, hopefully,” Stroud said, adding that the trustee zones also prevent de facto segregation.

Some suggested that running in the smaller geographic zones would be less daunting to potential challengers than having to campaign throughout the district, in turn increasing participation.

But County Superintendent of Schools Tom Changnon said that hasn’t necessarily been the case among districts which have switched election formats.

In at-large elections, he explained, a pool of candidates is competing for two or three seats on the board – and not necessarily “against” any other candidate.

But in trustee-area elections, Changnon pointed out, candidates are going head-to-head in a race for a specific board seat.

The issue, he said, is one of legal exposure to the district if it does not make the change.

Local school board member Paul Wallace agreed.

Moore’s concerns are valid, he agreed, but the district can ill afford to wage a costly legal fight. Based on other precedents, officials have said, the district would most certainly lose that legal battle.

That doesn’t make the change palatable, Wallace stated.

“It was a ‘hold your nose and vote for the lesser of two evils’,” he said of the board’s decision to switch to trustee area elections, which will start next November.

Committee member Joan Vargas of Newman agreed that school districts are finding themselves with few options in the matter.

“This is going to happen to everybody, unfortunately,” she commented. “It is a change that we all have to accept, like it or not.”

Approval by the county committee nearly completes the reorganization process, district Superintendent Ed Felt previously explained.
The request will go to the state school board early next year for final approval.
Activists seek halt to Whittier's spring council elections

By Jean Merl

5:10 PM PST, December 6, 2013

Activists seeking a change in how Whittier voters select members of the City Council have asked the court to halt the city's April municipal election.

Attorneys for three Latino Whittier residents are seeking a preliminary injunction to stop the election, which calls for voters across the city to choose among candidates for the City Council.

Critics of the at-large method of selecting council members, including the Whittier residents who are suing the city under the California Voting Rights Act, want it to change to a system of electing officeholders by geographic district.

At-large elections undercut minorities' opportunities to elect a candidate they feel can best represent them, activists contend in separate cases brought against cities, school districts and other local government bodies with substantial minority populations but few or no minority elected representatives.

"The at-large election process in the city of Whittier dilutes the Latino vote, which results in the polarization of voters," former state Democratic state Sen. Richard Polanco said in a statement announcing the filing of the injunction Thursday.

"This form of discrimination is wrong and should not be allowed," added Polanco, author of the voting rights act, which was signed into law in July 2002.

Whittier officials will ask voters at a special election in June whether to change to by-district elections, but activists say the change should come before any more municipal elections are held.

"We believe that it is imperative that the city of Whittier suspend all council elections until the voter rights violations are resolved," said Angie Medina, chair of the Whittier Latino Coalition.

Whittier officials said they cannot make a change in the elections system without voter approval, according to the city's charter.
Seeking to halt the regularly scheduled election is "aggressive action to thwart the opportunity for local voters to participate in the upcoming election," city officials said in a written statement released by City Manager Jeffrey W. Collier.

The activists' bid to stop the April election further illustrates their questionable motives to manipulate voter rights in Whittier--all the while running up extensive legal costs at the expense of local tax paying residents," the statement continued.

A Superior Court judge recently overturned the recent at-large council election in Palmdale, which he had earlier found to be in violation of the voting rights act. The city plans to appeal.

jean.merl@latimes.com

Copyright © 2013, Los Angeles Times
San Diego Union-Tribune

MiraCosta seeks voting change

Switch would boost accountability, board president say
By Karen Kucher 4:50 p.m. Dec. 7, 2013

MiraCosta College wants to change its election system from an “at large” voting method to a format where voters in specific areas elect their own trustees, with the goal of better reflecting changing demographics in North County and complying with state and federal voting laws.

It also plans to adjust its trustee-area boundaries to make them more equal.

The board voted 5-0, with two members absent, to adopt the changes at its Nov. 5 meeting after reviewing 2010 census data and considering three boundary map configurations. The revised map creates new representative areas that rebalance populations. Under the current boundaries, one area has more than 77,000 residents while another has 30,300.

The revisions ultimately must be approved by the California Community Colleges' board of governors. If that final clearance happens, the revamp would take effect by the November 2014 election.

Board president David Broad said the changes should make the board’s seven trustees more accountable to the areas they represent by strengthening the connection they have to voters. Trustees for the MiraCosta College District represent the communities of Oceanside, Carlsbad, Encinitas, Cardiff, Olivenhain, Leucadia, Solana Beach, Rancho Santa Fe, Del Mar and parts of Carmel Valley.

Broad also said the board wanted to be proactive and make sure it was following state and federal election laws.

No one from the public spoke during the public hearing.

Across California, a growing number of cities have changed how they elect their city councils to ensure compliance with the 11-year-old California Voting Rights Act. Escondido is the first one in San Diego County to do so.

People seeking greater minority representation said council members should be elected by geographic district because minority votes can be diluted in at-large elections.
Under the state’s Voting Rights Act, voters have the right to sue over allegedly discriminatory election practices.

Cities as well as community college and school districts have been reviewing census data to ensure their election systems and boundaries comply with the federal and state voter laws.

The Grossmont-Cuyamaca Community College District voted in December 2011 to switch to area elections for its five board members. That was the process that was in place for the June 2012 elections.

The San Diego Community College has long had district-only primaries, with the top two vote-getters per seat running in a citywide general election. Last year, the board made minor boundary adjustments in two districts after reviewing census data.

Some districts have kept the “at large” method, though.

Southwestern Community College has numbered board seats and its candidates declare for a particular seat but campaign and are elected districtwide.

The Palomar Community College District retained its at-large system after reviewing the issue in 2011. Although census data showed that district’s Hispanic population was about 30 percent, only 15 percent to 16 percent of those voting-age residents were U.S. citizens, said district spokeswoman Laura Gropen. Also, the district’s voters have elected three Hispanic board members in recent years.

“There did not appear to be a strong indicator that the college district should change its electoral system” based on the data gathered, Gropen said.

© Copyright 2013 The San Diego Union-Tribune, LLC. An MLIM LLC Company. All rights reserved.
Amid concerns about dividing communities and creating turf wars, Corona-Norco school board members Tuesday, Dec. 10, narrowly approved a map splitting the district into five trustee areas.

The board voted 3-2 for a map that keeps the cities of Norco and Eastvale together and puts Corona principally in three trustee areas. Board members Cathy Sciortino and Jose Lalas voted no. The board considered three maps prepared by Corona-Norco Unified School District officials and a consulting firm.

Board member Bill Newberry urged colleagues before the vote to continue serving all the district’s students and schools.

“Regardless of which map is approved, there is a conscious effort we need to make as a board to represent all areas of the district,” Newberry said.

As in the past, Lalas questioned the rationale for changing the election system. Sciortino said she disagreed with trustee area elections.

“It’s an outstanding school district, yet we are restructuring it,” Lalas said. “We don’t know that by dividing a very successful school district, it will become better.”

Superintendent Michael Lin said the decision was needed to comply with the California Voting Rights Act and to avoid costly potential lawsuits if the district were to keep its system of at-large elections, in which any district voter can vote for any board candidate.
The 2001 law prohibits at-large elections when they hinder the ability of a “protected class” of people such as Latinos, to elect candidates from their community. When districts are divided into smaller areas, Latino or other minority communities can elect a representative from their own neighborhoods, supporters of the law say. Latinos and other minorities make up a majority of the district’s 53,000 students.

District officials have said they don’t think minority voters are disenfranchised, though only one Latino has served on the board – in the 1960s and 1970s. Lalas is Filipino but has a Spanish surname.

Lin said the district is one of a few left in Riverside County that has not converted to trustee area elections.

Board member Michell Skipworth said the three maps were “racially balanced” and complied with the law. The alternative that was selected reflects the wishes of the majority of people who spoke at community meetings in October, she said.

Virginia Coriddi, a 32-year Corona resident, told the board that initially the map that was later approved “looked like a turf war because there was no overlapping of communities.”

Overall, Coriddi said she was pleased with the change and that Latinos now have representation where they live. The Norco City Council voted unanimously Dec. 4 to recommend the map later approved by the board.

“It’s the best of three not great options,” said Councilman Kevin Bash, who spoke at the board meeting.

The upside, he said, is the city has “a real opportunity to have a home-grown Norco person” on the school board. Though no current board members live in Norco, they are doing “a really good job” representing the city and its constituents, Bash said Wednesday, Dec. 11, by phone.

The change to trustee area elections still must be approved by the Riverside County Committee on School District Organization and the state Board of Education. If that happens, Corona-Norco board members would have to live in the area they represent and be elected by voters in that trustee area starting in November 2014.
In the near future, trustees for Simi Valley Unified School District will likely represent specific districts and be elected by the voters within that district.

Currently, voters elect trustees on an at-large basis, meaning the top vote-getters win the open seats regardless of where they live in the city.

SVUSD attorney Bob Thurbon informed the board Tuesday that school districts in the state have been sued for under-representing “protected classes” under the California Voting Rights Act.

Thurbon told the board it’s a matter of time before all school districts will need to change because the courts have supported by-district over at-large representation in school board elections.

Thurbon said that every school district that has used at-large representation and defended it in court has lost when sued. He said the losing district had to pay not only its legal fees but that of the plaintiff.

Judges have also determined the individual district boundaries rather than the school district, which would also have to pay all the consultant costs associated with the change.

A district in Northern California was the first to defend the at-large election format when sued and ultimately had to pay $6 million when it lost its case.

“No one has won,” Thurbon said.

He told the board it has two choices—take either the catalyst or the proactive approach. The catalyst approach means the district waits until someone sues, and it then has a chance to change the election format or defend itself in court. The proactive approach requires the board to change to district elections before it’s sued.
Trustees indicated during Tuesday’s board meeting they favor being proactive. Thurbon said he will finish preparing information on how to proceed and present it to the board at its January meeting.

The SVUSD board has five elected trustees. Under the bydistrict format, the board would divide the city into five districts, and only someone living in a respective district would be able to run and be elected to that seat.

The map would have to be approved by the California Department of Education.

The next school board election is in November 2014, when seats held by Arleigh Kidd and Jeanne Davis are up for vote.

It’s unclear if the change to a district format would be in place before then, which means it may not be in effect until three seats are up for election in 2016.

In other action at Tuesday’s meeting, the board voted unanimously to approve adding a public relations and resource development coordinator position to the district.

The position would include informing the public about school and district programs with the hopes of either retaining Simi students or appealing to families outside the district to counter SVUSD’s declining enrollment.

The employee holding the position would also be responsible for grant writing.
SAN BERNARDINO >> Minority voters in the San Bernardino Community College District say that the new redistricting plans recently approved by the board will dramatically improve minority representation.

“We are glad that they voluntarily took on the task,” said Walter Hawkins, who serves in leadership roles in both Westside Action Group and the San Bernardino branch of the NAACP.

Both groups supported the redistricting plan adopted by the board during a meeting last week.

“A majority of the members of the board felt that Plan 1 best complied with both the spirit and intent of the Voting Rights Acts,” said Donna Ferracone, board president.

The adopted plan maintains “the natural geographic and socio-economic communities of interest that currently exist, without gerrymandering the districts and by creating the fewest splits. We have a very large service area, and there were numerous issues to consider,” Ferracone said.

At-large voting districts have been under attack in California since the 2002 passage of the California Voting Rights Act.

The law makes it easier for the state’s minority groups to prove their votes are being diluted by at-large elections, including all the voters in the municipality or district’s boundaries.
Cities and agencies across California have been pressured to move to voting by geographic districts, including Whittier, which is facing a lawsuit over the issue.

The at-large system which had been in place isolated and excluded black residents living in what Hawkins called the “Ebony Triangle” - land between the 10, 15 and 215 freeways and extending about a mile out in each direction.

The realities of at-large campaigns was that it favored more affluent applicants, Hawkins said.

About the Author
Jim Steinberg covers the city of Fontana for The Sun and the Inland Valley Daily Bulletin. Reach the author at Jim.Steinberg@inlandnewspapers.com or follow Jim on Twitter: @FontanaNow.
WHITTIER >> The city will continue making plans for a municipal election in April 2014 despite a recent court filing by the Whittier Latino Coalition seeking to halt the election.

“At this point, we’re just following through with the requirements under our city charter to proceed with the election,” said City Manager Jeff Collier. “I have to proceed assuming that the election is still on until the judge takes an action otherwise.”

That means the meter is on for the city, with election expenses accruing for services rendered, until Los Angeles Superior Court Judge Michael M. Johnson makes his ruling on whether Whittier is in violation of the California Voting Rights Act. The plaintiffs claim the current city council elections using at-large voting systems are racially polarizing, or favor one race over another, rather than districted voting systems. The hearing is set for March 18, 2014, but the attorney for the Whittier Latino Coalition said he expects it will be moved to January.

Right now, the city is in the process of taking a number of actions to prepare for an April election, including publishing election notices, preparing election handbooks, and a voter outreach effort.

At its Nov. 12 meeting, the City Council adopted a resolution calling for a general municipal election on April 8, 2014, requesting election services from Los Angeles County, setting candidate statement rules and authorizing City Clerk Treasurer Kathryn Marshall to hire Martin & Chapman Co. to provide election services for an amount not to exceed $95,000.

The first step in gearing up for elections is forming a Voting Rights Act Advisory Group to advise the city on providing election materials, information and assistance to limited English voters, according to the city’s website.

The City Clerk’s Office also sends sample ballot pamphlets and polling place information to all registered city voters.
Marshall said the city usually gets its first bill from Martin & Chapman in early spring after her office knows how many candidates are in the election.

Even if the city is ordered to halt the election, “We have to pay them for any services incurred, and right now we're in the midst of taking a number of steps as required” by the city charter and state law, said Marshall.

But Collier said the filing in the lawsuit doesn’t have any effect on election planning or spending at this point.

“Obviously, we take notice,” he said. “The bottom line is we have to proceed under the requirements of the charter adopted by the citizens of Whittier, and short of a judge taking an action otherwise, we continue forward.

“If the judge makes another decision, then we’re going to comply with that,” he said. The two City Council seats up for election in April are currently held by Mayor Bob Henderson and Councilman Fernando Dutra. Henderson, 73, said he will seek re-election, and Dutra, who was appointed to fill an the unexpired term of former Councilman Greg Nordbak, who retired, also said he will run for election.

At the Dec. 10 City Council meeting, members of the Whittier Voters Coalition, a recently formed group that includes the Whittier Latino Coalition, Whittier Voice, Whittier Hills Oil Watch, and the Whittier Area Peace and Justice Coalition, made statements urging the city to halt the April 2014 elections and enter a stipulated judgment in the lawsuit agreeing to court-ordered district elections. The group also wants the elections in November to coincide with national and general statewide elections.

Miguel Garcia, one of the plaintiffs in the lawsuit, urged the council “to enter into negotiations so there doesn’t have to be a court decision,” which he suggested could be less favorable to the current City Council than a negotiated settlement.

The first day for candidates to file to run in the election was Dec. 16.

The following are other important dates for the election:

- Jan. 10: Last day for candidates to file;

- March 10-April 1: Mail-in ballots issued;

- March 24: Last day to register to vote.
The Imperial Irrigation District Board of Directors will consider submitting to voters a proposal to change IID elections from “at-large” to “by district.”

The action item comes two weeks after the board was briefed about the impact of the state Voting Rights Act of 2001 has had on “at-large” voting systems.

The CVRA is designed to safeguard the political and election rights of minorities.

The Coachella Valley Water District in November switched from an at-large voting system to a district-based election system after lawyers accused it of violating the California Voting Rights Act of 2001 and threatened to sue.

In “at-large” systems, voters anywhere in the region can elect representatives, regardless of which division they live in. The IID is the only agency in Imperial County that uses an “at-large system.”

There are other items on the agenda.

The election of board officers for the 2014 calendar year is also scheduled for Tuesday’s meeting.

The engineering firm hired to update the IID’s delayed system conservation program and to perform a feasibility study for the lining of the East Highline Canal will present its findings Tuesday.

The board will consider a request to sponsor a SCORE International off-road racing event planned for April 2014 in the Superstition Mountain area.

At the end of the open-session meeting, the board will hold a budget workshop to discuss a 2014 budget proposal.

If you go

What — Imperial Irrigation District Board of Directors meeting
Where — W. R. Condit Auditorium, 1285 Broadway St., El Centro

When — 1 p.m. Tuesday

Staff Writer Antoine Abou-Diwan can be reached at 760-337-3454 or aabou-diwan@ivpressonline.com