

# REPORT OF THE CHIEF LEGISLATIVE ANALYST

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DATE: September 15, 2023

TO: Honorable Members of the City Council

FROM: Sharon M. Tso   
Chief Legislative Analyst

Council File No. 21-1472, 22-1196  
Assignment No. 22-10-0613

SUBJECT: Revised Rack Up for Independent Redistricting

## **SUMMARY**

This report provides additional information in response to questions and instructions provided by the Ad Hoc Committee on Governance Reform (Ad Hoc Committee) at its meeting of August 28, 2023. Specifically, a survey of selected City departments was conducted to identify potential high-level impacts on departmental services resulting from an increase in the number of Council Districts; follow-up conversations were held with representatives from the Los Angeles Governance Reform Project (LA GRP), Common Cause, and Our LA; and the Rack Up of Suggested Terms was updated to incorporate decisions by the Ad Hoc Committee at its August 28, 2023 meeting and subsequent research as directed by the Ad Hoc Committee.

This report provides a revised Rack Up of Suggested Terms for an Independent Redistricting Commission program and additional information on impacts associated with an increase in the number of Council Districts for a total ranging from 21 to 31 members. Due to time constraints and the extent of the research required to provide a response to the questions raised by the Ad Hoc Committee concerning the Los Angeles Unified School District (LAUSD), a follow-up report will be provided at a later date.

## **RECOMMENDATIONS**

That the City Council instruct the Chief Legislative Analyst, with the assistance of the City Attorney and other Departments as necessary, to prepare ballot measure proposals consistent with the instructions of the Ad Hoc Committee and Council.

## **BACKGROUND**

To date, the Ad Hoc Committee has held nine meetings and hearings on the subject of establishing an Independent Redistricting Commission (IRC) to manage the development of Council District boundaries in the City. The discussion includes consideration of increasing the number of Council Districts in the City as well. The Chief Legislative Analyst (CLA) has prepared two reports:

- March 2023 CLA Report outlining options for establishing the number of Council Districts and the detailed components that constitute an IRC program
- August 2023 CLA Report providing a list of Suggested Terms for the IRC program, as well as additional background information and options for consideration.

At its meeting of August 28, 2023, the Ad Hoc Committee considered the Suggested Terms for the IRC program and requested additional information. The Ad Hoc Committee also discussed, in depth, options and issues related to the size of the City Council. The result of the meeting was that many of the Suggested Terms for the IRC program were identified and refined, but additional information was requested on key issues. Further, the Ad Hoc Committee requested additional analysis concerning the impacts of increasing the number of Council Districts.

At the direction of the Ad Hoc Committee, the CLA met with LA GRP, Common Cause, and OurLA to identify additional areas of concern and opportunities to further align the IRC program. Following those conversations, Common Cause and OurLA issued a joint letter on September 8, 2023, to the Ad Hoc Committee providing additional information on key issues.

This report provides a response to the issues raised at the August 28, 2023, meeting and a refined Rack Up of Suggested Terms for the IRC program incorporating decisions at that meeting as well as additional information from public comment received on the Council File, including the joint letter from Common Cause and OurLA, which has been added to the Council File.

## **ELECTION CALENDAR**

The following information was provided in the March 2023 CLA Report and is repeated here for reference.

Any change to the City Charter requires presentation of a measure to the voters, with approval by majority vote. Further, in conformance with the California Elections Code, Charter amendments may only be presented on a Statewide ballot at a Primary or General election. In 2024, the Primary election will be held in March and the General election will be held in November. In 2026, the Primary election will be held in June and the General election will be held in November.

In order to place a measure on the ballot, the Council must initiate such action by requesting the City Attorney to prepare the necessary documents no later than 125 days prior to the election date. For a March Primary election, Council would need to act no later than the prior November; for a June Primary election, Council would need to act no later than the prior January. For a November General election, Council would need to act no later than the prior June. The City Clerk will determine the actual deadlines for 2024 and 2026 at a later date.

In 2024, measures to amend the City Charter would need to be adopted as follows:

March 2024 Primary  
November 2024 General

Council action by November 2023  
Council action by June 2024

## **BALLOT QUESTIONS**

At its meeting of August 28, 2023, the Ad Hoc Committee briefly considered how the issues of Independent Redistricting and the number of Council Districts would appear on the upcoming ballot for voter consideration. Following discussion, the members expressed a preference that

two measures, one for Independent Redistricting and one for the size of the City Council, be presented to voters.

The Ad Hoc Committee further considered, without making a decision, the possibility of providing voters an option for the size of the City Council, such that there could be more than one measure on the question of City Council size. The 1999 Charter Reform ballot measures included two independent options to increase the number of Council Districts, to either 21 or 25. The ballot language would include instructions that designates which of the options would go into effect should more than one pass. This is a policy matter for the Council.

### **CHANGE THE NUMBER OF CITY COUNCIL DISTRICTS**

Motion (O'Farrell – Raman, Krekorian, Price, Koretz, C.F. 22-1196) initiated consideration of a Charter amendment to increase the number of Council Districts. Since the redistricting process requires a determination of the number of Council Districts that will be drawn, this Motion has been included in this report to ensure the issues are addressed concurrently. The March 2023 CLA Report includes background information on the history of the size of the Council as well as identification of issues associated with increasing the size of the City Council. Discussions in the Ad Hoc Committee have focused on options to increase the number of Council Districts by a fixed number, to between 21 and 31 Districts. The Ad Hoc Committee also instructed the CLA to further examine impacts on departmental operations and services associated with an increase.

#### **Designated Number of Council Districts**

The Ad Hoc Committee expressed a preference for increasing the number of Council Districts to a specific number, and instructed the CLA to provide additional analysis of impacts associated with an increase ranging from 21 to 31 Council Districts. Past efforts to increase the Council's size used this approach. For example, in 1925 the Council increased from nine members to 15 members in an effort to enhance representation for the City's growing constituency at the time. Similarly, during the 1999 Charter Reform movement, there were two ballot measures that proposed to increase the size of the City Council to either 21 or 25 members; however, these measures did not pass.

At the Council's current size of 15 members, each Councilmember represents approximately 264,885 residents. Should the City choose to increase the size of the Council by a specific number, the share of residents that are represented per district would decrease. For example, if the City used the proposal from 1999 to increase the size of the Council to 21 or 25 members, each member would represent approximately 189,204 residents and 158,931 residents, respectively (Figure 1). In this example, increasing the Council to 21 or 25 members would bring the number of residents represented per district in Los Angeles in closer parity to the amount of residents represented per district in other major U.S. cities, such as New York City (172,631 residents) and San Diego (153,991 residents).

#### **Cost Impacts Related to Increased Council Districts**

The funding available to Council Districts is a budgetary decision made by the Mayor and the Council each year. This would remain the case if the number of Council Districts increased. The budgetary decisions would depend on several factors, including but not limited to, the number of Councilmembers, size of their staff, office space, and office expenses. It should be noted that the

cost of expanding the size of the Council could vary widely depending on whether the Council decides to redistribute its existing allocation of funds equally amongst the new members, or to appropriate additional funds. Decisions related to how the funds would be allocated for an expanded Council would significantly impact the level of staffing within the Council Offices. For example, if the Council chose to redistribute its existing allocation of funds, the amount of staff in each office would need to be reduced due to reduced funding. So while each Councilmember would represent fewer residents with the intention of providing a higher level of service, the allocation of limited resources may ultimately result in a negative impact on service levels. It should also be noted that Councilmember compensation is established by the Charter.

<b>Figure 1 Share of Representation by Council Size*</b>	
<b>Number of Council Districts</b>	<b>Residents Per District</b>
15	264,885
21	189,204
23	172,751
25	158,931
27	147,158
29	137,010
31	128,170
*Population from 2020 Census: 3,973,278 persons	

In addition to the operational cost for each Council Office, the incidental costs associated with creating a new Council Office are a factor that should be considered. These incidental costs include City Hall office space and field offices, fleet cost for transportation, security, computers and information technology, and costs associated with modifications to the Council Chambers to accommodate additional members. Alternatively, a new location could be established to accommodate an increase in the number of Councilmembers.

For 2023-24, each Council Office has been allocated approximately \$2.1M for the annual operating budget which includes salaries and office expenses. Should the number of Council Districts increase and the overall Council budget remain relatively the same (approximately \$31.5M in 2023-24), funds would be divided according to the number of districts, decreasing each office's share of operating funds. Additional funding would be required if the amount per Council Office remains intact, with the increased amount dependent on the number of additional Council Districts. Figure 2 shows the cost of funding based on either extending the same amount to each new District or reallocating existing funds among all Districts. Note that these are only two scenarios and that actual amounts will be subject to annual budgetary actions absent an alternative approach to restrict funding.

Each Council District also receives discretionary funds through the City's General Fund as well as other special funds. Discretionary funds derived from the General Fund and the amounts allocated in 2023-24, include the following: General City Purposes (GCP) Special Event Fee Subsidy (\$43,000 per Council District), GCP Council District Community Services (\$94,533 per Council District), and Council Civic Funds (\$20,000 per Council District). Through the GCP budget, each Council Office is allocated funds for special events in their Council Districts, as well as funds to help support community organizations and nonprofit organizations that provide services to constituents in those Council Districts. Council Civic Funds are used for various art exhibits, events, and programs.

<b>Figure 2 Council Budget Scenarios</b>				
Number of Districts	Funding Based on Current Allocation		No Additional Funding	
	Per District	Total	Per District	Total
15	\$2.1M	\$31.5M	\$2.1M	\$31.5M
21	\$2.1M	\$44.1M	\$1.5M	\$31.5M
23	\$2.1M	\$48.3M	\$1.4M	\$31.5M
25	\$2.1M	\$52.5M	\$1.3M	\$31.5M
27	\$2.1M	\$56.7M	\$1.2M	\$31.5M
29	\$2.1M	\$60.9M	\$1.1M	\$31.5M
31	\$2.1M	\$65.1M	\$1M	\$31.5M
All values are rounded.				

Special funds include Charter Bus allocations (\$52,500 per Council District), Real Property and Pipeline (vary per Council District), Street Furniture, and AB 1290 (amounts dependent on the location of former-Community Redevelopment Agency project areas) funds. Each Council Office administers these discretionary funds throughout the fiscal year.

For some discretionary funds, a policy decision would need to be made to redistribute the existing amounts or provide new allocations for additional Councilmembers. However, the total fund amounts for the Real Property, Pipeline, and AB 1290, for example, would remain nominally unchanged should the number of Council districts increase, leaving less funding for each Council District.

Aside from the cost impacts associated with the Council itself, an expanded City Council would also affect City departments that support the Council with their day-to-day operations. These departments may include, but are not limited to, the City Clerk, General Services, Information Technology Agency, Public Works Bureaus, Planning Department, City Administrative Officer,

and the Chief Legislative Analyst. Increasing the staffing for City Departments along with the Council would help ensure that the Council's requests continue to be addressed in a timely manner.

### **Departmental Impacts**

The CLA conducted a limited survey (due to time constraints) of selected City departments to identify potential impacts on their operations, including administrative impacts and program and service impacts. Departments contacted provided an initial, high level response. It is anticipated that additional impacts could be identified with a more complete survey. The following provides an overview of issues identified by surveyed departments, as well as some impacts specific to individual departments.

### **Response to Council Requests**

All departments surveyed commented that an increase in the number of Council Districts would result in an increase in the number of requests from Council Offices for services. There would also be an increase in responses to requests to assist in the preparation of Motions and Resolutions, and that there would be an increase in the number of written and verbal reports to Council and its Committees. An increased number of Council Districts would increase work associated with project management and reduce efficiencies as the number of projects to coordinate within a single Council District would diminish, being distributed among more Council Districts. Departments noted that they meet often with Council staff, including field staff, and that the number of such meetings would increase.

### **Special Funds, Discretionary Funds**

Departments commented that Special Funds, Discretionary Funds, and other types of funds would be distributed differently and could limit and delay the ability to fully fund projects. Federal funds allocated through the Consolidated Plan, for example, would be shared among more Districts, thereby reducing the amount of funding available for any single project. A similar result would be encountered with Quimby Funds. As a result, it may take longer to achieve full funding for park improvements, transit and street projects, and other facility improvements unless different allocation policies are developed.

### **Specific Departmental Impacts**

Among the departments contacted, the following department-specific issues were identified.

- The Ethics Commission reports that they will require additional staff to process filings associated with elections related to campaign finance, matching funds, and independent spenders. With more Council Districts, there will be more candidates for office.
- The CAO reports that providing additional offices for six to 16 new Council Offices in City Hall could result in the relocation of other departments currently located in City Hall, with associated costs for obtaining real estate, building out offices, and moving.
- The Information Technology Agency (ITA) noted a number of impacts that would result from Council expansion. These include: increased costs for hardware, software, and annual software subscription costs; one-time infrastructure costs resulting from the

reconfiguration of Council Chambers at City Hall and Van Nuys to accommodate more members; new equipment and connectivity for Committee rooms; and internet costs for new field offices. In addition, ITA noted they would require additional staff and equipment for desktop support, network support, voice network services support, server infrastructure support, staff for application and website development and support, and for Council audio. ITA also noted that there may be impacts to Channel 35 resulting from increased requests for programming and support.

- The General Services Department (GSD) indicated that additional funding would be required for leases for Council District field offices. Currently, there are significant variables in cost, such as size and location, or if the field office is in a City-owned facility. However, the average annual cost for rent and custodial services for a field office is approximately \$150,000. It should be noted that if Council is expanded, it may be difficult for GSD to identify suitable space and negotiate leases for multiple field offices at the same time with current staffing.

GSD also indicated that the City spends approximately \$425,000 per each Council office on vehicles. This is a one-time cost that includes a vehicle for the elected member and seven staff members; however, replacement costs will be incurred in future years as vehicles meet and/or exceed their useful life.

- The City Clerk indicated that additional funding would be needed for Legislative Assistants to staff City Council and Committee meetings, as well as additional staff to assist with public services and the administrative needs of the Council, such as contract processing, accounting, payroll, and personnel administration. Furthermore, with an increased Council, the City Clerk would also need increased funding for elections staff and related expenses due to additional Council races, as well as funding for costs stemming from the County's administration of City elections.
- For the CLA specifically, a Council District expansion would result in the need for additional legislative analysts, management, and administrative support staff, as well as an increase in the number of photographers and calligraphers.

### **Non-fiscal Legislative Impacts**

An increase in the number of Councilmembers will likely result in changes to Council operations, organization, and deliberations.

As noted in the March 2023 CLA report, increasing the size of the Council would increase the number of members required to meet quorum of a meeting, as well as the number of votes required to make a majority or supermajority decision. Additionally, a higher threshold would be set to override a Mayoral veto. This could slow or hinder the passage of legislation or policy, as well as shift the balance of authority toward the executive branch. Voting thresholds to maintain the balance of authority and to address logistical issues should be considered as part of this process.

With a larger Council, the deliberation of issues may change relative to the size of the increase. With more Councilmembers, this could result in limits to the amount of time that may be available to each member to raise questions and debate issues on the agenda.

The Charter currently requires that every member of the Council be assigned to at least one Council Committee. With an increase in the number of Council Districts, several adjustments would be required to the Committee structure as well as changes to the deliberative process.

These changes would place increased responsibilities on Council leadership to manage Council meetings and to distribute and manage Committees and Committee workload, among other elements of the leadership roles.

### **Conclusion**

Determination of the number of Council Districts to be presented in a ballot measure is a policy matter for Council that is informed by the purpose of such a change and alternatives that may be available to address that purpose, as well as the manner in which services are provided to residents and businesses. Funding decisions by the Council and Mayor would determine the services that could be offered by the Council Offices. Further, City departments have indicated that there are one-time, ongoing, and recurring costs that would result from an increase in the number of Council Districts.

### **Transition Elections**

One of the main issues with an increase in the number of Council Districts is how elections would be conducted to transition to a higher number of districts. The 1999 Charter Reform proposal included Charter Section 120, provided below, which addressed an increase in the number of Council Districts and impacts on term limits:

If Section 241 of this Charter concerning Council size is amended through approval by the voters of a separate ballot measure at the same election at which this Charter appears on the ballot, Section 204(g) shall read as follows, rather than as stated in Section 204(g) in Article II of this Charter: “(g) Effective Date of Redistricting; Terms. The Council members elected in the election held in 2001 shall serve two-year terms. The Council districts adopted by ordinance in 2002 shall first become effective beginning with the election held in 2003, at which time, the entire Council shall be elected. The Council members elected in 2003 from the even-numbered districts shall initially serve two-year terms and the members elected in 2003 from odd-numbered districts shall serve four-year terms. Members of the Council elected in 2005 from the even-numbered districts shall serve four-year terms, and thereafter all Council members shall serve four-year terms. The two-year terms contained in this section shall not constitute a term of office for purposes of the term limits contained in Section 206 unless a member serves two two-year terms or the member has served two terms of office prior to initiation of the two-year term.”

Two measures to increase the number of Council Districts were presented to voters in 1999 concurrently with Charter Reform. Both measures failed: the measure for 21 Council Districts received 80,937 aye votes (37 percent) and 140,542 no votes (63 percent); the measure for 25



Council Districts received 77,638 ayes (35 percent) and 146,617 no votes (65 percent). Since the voters did not approve an increase in the number of Council Districts, this section was not activated.

During discussion in the Ad Hoc Committee, questions were raised about the New York City election model, which incorporates two-year terms every 20 years. In addition, proposals were presented to implement a six-year transition term as an alternative to the two-year transition term. The following addresses these questions.

### **New York Model**

New York City Council members serve four-year terms. But since 2001, the City of New York has incorporated a requirement that City Council candidates run for two consecutive two-year terms every 20 years. This periodic adjustment to the length of their Councilmembers' terms every two decades is intended to better align elections with new district boundaries following a redistricting cycle, and allow for candidates to run for districts under the newly drawn district lines. Although redistricting occurs every 10 years, the two-year term provision in New York applies every 20 years because it better coincides with the election cycles. If a candidate runs and serves for both of the two-year terms, the sum of both terms is considered to be equivalent to a single four-year term with regard to term-limit provisions. Following the two consecutive two-year terms, elections return to the four-year term cycle. Note that all 51 City Council offices are on the ballot at the same time when Council Offices elections are held.

When this provision was first proposed by the New York City Charter Revision Commission, the intent was to ensure that constituents would not be living "out of proportion" in districts for an additional two years following a redistricting cycle. The two-year term aligns both timing of both the election cycle and the redistricting cycle and gives candidates the opportunity to run for districts with newly drawn boundaries, which allows them to provide direct representation to the constituents in their new Council Districts.

In the context of the City of Los Angeles, the concept of a one-time adjustment with two-year terms could help address the complications associated with transitioning to a higher number of Council Districts, including alignment of communities of interest and District numbering. Additionally, incorporating a two-year term helps preserve the City's current electoral structure of a staggered election cycle. A two-year term also allows communities to more immediately elect candidates that are representative of their new district boundaries following a redistricting cycle, which prevents them from being represented by a Councilmember from a previous election cycle based on the former district boundaries.

Because the City has a staggered election cycle for Council Districts and City elections are held concurrently with State elections, the New York model would not be an ideal fit. Some form of periodic two-year elections could be implemented, but it would be similar to the Transition Plan described below rather than the model used in New York.

### **Transition Plan**

If the voters approve a measure to increase the number of Council Districts, a transition plan is needed to effectuate the adjustment such as Charter Section 120. Expansion is proposed to be

effective in 2032, at which time all Council Districts would appear on the ballot. Charter Reform in 1999 included a provision that there would be 2-year terms for both even and odd number districts so that all Council Districts would appear on the same ballot in 2001. A similar method was proposed by Common Cause in their presentation to the Ad Hoc Committee on August 28, 2023. During consideration of the matter, an alternative proposal was introduced to consider 6-year transition terms instead of 2-year transition terms. A third option has been identified, in which only odd number districts would experience 2-year terms, held consecutively.

Figure 3 graphically illustrates the election calendar for each of these options.

Figure 3 Election Cycle to Transition to an Increase in Council Districts								
	Current		2-Year Terms		6-Year Terms		2-Year Term, Odds	
	Odd	Even	Odd	Even	Odd	Even	Odd	Even
2024	4 years	4 years	4 years	4 years	4 years	4 years	4 years	4 years
2026	4 years		4 years		6 years		4 years	
2028		4 years	4 years	4 years		4 years		
2030	4 years	4 years	2 years	4 years	6 years	2 years	4 years	
2032			4 years			2 years	4 years	2 years
2034	4 years	4 years	4 years	4 years	6 years	4 years	4 years	
2036			4 years			4 years		4 years
2038	4 years	4 years	4 years	4 years	4 years	4 years	4 years	

#### Current Election Schedule

This first chart shows the election cycle for even and odd number districts. This is the cycle that would be in place if there is no change in the number of Council Districts.

#### 2-Year Transition Terms

This chart shows the 2-year transition term cycle to accommodate an increase in the number of Council Districts in 2032. This is the methodology approved by voters in 1999 (Charter Section 120) to implement an increase in Council Districts if approved, which did not happen. Both odd and even number districts would experience a two-year term. All districts would appear on the 2032 ballot. This implementation plan requires voter approval of the increase in Council Districts in the 2024, 2026, or 2028 elections to allow for implementation with redistricting in 2032.

#### 6-Year Transition Terms

The Ad Hoc Committee considered an alternative transition methodology, which would include 6-year transition terms beginning in 2026. Both odd and even number districts would experience

a 6-year term. All districts would appear on the 2032 ballot. This implementation plan requires voter approval of the increase in Council Districts in the 2024 election to allow for implementation with redistricting in 2032.

#### 2- Year Transition Terms for Odd Number Council Districts Only

Another option would be to place the transition effects solely on odd number districts, which would face two 2-year terms in 2030 and 2032. This election cycle would maintain the election cycle alignment of Citywide Offices with odd number districts. However, it would require these districts to face three elections in five years, which may place particular strain on candidates and voters.

### **INDEPENDENT REDISTRICTING COMMISSION DISCUSSION**

The Rack Up of Suggested Terms has been revised based on discussions at the August 28, 2023 meeting of the Ad Hoc Committee. Presented here is a streamlined version of the Suggested Terms for the City's IRC program. The Rack Up now only includes the reference number in strike-out font for options that are no longer under consideration by the Ad Hoc Committee. This facilitates referencing back to other concepts presented in the March 2023 and August 2023 CLA reports without replicating discarded language in full here.

#### LAUSD Redistricting

The Ad Hoc Committee set out a series of questions and requests concerning the redistricting process for the LAUSD that require additional research into State law and school district governance. Specifically, the Ad Hoc Committee is interested in addressing whether the size of the LAUSD Board should be expanded and whether the LAUSD governance structure should be removed from the City Charter and transferred to State governance instead. Additional time is required to develop responses to these questions. A follow-up report focused on LAUSD will be submitted at a later date.

#### Responses to Questions

The Ad Hoc Committee requested additional information on several issues that did not result in significant outstanding issues for discussion. The following provides updates on these issues, with comments on revisions to the Suggested Terms if appropriate.

- **Neighborhood Councils.** The Ad Hoc Committee was concerned that Neighborhood Council board members would be precluded from being an applicant for the IRC. Upon review of this question with the City Attorney, it has been determined that Neighborhood Council board members are not Commissioners in the context of the City Charter, nor are they City Officials. As a result, they would not be disqualified from being an IRC Commissioner on the basis of their Neighborhood Council involvement.
  - Though not necessary at this point, the Charter section on redistricting could be drafted to clarify this point.
- **D.2 – Candidate Disqualifications.** The Ad Hoc Committee asked for clarification on the disqualifications of candidates. The criteria are structured so that an interested person is disqualified from being an applicant for the years prior to the application process. For example, a person may not have been an employee of an elected official in the previous

eight years. As noted in the August 2023 CLA Report, the current Suggested Term is to use the disqualifying criteria in the California Elections Code.

- **D.5b – Commissioner Restriction on Elective Office.** As opposed to a disqualification from serving, which relates to a person’s past experience, D.5b would restrict an IRC Commissioner from running for City Council. The Suggested Term as currently drafted would apply this restriction to any map that the Commissioner helped create. The intention is to prevent someone from seeking to influence a map for their future interests.
- **D.5c – Commissioner Restriction on Future Appointments.** Similar to the restriction on running for office, this provision would restrict a Commissioner from receiving an appointment to another City Commission, to serve as paid staff for or as a paid consultant to any City elected official, to receive a non-competitively bid contract with the City, or to register as a City lobbyist. The intention is to ensure that a person is not making decisions on a map in order to receive personal benefits through another City appointment. The Suggested Term currently implements this restriction for a period of four years from appointment to the IRC.

### **C.2a – Alternate Commissioners**

The Suggested Term for Alternate Commissioners is that there should be four alternates selected. The Ad Hoc Committee expressed interest in selecting by geography. The discussion in Suggested Term E.8a below would inform the decision on whether Alternate Commissioners could be selected by geography.

**Option:** Determine whether there should be a geographic element to the selection of Alternate Commissioners pending consideration of Suggested Term E.8a.

### **C.3 – Term**

The Rack Up presented in the August 2023 CLA Report included a provision that the term for the IRC would be the length of time required to complete the development of a map. This option was presented as a result of Ad Hoc Committee deliberations. The August 2023 CLA Report recognized, however, that as a result of recommendations by the LA GRP, Common Cause, and OurLA, the Ad Hoc Committee had expressed interest in the alternative option of setting the IRC term at ten years. At its meeting of August 28, 2023, the Ad Hoc Committee requested additional information on the 10-year term option. The League of Women Voters of Greater Los Angeles has also recommended a 10-year term.

At the request of the Ad Hoc Committee, an effort was made to contact the 2020 California Citizens Redistricting Commission (CCRC), which is seated for a 10-year term. Despite efforts to reach the CCRC, contact was not made. However, a review of their website shows that the CCRC continues to meet on a regular basis. Since completing their map in 2021, the CCRC has met either once a month or on two consecutive days a month, from 9:30 a.m. to 4:30 p.m. each day. Each of the 12 CCRC committees and subcommittees has been scheduled to present. Issues include:

- After Action reports,
- Recommendations for legislative changes to the redistricting process,

- Consideration of policies such as Conflict of Interest policy, and
- Future meetings and programming.

For example, a recent meeting focused on development of a Seven-Year Post-Redistricting Work Plan, provided as Attachment A, and can be used for reference as a possible schedule for the City's IRC under a 10-year term.

The Ad Hoc Committee considered a hybrid solution in which the IRC would recess after the completion of a map, subject to recall for additional work. The term could be defined in this manner. One complication with this arrangement is determining who would recall the IRC and for which purposes. City staff would then need to be designated to provide support until the Commission could either complete their work or re-establish its independent staff.

The intent of a 10-year term is to ensure that the Commission can effectively operate immediately upon the outcome of any legal action that may occur. Further, as noted in the March 2023 CLA Report, additional tasks can be assigned to provide the Commission with related responsibilities during the Post-Redistricting period, such as:

- preparing for the next decennial Census,
- evaluating and recommending legislative changes to the City IRC process,
- developing outreach strategies for upcoming Census and Redistricting efforts,
- conducting educational and training programs,
- developing relationships with community organizations to support future redistricting training and communications,
- responding to requests for information from other jurisdictions and organizations about the City's redistricting program, and
- representing the City at conferences or public hearings on the subject of redistricting.

Most significantly, the IRC could be assigned the responsibility of managing the application process to seat the next IRC. The Suggested Terms for the application process currently place this responsibility with the City Clerk and Ethics Commission.

Another potential purpose for the IRC during the Post-Redistricting period would be to monitor State and federal legislation and report to Council regarding consequences that may be relevant to the City. Further, the Council and Mayor could request that the IRC evaluate other pertinent issues and policies that may arise during this period.

Finally, the geographic basis for Commissioner selection requires development of regions. The City Data Bureau would be the resource to develop such regions, but should be directed by the Commission in that effort. And the Commission should implement a public review process when those regions are developed. It is likely that such regions either would not change from decade to decade, or would change very little. But a review process should be in place to make a determination on such matters and a Commission with a 10-year term could be assigned that responsibility.

The September 8, 2023 joint letter from Common Cause and OurLA reiterates their support for the 10-year term. The Los Angeles Governance Reform Project also recommended a 10-year term in their draft report in August.

**Option:** Revise Suggested Term C.3 to establish a 10-year term for the Commission. As a result, revise the following Suggested Terms:

- E.1 – Commissioner Selection
  - Assign the City Clerk to conduct the first IRC Commissioner selection process, then all future selection processes to be conducted by the IRC who shall select their replacements
- E.2 – Commissioner Application
  - Applications for Commissioner to be submitted to the City Clerk in the first process, and then to the IRC in subsequent decades
- E.3a – Application Screening
  - Applications for Commissioner to be screened by the City Clerk in the first process, and then the IRC in subsequent decades
- E.4c – Public Review of Applicants
  - The public may register a concern with any name posted for public review with the City Clerk in the first process, and then the IRC in subsequent decades

Further, assign additional duties, such as:

- Prepare for the next decennial Census, including technical programs with support from City departments and outreach and education programs,
- Conduct an after-action evaluation of the redistricting process,
- Evaluate and recommend legislative changes to the City redistricting program,
- Develop outreach strategies for upcoming redistricting efforts,
- Conduct educational and training programs,
- Develop relationships with community organizations to support future redistricting training and communications,
- Respond to requests for information from other jurisdictions and organizations about the City's redistricting program,
- Represent the City at conferences or public hearings on the subject of redistricting, and
- Monitor State and federal legislation and report to Council regarding consequences that may be relevant to the City.

#### **D.8a – Ex Parte Communications**

The August 2023 CLA Report includes Suggested Terms D.8a and D.8b which provide complete prohibitions on ex parte communications between Commissioners and their key staff with any other person concerning the development of the map boundaries. Exceptions to this would be conversations on administrative matters and educational and outreach activities.

The Ad Hoc Committee expressed concerns that there are opportunities for communications in social media and other forums that could benefit from Commissioner participation, but the ex parte prohibitions would be significantly limiting. On review, a limitation on communicating through social media is part of the intent of such a prohibition. The expectation is that

Commissioners would discuss map boundaries issues and only make decisions about the map in public hearings and meetings. Private meetings in online forums, for example, would not be consistent with this expectation.

The solution to facilitating such discussions is to post notification of such meetings or presentations, allow anyone from the public to participate in the meeting or presentation, and provide a transcript or recording of the meeting or hearing for public review. These solutions would be consistent with open meeting principles, and could be implemented through Commission policy rather than requiring Charter or Administrative Code authorization. Additionally, it may be appropriate to require that at least two Commissioners participate in such meetings or presentations to support transparency of such discussions.

**Option:** Amend D.8a to include the following:

- At least two Commissioners must be present at any public meeting that is not an official Commission hearing or meeting and such a meeting must be posted on the Commission website for general public participation. This shall include in person and virtual meetings.

#### **E.1 – Commissioner Selection**

This Suggested Term currently identifies the City Clerk as the entity to manage the IRC Commissioner selection process. Public testimony presented a recommendation that the City Clerk manage the selection process, with oversight by the City Ethics Commission. The Ad Hoc Governance Reform Committee indicated support for this solution. The September 8, 2023 joint letter from Common Cause and OurLA also supports this solution. As a result, Suggested Term E.1 – Commissioner Selection has been revised to include this oversight role by the Ethics Commission.

If the Commission Term is revised to a 10-year term, the IRC could take over the Commissioner Selection process in future decades. The Ethics Commission oversight role may not be necessary if the IRC is responsible for the Commission Selection process, though it may be helpful to have a designated oversight process. Further, it may be helpful to allow the Commission to request support from the City Clerk in this process as well.

**Option:**

- Amend E.1 and related Suggested Terms to assign the City Clerk to manage the Commissioner Selection process in the first IRC cycle with the Ethics Commission to provide oversight, and then for all subsequent cycles the IRC would manage the Commissioner Selection process.

#### **E.4a – Commissioner Pool**

The Ad Hoc Committee determined that subjective criteria should not be included in the application process and that anyone who confirms their eligibility for the objective criteria would be included in the pool of candidate Commissioners.

As instructed by the Ad Hoc Committee, E.4a has been revised to reflect this solution.



## **E.6 – Candidate Pool Threshold**

This provision was developed to establish a process to expand the pool of candidates for Commissioner if the initial application process did not produce enough candidates. Such an outcome is possible if the application process relies on both objective and subjective criteria, including an application review process that could result in the rejection of a large number of applications. Changes to the process to develop the pool of candidates, however, would make this requirement unnecessary. As a result, this item has been struck from the Suggested Terms.

## **E.8a – Commissioner Selection: Step One – Geography**

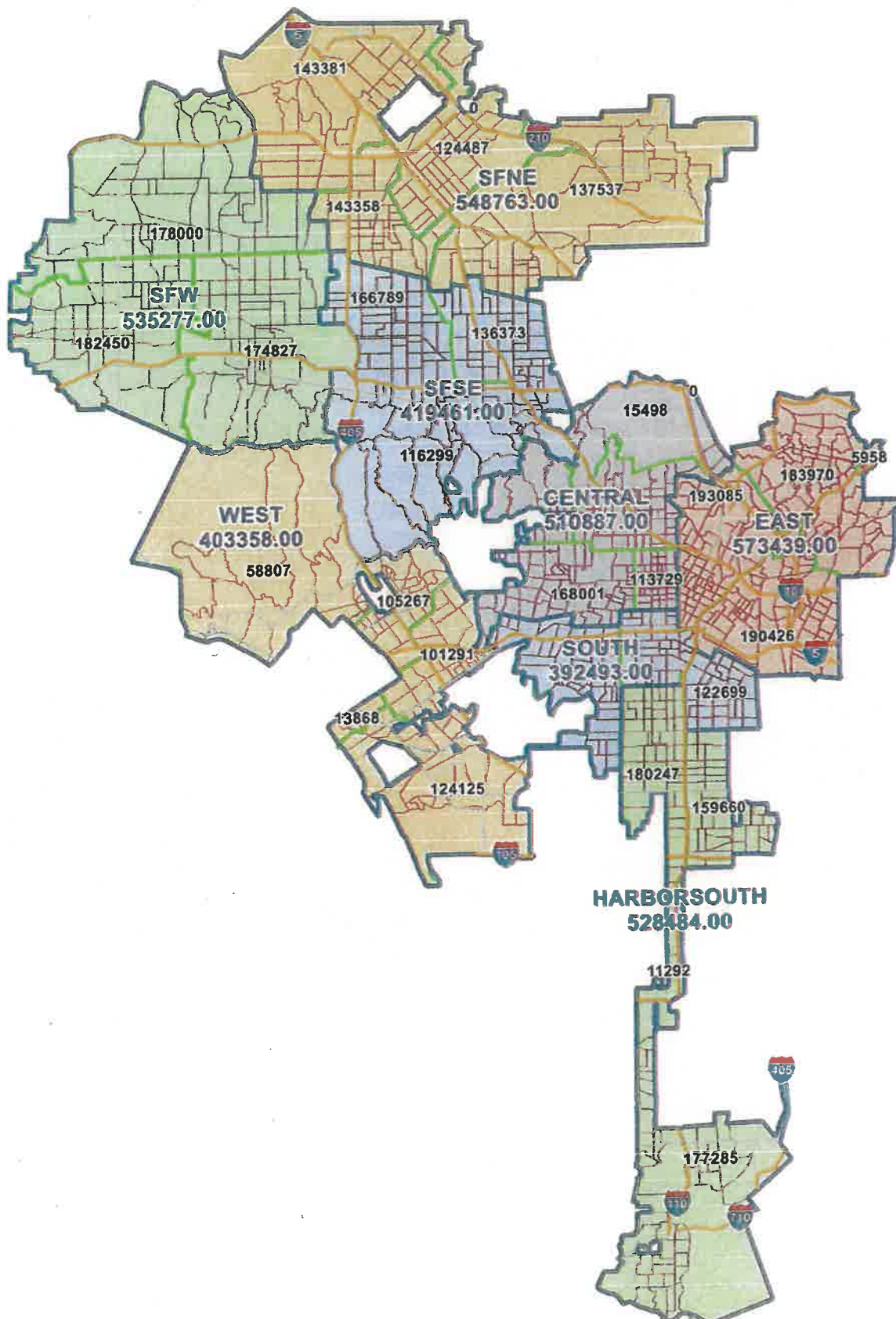
Commissioner selection begins with Step One – Geography, in which a random drawing results in the selection of the first part of the Commission. This requires a geographic basis for the selection process. The Ad Hoc Committee requested options, including consideration of a geography that roughly balances population among designated regions.

- **Existing Programmatic Geographies.** Options for this geography were identified in the March 2023 CLA Report based on existing programmatic regions, with the seven Regional Planning Commissions and the 12 Neighborhood Council regions as the regions that are closest to the requirements of the Dual Step process. We could not identify any other programmatic geographies that provide a limited number of regions that could serve this purpose.
- **Derived Geography.** Zip codes were evaluated and seemed promising as a potential basis for regional organization, but this proved to be a challenging geography for this purpose. The three-digit zip code produced geographies that would not be functional as some are very large. The five digit zip code provides greater resolution, but requires more intensive analysis to generate regions for the purpose of IRC Commissioner selection.

The other geography with some possibility is the U.S. Census Bureau's Public Use Microdata Sample (PUMS), which aggregates census tracts into larger regional geographies. Map 1 shows how PUMS geographies can be assembled into eight geographic regions to support the Step One-Geography selection process. This is an example of an approach using PUMS.

Each of these options, zip codes and PUMS, require analysis and decisions in advance of each decennial Census. Such an effort would require a public review process and decision-making by an entity charged with creating these regions.





MAP 1: Sample Step One Geographic Regions based on PUMS boundaries

- Dynamic Selection.** Finally, it may be possible to develop a dynamic selection process where one applicant is chosen randomly from the pool, which results in the creation of a zone around that person's location. No other applicants would then be selected from that zone. The zone could be based on factors such as population. This process would be continued until the initial eight Commissioners have been selected. This does not require creation of any pre-defined geographic areas or any programmatic areas, but does require information systems that can process applicant information dynamically. If such a model is of interest, it is recommended that staff run simulations of such a model to test viability.

Ultimately, there may not be an ideal geography for use and geographic areas may need to be determined prior to each redistricting process. Rather than designate a geographic solution at this time, it may be preferable to assign this responsibility to the IRC and the City Data Bureau (if formed) to resolve in advance of each new redistricting cycle. The requirement would include adequate provisions to ensure transparency in the process, including public notice and hearings before any geographic region is selected. As the IRC program is being structured to include on-going outreach and relationship-building activities, this geography exercise would be part of those activities.

**Option:** The following provides four options for consideration, as well as any others that the Ad Hoc Committee may develop.

ACTION	
<p>E.8a Eight Commissioners shall be selected by geography in the following manner:</p> <ul style="list-style-type: none"> <li>• The City Data Bureau (if formed) shall develop eight geographic areas of roughly equal population. The pool of applicants shall be divided into sub-pools by these geographic areas and one Commissioner shall be selected from each sub-pool.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Select eight Commissioners randomly through a dynamic selection process based on population.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Another geographic process that randomly selects eight Commissioners.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• Assign tthe IRC and the City Data Bureau (if formed) to identify and implement a random geographic selection process in advance of each new redistricting cycle.</li> </ul>	

### **E.8b – Commissioner Selection: Step Two – Diversity Balance**

The second step in the Commissioner selection process is intended to ensure a balance in the diversity of the IRC as a whole. Whereas the Step One Commissioners are selected randomly, this set of Commissioners is selected to ensure representation by a wide range of people representative of the diversity of the City. The March 2023 CLA Report included a list of diversity factors to be included in the evaluation process when IRC Commissioners conduct this phase of the selection process.

At its meeting of August 28, 2023, the Ad Hoc Committee added Age with regard to youth and seniors as a factor. The September 8, 2023 joint letter by Common Cause and OurLA included a longer list of factors, as follows:

- Tribal nations (both recognized and non-federally recognized)
- Immigrant and refugee communities
- Non-citizenship status
- People with disabilities
- Non-proficient English speakers
- Income levels
- Education levels
- Renter-Homewoner parity
- Length of residency
- Skillsets and community/work experience

The Suggested Term for E.8b includes a catch-all to allow the Commission to include other diversity factors as appropriate. This allows for future IRCs to adjust considerations based on relevant concerns at the time of their work program.

**Option:** E.8b can be revised to include any factors that are determined appropriate. The primary factors are currently noted to be included in the Charter. An extensive list of factors in the City Charter may actually have a limiting effect on future IRCs to ensure diversity. It may be appropriate to include these provisions in the Administrative Code for greater flexibility to make revisions in the future.

### **E.10 – Commissioner Removal**

The Ad Hoc Committee accepted the Suggested Terms for Commission Removal, but one detail remained for consideration. One reason for removal is that a Commissioner is absent from Commission meetings and hearings without excuse. The Suggested Term is structured to include a specified number of days without being excused. As a starting point, this Suggested Term is revised to establish a 30-day absence without excuse as a reason for removal. This is not a reason for automatic removal, but rather a cause for discussion and consideration by the Commission. The Suggested Term has been revised to reflect this number of days.

### **F.2 et al – Additional Map Criteria**

The Ad Hoc Committee considered the range of additional map criteria identified in the March 2023 CLA Report. Additional criteria are supplemental and subordinate to the U.S. Constitution, federal Voting Rights Act, State Constitution, and the requirement to have a reasonably equal

population among districts (F.1 – Primary Map Criteria). As the March 2023 CLA Report shows, there are many Additional Criteria that can be identified and there are many ways to draft language to describe these concepts.

For simplicity and clarity, the City Charter could reference the Additional Criteria included in the California Elections Code. This would ensure that the City is consistent with State legislative intent, including prioritization of criteria, and with the types of criteria used by other jurisdictions. The IRC could be provided with the opportunity to include other additional criteria that they identify, as long as those additional criteria do not conflict with federal or State law. This allows each decennial IRC to acknowledge and incorporate concerns that are raised during their redistricting process.

The September 8, 2023 joint letter from Common Cause and OurLA raised the importance of prioritizing communities in the Additional Criteria, as well as excluding Additional Criteria that protect incumbency. The California Elections Code includes consideration of communities as a key Additional Criteria and they do not include provisions that protect incumbency.

The Suggested Terms have been revised to refer to the California Elections Code and to allow the IRC with the opportunity to include other criteria as appropriate. If the Ad Hoc Committee would prefer to enumerate the criteria, such a list could be prepared.

**Option:** Revise F.2 to enumerate the Additional Criteria that the IRC would consider when preparing a map, rather than refer to the California Elections Code. The criteria provided by LA GRP, Common Cause, and OurLA are provided below. These are, for all intents and purposes, the same criteria in the California Elections Code, though Item 8 was suggested by Common Cause and by the March 2023 CLA Report. The priority order of the Additional Criteria presented here is roughly aligned with the criteria proposed, but there was not exact agreement among LA GRP, Common Cause, and OurLA.

1. Districts shall be geographically contiguous;
2. A community of interest should be included within a single district;
3. Integrity of a City or Census designated place shall be respected to the extent practicable;
4. Be geographically compact;
5. Council boundaries should be easily identifiable and understandable by residents;
6. Place of residence of any incumbent or political candidate shall not be considered;
7. Council boundaries shall not favor or discriminate against a political party; and
8. Commission may adopt additional criteria that do not conflict with other requirements and criteria listed in this section or with State or federal law.

#### **G.8 to G.12 a-c – Outreach**

The March 2023 CLA Report provided detailed information on the minimum number of meetings to be provided in each phase of the redistricting process, but the Ad Hoc Committee preferred to be less prescriptive and allow the IRC to develop an outreach program that is appropriate to their cycle. The IRC would be obligated to comply with the California Elections Code under any circumstances and is allowed to meet more often than provided in this section of law.

The September 8, 2023 joint letter by Common Cause and OurLA outlines a more detailed program for outreach, recommending that the City's IRC program include requirements for virtual access and establishing virtual hubs.

The Suggested Term currently provides general language concerning outreach, with acknowledgement that this should be drafted in a way that the City Charter provides a basic outline for outreach requirements, with authority to establish greater detail in the Administrative Code.

### **H.2b – Supermajority Votes**

The Suggested Term for supermajority votes indicates that the Commission shall approve the final map and removal of a Commissioner by a supermajority vote. The September 8, 2023 joint letter from Common Cause and OurLA recommends that supermajority votes also apply to the hiring of key staff and consultants; selection of Commissioners in the Step Two: Diversity Balance phase (E.8b); and selection of an Alternate Commissioner. These additions would ensure that the IRC is in significant alignment among its members on these key decisions.

With regard to key staff and consultants, the Charter and Administrative Code should allow the Commission to delegate hiring authority to the Executive Director, who would have authority to hire clerical staff, administrative staff, and most consultants.

With regard to the selection of an Alternate Commissioner, Suggested Term 2.b provides that the Chair of the IRC would randomly select a name from among the four Alternate Commissioners who have already been selected. An additional vote by supermajority may not be a necessary step.

The Suggested Term H.2b is amended to include the following:

- a vote for Commissioners selected in Step Two: Diversity Balance
- a vote for key staff and consultants, including the Executive Director, map maker, and other key staff as designated by the Commission
- authorize the Commission to delegate authority with regard to hiring and contracting

### **H.6b – Final Map Vote Impasse**

Previous reports indicated that an impasse provision may be required if the IRC is unable to adopt a final map due to failure to meet the supermajority vote threshold. The Ad Hoc Committee instructed staff to identify language to resolve an impasse in such a case.

There are three examples of impasse provisions in other California independent redistricting commissions. In all three, the solution was for a local entity to petition the court to draw a map. This would be the most direct solution to obtaining a final map, either by having the court take responsibility or by incentivizing the IRC to resolve their impasse.

The language now included as a Suggested Term is:

If IRC does not adopt a final map by the deadline, the City Attorney must immediately petition the superior court for an order prescribing new Council District boundaries, and those boundaries will apply to elections until the IRC is able to adopt a map.

This provides a set of specific and proscriptive actions that would take place only in the case of failure by the IRC to adopt a map by the designated deadline.

#### **H.7 – Map Effective Date**

The Ad Hoc Committee considered options for setting the effective date of the map approved by the IRC and determined that the final map adopted by the IRC should be effective upon the commencement of a Councilmember's term following the next election after approval of the final map by the IRC. This Suggested Term has been revised to reflect this amendment.

#### **L4 – Public Records**

This item duplicates requirements that are already included in I.1, which also requires that the IRC must comply with the State Public Records Act. As a result this item has been removed.



## Redistricting Rack-Up

**X** = include in the Charter or Administrative Code

**X ➡** = include initial reference in Charter, with additional provisions in Administrative Code

**\*\*** = included in the California Elections Code and may be appropriate to include in the City program

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
Number of Council Districts	A.1 Or Option	The Council shall consist of ____ members, elected by district as provided elsewhere in the Charter.  More than one option for the number of Council Districts may be provided to the voters.	X	
	<del>A.2 to A.4, A.6, A.8</del>			
	<del>A.5</del>		See H.7	
	A.7	Identify and revise regulations concerning appointment authorities for commissions and boards based on Council District representation.		
	A.8	Revise Charter Sections 245, 250(c), 254 (Legislative Branch) to revise the veto threshold from two-thirds to _____.  Revise Charter Section 273(b)(3) (Settlements Involving Only Money Damages) to revise the veto threshold from two-thirds to _____.  Revise Charter Section 315 (Council Consideration of Mayor's Veto Message; Final Adopted Budget.) to revise the veto threshold from two-thirds to _____.  Revise Charter Sections 341(b) and 342(c) (Transfers.) to revise the veto threshold from two-thirds to _____.	X	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
		<p>Revise Charter Section 710(c) (Appointment of Special Prosecutor.) to revise the vote threshold from two-thirds to _____.</p> <p>Revise Charter Section 302(b)(3)(ii) (Funds. Transfers from the Emergency Reserve Account) to revise the veto threshold from three-fourths to _____.</p> <p>Revise Charter Section 514(a) (Transfer of Powers, Charter Created Powers and Duties) to revise the veto threshold from three-fourths to _____.</p> <p>Revise Charter Section 607(a) (Limitations on Franchises, Concessions, Permits, Licenses and Leases. Length) to revise the veto threshold from three-fourths to _____.</p> <p>Revise Charter Section 680(b) (Other Enterprises. Entry into Public Utility Competition.) to revise the veto threshold from three-fourths to _____.</p> <p>Revise Charter Sections 1168, 1330, 1428, 1516, 1518, 1528, 1616, 1618, 1628, 1716, 1718, 1726 related to Employment Provisions, to _____.</p> <p>Any other supermajority votes.</p>		
<b>Commission Purpose</b>	Revised B.1 B.2	The purpose of the Independent Redistricting Commission is to strengthen governance of the City by developing Council District boundaries through a fair, transparent, and inclusive Independent Redistricting process that empowers full public participation and maximum public access to its proceedings.	<b>X</b>	
<b>Commission Organization</b>	C.1	There shall be 17 Commissioners.	<b>X</b>	
	C.2a Or Option	There shall be 4 Alternate Commissioners.	<b>X</b>	
	C.2b	Commission vacancies shall be filled by the Chair of the Commission by randomly	<b>X</b>	



Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	Or Option	drawing the name of an Alternate Commissioner.		
	C.2c	If the pool of Alternate Commissioners is exhausted, an expedited application process shall be conducted, with the Commission randomly selecting replacements from a pool of eligible applicants. The application process will be conducted in the same manner, with outreach to ensure diversity and geographic representation.	X	
	New C.2d	Alternate Commissioners shall be able to participate in Commission hearings, meetings, training, and discussions, but shall not have a vote.	X	
		Alternate Commissioners shall attend Commission meetings. Alternate Commissioners who do not attend Commission meetings shall be subject to removal.	X ➡	X
	C.3 Or Option	The term of the Commission shall be from the time of the appointment of the first Commissioner until the adoption of the final redistricting plan, and if recalled by a Court to address any litigation.	X	
	C.4a	An application process to identify prospective Commissioners shall commence by April 1 in a year ending in the number 9.	X	
	C.4b	The City Clerk shall manage the Commissioner application process, with oversight by the Ethics Commission. The application process may be conducted with consultant services.		X
	C4c	The Commissioner application process shall include an outreach and education program to ensure that there is wide awareness that the Commission application process is open, with efforts to reach underserved communities and with efforts conducted in multiple languages. Outreach will include information concerning qualifications, disqualification criteria, responsibilities, and restrictions. Outreach will address the public nature of the process, requirements to engage the public and comply with the Brown Act, and other elements of the public process that may be encountered.		X

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	C.5	The application process shall be completed within one year and Commissioners shall be appointed to commence their term and begin their work no later than April 1 of a year ending in 0. Commissioners shall be sworn into service by the City Clerk.	X	
	<del>C.6</del>			
	New C.7	Commissioners shall receive training with regard to redistricting.	X	
Commissioner Qualifications, Responsibilities, and Restrictions	<del>D.1a</del> D.1b <del>D.1c</del> <del>D.1d</del> <del>D.1e</del> <del>D.1f</del>	Candidate must be a resident of the City for at least three years prior to submission of an application.  Candidate must be at least 18 years old.	X	
	D.2 and D.4  (See Chart D.2/D.4)	Candidates shall not be eligible to serve on or be appointed to the Commission if any of the criteria in State Elections Code Section 23003(d) apply, except that a person may not have contributed \$500 or more in a year to any candidate for an elective office of the City, the LAUSD, the County of Los Angeles, or the State of California.  In addition, a person who has served as a City Commissioner within the previous 4 years may not be seated as a Commissioner.  A person may only sit on one Redistricting Commission, including County and State commissions, at a time.	X	
	D.3	A City employee or an individual who has been employed by the City within the previous 4 years may not be seated as a Commissioner.	X	
	D.5a	During service, a Commissioner shall not endorse, work for, volunteer for, or make a campaign contribution to an elective office of the City	X	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	D.5b	<p>A Commissioner shall be ineligible to be a candidate for a Council District for which they were involved with drawing the map.</p> <p>Persons who accept appointment to the Commission, at the time of their appointment, shall file a written declaration with the City Clerk stating their understanding of this restriction.</p>	X	
	D.5c	A Commissioner shall be ineligible, for a period of 4 years beginning from the date of their appointment, to be appointed to another City commission, to serve as paid staff for or as a paid consultant to any City elected official, to receive a non-competitively bid contract with the City, or to register as a City lobbyist.	X	
	D.6	<p>Commissioner duties shall include:</p> <ul style="list-style-type: none"> <li>○ Conduct themselves in a manner to ensure integrity and fairness of the process, including ex parte communication restrictions.</li> <li>○ Attend and participate in commission meetings and hearings.</li> <li>○ Train on redistricting and ethics.</li> <li>○ File appropriate statements, such as Form 700.</li> <li>○ Use an assigned e-mail for commission business.</li> <li>○ Conduct self and business in an impartial manner</li> </ul>	X	
	D.7	Additional duties may be assigned.	X ➡	X
	D.8a Or Option	All ex parte communications between Commission members and any other person concerning development of the map are prohibited. This does not restrict communication among Commissioners and their staff, consultants, or legal counsel, or communication with City staff regarding administrative matters. This does not restrict educational presentations to the public.	X ➡	X

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
Commission Selection Process	D.8b	All ex parte communications between Key Commission staff and any elected City official, candidate for City elected office, or their staff concerning development of the map shall be prohibited.	X	
	<del>D.8e</del>			
	Revised E.1 Or Option	The City Clerk shall manage the Commission application process, with the City Ethics Commission providing oversight. The City Clerk shall prepare the application for Commissioner and ensure wide publication and outreach to ensure that the public is aware of the application process.	X	
	E.2 Or Option	People interested in becoming a Commissioner apply for the position, submitting the application to the City Clerk.	X	
	E.3a Or Option	The application screening process shall be conducted by the City Clerk.	X	
	<del>E.3b</del>			
	Revised E.4a	Any applicant that satisfies the applicant criteria shall be entered into the pool of candidates for Commissioner.	X	
	E.4b	The names of the final pool of qualified candidates shall be posted for public review.	X	
	E.4c Or Option	The public may register a concern with any name posted for public review with the City Clerk and seek dismissal of that candidate from the pool. Any names submitted for exclusion shall be evaluated by the Ethics Commission, who shall make the determination concerning exclusion.	X	
	<del>E.5</del>		See E.4a	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	E-6			
	E-7			
	E-8	Commissioners selected in a Dual-Step Process.	X	
	Undetermined E.8a	Step One: Option to be determined	X	
	Revised E.8b Or Option	<p>Step Two: The sub-pools shall be recombined into a single pool of qualified candidates. Commissioners selected in Step One shall review the applications of all remaining applicants to select an additional nine (9) Commissioners.</p> <p>Selection shall be made in a manner to balance the diversity of the Commission based on:</p> <ul style="list-style-type: none"> <li>• Race and ethnicity</li> <li>• Sex and Gender</li> <li>• Sexual orientation</li> <li>• Age (Youth and Seniors)</li> <li>• Income and Profession</li> <li>• Geography</li> <li>• The Commission may consider other factors as appropriate, subordinate to the primary factors listed above.</li> </ul>	X	
	Revised E.9 to E.13a-c	<p>Commissioners may be removed by a supermajority (two-thirds) vote following a pre-removal process for the following reasons:</p> <ul style="list-style-type: none"> <li>• Substantial neglect of duty</li> <li>• Gross misconduct in office</li> <li>• Inability to discharge duties of office</li> <li>• Failure to meet commissioner qualifications</li> </ul>	X	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
		<ul style="list-style-type: none"> <li>• Unexcused absences of 30 days</li> <li>• Working or volunteering for, contributing to, or endorsing a candidate for an elective office in the City or LAUSD</li> <li>• Transparency violation</li> <li>• Moving out of the City</li> </ul> <p>Commissioners may be removed immediately by a supermajority vote of the Commission for the following reason:</p> <ul style="list-style-type: none"> <li>• Charge of a serious crime or felony</li> </ul> <p>The position of a Commissioner who pleads guilty or no contest to or is convicted of a felony shall immediately be vacated.</p> <p>The pre-removal process shall include:</p> <ul style="list-style-type: none"> <li>• Notice of public hearing</li> <li>• An opportunity to respond in writing</li> <li>• An opportunity to respond at the noticed Public Hearing</li> </ul>		
	<b>E:14</b>			
<b>Redistricting Criteria</b>	F.1	<ol style="list-style-type: none"> <li>1. Compliance with the U.S. Constitution</li> <li>2. Compliance with the federal Voting Rights Act</li> <li>3. Compliance with the State Constitution</li> <li>4. Each district shall have a reasonably equal population with other districts, except where deviation is required to comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10101 et seq.) or as allowable by law.</li> </ol>	<b>X</b>	
	F.2 Or Option	Additional criteria shall include those criteria required by the California Elections Code. Other additional criteria may be considered when drawing district boundaries, though such criteria should be considered without violating the requirements of federal or State law	<b>X</b> ➡	<b>X</b>

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	F-2a, F-2b, F-2c, F-2d, F-2e, F-2f, F-2g, F-2h, F-2i, F-2j, F-2k, F-2l F-3 F-4			
Public Meetings and Public Comment	G.1	<p>The commission shall take steps to encourage residents to participate in the redistricting process, including those in underrepresented communities and non-English speaking communities.</p> <p>The commission shall actively engage and provide information through good government, civic engagement or community groups or organizations that have requested to be notified concerning redistricting.</p>	X ➡	X
	G.2	The Commission shall arrange for the live translation of a public hearing or workshop in an applicable language if a request is made at least 72 hours prior to a hearing or workshop.	X	
	G.3	The Commission shall make public the date, time, and location for any public hearing or workshop on the internet at least five business days before the meeting, or three days if within 28 days of the deadline to adopt boundaries.	X	
	G.4	The Commission should consider public testimony in their deliberations, as well as any full or partial maps provided in writing and at public hearings and meetings.	X	
	G.5a	The Commission shall provide materials in the languages required by federal and State law, with best efforts to provide outreach materials and meeting agendas in all languages required under the federal Voting Rights Act for elections.	X ➡	X
	<del>G.5b</del>			
	G.6	The Commission shall develop and implement an Accessibility Plan to ensure that people with disabilities and seniors are able to access and fully participate in Commission meetings and hearings. This plan shall be developed prior to the initiation of public hearings.	X ➡	X

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
<b>Commission Process</b>	G.7	The Commission shall encourage elected officials to provide testimony at public hearings, including the provision of adequate time to provide such testimony.	X	
	G.8 to G.12 a-c Or Option	The Commission shall hold public hearings that ensure the public has the opportunity to participate and comment, that are held in a manner that is geographically distributed across the City, with a portion of the meetings held evenings after 6 p.m. or weekends, in each phase of the redistricting process. Public hearings are intended to focus on receiving public testimony and presentation of information concerning the redistricting process, while public meetings are designed to conduct the business of the Commission.	X ➡	X
	H.1	The final map shall be adopted no later than September 30 of a year ending in 1.	X	
	H.2a	Quorum of the Commission shall be a simple majority.	X	
	Revised H.2b	Commission votes shall be approved by a simple majority vote, except: <ul style="list-style-type: none"> <li>• a vote for the final map shall be approved by a supermajority</li> <li>• a vote to remove a Commissioner shall be approved by a supermajority, as described in E.9</li> <li>• a vote for Commissioners selected in Step Two: Diversity Balance</li> <li>• a vote for key staff and consultants, including the Executive Director, map maker, and other key staff as designated by the Commission</li> <li>• a vote to authorize delegation of authority for hiring and contracting</li> </ul>	X	
	H.3	The Commission shall accept full or partial draft maps from the public for consideration. Commissioners shall individually be allowed to prepare and present full or partial draft maps for consideration by the Commission.	X	
	H.4	Consideration of principles for the selection of boundaries for draft and final maps shall be made in a public meeting or hearing and approved by vote of the Commission.	X	
	H.5	Map principles, draft maps, and final maps shall be posted for public consideration for a minimum of seven (7) days before consideration at a Commission hearing or meeting.	X	



Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	H.6a	A supermajority of the Commission shall be required to approve the final map.	X	
	Revised H.6b	If IRC does not adopt a final map by the deadline, the City Attorney must immediately petition the superior court for an order prescribing new Council District boundaries, and those boundaries will apply to elections until the IRC is able to adopt a map.	X	
	Revised H.7	Upon approval of a final map, the Commission shall submit the map, final report, and any other accompanying materials to the City Clerk and publish this material on the redistricting website.  The City Clerk shall post to the public record.  The map will be effective upon commencement of the Councilmember term resulting from the next Council District elections following approval of a new map.	X	
	I.1	The Commission shall comply with the California Public Records Act, commencing with section 6250 of the California Government Code, or its successor, and any City laws regarding public records, to the degree they require greater disclosure and retention of Commission records than is provided in this article.	X	
<b>Records and Data</b>	I.2	The Commission shall comply with the Brown Act and other open meeting laws.	X	
	I.3	The Commission and its subcommittees shall keep minutes of all discussions and actions taken at public meetings. The minutes should be adopted at the next public meeting of that body. To the greatest extent practicable, all public meetings of the Commission and its subcommittees shall be audio or video recorded.		X
	I.4			
	I.5a	The Commission shall make available to the public a free electronic mapping tool, populated with relevant sociodemographic and geographic data, which tool can be used to create draft maps and draft partial maps.		X

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	I.5b	The Commission shall provide redistricting training and workshops for the public, including by providing grants to community organizations to conduct such training and workshops.		X
	I.6	The Commission shall establish an internet web page dedicated to redistricting. ** The City Clerk shall maintain the website for at least 10 years after the adoption of new Council District boundaries.	X	
	I.7	All data available to the Commission and its staff shall also be available to the public.	X	
	I.8	All public meetings be video recorded and made accessible		X
<b>Funding</b>	J.1	The City Council and Mayor shall provide sufficient funds to meet the operational needs for the formation and operation of the Commission, conduct any outreach program to solicit broad public participation in the redistricting process, and, if necessary, defend the Commission in any legal proceeding.	X	
	J.2	The City Council and Mayor shall provide funds to all City departments involved with the formation of a Commission, providing support to the Commission, and maintaining records as required by law.	X	
<b>Administrative and Operational Issues</b>	K.1	The Commission shall hire an executive director and redistricting, technology, or outreach staff, whose positions shall be exempt from the civil service provisions of the Charter.	X	
	K.2	The Commission shall have the authority to hire consultants through a competitive bidding process consistent with City contracting provisions.	X	
	K.3	The City Clerk shall be designated to provide support to the Commission in accessing City resources as needed.		X
	K.4	** Each member of the Commission shall be a designated employee in the conflict of interest code for the Commission pursuant to State law.	X	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	K.5 (K.5a and K.5b)	<p>The Commission may recommend revisions to the Independent Redistricting process in the Charter or Administrative Code by submitting a report to the City Ethics Commission with findings, analysis, and data that support the proposed revisions. The Ethics Commission may adopt, amend, or disapprove the Redistricting Commission proposals, subject to Council approval.</p> <p>Within 60 days of submission of an Ethics Commission report with recommendations, the Council shall hold a public hearing concerning the matter and act to approve or disapprove the Ethics Commission report. If the Council fails to disapprove within the 60 day period, the rule or regulation shall be presented to the Mayor for approval or veto, and to the Council for override of the Mayor's veto. If approved by the Mayor, or the Mayor fails to act, or approved by the Council on override of the Mayor's veto, the rule or regulation shall have the force of law.</p> <p>Charter changes require approval by the voters.</p>	X	
	<del>K.6</del>			
	Revised K.7	<p>Provide the Commission with the authority to choose their legal counsel, including the City Attorney.</p> <ul style="list-style-type: none"> <li>Charter Sections 272 through 275 may need to be revised</li> </ul>	X	
	K.8a and K.8b	Commissioners shall be compensated in a manner described in the Administrative Code.	X ➡	
	<del>K.9</del>		See H.7	
	K.10	Inter-Census Redistricting is allowed only by order of a Court, and must be conducted consistent with the Independent Redistricting requirements of the Charter.	X	
	K.11	Require that the Commission Office be located outside City Hall.	X	
<b>Legal Matters</b>	L.1	The effective date for the final date shall be the date as defined in H.7.	X	

Section	Matrix Ref.	Suggested Term	Charter	Ad Code
	L.2	The certified map shall be subject to referendum in the same manner that a statute is subject to referendum.	X	
	<del>L.3</del> <del>L.4</del>			
<b>City Data Bureau</b>	M.1a	There shall be a City Data Bureau to prepare and manage demographic and geographic data for the City, including: <ul style="list-style-type: none"> <li>• data required to support the City and LAUSD Independent Redistricting Commissions;</li> <li>• programs and projects necessary to respond to the U.S. Census Bureau's decennial population count</li> </ul>	X ➡	X
	M.1b	Structure to be determined	X ➡	X
	M.2	City departments to be instructed to support the City Data Bureau in the performance of its duties.	X	
	<del>M.3</del>		See M.1	
	<del>M.4</del>		See C.3	

<b>Chart D.2/D.4</b> <b>Disqualification from Becoming a Commission Candidate</b>			
<b>Disqualifications per State Elections Code §23003(d)</b>			
<b>Restriction</b>	<b>Applicant and their Spouse</b>	<b>Applicant's Family Member</b>	
Elected, appointed, or candidate for an elective office	8 Years	8 Years	
Served as an officer of, employee of, or paid consultant to, a campaign committee or a candidate for elective office	8 Years	4 years	
Served as an officer of, employee of, or paid consultant to, a political party or as an elected or appointed member of a political party central committee	8 Years	4 years	
Served as a staff member or consultant to, or who has contracted with, a currently serving elected officer of the local jurisdiction	8 Years	4 years	
Been registered to lobby the local jurisdiction	8 Years	4 years	
Contributed \$500 or more in a year to any candidate for an elective office of the local jurisdiction (can adjust for CPI).	8 Years	4 years	
<b>Additional Disqualification Factors</b>			
City Employee	8 Years	4 years	
City Commissioner	4 years	4 years	
Redistricting Commission in Another Governmental Jurisdiction			

**ATTACHMENT A**  
**California Citizens Redistricting Commission**  
**Draft 7-Year Post Redistricting Workplan**

The attached chart is provided as posted on the CCRC website.

## DRAFT 7-year Post Map Work Plan for 2020 Commissioners – May 2023

*Some critical decisions have yet to be made; thus, this is to help visualize what could be & to spark conversation. A staff work plan still needs to be created – there are some suggestions here.*

	FY2023	FY2024	2025	2026	2027	2028	2029	2030
<b>C o m m i s s i o n e r s</b>	Legislative Changes	Begin conversations with CA		Finalize CRC 2030 Timeline	Finalize negotiations with the State Auditor's Office	Prepare training for Selection Panelist	Prepare for training & workshops for New Commissioners (NC)	New Commissioners are seated!!!!
	Appropriate committee update contract RFP (before we forget)	Complete Count		If Commission decides to propose earlier start time:		Update public education material for recruitment.	Prepare CRC Background Binders for NC	
	Appropriate committee update job descriptions (before we forget)					Begin to explore civic engagement technology tools, including call-in tech;	Hire administrative & other TBD staff	
	Transition social media accounts to commissioners			Get concurrence from the JLBC		participation/public input tools; Submitted COI platform (what we now call database)	Review Policies	
	Finalize RRR			Begin negotiations with State Auditor's Office			Participate when asked in recruitment workshops/webinars	
	Finalize 2020 Commissioners' Post-Map Workplan			Submit updated Budget to engage with CSA on starting an early recruiting process 2027-2028		Begin selection process (Earliest Jan 2028)	Videographer, website, and other tbd contracts in place	
							Review all updated RFP & job descriptions to see if they still make sense	
							COI Input platform is up and running	

	FY2023	FY2024	2025	2026	2027	2028	2029	2030
<b>S t a f f</b>						<p>Confirm state parameters for website, emails</p> <p>Update media and contact databases to help in recruitment outreach.</p>	<p>Set up accounting for NC</p> <p>Set up an office for NC.</p> <p>Set up all processes with the State to ensure NC gets paid quickly; staff can be hired; contracts can be approved, etc.</p>	