

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center Drive
Santa Ana, CA 92702

SHORT TITLE: The People of the State of California vs. City of Huntington Beach

**CLERK'S CERTIFICATE OF MAILING/ELECTRONIC
SERVICE**

CASE NUMBER:
30-2024-01393606-CU-WM-CJC

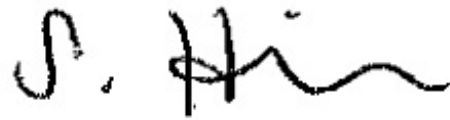
I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order dated 04/07/25 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 4/7/25. Following standard court practice the mailing will occur at Sacramento, California on 4/8/25.

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Clerk of the Court, by:



, Deputy

I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 04/07/25, was transmitted electronically by an Orange County Superior Court email server on April 7, 2025, at 7:46:51 AM PDT. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 04/07/2025

TIME: 07:45:23 AM

DEPT: C25

JUDICIAL OFFICER PRESIDING: Nico Dourbetas

CLERK: S. Hill

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: F. Camandang

CASE NO: **30-2024-01393606-CU-WM-CJC** CASE INIT.DATE: 04/15/2024

CASE TITLE: **The People of the State of California vs. City of Huntington Beach**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Writ of Mandate

EVENT ID/DOCUMENT ID: 74528925

EVENT TYPE: Under Submission Ruling

APPEARANCES

There are no appearances by any party.

The Court, having taken the above-entitled matter under submission on 04/03/2025 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The State of California's Petition for Writ of Mandate is DENIED.

Petitioner seeks to invalidate Section 705 of the City Charter of the City of Huntington Beach, which provides:

"Section 705. SPECIAL PROVISIONS RELATING TO MUNICIPAL ELECTIONS

As in Section 300, the City Charter shall determine the term of the City's elective officers, the length of term, and the election cycle in which the election for those offices occur for the City's elective officers.

(a) Beginning in 2026, for all municipal elections:

(1) "Elector" means a person who is a United States citizen 18 years of age or older, and a resident of the City on or before the day of an election.

(2) The City may verify the eligibility of Electors by voter identification.

(3) The City may provide at least 20 Americans with Disabilities Act compliant voting locations for in-person voting dispersed evenly throughout the City, in addition to any City facility voting locations.

(4) The City may monitor ballot drop boxes located within the City for compliance with all applicable laws."

California Constitution, art. XI, §5, reserves for charter cities authority to "make and enforce all ordinances and regulations in respect to municipal affairs..." Subd. (b) provides that the "conduct of city elections" and "to provide ... the method by which, the times at which, and the terms for which the several municipal officers and employees whose compensation is paid by the city shall be elected or appointed..."

"The provision represents an affirmative constitutional grant to charter cities of all powers appropriate for a municipality to possess ... and [includes] the important corollary that so far as municipal affairs are

concerned, charter cities are supreme and beyond the reach of legislative enactment.” (State Building & Construction Trades Council of California v. City of Vista (2012) 54 Cal.4th 547, 556 [internal quotes omitted].)

“Under the state Constitution, the ordinances of charter cities supersede state law with respect to ‘municipal affairs’ (Cal. Const. art. CI, §5), but state law is supreme with respect to matters of ‘statewide concern’” (Id. at 552.)

In assessing an invocation of the so-called home rule doctrine, courts are to apply the four-step analysis. (Id. [citing California Fed. Savings & Loan Assn. v. City of Los Angeles (1991) 54 Cal.3d 1 (“CalFed”)].)

“First, a court must determine whether the city ordinance at issue regulates an activity that can be characterized as a “municipal affair.” [citation] Second, the court “must satisfy itself that the case presents an actual conflict between [local and state law].” [citation] Third, the court must decide whether the state law addresses a matter of “statewide concern.” [citation] Finally, the court must determine whether the law is “reasonably related to ... resolution” of that concern [citation] and “narrowly tailored” to avoid unnecessary interference in local governance [citation]. “If ... the court is persuaded that the subject of the state statute is one of statewide concern and that the statute is reasonably related to its resolution [and not unduly broad in its sweep], then the conflicting charter city measure ceases to be a ‘municipal affair’ pro tanto and the Legislature is not prohibited by article XI, section 5(a), from addressing the statewide dimension by its own tailored enactments.” (Id.)

Petitioners contend that Charter Section 705 conflicts with Elections Code Section 10005, which provides:

“A local government shall not enact or enforce any charter provision, ordinance, or regulation requiring a person to present identification for the purpose of voting or submitting a ballot at any polling place, vote center, or other location where ballots are cast or submitted, unless required by state or federal law. For the purpose of this section, “local government” means any charter or general law city, charter or general law county, or any city and county.”

A. Municipal Affair

There is no reasonable dispute that the charter provision concerns a municipal affair, as it is addressed toward the conduct of city elections.

B. Conflict

For there to be an “actual conflict” there must be a finding of a genuine conflict, meaning that the conflict must be “unresolvable short of choosing between one enactment and the other.” (CalFed, Supra. 54 Cal.3d at 16-17.)

Petitioner argues that there is a clear conflict between a charter provision that requires voter identification and a state statute that prohibits charter cities from requiring voter identification. Respondent argues that there is no conflict because Section 10005 does not explicitly expand its scope to municipal elections in charter cities that are not consolidated with statewide elections. Respondent argues that the Court should not “infer an intent to contravene that authority [to conduct city elections] without more explicit guidance from the Legislature” (City of Redondo Beach v. Padilla (2020) 46 Cal.App.5th 902, 918.)

C. Matter of Statewide Concern

In Jauregui v. City of Palmdale (2014) 226 Cal.App.4th 781 it was held that the California Voting Rights Act implicated a matter of statewide concern and was thus effective to preclude a charter city from holding an at large election of city council members where there was evidence that this format of election

led to the dilution of votes of minority members of the municipality. The Jauregui court reasoned that vote dilution implicated both the California Constitutional right to vote and also compromised the integrity of the electoral process.

Respondents argue that Jauregui is inapposite because that case turned upon the finding that there was actual vote dilution that resulted from the manner in which the respondent municipality actually administered elections.

Unlike Jauregui, the challenged charter provision does not violate the right to vote and does not implicate the integrity of the electoral process.

Jauregui recognizes that “the Fourteenth Amendment and article I, section 2” of the California Constitution provide “comparable protections in voting rights cases.” (Jauregui, 226 Cal.App.4th at 800 [citing Canaan v. Abdelnour (1985) 40 Cal.3d 703, 715, overruled on other grounds in Edelstein v. City and County of San Francisco (2002) 29 Cal.4th 164, 183].)

In Crawford v. Marion County Election Board (2008) 553 U.S. 181, the Supreme Court of the United States held that voter identification requirements do not violate the Fourteenth Amendment. Since the Fourteenth Amendment provides “comparable” protection of the right to vote, Crawford demonstrates that a voter identification requirement does not violate the right to vote.

There is no showing that a voter identification requirement compromises the integrity of a municipal election. Municipal election results do not lack integrity because only residents of a municipality who are eligible to vote participated in the election.

Since the procedures Respondent seeks to implement in conjunction with its municipal elections do not implicate matters of statewide concern, there is no need to assess whether Elec. Code §10005 is reasonably related to the achievement of any statewide concern.

Clerk is ordered to give notice.