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How might district-based elections change voting in Irvine?



The Irvine city council begins a council meeting on Tuesday, December 13, 2022. Pictured, from left, are councilmember Mike Carroll, Vice Mayor Tammy Kim, Mayor Farrah Khan, councilmember Larry Agran and councilmember Kathleen Treseder. (Photo by Leonard Ortiz, Orange County Register/SCNG)

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Councilmember Tammy Kim has been the [sole voice of dissent on the dais](#) as Irvine leaders move toward changing how the council is elected.



She's been a resident since 2005 and has worked in the city since 2001, and says looking around the neighborhoods, she thinks the proposed switch to hosting by-district contests rather than keeping the citywide balloting where all voters weigh-in on all the councilmembers elected, would make it harder for candidates from minority communities to get elected.

"Anyone who is traditionally protected by the California Voting Rights Act, I think could be impacted by going into district elections," Kim said. "Because we do not have ethnic enclaves within the city."

"It would be virtually impossible in a district situation, to galvanize from a representation standpoint," she said. The Chinese community or the Farsi-speaking community or the Latino community could get left out in district elections, she said, because they might not have the numbers in any one district to coalesce as a whole behind a candidate.

However, longtime Councilmember Larry Agran, among the supporters of changing the city's election process, says the move would "provide for better representation, not just for minority groups, but for all voting citizens in Irvine."

After previous Irvine councils resisted pressure – and the threat of a lawsuit – to make the switch to by-district elections, where voters would choose only the one council member who lives within their geographic area, current councilmembers last month decided to look at it further. Several Orange County cities and school and special districts have made the change in years. This week, the subcommittee the council put together to look at the process had its first meeting.

Representation in Irvine

In Irvine, Asians are the most dominant ethnic group. The city ranks fifth among cities with the largest Asian population in the country.

According to the [most recent Census data](#) available, more than four in 10 Irvine residents identified as Asian, native Hawaiian or Pacific Islander – that is 43.2% of the total population. Black/African American and Hispanic or Latino residents — as described by the Census Bureau — together make up just under 14% of Irvine residents. Non-Hispanic Whites constitute 37.4% of the population.

"Irvine has long been unique in Orange County," said Louis DeSipio, a UC Irvine professor of political science and Chicano/Latino studies. "It's a little bit more progressive than some of its surrounding communities."

And voters in Irvine, DeSipio said, have demonstrated they are willing to vote for a candidate – regardless of their race – “when they think that person will represent their interests.”

Without a racial polarization in voting, DeSipio said he doesn’t think shifting to by-district elections will not increase or decrease minority representation.

But a shift to district elections could still be a benefit to Irvine voters, Agran said. Because Irvine is so “thoroughly integrated,” he said, a switch would put the city in a position to improve “neighborhood and village” representation – district elections would guarantee representation is spread throughout Irvine.

Matt Barreto, faculty director of the UCLA Voting Rights Project and a professor of political science, said research indicates district elections increase the racial and ethnic diversity of local government, as well as geographic diversity.

In local elections, he said voters “have the strongest preference for someone from their racial or ethnic group to represent them on the city council. Often times, it’s because these are non partisan.”

When the city of Mission Viejo was pushed by voting rights advocates to switch to district elections, city leaders agreed the voting system could be improved, but ended up suggesting a cumulative system because they said it could be difficult to divide the city in a way that would give a minority population the majority in a district.

In a cumulative system, voters receive as many votes as open seats and can cast them for which ever candidates they like, even all for the same candidate. But the city struggled to get state support for the system not already in use in California, and ended up transitioning last year to district elections.

Even if Irvine is pretty diversely populated now, it might be ethnic enclaves are emerging, said Justin Koga, [who wrote](#) for the Kenan Institute for Ethics at Duke University that “the city is rapidly transforming into an ethnoburb; a multi-ethnic community.”

These ethnoburbs or ethnic clusters, Koga says, may result in “ethnically homogenous Asian neighborhoods” or “ethnic enclaves.”

However, a city does not need to have ethnic enclaves to switch to by-district elections according to the California Voting Rights Act, said Kevin Shenkman, an attorney and partner at Shenkman & Hughes. He has led much of the effort to push municipalities in the state to switch to district elections.

Shenkman said the principal difference between the Federal Voting Rights Act and California Voting Rights Act is that in this state “you shouldn’t have to show as a plaintiff in a CVRA action that there is any concentration of minority residents or minority voters.”

He added that throughout California, the CVRA has been applied to places where you cannot draw a majority-minority district and has still resulted in a pronounced increase in minority elected officials.

In the last decade, several cities in Orange County [have switched to district elections](#), including Anaheim, Fullerton, Garden Grove, Santa Ana, Tustin, Westminster, Los Alamitos and Las Palma — in part because of the threat of legal action by Malibu-based Shenkman. And the switch to district elections appears to [have resulted in some increased representation](#).

A [2019 UC Riverside study](#) examined the racial composition of city councils, including in Orange County, before and after the switch from at-large to district elections. The researchers said their findings indicate an increase of minority representation on city councils of 10% to 12%.

Vested interests

Another reason Kim said she does not support by-district elections in Irvine is because the city does not have “economic marginalization.” Irvine, she said, does not have a “bad part” of town because of the “master planning” that went into its development.

What Irvine does have are “parts of town that are economic centers and are revenue centers,” Kim said. Other areas, such as her Northwood community, are populated with apartments and condominiums and “very little economic opportunity.”

“I would probably get the brunt of the economic marginalization fallout because there’s not any companies or activity or hotel revenue that would go into my district if there was a district formed,” Kim said.

However, Agran said, that’s unlikely to happen as the council budgets as a city “in a way that uplifts all neighborhoods.” In the instance that one district has a special need over the other, “the council as a whole will address those needs as we do now.”

Agran said councilmembers would be more attuned to the issues within their district and “will be a representative” for additional funding.

In 2021, Irvine was ranked [California's best big city](#) to start a business and in 2019 was recognized as the [financially healthiest big city in America](#). The Spectrum area is home to companies such as Amazon and KPMG, with multiple hotels in the vicinity. Another area concentrated with businesses, including tech powerhouses such as Qualcomm and Microsoft, is the Irvine Business Complex.

Though headquartered in Newport Beach, giant landowner Irvine Company [has been an instrumental force](#) in Irvine's development as a planned city for decades.

"If you had to find one political tension that has shaped Irvine politics at least for the last 20 years or so, it's how development is managed," DeSipio said.

He said that while there has been no opposition to the development, development issues such as "what voices should be heard, what sort of corporate value should be reflected and how that plays out in the ground" make up the brunt of city government discussions.

Against this landscape, a move to by-district elections could "increase spending" and "make campaigns a little nastier," DeSipio said.

"The financial interest in corporate supporters will not have to focus not just on the city as a whole, but on specific geographies," he said. "They won't give up on any of them (districts), they will compete in each district."

But a switch to district elections can benefit campaign spending in another way, says Irvine Mayor Farrah Khan. She has pointed out the potential for reducing campaign costs, lowering the hurdle for newly emerging candidates.

"In districts, you have a certain amount of population that you are reaching out to so it makes it a little easier," she said previously. "You are able to walk those districts much more. We are able to have communication with the district members more."

Agran added that district elections could also reduce special interests' influence in elections and "allow for grassroots campaigns to be much more successful."

As for next steps, Irvine is expected to issue a request for a proposal for a demographer, an independent source to draw maps ensuring population equality, geographic continuity, preservation of communities of interest and no favoritism to one political party. This step is what the subcommittee is working on now. Irvine would also hold public hearings for input on the maps drawn.

“I am going to work and make sure that all voices are heard,” Kim said, adding as part of the subcommittee with Agran and Councilmember Mike Carroll, she intends to make sure, “there’s no opportunity for gerrymandering, there’s no opportunity for councilmembers to choose their own districts based upon where they live.”

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