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CITY OF PALMDALE

NEWS RELEASE

CONTACT: John Mlynar
PHONE: 661/267-5115
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Settlement Reached in California Voting Rights Lawsuit *Palmdale Leaders Urge California Legislature to Fix Broken California Voting Rights Act*

PALMDALE -- The City of Palmdale has reached an agreement with the plaintiffs in the California Voting Rights Act case and will hold a series of community meetings in the future to explain the upcoming changes to its method of electing its City Council. The City will also pursue action to encourage the California Legislature to fix the California Voting Rights Act (CVRA) which in its current form leaves cities, counties and school districts susceptible to frivolous lawsuits.

Under the settlement agreement that was reached Wednesday night, a new system will begin with the November 2016 election where Palmdale will be divided into four districts, using a map that was drafted by the plaintiffs and ordered by the trial court. There will be one councilmember per district. Residents will no longer be able to vote for the entire city council, but rather will vote only for the councilmember for their district. The seat of Mayor will continue to be a city wide, at large vote. The trial court also ordered the City to hold its elections in November of even numbered years to coincide with either the presidential or gubernatorial election cycles. All current Councilmembers will remain in office until the next Council is sworn in following the election in November of 2016. The City will also request that the Los Angeles County Registrar consolidate Palmdale's election with the general election.

The settlement calls for the results of the November 2013 City of Palmdale election to be certified. In that election, Fred Thompson became the first African-American to win a seat on the Palmdale City Council.

“Contrary to the allegations of the lawsuit, Fred Thompson was successfully elected in an at large election in 2013,” said Palmdale City Attorney Matthew Ditzhazy. “While the election of Mr. Thompson appeared to have met the goals of the lawsuit, namely achieving greater minority representation on the City Council, plaintiffs sought and obtained an injunction preventing him from being seated as a city councilmember. The City Council subsequently effectuated the will of the people by appointing Mr. Thompson to fill a vacancy on the city council.”

“I’m in office in spite of, not because of, this lawsuit,” Councilmember Thompson said. “My story demonstrates that this lawsuit was both unnecessary and disingenuous. I’ve won at-large elections in this valley for over 20 years and other qualified minority candidates have done the same.”

The settlement agreement also provides for a payment to plaintiff’s attorneys of \$4.5 million dollars.

There will also be a series of three public meetings to be held at dates to be announced to provide an opportunity to inform the public on the changes.

“Palmdale has a long history of engaging and listening to our residents in setting the direction of our City,” said Palmdale City Manager Dave Childs. “Our residents have twice voted for at large voting districts to determine the manner in which they elect their public officials. We have followed that direction, believing that when the California

Constitution states that Charter Cities have 'plenary authority' to conduct elections, it means what it says. Despite this explicit Constitutional provision, it appears that the courts are confronted with a poorly written, ambiguous voting rights law that was drafted by trial lawyers for trial lawyers who are currently using it to exploit cities, counties and school districts and rob the taxpayers for money."

"It's not just Palmdale that's being victimized," said City Attorney Matthew Ditzhazy. "To date, and to our knowledge, there are 25 such cases across the state, and the taxpayers are currently on the hook for more than \$13.8 million dollars---with the legal meter running."

"This is money that could and should be used for public safety, parks, and programs to help the community and those who need help the most----not to line the pockets of lawyers," said Ditzhazy. "Unfortunately, in our case, people with good intentions were taken advantage of under this law."

"The truth of the matter is that the California Voting Rights Act is a Trojan horse," Ditzhazy said. "While it purports to champion the rights of those historically marginalized by the electoral system, it does nothing more than unleash unto cities and school districts a process of gerrymandering imposed by attorneys intent on fleecing the public coffers."

"This lawsuit was never about race or voting rights," said Palmdale Mayor Jim Ledford. In Palmdale, Hispanic and African American candidates can and have won citywide at large elections. This lawsuit is and has always has been about money and politics. I am proud of the fact that Palmdale is one of the most integrated cities in the United States, and together we will move forward to repair the attempted trouble these

trial lawyers have sought--- both financially and emotionally. The attempts of the interlopers to create chaos will only bring us together and make us a stronger community than ever before.”

“I am personally concerned that district voting will result in balkanized politics that could divide us rather than the current system where all the elected officials represent all of the voters,” said Councilmember Roxana Martinez. “Councilmembers should be focused on the good of the entire city and not just one district.”

“We believe that any candidate can represent all the people regardless of their ethnicity,” said Councilmember Steve Hofbauer. “Yet, the attorney’s desire for districting actually does the opposite of what they were purporting to do. It actually gives minorities less influence in elections, not more, by reducing their voting power by 75 percent. Instead of having the opportunity to vote for four council candidates, they will only be able to vote for one.”

“We urge the California state legislature fix the flaws in this law so that the epidemic of robbing taxpayer money from cities and school districts will stop,” said Mayor Pro Tem Mike Dispenza. “We also encourage our residents to join us by contacting their representatives in Sacramento and telling them enough is enough.”

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Communications Department · 38300 Sierra Highway · Palmdale, CA 93550
www.cityofpalmdale.org