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## California Journal of Politics and Policy

### Title

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### Permalink

<https://escholarship.org/uc/item/8680m90j>

### Journal

California Journal of Politics and Policy, 8(4)

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### Publication Date

2016

### DOI

10.5070/P2cjpp8432629

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## **Variation in Structural Home Rule: Evidence from California City Councils**

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### **Introduction**

Local governments are the most prevalent and accessible means through which citizens exercise political power. Participation in local government, via voting or holding office, has the most direct impact on an average citizen's everyday life and immediate community. Variations in the electoral structure of a city can expand or restrict the political power of citizens and should be of significant concern for state and local governments as communities change. In most states, cities are granted some power to alter their governing structure either via provisions in the state constitution or by adopting a charter.

As they change, cities decide how they will exercise these powers of self-rule and the extent to which citizens will be represented in local government. The extent to which variations in city structure are correlated to variations in the populations served or some other factor is unclear. The relationship is unexplored in the literature. The 481 cities of California provide an excellent case for exploring this relationship.

Local government in California has had to overcome significant obstacles throughout the history of the state, but never at the depth and range faced today. State efforts to mitigate the effects of the recent economic crisis removed substantial financial resources that had helped subsidize city operations, including redevelopment funds. Foreclosures, short sales, and the precipitous decrease of home values compounded cities' reduced share of property tax revenues due to Proposition 13. While four new cities (Wildomar, Menifee, Eastvale, and Jurupa Valley) won the right to incorporate between 2008 and 2011, others filed for bankruptcy or were on the brink of bankruptcy or disincorporation (Stockton, San Bernardino, Vallejo, Mammoth Lakes, and Jurupa Valley).

Revelations of corrupt city of Bell officials receiving exorbitant salaries (Hogen-Esch 2011; Gottlieb 2014), reports of poor oversight and back door deals to subvert the open contract process (Blume 2014), police violence and shootings (Carcamo 2012), and race riots have focused public attention on the performance of local government. Lawsuits and legislation have forced local governments to consider adapting or modifying procedures, laws, and structure. The California Voting Rights Act exposes any government jurisdiction to the costs of a lawsuit if racially

polarized voting is present and municipal elections are conducted using any at-large voting method. Many local jurisdictions, including cities and school districts, are moving to district elections simply to prevent lawsuits.

California has undergone significant demographic change since World War II. Suburban expansion, urbanization of agricultural areas, and increased racial and ethnic diversity has reshaped areas throughout the state. As cities incorporate, most have adopted one of two predominant models of political governance, a city council with five at-large elected members and a rotating mayor or a generally elected mayor and a professional city manager (Ting and Stone 2015). While these models may serve a relatively homogeneous population well, they may not suit California cities as they have grown more diverse in the postwar period. Throughout the country, city councils have grown more racially diverse and included more women over the past several decades (Svara 2003). Yet, minority representation on city councils in California is far below their proportion of the population, especially for Hispanics (Hajnal 2010).

State law governs the creation, structure, and disincorporation of cities. California's state constitution allows cities to function under a general law structure and procedures or to craft their own charters adapted to local preferences. Charter cities can change many features such as the size of the city council, the election cycle, at-large or district-based elections, and contracting requirements.

One major benefit for a city to adopt a charter is that rather than having to gain approval for each structural change via a vote under general law provisions, all of the structural changes take place at once via a single vote to adopt or amend the charter. While charter reform is a politically contentious process with a low success rate (Sonenshein 2011), we posit that adopting a charter can hypothetically minimize the frequency, if not the magnitude of political conflicts over changes to municipal government by constraining conflicts to a single choice of adoption or non-adoption. Otherwise, all changes to government structure have to be made piecemeal. Which course California charter cities have taken is another matter.

Even though a city can make significant changes to its structure via the adoption of a charter, only a small number of California cities have elected to become charter cities and exercise that power of structural home rule. Even in the face of significant sociodemographic change throughout the state, few cities have modified their initial structure via changes allowed under general law provisions. In this study, we investigate the role of charters, incorporation date, population, and race in influencing the size of California city councils and their method of electing city councilors.

Two relatively disparate bodies of literature provide insight into city structural self-determination as well as the consequences of these choices. The literature on municipal home rule provides context for our study of governmental structure and elections. Generally this work revolves around the city adopting and following the general law provisions of the state constitution or adopting a charter.

The research on council size and election method investigates their role in granting racial and ethnic minorities access to local elected office. While this scholarship generally finds that council size and election method do matter for racial and ethnic minority representation, it does not attempt to draw a connection between these electoral features and the ability to change them that may or may not be granted to municipal governments in a given state.

To provide context for analysis of electoral structure in California cities we first review the literature on municipal home rule and local government autonomy as well as the consequences of

differences in council size, election method, and form of government. We then explain our data, methodology, and results, and conclude with a summary of findings and some implications.

## Variations in City Government

### Home Rule

As elected officials and citizens make their determinations about structural features for representation in city governance, they must consider the composition of the citizenry as well as the powers granted to the city in the state constitution. The authority of a city to alter its institutions is generally referred to as home rule.

Home rule can be seen as a form of municipal empowerment or a mechanism to restrain state legislatures from interfering in strictly local affairs (Richardson 2011). This is in contrast to Dillon's Rule, which asserts the inherent right of the state to dictate powers exercised by local governments. Which narrative prevails depends on how the state constitution establishes the relationship between the state (through the legislature) and its municipalities.

At one end of the spectrum, constitutions may specify a Dillon's Rule relationship, where cities only possess those powers affirmatively granted by the legislature. At the opposite end, constitutions may grant cities any powers that are not purely state powers, legislatures have a circumscribed role in local affairs, and the courts are the arbiters of what legislature may or may not compel cities to do (Zimmerman 1995). With the exception of fiscal matters, California is much closer to this latter end of the spectrum (Sonenshein and Hogen-Esch 2006).

Home-rule powers can be categorized as structural, functional and fiscal, regulatory, personnel, or other (Zimmerman 1995; Krane, Rigos, and Hill 2001; Wood 2011). Structural home rule usually includes items such as incorporation, council size, council election method (district vs. at-large vs. hybrid), mayor election method, form of government, length of terms and whether they are staggered or contemporaneous, and the presence of other elected offices. The combination of home-rule powers is critical for cities because they often compensate for limits in one area by exercising powers in another (Krueger and Bernick, 2009).

California municipalities enjoy a substantial degree of structural home-rule powers with respect to council size, election method, and form of government. The reforms to local government powers in the 1879 California Constitution embody the principles of home rule and local self-government (Ostrom, Bish, and Ostrom 1988). There are two classes of cities in the state: general law and charter. General law cities are governed by Article XI of the state constitution, while charter cities are governed by their citizen-designed and approved charters.

The California Constitution distinguishes between statewide affairs and municipal affairs, though the definition of what constitutes municipal affairs may be redefined by the state legislature (League of California Cities 2007). Charter cities are granted power over municipal affairs with the state constitution providing a nonexhaustive list of four municipal affairs over which charter cities explicitly have power. These include the police force, subgovernment of the city, conduct of elections, and the manner in which municipal officers are elected, provided municipal laws do not conflict with the U.S. and California Constitutions (League of California Cities 2007).

The last three of these enumerated municipal affairs are the core and represent aspects of structural home rule. Charter cities are not bound by the California Elections Code, whereas general law cities are (League of California Cities 2011). In practice, there are few differences in the

powers afforded to charter cities versus general law cities, due in large part to the permissiveness of the constitution and state code toward general law cities (Ting and Stone 2015).

Some increased structural powers drive charter adoption (Sokolow and Detwiler 2001). The default structure of general law cities is a five-member city council, elected at-large, with a council-manager form of government. General law cities can change this structure without adopting a charter.

### **Council Size and Election Methods**

The size and composition of a city council is a reflection of political values that include representativeness, responsiveness, effectiveness, efficiency, and accountability. Though city officials may not be aware of the academic literature concerning the effects of changes to city council size and electoral structure when considering changes to the governing structure, these structural choices change the “rules of the game” and differentially benefit certain portions of the population. There is no consensus on optimal council size. Nationwide, council size generally demonstrates a nonlinear relationship to population, with council size generally growing and varying much more for very large cities (Muzzio and Tompkins 1989).

The most salient issue is the relationship between council size and the presence or proportion of underrepresented groups on city councils. Some studies find that city council size affects representation of underrepresented groups. For example, Alozie and Manganaro (1993b) demonstrate that council size, especially when cities use at-large elections significantly improves the odds of the presence of women on the city council, though these structural features have no effect on the actual share of women on a city council. The presence of black or Hispanic council members is related to council size and election method (Alozie and Manganaro 1993a; Brouthers and McClure 1985). Trounstine and Valdini (2008) however, find that council size does not matter nearly as much as election method for minority representation. Whereas Hispanics require larger councils to secure a seat, election method rather than council size has a greater effect on minority representation.

The literature broadly demonstrates that election method is much more crucial to minority representation than council size. District elections significantly advantage black representation on councils, though not necessarily Hispanic representation (Brouthers and McClure 1985). At-large elections and hybrid elections significantly reduce the proportion of blacks and especially Hispanics (Alozie and Manganaro 1993a).

The use of district elections is a very strong predictor of the presence of blacks or Hispanics on city councils and council size does not matter nearly as much once election method is taken into account (Trounstine and Valdini 2008). Hispanics, generally require larger councils to secure a seat. These effects are much more pronounced when taking residential racial/ethnic concentration into account.

Women do better in at-large elections because they are aided by the lack of a zero-sum contest. When taking race/ethnicity and gender into account, only black men and white women seem to be aided by government structure (Trounstine and Valdini 2008). Both groups are only aided insofar as they gain a presence on councils and not in terms of their proportionate share of councils.

A variety of electoral institutions, including at-large elections, have a small but statistically significant effect on minority representation on councils (Hajnal 2010). Many cities use a hybrid method in which some council members are elected at-large and others by district. In a nation-

wide survey, Svava (2003) finds that 45 percent of cities use at-large elections, 29 percent use district elections, and another 26 percent use a hybrid system.

Findings on the impact of election method on policy are mixed. The election method does produce different policy results for most programs. Council members elected at-large still have constituencies, but their constituencies are functional rather than geographic (Langbein, Crewson and Brasher, 1996). Geographically concentrated poor and minorities are better served by the policies in a city with district elections. Cities using district rather than at-large elections spend more per capita, and the number of council seats in these cities results in increased spending (Baqir 2002).

This pattern does not hold in cities with a strong mayor form of government. County commission size is positively related to government spending (Bradbury and Stephenson 2003). Councils that use district elections, including those that use a hybrid of district and at-large, are more likely to integrate citizen input in budget preparation throughout the year (Ebdon 2000). However, another study indicates that election method may have little to no effect on policy outcomes, which are influenced to a much greater degree by the political positions of citizenry (Tausanovitch and Warshaw 2014).

City population is inversely related to measures of civic engagement including contacting local officials, attending council meetings, and voting in local elections (Oliver 2000). City council size proportionately increases the use and number of committees, but findings on the impact on policymaking of these committees are mixed. Pelisserro and Krebs (1997) find little impact, but Johnson (2007) finds that larger city councils are more able to form committees that are then able to secure intergovernmental aid for their cities.

The state of California grants all municipalities a great deal of structural home-rule powers whether they are charter or general law. A minority of California cities use these powers to alter their structure. This is hardly surprising given the political hurdles involved. For example; citizens may resist having a larger city council because it means more politicians in the city, businesses may oppose district elections because they fracture support for their causes compared to at-large elected officials, and politicians may calculate that they will always do better under the system that elected them rather than some new system.

Regardless of the political obstacles involved, the homogeneity of city council structure is curious simply because California is so racially and ethnically diverse. The literature on city council size and elections clearly demonstrates that structural features of city councils are crucial to minority representation, yet, throughout the state, most cities use the same model of representation on city councils. In the rest of this study we investigate the extent to which cities' powers of home rule and racial and ethnic composition affect their governance structures.

## **Data and Methods**

The structural features most relevant to our research question include council size, election method, and form of government. Since there are no known studies of council size and election method that cover all of the cities in California, we collected those data ourselves using publicly available information from each city's official website. Data on form of government came from the International City/County Management Association (ICMA 2011). Data on whether a city is governed through general law or has a charter came from the League of California Cities (2011).

To understand the diverse and significant impacts of different racial and ethnic groups, we included a variety of measures. We include independent measures of the proportions of the census's three largest racial groups (white, black, and Asian/Pacific Islander) and for ethnicity (His-

panic). These measures of demographic diversity allow us to estimate the individual effects of each of these groups on city structure. This is of significant concern given that different groups may have regionalized effects throughout California.

Since a number of racial or ethnic groups may jointly exert political influence, we constructed an overall racial measure using an inverse Hirschman-Herfindahl Index (HHI). This index allows us to estimate the effects of general racial diversity. Rather than use the raw population count for each city, we use the log of the population number. We did this in order to reduce the overall magnitude differences in city size from the large variations that exist in the dataset. Data on population, race, and ethnicity came from the U.S. Census Bureau (Census 2012).

There is no obvious way to treat hybrid councils that have a combination of members elected by district and at-large. Langbein et al. (1996) do not create a separate category for hybrid councils. Rather, they use a dichotomous variable and code cities as having district elections if a majority of members are elected by district and at-large if a majority of members are elected at-large. For this variable, we chose, instead, to use a count of the number of district seats. In models using all the cities, completely at-large councils are coded as 0.

## **Results and Analysis**

### *Council Size*

California city councils vary greatly in size from four to 15 members. When we plot the year of incorporation against the total number of city council seats in a city, two key findings are clear. The first is that five-member city councils are dominant throughout California. An overwhelming majority of California cities (89.4 percent) have a council composed of five members. The next most occurring size, a seven-member council, represents only 6.44 percent of all California cities.

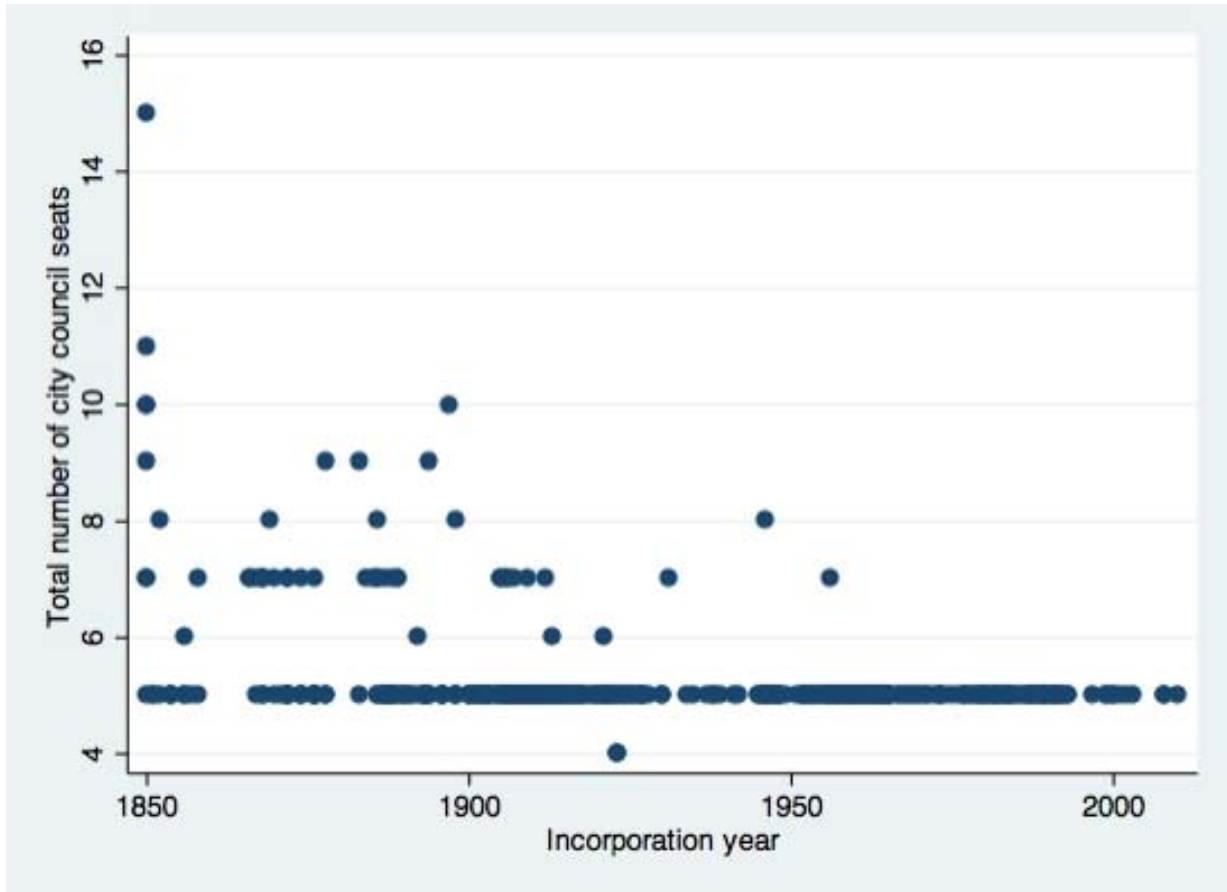
The second finding is that cities that incorporated earlier tend to have more variation in council size. Only two cities incorporated after World War II have city councils with more than five members. Portola (incorporated 1946) has eight councilors and Woodside (incorporated 1956) has seven. While our dataset is limited to the current council size and does not consider when changes to city structure were made, older cities likely have faced greater demographic shifts and political pressures that encouraged structural changes than younger cities.

Home-rule status is a primary concern of our study. Of the 481 cities in our dataset, 357 (or 74.2 percent) are governed by general law provisions of the California Constitution and 124 (or 25.8 percent) have adopted a charter. Rather than delve into the differences among the charters, we simply note that only about a quarter of California cities have chosen this method of exerting the home-rule provisions of the constitution to make changes to city structure.

Population size is related to the adoption of a charter ( $X^2=77.367$ ,  $p<0.000$ ), in almost linear fashion. Cities with more than 100,000 residents were much more likely (21.94 percent) to have a charter than we would expect. Cities with a population of between 100,000 and 50,001 were more likely (5.2 percent) to have a charter than we would expect. Cities with a population between 50,000 and 25,001 were less likely (7.84 percent) to have a charter than we would expect. The smallest cities with a population less than 25,000 were much less likely (19.3 percent) to have a charter than we would expect.

When we compare cities using our home rule metric (general law vs. charter) we find that 98.0% of general law cities have a five-member council, while 64.5% of charter cities have a

**Figure 1. The Number of City Council Seats by Incorporation Year**



**Table 1. Distribution of General Law and Charter Cities by Population**

Population	General Law	Charter	Total
>100,000	6.72%	36.29%	14.35%
100,000 – 50,001	19.61%	26.61%	21.41%
50,000 – 25,001	21.85%	11.29%	19.13%
<25,000	51.82%	25.81%	45.11%
Total	357	124	481
	Chi-Square	77.367	
	Df	3	
	p	0.000	



**Table 2. Size of City Council by Home Rule Status**

Total Seats on Council	General Law	Charter	Total
4	0.56%	0.00%	0.42%
5	98.04%	64.52%	89.40%
6	0.00%	3.23%	0.83%
7	1.12%	21.77%	6.44%
8	0.28%	3.23%	1.04%
9	0.00%	3.23%	0.83%
10	0.00%	2.42%	0.62%
11	0.00%	0.81%	0.21%
15	0.00%	0.81%	0.21%
Total	357	124	481
	Chi-Square	118.289	
	df	9	
	p	0.000	

five-member council. This difference is statistically significant ( $X^2=118.289$ ,  $p<0.001$ ). Charter cities have consistently higher than expected rates of larger councils, with charter cities comprising all of the cities with councils larger than eight members. In fact, only five general law cities have a council with more than five members.

### **Election Method**

Turning to election method, only eight cities elect all of their council members using a district system with no at-large seats. Of these, Los Angeles has 15 districts, four (Alhambra, Dinuba, Downey, Bradbury) have five-member councils, and three (Watsonville, Newport Beach, Woodside) have seven-member councils. All other cities have at least one member of the council who represents an at-large constituency.

Separating these cities by home-rule status, we again find a difference between general law and charter cities. Within both types there is a majority of cities with zero districts: 98.0 percent of general law cities and 77.4 percent of charter cities. There is a statistically significant difference between charter and general law cities ( $X^2 = 65.164$ ,  $p<0.00$ ) with charter cities having higher than expected rates of more districts than general law cities. In fact, only charter cities have more than seven seats elected by district.

We find that 86.9 percent of the cities in California have a five-member city council where all members are elected in at-large elections. For general law cities, 96.6 percent follow this model. For charter cities, 58.9 percent have a five-member city council elected at-large. The difference is statistically significant ( $X^2=115.334$ ,  $p<0.001$ ). Most cities that do not have a five-member council with at-large elections are charter cities.

**Table 3. Number of District Seats by Home Rule Status**

District Seats	General Law	Charter	Total
0	98.04%	77.42%	92.72%
3	0.00%	0.81%	0.21%
4	1.12%	2.42%	1.46%
5	0.28%	3.23%	1.04%
6	0.28%	4.84%	1.46%
7	0.28%	4.84%	1.46%
8	0.00%	2.42%	0.62%
9	0.00%	1.61%	0.42%
10	0.00%	0.81%	0.21%
11	0.00%	0.81%	0.21%
15	0.00%	0.81%	0.21%
Total	357	124	481

Chi-Square	65.164
Df	10
P	0.000

**Table 4. Relationship between Home Rule Status and Council Composition**

	General Law	Charter	Total
Five Member Council elected at-large	96.6%	58.9%	86.9%
Other	3.4%	41.1%	13.1%
Total	357	124	481

Chi Sq	115.334
P	0.000

**Mayor Selection**

Mayors pose a unique complication for our study. While a few cities have a mayor-council form of government, mayors in most California cities are chosen from within the city council. In many cities, the position of mayor rotates among members of the council. A rotating mayor from a council elected at-large has the same constituency as the other members of the council, which is the entire city.

**Table 5. Mayor Selection Process by Home Rule Status**

Mayoral Election Process	Charter	General Law	Total
Chosen From Council	50.8%	72.5%	66.9%
Directly Elected	49.2%	27.5%	33.1%
Total	124	357	481

Chi-Square	19.661
df	1
p	0.000

In other instances, the mayor is separately elected in an at-large election and has the same constituency as the council, the entire city. It is possible a scenario exists where the mayor could be a rotating position in a city council where they have been elected in a district election. Functionally, a mayor elected by a district, rather than at-large, does not have the same constituency as the city council. Having a rotating mayor system of city council members elected by district elections could complicate city government. When cities make decisions about city government, the choice between district elections and the electoral process for the mayor may be more closely tied than one might imagine.

The majority of mayors are chosen from the body of city council members for both general law (72.5 percent) and charter cities (50.8 percent). Charter cities are split nearly evenly between mayors chosen in a direct election and chosen from the city council. Slightly more than a quarter of general law cities have a mayor who is directly elected. The differences between charter and general law cities are statistically significant ( $X^2=19.661$ ,  $p<0.001$ )

## **Model and Results**

To better understand the determinants of city council structure, we estimated a series of regression models with different dependent variables. First, we estimated a series of OLS regressions to identify the determinants of the total number of city council seats in a city. We estimated multiple models, replacing our various measures of racial and ethnic diversity in each model. Each of the models was statistically significant and had a similar interpretation regardless of which racial or ethnic diversity measure was used.

Across all models, we found that the structural variables (i.e., having a charter, direct election of the mayor) were significantly related to an increased number of city council seats. The year of incorporation was consistently related to council size, with the older cities having more seats. While increased population size was related to an increase in total council size, our demographic variables did not generally have statistically significant relationships with the overall size of city council. The exception here is the percent Hispanic negatively related to council size. This suggests that no particular racial group, nor overall diversity of racial groups, was related to city council size after holding all other variables constant.

**Table 6. Regression of the Total Number of Seats on the City Council**

	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.
Charter	0.568	0.087	***	0.568	0.087	***	0.561	0.087	***	0.569	0.087	***	0.570	0.087	***
Mayor Directly Elected	0.172	0.079	**	0.172	0.079	**	0.172	0.079	**	0.166	0.080	**	0.166	0.079	**
Population	0.432	0.069	***	0.428	0.067	***	0.408	0.062	***	0.388	0.064	***	0.400	0.064	***
Incorporation year	-0.006	0.001	***	-0.006	0.001	***	-0.006	0.001	***	-0.006	0.001	***	-0.006	0.001	***
Diversity index	-0.267	0.215													
Percent White				0.301	0.221										
Percent Latino							-0.272	0.139	*						
Percent Black										0.130	0.703				
Percent Asian													-0.130	0.291	
constant	15.176	1.804	***	14.783	1.826	***	15.339	1.802	***	15.176	1.807	***	15.060	1.823	***
n	481			481			481			481			481		
F	47.990			48.080			48.670			47.540			47.590		
p	0.000			0.000			0.000			0.000			0.000		
R2	0.336			0.336			0.339			0.334			0.334		
adjR2	0.329			0.329			0.332			0.327			0.327		

**Table 7. Regression of Number of District Seats on the City Council (Entire Sample)**

	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.
Charter	0.886	0.179	***	0.887	0.179	***	0.895	0.179	***	0.879	0.179	***	0.889	0.179	***
Mayor Directly Elected	0.392	0.163	**	0.390	0.163	**	0.392	0.163	**	0.365	0.164	**	0.391	0.163	**
Population	0.581	0.143	***	0.571	0.138	***	0.606	0.128	***	0.570	0.131	***	0.646	0.133	***
Incorporation year	-0.009	0.002	***	-0.009	0.002	***	-0.009	0.002	***	-0.009	0.002	***	-0.009	0.002	***
Diversity index	0.286	0.445													
Percent White				-0.449	0.456										
Percent Latino							0.298	0.289							
Percent Black										2.207	1.449				
Percent Asian													-0.323	0.600	
constant	13.969	3.732	***	14.553	3.775	***	13.791	3.734	***	14.109	3.725	***	13.707	3.766	***
n	481			481			481			481			481		
F	28.07			28.22			28.24			28.57			28.04		
p	0.000			0.000			0.000			0.000			0.000		
R2	0.228			0.229			0.229			0.231			0.228		
adjR2	0.220			0.221			0.221			0.223			0.220		

In a similar manner as before, we estimated a series of OLS regressions using the number of district seats as the dependent variable. Each of the models was statistically significant and had a similar interpretation regardless of which diversity measure was used. Once again, charter cities, direct mayoral elections, and log of population were positively and statistically significantly related to the number of district seats on the city council. The relation between incorporation year and number of district seats was negative and significant. None of the diversity or race demographic variables was statistically significantly related to the number of district seats on the city council.

Because of the large number of cities that have a five-member at-large elected city council (446 out of 481 cities), we estimate a number of regressions modeling the number of district seats using only the 35 cities that have at least one seat elected via a district election. While this reduces our sample, it allows us to better understand the variation in number of electoral districts for those cities with districts. Each of the models was statistically significant and revealed two robust relationships. The log of population was statistically significantly related to an increase in the number of districts, suggesting that larger cities have more seats elected by district elections. Second, having a directly elected mayor was associated with a reduced number of district seats on the city council.

The models provided insight into the relationship between the racial composition of the city and the number of electoral districts. In two of the models, the racial composition measures were statistically significant. Holding all other variables constant, cities with a higher percentage of whites were statistically significantly related to an increased number of district seats. Holding all other variables constant, cities with a higher percentage of Hispanics were statistically significantly related to a decreased number of seats elected by district. No other measures of diversity or racial composition achieved levels of statistical significance in the models.

Because of the dominance of five-member city councils elected at-large, we estimate a number of logistic regression models to identify the relationships between our variables and the adoption of any alternative structure. In essence, we are trying to identify the correlates of adopting a system that is not the apparent default structure throughout the state. In our models we find similar support for previous findings. Specifically, across all models, having a charter and a directly elected mayor were significantly and positively related to adopting some other model for the city council. Incorporation year was significantly and negatively related to adopting a non five-member elected at-large city council. None of the racial composition variables were statistically significant in any of the models.

Chief among our findings is that there is very little variation of both council size and election method among California cities. This is somewhat of a puzzle given that the size and composition of California cities are about as heterogeneous as possible for any state in the United States. Among the minority of cities that use something other than the five-member council with at-large elections, there appears to be more variation. The most consistent factors in predicting whether a city has a larger council or uses district election are not measures of racial composition or diversity, but adoption of a charter, population size, and direct election of a mayor.

## **Conclusion**

The California constitution grants cities broad powers of structural home rule, and cities may exercise these powers whether they have a charter or not. Despite these powers and the stagger

**Table 8. Regression of the Number of District Seats for Only Those Cities in the Sample with Districts**

	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.
Charter Mayor Directly Elected	-0.388	0.961		-0.216	0.912		-0.761	0.874		-0.281	0.966		-0.594	0.931	
Population	-1.652	0.920	*	-1.692	0.848	*	-1.771	0.817	**	-1.533	0.929		-1.614	0.895	*
Incorporation year	2.089	0.581	***	2.049	0.555	***	1.976	0.539	***	2.097	0.576	***	2.041	0.576	***
Diversity index	-0.019	0.013		-0.022	0.012	*	-0.019	0.011		-0.016	0.012		-0.014	0.012	
Percent White	-1.781	2.771		4.088	2.268	*									
Percent Latino							-2.734	1.169	**						
Percent Black										-3.317	3.578				
Percent Asian													2.960	2.823	
constant	34.087	26.090		36.991	24.185		35.092	23.148		27.028	24.818		24.620	24.986	
n	35			35			35			35			35		
F	6.190			7.340			8.250			6.370			6.460		
p	0.001			0.000			0.000			0.004			0.000		
R2	0.516			0.559			0.587			0.523			0.527		
adjR2	0.433			0.483			0.516			0.441			0.446		

**Table 9. Logistic Regressions of Not Having a Council Size of Five Seats All Elected At-Large**

	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.	B	s.e.	Sig.
Charter Mayor Directly Elected	2.547	0.392	***	2.551	0.393	***	2.561	0.394	***	2.539	0.395	***	2.535	0.395	***
Population	0.909	0.374	***	0.921	0.375	**	0.926	0.374	**	0.846	0.380	**	0.915	0.375	**
Incorporation year	-0.028	0.357		-0.027	0.347		0.126	0.321		0.096	0.324		0.182	0.338	
Diversity index	-0.026	0.005	***	-0.026	0.006	***	-0.025	0.005	***	-0.025	0.005	***	-0.025	0.005	***
Percent White	1.331	1.189		-1.560	1.166										
Percent Latino							0.790	0.735							
Percent Black										3.046	2.894				
Percent Asian													-0.244	1.522	
constant	44.812	10.705	***	47.538	11.214	***	44.206	10.682	***	43.820	10.440	***	42.961	10.585	***
n	481			481			481			481			481		
Likelihood Ratio	147.62			148.14			147.48			147.49			146.37		
Prob > Chi2	0.000			0.000			0.000			0.000			0.000		
Pseudo R2	0.395			0.397			0.395			0.395			0.392		

ing amount of diversity in size and racial composition of California cities, the vast majority has a five-member city council entirely elected at-large. Variations from this model are largely correlated with the adoption of a charter, direct election of a mayor, and population. While the literature on election method and council size demonstrates that these structural features are important factors in producing minority representation on city councils, racial and ethnic diversity are not generally correlated with these features in California cities.

We acknowledge that our study does not attempt to measure minority representation on councils. Rather, we are concerned with the structural features of cities that expand or restrict opportunities for representation on city councils. It is possible that prior to the passage of the California Voting Rights Act in 2001, not many cities had even considered making changes to their elections or city council size simply because there were few polarizing events that would have argued for change, or the political pressures inside the city significantly reduced the impetus for change.

At this level of analysis we can only speculate as to why individual cities have made clear choices to vary from the predominant model. As indicated in the beginning, a significant amount of resistance to charter reform may have simply prevented changes to city council elections. While it is beyond the scope of our current aggregate analysis, we anticipate that some of these effects are correlated to variables we include in the analysis.

Where these reforms have actually taken place, we believe the adoption of a charter or expanding the size of a council is most likely perceived to be necessary only for very large or extremely diverse cities. It is possible that citizens have not called for change because of a lack of tension between neighborhoods or minority and majority communities in the city.

Finally, Langbein et al. (1996) point out that functional constituencies may be just as politically relevant as geographic ones. Local government in California is extremely fragmented. In addition to the state's 58 counties and 482 cities, there are over 13,000 school districts and 2,000 independent special districts.

This patchwork of governments across the state provides a wide range of public goods and services. California's counties perform many functions that, in other places, are performed by municipal governments (Hoene, Baldassarre and Shires 2002). It could be that structures that help produce racial or ethnic representation are less relevant for city government than they are for the many other local governments.

Despite the fact that California cities are racially and ethnically diverse, only a small proportion of cities in the state depart from the five-member at-large council model of governance. Our findings show that race and ethnicity play little to no role in determining whether cities have changed to single member districts or larger-sized councils. In fact, the factors that seem to influence the adoption of single-member districts or larger councils are other features of structural home rule and city age.

We anticipate that this homogeneity of city structure will diminish as citizen groups access the courts under the provisions of the California Voting Rights Act. Recently, many local governments have been threatened with lawsuits if they do not move away from at-large elections or reduce racially polarized voting in their jurisdictions. This external impetus will likely create sufficient pressure to overcome any internal resistance to change in a city and increase the variation in city structure throughout the state. What results from this process will likely differ from the predominant model of a five-member city council elected at-large.

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