

Communication from Public

Name: Mike Feinstein

Date Submitted: 05/22/2023 07:34 AM

Council File No: 22-1196-S1

Comments for Public Posting: <https://www.citywatchla.com/index.php/cw/la-election-2022/26895-the-scope-of-ad-hoc-committee-on-la-city-governance-reform-is-insufficient> The Scope of Ad Hoc Committee on LA City Governance Reform is Insufficient By Michael Feinstein, CityWatchLA. May 04 2023 GUEST COMMENTARY - Last October 2022, following the release of the recording of the racist and hateful backroom conversation between then-Los Angeles City Council members Nury Martinez, Kevin de Leon, and Gil Cedillo when discussing the City's 2021 redistricting process – and how they wished to manipulate it — the City Council voted to explore establishing an independent redistricting commission and a larger city council. The two matters were then referred to the City's Ad Hoc Committee on City Governance Reform, which began meeting on these issues this past March and is expected to continue to do so through the summer of 2023, with the goal of putting a pair of reform measures on the ballot in 2024. Unfortunately, this limited scope is insufficient to meet the historic opportunity for reform brought about by the release of the scandalous city council member audio, along with the overall dissatisfaction over the politicization of the 2021 redistricting process. The root problem with the scope is what appears to be the assumption that switching from a redistricting process where the city council chooses district lines to one where an independent commission does, will be a sufficient response to the myriad of problems that plagued the 2021 Los Angeles redistricting process. It will not.

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The Scope of Ad Hoc Committee on LA City Governance Reform is Insufficient

By Michael Feinstein, CityWatchLA. May 04 2023

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The root problem with the scope is what appears to be the assumption that switching from a redistricting process where the city council chooses district lines to one where an independent commission does, will be a sufficient response to the myriad of problems that plagued the 2021 Los Angeles redistricting process.

It will not.

Even with an independent commission drawing district lines — and even with a modestly larger city council to draw lines for (which is all that has been studied by the City's Office of the Chief Legislative Analyst) — redistricting for single-seat districts will always remain problematic and controversial — because it will always be a discretionary choice about which group of voters gets grouped with which others, to elect a single winner.

That's because a different choice in single-seat district lines can lead to a different result in terms of who receives representation, who does not, and who holds power — no matter who draws the lines.

Problems with single-seat, winner-take-all districts

This structural limitation and deficiency inherent to single-seat, winner-take-all elections was reflected in the question from Councilman Harris-Dawson at the Ad Hoc Committee's March 20 meeting. Harris-Dawson posited an artificial intelligence program that could take all of the variables that are to go into the redistricting process, and would magically produce a map that met all of the requirements. Despite this, Councilman Harris-Dawson predicted that even in such a theoretical case, many groups and individuals would still inevitably be arguing for different maps, all for reasons for their own advantage.

It may be true that assigning redistricting decisions to an independent commission, guided by a set and hierarchy of legally mandated variables, may make the [unavoidably subjective ultimate decision](#) on how to split the baby seem more 'fair'. But what is fair about denying people representation because of how lines are drawn?

The truth is everyone deserves representation. But winner-take-all district elections can never deliver that. And because they can't, the stakes, tensions, and conflicts around redistricting — especially in a diverse city such as Los Angeles, will inevitably remain high - regardless of who draws the lines.

An example of this played out with San Francisco's recent redistricting process. San Francisco faces similarly complex diversity and representation challenges as Los Angeles. But unlike in LA where the redistricting commission is advisory and the city council ultimately decides upon district lines, in San Francisco the redistricting task force decides upon district lines itself — without submitting it to politicians to approve the very legislative district lines in which they will run.

Despite this, San Francisco experienced a [brutal redistricting battle](#) in 2021-2022 between competing racial groups and political factions trying to gain advantage via the redistricting process to increase their chances of winning winner-take-all seats — and its redistricting task force [found itself bedeviled](#) by a racial dogfight between Chinese, Black and Latino communities, trying to decide who was more deserving of representation.

In Los Angeles perhaps the most [acute example of this tension](#) has been the result of the slow but steady demographic change over the years in South Los Angeles, from being a strongly African-American part of the city to a Latino majority. This has led to redistricting fights that have continued to this day in drawing district lines to favor one part of the South Los Angeles community over another.

But why unnecessarily pit representation of black vs. brown communities via single-seat, winner-take-all districts, when multi-seat districts elected by proportional representation can lead to multiple winners, giving broader and deeper representation to various and diverse elements of the community within each district at the same time?

Of course, fair representation isn't just a question of race and ethnicity, but also of class - a difference perhaps best expressed by the old saying from African-American writer and anthropologist [Zora Neale Hurston](#) "[All my skinfolk ain't kinfolk](#)." Limiting a historically marginalized community within a district to only one representative may check the race and ethnicity box, but not the class. And this limitation is wholly unnecessary in light of more inclusive ways of electing our representatives.

Then there is the case of Los Angeles City Council District 15 (CD15). Because of its unique shoestring geography reaching down to the Port of Los Angeles, the lines for CD15 have been more constant over the decades than other districts. But [according to the Los Angeles Times](#), despite containing the neighborhoods of San Pedro, Wilmington, Watts, Harbor City, and the Harbor Gateway, the district has long been represented only by residents of San Pedro, which "despite accounting for less than one-third of the district's population has enjoyed outside influence as the district's traditional base of political power." Electing CD15 representatives from a multi-seat district by proportional representation, communities like Wilmington and Watts — which have far different issues of environmental and social justice than San Pedro — would be far more likely to also elect a representative from their areas, than under LA's current single-seat system.

Time to consider proportional ranked-choice voting elections

For all these reasons, the Ad Hoc Committee on City Governance Reform should expand its investigations to [explore the use of multi-seat city council districts elected by ranked-choice voting](#) - commonly called proportional ranked-choice voting, or PRCV.

Under PRCV, [the threshold to get elected](#) is lower, and there are multiple winners and fuller representation from within each district. This means more diverse elements of the community win representation at the same time. In a city as diverse as Los Angeles, this also means far better

realization of the goals of the Federal and California Voting Rights Acts; and relevant to Los Angeles' redistricting process, it would lower the stakes of drawing district lines, because elections and issues of representation would no longer be winner-take-all.

There is a specific example of a major US city recently adopting PRCV that the Committee should be studying: in November 2022, voters in Portland (OR) voted 2022 to amend its city charter and to [more than double the size of its city council and elect it from multi-seat districts by PRCV](#).

This recommendation came out of a multi-racial public charter review commission process, led by communities of color, that [rejected single-seat district representation like in LA in favor of multi-seat districts elected by PRCV](#), because of the inability of single-seat districts to represent Portland's racial minority constituencies.

There was nothing in the [Los Angeles City Council motion](#) looking into an independent redistricting commission that would prevent such an inquiry, especially since any redistricting process should be designed to be able to address drawing district lines whether the districts are single-seat or multi-seat.

A Larger City Council

At the same time, Ad Hoc Committee on City Governance Reform should also be considering a broader range of possible increases to the size of the City Council than are detailed in the report by the Chief Legislative Analyst — and how a much larger council elected from multi-seat districts elected by PRCV might work together.

Los Angeles has by far the worst per-capita city council representation in the United at approximately 264,885 people per city council member. By comparison, the report by the City's Chief Legislative Analyst notes that the average for the top ten U.S. cities by population 128,762, excluding Los Angeles, is 128,762. But then inexplicably, the report limits its study and projections for the possible number of city council seats if the ratio for Los Angeles would be 150,000-to-one, 200,000-to-one, and 250,000-to-one per city council member.

Why assume that only considering these nationally high per-capita ratios is ok? There was no limit on potential city council size in the [City Council motion](#) to explore tying council size to population size that would preclude looking at a much larger city council, nor how it could work with PRCV.

Why not try and find out what might work best for Los Angeles, instead of being limited by what is being done elsewhere, and still doing worse? When Los Angeles voters approved its current 15-member, single-seat district city council model in 1924, the per-capita ratio was 38,000. Why not work up from that?

If we are talking about comparable major U.S. cities, Chicago has 50 members on its City Council and New York has 51. Why isn't a city council of such size even considered in the written report at this early date as at least a potential option? Especially since when combined with multi-seat districts elected by PRCV, this would result in a far better per-capita ratio and fuller representation.

For example, if Los Angeles had a city council the size of New York's, that would yield a per-capita ratio of approximately 77,907-to-one — still, double what Los Angelenos voted for in 1924, but a lot closer than 150,000-to-one or worse ratios studied in the Chief Legislative Analyst's report.

If a 51-member city council was elected by PRCV, there could be 17 three-member districts where more voters would have voted for a winning candidate within each district, and residents, neighborhood councils, and a range of community groups and organizations could now have three council members representing their district that they could go to for local issues instead of one. Or what about 10 five-member districts, which would mean an even broader representation of diversity within each district?

There are other potential advantages for Los Angeles if a larger city council elected by PRCV were adopted, that are worth considering as part of the Ad Hoc Committee on City Governance Reform work.

For example, by eliminating LA's outdated two-round 'contingent' spring primary/November general election run-off in favor of a single November ranked-choice vote, all city council elections would be decided in November when turnout is higher and the electorate is more diverse.

Using PRCV would also mean less expensive campaigns, because the threshold of votes to get elected would be much lower, giving more vibrancy to the City's existing [public financing program](#) for campaigns. In turn, using PRCV could also enhance the grassroots campaign-empowering effect of democracy vouchers, which the City Council also [recently voted to study](#).

The scope of potential reform must be broadened now

Establishing an independent commission to draw Los Angeles City Council districts is a necessary but insufficient reform to bring about fair representation in Los Angeles.

Advocates for removing politicians from the redistricting process and establishing an independent redistricting commission in its place, argue that "voters should choose their representatives, not the

other way around.” But this argument is only valid to a point. That is because whoever draws district lines is still going to affect who gets elected, because it will always be a discretionary choice about which voters get grouped together to create a district.

Relying upon single-seat districts unnecessarily makes that discretionary choice a zero-sum, winner-take-all affair — and greatly limits representation in Los Angeles. By contrast, a larger city council elected by PRCV could greatly improve the representation of Los Angeles’ great diversity.

In order to not miss the historic opportunity for reform before it, the Ad Hoc Committee on City Governance Reform (and the entire Los Angeles City Council) should be studying PRCV combined with a larger city council very closely. The people of Los Angeles deserve no less.

(Michael Feinstein is a former Santa Monica Mayor and City Councilmember and Co-founder of California Green Party.)