

MOTION

A fundamental principle of representative democracy is that elections should be determined by voters, not by politicians who draw district maps. In many states and jurisdictions around the United States, this principle is currently under attack, with politicians at multiple levels of government drawing their own district lines to pick their voters and influence the outcome of elections.

In California, the State, several counties, and a number of cities have begun to guard against this type of political gerrymandering by turning over responsibility for political map drawing to independent redistricting commissions. These commissions are insulated from the elected officials whose district boundaries are being redrawn, prevent the participation of lobbyists and political insiders, and are given transparent, ranked criteria to guide the map drawing process.

The City of Los Angeles is far behind these other jurisdictions. In Los Angeles, the redistricting process that was created during the charter reform of 1999 has proven to be hopelessly flawed. First and foremost, the Los Angeles City Council Redistricting Commission is not independent of the City Council. Commissioners are selected by the elected officials of the City, including the members of the City Council whose districts are to be redrawn, and they may be lobbied and replaced at will by the very people who appointed them. Second, commissioners may have financial, political, and personal conflicts of interest that undermine the integrity of the redistricting process, with some commissioners serving as registered lobbyists or “government relations” professionals who make a living advocating before the City Council, and yet others having backgrounds as political insiders with ties to campaigns, political fundraising efforts, and potential future candidates for City Council. Finally, the City Charter does not clearly delineate the mission of the Commission, such that commissioners are free to disregard certain public testimony and prioritize certain voices over others without clear criteria to guide their decisions.

To restore Angelenos’ faith in the City’s redistricting process, the time has come for the City to offer voters the chance to consider an alternative redistricting process that establishes an Independent Redistricting Commission in the City Charter.

**I THEREFORE MOVE** that the City Council instruct the Chief Legislative Analyst, with assistance from the City Attorney and other City departments, as needed, to report within 90 days with options for a ballot measure for the November 2022 ballot to amend the City Charter to create an Independent Redistricting Commission for the City of Los Angeles. The report should include, among other topics, the following:

- An analysis of the structure and performance of the independent redistricting commissions in place at the State of California, the County of Los Angeles, the County of



DEC 0 8 2021

San Diego, the City of Long Beach, the City of Berkeley, and any others that could serve as models to be replicated;

- Best practices for the selection of redistricting commissioners, including the possibility of a random/self-selection model wherein: (1) the applicant pool is vetted and whittled down by non-electeds and/or non-partisan bodies (e.g., an ethics commission or a selection panel of retired judges or democracy experts) to a reasonable number of qualified applicants, (2) a certain number of qualified applicants are randomly selected to sit on the commission, and (3) the remainder of the commissioners are democratically selected by the randomly selected commissioners;
- The qualifications for commissioners, including the potential consideration of voter registration status, jurisdiction residency, analytical skills relevant to the redistricting process and voting rights, the ability to comprehend and apply the applicable State and Federal legal requirements, the ability to be impartial, and an appreciation for the diverse demographics and geography of the City of Los Angeles;
- Conflicts of interest that would preclude participation on the redistricting commission, including the prohibition of individuals who: have worked for, within a minimum time frame prior to application, a locally elected politician or a local candidate's campaign; have contributed, within a minimum time frame prior to application, a certain dollar amount to a candidate for locally elected office; have been registered, within a minimum time frame prior to application, as a lobbyist with the City of Los Angeles, the County of Los Angeles, the State of California, or the Federal government; have been a local candidate or elected within a minimum time frame prior to application; have served as a member of any board or commission of the City of Los Angeles; have been an employee, or performed services under contract with the City of Los Angeles, including performing services as an employee of a contractor or subcontractor; have been an employee of any redistricting contractor or consultant; and/or are the spouse, domestic partner, child, parent, sibling or in-law of any person who fits any of the criteria above;
- Potential prohibitions on commissioners, for a specific period of time after appointment, becoming candidates for, or be appointed to, any elected office in the City of Los Angeles, being compensated for lobbying the City Council, or receiving a non-competitively bid contract from the City;
- Best practices for the size, structure, and makeup of the commission to ensure a representative commission that reflects the great diversity of the City of Los Angeles in terms of race, ethnicity, socioeconomic class, renter vs. homeowner status, age, gender, and geography, among any other relevant considerations;
- Best practices for the criteria that should guide the commission's map drawing process, including the ranked criteria model and the commissioners' potential consideration of compactness, contiguity, the unity of neighborhoods (including Neighborhood Councils) and communities of interest, existing district boundaries, minimization of voter deferral,

adherence to applicable State and Federal legal requirements, and other relevant considerations, including those enumerated in the California Fair Maps Act of 2019;

- Best practices for a fair numbering process for newly-drawn districts, including the possible adoption of an objective standard for new districts to be numbered corresponding to the existing district from which they draw the greatest population;
- Best practices for the removal and replacement of commissioners, including the possible adoption of a for-cause standard for removal and the inclusion of additional non-voting commissioners to serve as alternates in the case of removal, resignation, or incapacitation of a commissioner;
- Best practices for the insulation of the redistricting commission from City elected officials and staff, including the banning of all commissioner communications with City elected officials and staff and the possibility of the redistricting commission having independent staff and an independent counsel;
- Best practices to ensure transparency and public participation, including the potential adoption of minimum requirements for access and participation, outreach, options to give verbal or written testimony, options to participate in-person or virtually, and access to mapping software with the ability to submit publicly drawn maps;
- An adequate and mandatory budget for the redistricting commission and potential safeguards to ensure City elected officials and staff cannot underfund the commission or forestall the release of commission funds;
- Best practices for commissioner compensation;
- Legal remedies for the challenging of adopted maps and options protocols to address maps deemed illegal by a court of law; and
- Any other considerations to ensure that the commission fairly and adequately represents the residents of the City of Los Angeles in the redistricting process.

PRESENTED BY:

  
NITHYA RAMAN  
Councilmember, 4th District

  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY:



ORIGINAL