



# **Draft Recommendations for A Better Governed LA City**

**Interim Report of the LA Governance Reform Project**

**June 15, 2023**



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## Introduction

On October 9, 2022, the *Los Angeles Times* reported on secret recordings of conversations that included racist and other damaging comments by three members of the Los Angeles City Council and the leader of the County Federation of Labor. The firestorm that followed focused devastating attention on Los Angeles government here and nationwide and had a host of local political consequences.<sup>1</sup>

With anger growing at city hall, and with the possibility of intergroup conflict between and among the city's communities, another set of questions moved to the fore. Did Los Angeles's governance structure contribute to the problem? Should we revisit reform of the city's governing document, the Los Angeles City Charter?

Redistricting processes emerged at the cutting edge of the reform debate. Much of the recordings related to a crucial governance question in Los Angeles: who should draw the lines of city council districts? The leaders on the recordings were discussing the politics of redistricting and which individuals and groups should gain representation and which should not. At the time of the conversation, the city council was exercising its charter authority to draw lines after an advisory redistricting commission had presented its report.

The question of representation added to the debate about who should draw the lines (which quickly coalesced around calls for an independent redistricting commission not controlled by

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<sup>1</sup> Council president Nury Martinez (6<sup>th</sup> district) first stepped down as president and then resigned as councilmember. Gil Cedillo (1<sup>st</sup> district) who was termed out in 2022, remained in his seat until the November election. Kevin De Leon (14<sup>th</sup> district) remains in his seat despite pressure to force him to resign and is up for re-election in 2024. Labor leader Ron Herrera resigned as head of the County Federation of Labor.

the city council). With a relatively small 15-member council in a city of nearly 4 million residents, with each member representing more than 260,000 people, would the diverse communities of Los Angeles be better represented with more council districts? For the first time since the secession movements of the 1990s, a wave of reform washed over the city, from city hall to civic groups, to community organizations. Rather than creating a formal charter reform commission (last constituted in Los Angeles between 1997 and 1999),<sup>2</sup> the city council and various community leaders began to pursue reform on a number of paths.

The city council created an Ad Hoc Committee on Governance Reform that continues to generate and weigh reform proposals. It is quite unusual for the council to take such a proactive role in pursuing governance reforms. The Ad Hoc Committee has explored a number of detailed reform issues and has conducted a series of hearings throughout the community.

Long-time civic groups such as Common Cause and the League of Women Voters of Los Angeles developed and promoted ideas for governance reform. Progressive grassroots organizations came together in association with Catalyst California to form Our LA, a reform coalition. Even the state of California weighed in, with legislative proposals to encourage and if necessary direct Los Angeles to adopt an independent redistricting commission.<sup>3</sup>

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<sup>2</sup> In 1997, two competing charter reform commissions, one largely appointed by the city council and one elected with the mayor's support, worked in parallel for two years before agreeing on a unified charter that won voter support for the first comprehensive revision of the city charter since 1924.

<sup>3</sup> Bills came from Senator Maria Elena Durazo, and a joint measure co-authored by Assemblymember Isaac Bryan and Senator Ben Allen.

Such a wave of reform energy does not occur very often. Sometimes decades pass between reform eras. Los Angeles is in the midst of one such moment now, and it is not to be taken for granted. Scholars of political institutions and comparative constitutional design have clearly demonstrated that conflict and cooperation in political systems are not merely accidents nor the result of individual attitudes. Rather, it is very clear that while some institutional arrangements facilitate cooperation, others create incentives for conflict. This is clearly true in representational systems like our city council and beyond. Structural revisions, therefore, require a long view that builds on the call for change in the current environment but establishes longer-lasting incentives for good governance.

Most governance reforms of enduring significance will require an amendment to the city charter. Passed by the voters in 1924 and implemented in 1925, the charter, as amended, has been the city's governing document for nearly a century. The charter can only be changed by a vote of the people. Charter amendments can be placed on the ballot by the city council or by an initiative based on the signatures of registered voters.

## Project Team

### Local Philanthropy and the University Leadership Team

Local philanthropy sought a way to encourage and fund an independent process to develop recommendations for governance reform so that proposals can be brought to the community and to the council for consideration. The Eli Broad and Edyth Broad Foundation, the Weingart Foundation, and the California Community Foundation took the lead in reaching out to the university community. In the fall of 2022, a group of six university leaders convened to organize an independent process, to incorporate research on local government and on Los Angeles, and to provide an unbiased, independent set of recommendations both for the community and for the city council to consider. In addition to their scholarly records, the university leaders are each embedded in the practical worlds of community and civic endeavors in Los Angeles.

The University Leadership Team as convened last fall is shown below:

## UNIVERSITY LEADERSHIP TEAM



**CO-CHAIR**

Ange-Marie Hancock, Ph.D.  
Dean's Professor of Gender Studies and Political Science  
University of Southern California



**CO-CHAIR**

Gary M. Segura, Ph.D.  
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Commissioner, California Citizens Redistricting Commission  
Senior Researcher, AAPI Data



Raphael J. Sonenshein, Ph.D.  
Executive Director of the Pat Brown Institute for Public Affairs  
Professor of Political Science and Public Administration  
California State University, Los Angeles

## Research Team

In addition to the core leadership team of six members, the group recruited another eight researchers to carry out specific studies relative to the overall project. A list of these studies is attached. These “Informational briefs” were generated by the academic team on issues that required further investigation.

<b>RESEARCH TEAM</b>		
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<b>Jason Morin, Ph.D.</b> Professor Department of Political Science California State University, Northridge	<b>Nick Perloff-Giles</b> Master's Degree Candidate Public Policy Analysis University of California, Los Angeles	<b>Kendrick Roberson, Ph.D.</b> Assistant Professor Political Science Pepperdine University
<b>Chhandosi Roy, Ph.D.</b> Research Associate Center for the Study of Los Angeles Loyola Marymount University	<b>Lizeth Hernandez</b> Former Program Assistant Pat Brown Institute for Public Affairs California State University, Los Angeles	

## Project Process

The LA Governance Reform Project began to meet regularly in December 2022 to review the issues involved in redistricting and council expansion. While the group did not intend to address the comprehensive set of issues that would normally occupy a formal charter reform commission, we remained open to the possibility of considering one or more additional topics.

Our guiding stars were to contribute to the creation of a city structure that is responsive, accountable, representative, and equitable. These goals inform our research and our recommendations. Ideally, these recommendations will foster accountability and good government; reduce corruption and enhance clean government; promote positive intergroup relations in a diverse city; and, improve the delivery of services in an effective and equitable manner.

The academic team is not a substitute for a charter reform commission nor does our report cover all possible improvements in governance. We hope that this process adds momentum to a longer-term commitment to governance reform in Los Angeles, with due consideration for a host of improvements that might make a difference. We fully expect additional reform proposals to emerge from the community.

The team's process involved review and analysis of existing research and reports, original studies by the research team, and thorough, open, and honest deliberation on each issue by the academic leaders. The recommendations that emerged earned broad support from this group of academics who have diverse experiences and perspectives and were willing to change their minds based on the evidence and the arguments presented.



## Key Assumptions

- 1) Experience and studies from other cities in California can provide models for Los Angeles governance reform.
- 2) While Los Angeles, the nation's second-largest city, can be compared to other California cities, it should also be seen as part of the family of large American cities from across the nation including the very largest American cities.
- 3) There are general research studies that while not specific to these reforms may be relevant (such as the size of legislative bodies or of commissions in general)
- 4) What is theoretically desirable is not always practical in a real-world setting, particularly in Los Angeles where institutional structures are long established.
- 5) Moments of intense interest in reform are an opportunity to think outside the box and expand the realm of possible reforms that might not be seriously considered in normal times.

## Timeline

The project has proceeded steadily, in meetings among the principal members and among the associated researchers. We have reviewed the work of other participants in the local reform process, such as a detailed and thorough report by the city’s Chief Legislative Analyst,<sup>4</sup> several studies by Common Cause,<sup>5</sup> and reports of redistricting commissions such as the Los Angeles County Independent Redistricting Commission,<sup>6</sup> the LAUSD Advisory Redistricting Commission,<sup>7</sup> and the LA advisory city council redistricting commissions.<sup>8</sup> As we have generated proposals for consideration, our researchers have created “Informational briefs” on specific topics such as the size and structure of legislative bodies, geographies of Los Angeles, and how independent redistricting commissions decide who is eligible to serve.

We have monitored and stayed in touch with the various reform efforts and discussions happening around town, from the leaders at city hall to organizations such as Common Cause, Catalyst California, the Civic Alliance, and the League of Women Voters. We have listened to

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<sup>4</sup> Chief Legislative Analyst, (2023). Redistricting Report.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=22-1196-S1>

<sup>5</sup> Nicolas Heidorn, *California Local Redistricting Commissions: Landscape, Considerations, and Best Practices*. (California Local Redistricting Project, updated 2017), <https://www.localredistricting.org/research>; Nicolas Heidorn, *The Promise of Fair Maps California’s 2020 Local Redistricting Cycle: Lessons Learned and Future Reforms* (California Local Redistricting Project, 2023), <https://www.localredistricting.org/research>

<sup>6</sup> Los Angeles County Redistricting Commission, Final Report. (Dec. 15, 2021).

<https://redistricting.lacounty.gov/wp-content/uploads/2021/12/LA-County-CRC-Resolution-Adopting-Redistricting-Report.pdf>

<sup>7</sup> Los Angeles Unified School District, Report and Recommendations. (Oct. 29, 2021).

[https://redistricting2021.lacity.org/LAUSDRC/maps/draft/FinalRecommendation/LAUSD%20Redistricting%20Commission%20Final%20Report%20and%20Map%20Recommendation%20102921\\_reduced.pdf](https://redistricting2021.lacity.org/LAUSDRC/maps/draft/FinalRecommendation/LAUSD%20Redistricting%20Commission%20Final%20Report%20and%20Map%20Recommendation%20102921_reduced.pdf)

<sup>8</sup> Los Angeles City Council Redistricting Commission, *Report and Recommendations* (Oct. 29, 2021).

[https://clkrep.lacity.org/onlinedocs/2020/20-0668-S7\\_misc\\_10-29-21.pdf](https://clkrep.lacity.org/onlinedocs/2020/20-0668-S7_misc_10-29-21.pdf)

the views of community-based organizations, new civic groups pursuing governance reform, and to thinkers and writers on local governance reform.

These draft recommendations represent our best thinking, research, and analysis over the half year of our activity. We present them with the intention of generating public discussion that can improve them before proposals become legislative language in the fall of 2023, for placement on the 2024 ballot.

This report marks the end of phase one of the overall project. Beginning in June, we will be seeking public input, conducting surveys, focus groups, and stakeholder meetings around the proposals to assess the strengths and weaknesses of each. Following this outreach process, we will present our final recommendations in the fall to the city council and the community in sufficient time to meet deadlines for ballot preparation.

## **Timeline**



## Draft Recommendations

We began with a focus on two principal reforms: designing an independent redistricting process and reducing the size of city council districts. In the course of our work, we came to believe that an essential aspect of local governance reform must be ethics reform.<sup>9</sup> Any reform for public consideration has to be relevant to public concern about ethics at city hall, and to the need to upgrade the charter provisions that were instituted by the voters in 1991. As a result, our draft report covers three topics: implementing an independent redistricting process, reducing the size of council districts by expanding the size of the city council, and strengthening the ethics apparatus the city utilizes to hold elected officials accountable.

Our first overall recommendation is that a package of governance reforms be placed on the November 2024 ballot. This is the best opportunity for voter input from a diverse community. When city elections were moved from odd-numbered to even-numbered years by a vote of the people in 2015, the scope of inclusion in the voting process was altered dramatically. Research has shown a highly significant increase in overall participation, as well as a restructuring of the electorate to be younger, more diverse, and more reflective of renters than the electorate had been previously. In a presidential year, we can anticipate the largest possible turnout. As seen below, the gain in turnout from an even-numbered primary is far less than from the general election.

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<sup>9</sup> A series of ethics scandals have rocked city hall in recent years.

While the 2024 primary ballot is available for a reform package, the turnout is likely to be quite a bit lower and to be less engaging overall.

Los Angeles City voter turnout — pre- and post-governance reform (odd to even election years)

Example of Council District 4 (concurrent with Presidential race)

Year	## of ballots cast for CD 4 of ## registered voters	Percentage of voter turnout – general  (Winning percentage of elected candidate)
2015	24,408 ballots cast for CD 4 of 153,037 registered voters	15.94%  Elected: David Ryu – 55%
2020	132,999 ballots cast for CD 4 of 181,357 registered voters	73.3%  Elected: Nithya Raman – 53%

- Sources: CD 4 2015 Election: [http://ens.lacity.org/clk/elections/clkelections338598382\\_09102015.pdf](http://ens.lacity.org/clk/elections/clkelections338598382_09102015.pdf)
- CD 4 2020 Election: [https://www.lavote.gov/docs/rccc/svc/4193\\_FINAL\\_SVC\\_Precinct\\_ZBC.pdf?v=3](https://www.lavote.gov/docs/rccc/svc/4193_FINAL_SVC_Precinct_ZBC.pdf?v=3) (page 119)

For city-wide (concurrent with Governor race)

Year	## of ballots cast of ## registered voters	Percentage of voter turnout – primary
2017	431,806 ballots cast of 2,030,173 registered voters	21.27%
2022	662,514 ballots cast of 2,150,902 registered voters	30.8%

- Sources are 2022: [https://content.lavote.gov/docs/rccc/svc/4269\\_final\\_community.pdf](https://content.lavote.gov/docs/rccc/svc/4269_final_community.pdf)
- 2017: [https://www.lavote.gov/documents/SVC/3577\\_Community.pdf](https://www.lavote.gov/documents/SVC/3577_Community.pdf)

## An Independent Redistricting Commission

### Background

For most of Los Angeles's history, the drawing of district lines for the city council (and the LAUSD Board of Education) was the sole prerogative of the city council. The 1999 charter revision created an advisory commission for redistricting the city council and a second advisory commission to draw school board lines. The idea was that an advisory appointed commission would draw maps that would be more independent of the city council and that the council would give considerable weight to the advice of the commissions.<sup>10</sup>

While the first iteration of this model worked well in 2001, the record was mixed in the next two rounds, in 2011 and 2021. The council exerted great control over the process in 2011. In 2021 the release of the advisory commission's maps and the council's changes to them generated ill will that lingered well beyond the end of the redistricting process.

The university leadership team worked through a long series of questions regarding an independent redistricting commission and came to a consensus on a series of recommendations. Each recommendation is accompanied by the rationale that led to group adoption. Some items are still under discussion and community feedback will be essential to refine them. The list is not comprehensive, but rather includes the issues that the team felt were crucial to address at this stage in the reform process.

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<sup>10</sup> These provisions can be found in Charter sections 204 and 802.

## Commission Proposal

The City of Los Angeles should establish two independent commissions, each comprised of 17 residents for the purpose of drawing district lines for the City of Los Angeles and the Los Angeles Unified School District, respectively. Call for applications and administrative management of the selection/appointment process falls to one of the following: the City Clerk, the City Ethics Commission, or some other body with an augmented budget and staff for the additional work.

A 17-member commission is based on combining two important goals: fostering wide representation and supporting effective and collegial decision-making.<sup>11</sup> Commissions, especially of a temporary nature, experience different dynamics than legislative bodies. A council, legislature, or congressional branch can organize a fairly large number of representatives through party or other caucus structures, both formal and informal. As permanent bodies, they do not need to complete a complicated task in a relatively short time.

The California independent redistricting commission, for example, is limited to 14 members, despite the large task of drawing both legislative and congressional districts. The two charter reform commissions that performed a comprehensive revision of the city charter from 1997-1999 were composed of 15 and 21 members. The LA County independent redistricting commission had 14 members.

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<sup>11</sup> See Muzzio & Tompkins (1989), and see Oliver, Hollingworth, Briner, Swann, Hinds, & Roche (2018) for a review of optimal committee sizes ranging from 6-12 members that balances between diverse representation and deliberative efficiency. Properly accounting for the population and diversity of Los Angeles yields an optimal commission size in the upper range.

Studies of committee size note the need to be large enough to ensure the representation of diverse communities but small enough to foster effective deliberation. One recent study suggested that the ideal number is between 6 and 12 members. Our choice of 17 is derived from a focus on effective deliberation joined to the wide diversity of the Los Angeles community.

### **Application and Selection of Commissioners**

The commissioners should be selected through the following “dual step” screening process:

- The process begins no later than the fall of years ending in 9. If circumstances call for an earlier redistricting, that would be allowable under the charter and the timeline would be accelerated.
- Applications are invited from any eligible person (see list below). After the deadline, applications are screened by the convening agency for meeting residency and other requirements.
- Applications are sorted into 5 regions for geographical dispersion. We explored a number of geographies that could support the selection process,<sup>12</sup> including area planning commissions, community planning areas, and city administrative department divisions. Our recommendation is to utilize a grouping of community planning areas, which are relatively close in population numbers and are recognized within communities. In the year ending in 8, the city should retain a demographer to upgrade these boundaries for purposes of applicant selection.

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<sup>12</sup> See Steve Graves. (2023). *Commissioner Selection Geography*. Informational Brief.



- Random selection of the first 10 members of the commission from the list of pre-screened applicants, two selected from each region.
- The team did not reach an agreement on whether the selection body of the first panel of commissioners should choose the remaining commissioners with an eye toward redressing any representational shortcomings apparent in the first 10 members. Community feedback will be sought to help reach the best possible decision.
- The commission is seated in January of years ending in 0.

**Service on the commission should be subject to the following qualifications:**

Objective Criteria:

- Adults over age 18.
- Residents of the City of Los Angeles at the time of service and for the preceding three years, continuously.
- Disclosure of political donations within the city. Amount to be determined.

Subjective Criteria:

- Letters of recommendation or other evidence of community engagement.
- Excluded candidates for commission appointments:
  - a. Current elected office holder
  - b. Former elected office holder
  - c. Former candidate for public office
  - d. City employee, NON\_EXEMPT. Civil servants can serve, appointees are not eligible.

- e. Political appointee by mayor, council member, or any other LA City elected official
- f. Registered lobbyists
- g. Campaign staffer (paid)
- h. Spouse or close relative of any of the above

**Rationale:** This selection plan is unusual in that it casts a very wide net of all adult residents.

Our research found that commission memberships are increasingly open to non-citizens and there are no apparent legal obstacles to doing so.<sup>13</sup> In the last several years in California, cities such as San Francisco, Costa Mesa, Santa Ana, and the state of California through SB 225 have moved to allow noncitizens to serve on commissions.

The Commission will initially receive staff support from the City Clerk, City Ethics Commission staff, and legal support from the Office of the City Attorney. The Commission should be provided resources to secure the following:

- Independent staff support as soon after seating as feasible.
- Independent legal counsel as soon after seating as feasible.
- Office space sufficient to the needs of the commission and its staff and counsel, in a location separate from City Hall.

Commissioners will be paid on a per diem basis not to exceed an amount to be set by ordinance. Charter practice generally frowns on placing specific dollar amounts in the

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<sup>13</sup> See Francisco Jasso & Jason Morin. (2023). *Commission Selection and NonCitizen Participation*. Informational Brief.

governing document, given the long-term nature of the redistricting reform proposals. The provision of per diem compensation for redistricting commissioners follows the practice of the state redistricting commission. Service on such a commission is time-consuming and intensive, and in order to assure that a wide range of residents are able to participate as commissioners, fair compensation is required.

Upon appointment and seating, commissioners shall receive training on the legal and operational aspects of redistricting and related processes. Full training will occur after all 17 members are selected and seated; the first set of commissioners should not receive advance training ahead of the remaining commissioners.

Commissioners will serve through the adoption of district lines for the next decennium and then adjourn, *sine die*. Given the often-lengthy nature of redistricting-related legal claims such as voting rights grievances, commissioners should serve a term of ten years until the next redistricting commission is selected, should there be any reason why the city needs to revisit the redistricting maps. Failure to keep the commissioners for the full decade could potentially result in ceding power to the courts and an appointed special master to conduct a redraw.

Service on the redistricting commission should disqualify individuals from running for elected city office for the term of ten years, such that commissioners do not draw districts that may advantage themselves. Unlike the state commission, it is advisable that the commission take on a role during the intervening years such as commissioning a report on city-wide voter engagement or coordinating with decennial census outreach efforts such that the commission can provide some additional value to the city throughout the remainder of their term.

**Regarding *ex parte* communications, commissioners shall:**

To be truly independent of the city council, commissioners should have no *ex parte* communications on redistricting matters with the city council. We recommend that office space for the commissioners and their staff to conduct their work be found outside of city hall to limit unintended interference from council members. Commissioners shall adhere to the provisions of the Brown Act, limiting communications between commissioners to ensure a transparent process that is available to the public.

**The commissioners should be required to follow the redistricting criteria set forth in the Fair Maps Act. These include:**

- Equal Population of each district required;
- Voting Rights Act & California Voting Rights Act must be followed;
- Population is adjusted to count incarcerated people at their home address, not their prison address;
- Then the following in order of priority:
  1. Geographic Contiguity to the extent practicable. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
  2. Communities of Interest Preservation to the extent practicable. A "community of Interest" is a population that shares common social or economic interests that

should be included within a single supervisorial district for purposes of its effective and fair representation.

3. Geographic Integrity of a city or census designated place shall be respected to the extent practicable.

4. Geographic Compactness should be encouraged to the extent practicable, where it doesn't conflict with previous criteria, and in a manner to ensure that nearby areas of population are not bypassed in favor of more distant populations.

5. Easily Identifiable by Residents to the extent practicable, districts shall be bounded by natural and artificial barriers, including streets.

6. Prohibit Favoritism. No partisan favoritism or discrimination.<sup>14</sup>

#### An Independent Redistricting Commission for the LAUSD School Board

The city charter controls elections for both the City of Los Angeles and the LAUSD Board of Education. As a result, school board redistricting falls within the charter's purview. Research indicates that under state law, a charter city has the authority to direct a school district to create an independent redistricting commission as long as the school district is in the charter.

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<sup>14</sup> CA Election Code, sections 21500, 21601, and 21621.

**Table 1. How Some Jurisdictions Redistrict their School System**

Jurisdiction	School Redistricting
Los Angeles	City charter creates an advisory commission to recommend districts for LAUSD but the City Council has final authority. Commission of 15 members: 1 appointed by each Board member, 4 by Mayor, and 4 by Council President. The Mayor and Council President must select someone outside City limits each.
San Diego	SD Board of Education forms a committee to redistrict - the Redistricting Engagement Committee - that proposes a plan for Board approval.
Fresno	Board of Trustees is responsible for redrawing trustee areas. Under the state Education Code, community college districts such as West Hills and State Center that are multi-county must have their trustee boundary lines reviewed and approved by the Fresno County Committee on School District Organization.
Sacramento	Sacramento City Unified School District (SCUSD) completed the process to transition from at-large to by-trustee area elections following voter approval in November 2006. SCUSD has seven trustee areas.
Long Beach	School board sends proposal to City Council for approval.
Oakland	<p>The Oakland Redistricting Commission adopts new district maps for the city council and school’s districts.</p> <p>Oakland’s City Council and school board share the same seven district boundaries, but the relationship between OUSD school board directors and their constituents is a bit more complicated than the City Council’s. OUSD directors, like councilmembers, are elected by the residents of their districts—but because OUSD has open enrollment and students aren’t limited to their neighborhood schools, families living in one district may have children who attend schools in another.</p>
Pasadena Unified School District	Because city charters, with voter approval, can establish how school board members are elected, Pasadena established an independent redistricting commission for the Pasadena School District in the Pasadena City Charter.

Source: Francisco Jasso & Nick Perloff-Giles, (2023), *LAUSD Redistricting*. Informational Brief.

The city could choose to not exercise its charter authority or could propose removing the district from the charter. In our view, these are not the best choices. The region is on the verge of having a highly consistent independent redistricting system, which could facilitate cooperation and best practices across the county (which already has an independent commission created by state law), the City of LA, and the LAUSD. At some point in the future, the school district and the city might mutually conclude that the advantages of home rule protection provided by the city charter are less meaningful than the district's autonomy. At that point, a ballot measure could ask voters to remove the school district from the city charter.

In recent redistricting cycles, the city has shared the costs of the two commissions on a 50-50 basis and we recommend continuing that practice.<sup>15</sup> Independent redistricting is likely to be more expensive and time-consuming than advisory commissions. We recommend that the city and the school district meet to consider and implement shared administration of the process. For instance, the selection process outlined below calls for applications from residents. That process could be conducted in tandem between the city and the LAUSD, in a combined vetting process that allows residents to apply for either or both commissions.

In order to save money and to encourage collaboration, the requirements for commissioners would be identical to those for the city commission, with the exception that residence for the school district commission is required in the geographic boundaries of the LAUSD. The geographic representation plan proposed below for the city commission would have to be

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<sup>15</sup> 2011 Chief Legislative Analyst's Report on redistricting. [https://clkrep.lacity.org/onlinedocs/2011/11-0187\\_RPT\\_CLA\\_03-18-11.pdf](https://clkrep.lacity.org/onlinedocs/2011/11-0187_RPT_CLA_03-18-11.pdf); Office of the Inspector General Los Angeles Unified School District Special Review of LAUSD Redistricting Commission Reimbursement of Expenses. <https://my.lausd.net/webcenter/wccproxy/d?dID=125074>.

adapted to the larger LAUSD geography. The two commissions could search together for office space, outside City Hall and the LAUSD District headquarters. Their staff can compare notes and best practices as problems arise and are resolved.



## Reducing the Size of Council Districts by Enlarging the Council

### Background

The LA City Council has had 15 members, elected by district, since 1925. As the city's population has grown exponentially, the size of council districts has grown as well. Today, each council member represents around 260,000 residents.

**Table 2: Resulting Council Size for Los Angeles Using Residents-per-District Ratios of other Large Cities**

	Population	City	Council Size	Residents per district	Resulting Council Size for LA
<b>Cities Outside of California</b>	8.5 million	NYC	51	166,666	24
	2.7 million	Chicago	50	54,000	73
	2.3 million	Houston	16	143,570	27
	1.6 million	Philadelphia	17	94,117	42
	1.6 million	Phoenix	8	200,000	20
	966,000	Jacksonville	19	50,842	78
<b>Cities Within California</b>	1.38 million	San Diego	9	155,000	26
	1 million	San Jose	10	101,000	39
	874,000	San Francisco	11	80,000	49
	542,000	Fresno	7	77,000	51

Source: Francisco Jasso, (2023), *Applying Models for Legislative Size to LA City Council Expansion*. Informational Brief.

The Los Angeles city council is perhaps America's most influential council in a mayor-council system. The stability of the council structure has led to a culture in which individual members bear great responsibility and power over decisions that in other cities might be citywide.<sup>16</sup> Residents also rely on councilmembers as the major access points to city hall. Los Angeles residents are accustomed to and expect a high level of constituent service from their councilmembers.

Voters have been asked three times to expand the council, in 1970, 1985, and 1999. All failed to win voter support. In 1999, the revised charter passed easily but two measures to increase the size of the council, to 21 or 25, were handily defeated. Opposition to the measures was prevalent, and it did not pass in any of the 15 council districts.<sup>17</sup>

The last two such elections took place in the traditional, low-turnout odd-year elections that were replaced by the voters in 2015 with even-year elections. A larger, more diverse electorate with elections held in even-numbered years may give expansion a fighting chance. Greater representation for residents is a plus for expansion. However, public support may depend on additional reforms that make voters comfortable with adding more elected officials.

### Council Size Proposal

We recommend expanding the city council to 25 members, comprised of 21 members by district and four at large elected in staggered years. This increase would place LA lower in the

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<sup>16</sup> See Burnett, C. M., & Kogan, V. (2014). Local logrolling? Assessing the impact of legislative districting in Los Angeles. *Urban Affairs Review*, 50(5), 648-671.

<sup>17</sup> See Raphael J. Sonenshein. 2006. *The City at Stake: Secession, Reform and the Battle for Los Angeles*. Princeton, NJ Princeton U. Press, for a geographic analysis of the vote on council expansion, pages 198-203.

chart of too-large cities, but well below cities that have much larger councils. Why not go even larger?

The chart above indicates that even though some cities have much smaller districts, the largest councils are major outliers in the absolute number of councilmembers. New York City (51) and Chicago (50) are much higher.

A main problem with a far larger council is the difficulty of recasting the mayor's role. In New York City and Chicago, with exceptionally large councils, the mayor is the dominant figure in the government. It would be a very large change for the LA Mayor to meet the expectations that 100 years of mayor-council balance have not brought to the fore. The LA Mayor has neither the staff nor the fiscal capacity to exercise power at the level of a New York or Chicago mayor. While reformers have long sought to enhance the power of the mayor, this would be too difficult to accomplish in one stroke.

**Reducing the size of council districts is expected to have a host of benefits, including:**

- Less costly election campaigns.
- While at-large seats would potentially generate costly races, they would also tap into widespread voter interest and participation.
- Greater opportunities for new types of candidates to run, compete, and perhaps win.

With even-numbered elections, one could imagine that a more diverse body of candidates can win citywide, as happened in 2022 in the citywide offices.

- Better constituent service and greater opportunities for representation for communities whose chances are reduced with the largest districts.<sup>18</sup> Communities with a likelihood of gaining representation include those of Korean, Filipino, Guatemalan, and Salvadoran origin.

### **Why have at-large seats?**

At-large seats would be a significant structural change in the LA City Council. A larger council would by itself provide greater representation but in our view, several at-large seats will change the council's internal dynamics in a positive way. It would add a citywide perspective that is not absent from the council, but that can be overshadowed by the district-based model. At-large seats would change the chemistry of the council and could enhance the council's oversight role. It could also encourage the formation of citywide coalitions because of the electoral base of the at-large members. The only research study on the LA City Council indicates that some of the "district-only" reputation of the council is undeserved.<sup>19</sup> However, it still plays an important role in land use, homelessness, and some other policies.

We immediately sought to determine if cities with mixed systems have encountered serious voting rights issues. Our research found that compared to cities with wholly at-large council structures, voting rights challenges have so far not been a major issue in cities that mix district and at-large systems.<sup>20</sup> As long as the district numbers outweigh the at-large ones, the

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<sup>18</sup> See Steve Graves. (2023). *District Count*. Informational Brief.

<sup>19</sup> See Burnett, C. M., & Kogan, V. (2014). Local logrolling? Assessing the impact of legislative districting in Los Angeles. *Urban Affairs Review*, 50(5), 648-671.

<sup>20</sup> See, Tim Krebs. (2023). *Demographic Breakdown of City Councils in Cities with Mixed Systems*. Informational Brief; Francisco Jasso. (2023). *Hybrid City Council Election Systems*. Informational Brief.

character of district-based leadership still remains dominant. At-large seats also provide a way to slightly reduce the zero-sum nature of council redistricting, giving communities another chance to win seats when geography limits opportunity. Our research has identified several cities with at-large councilmembers. They include some well-known larger cities (Houston and Philadelphia), and several medium and smaller cities.

**Table 3. US City Councils Using Hybrid of District and At-Large Elections.**

Population (Approximate)	City	District Seats	At-Large Seats
2.3 million	Houston, TX	11	5
2 million	Metro Council of Nashville & Davidson County	35	5
1.57 million	Philadelphia, PA	10	6
955k	Jacksonville, FL	14	5
907k	Columbus, OH	Currently 7 at-large seats, but will transition to 9 at-large general election seats to be first voted on by-district in a primary election	
880k	Charlotte, NC	7	4
734k	Seattle, WA	7	2
711k	Denver, CO	11	2
655k	Boston, MA	9	4
641k	Portland, OR	Currently 4 at-large seats, but in 2024 will expand to 3 ranked-choice seats per each of 4 districts	
633k	Detroit, MI	7	2
508k	Kansas City, MO	6	6
496k	Atlanta, GA	13	3
470k	Raleigh, NC	5	2
434k	Oakland, CA	7	1
300k	Greensboro, NC	5	3
285k	Durham, NC	3	3
210k	Rochester, NY	4	5
112k	Peoria, IL	5	5
53k	Wheaton, IL	4	2

Source: Francisco Jasso. (2023). *Hybrid City Council Election Systems*. Informational Brief.

The research on at-large council seats is dominated by the long debate between at-large city councils and those elected by district. Clearly, if the choice is between all at-large and all

district elections the movement is toward district elections, especially in light of voting rights issues at the federal level and in California. Numerous lawsuits have led to the transformation of at-large councils into district-based ones. However, there is little evidence of voting rights challenges to mixed systems.<sup>21</sup> Mixed systems are especially resilient when the district portion of the system clearly outweighs the at-large.

### **Reducing the cost of reducing council district size**

A main voter concern in expanding the size of the council will be cost. Some costs are one-time, such as reconstruction and new offices. There are also ongoing costs, which are more likely to impact voter attitudes.

The most important focus should be on the overall share of the city budget that is dedicated to the city council. Our research shows that it is a very small share of the city's budget.<sup>22</sup> A cap on the share of the budget that goes to the council's operations could be part of the ballot measure as well as a pro-rated reduction in council salaries. A cap on the share of the budget that goes to the council (including member and staff salaries, and offices at city hall and in the field) could be part of the ballot measure. Outreach in the fall will help to assess voter attitudes towards these questions on council size.

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<sup>21</sup> See Francisco Jasso. (2023). *Hybrid City Council Election Systems*. Informational Brief.

<sup>22</sup> See Kendrick Roberson. (2023). *Preliminary Presentation of LA Council Expansion Associated Costs*. Informational Brief.

## Ethics Reform

### Background

In the course of our research and analysis, we determined that if voters will be asked to expand the size of the council, it is critical to ensure the cleanest possible governance system. As a result, we added a third topic to our exploration: ethics reform.

The City Ethics Commission was established by the voters in 1991 (Measure H) and currently can be found in Article VII of the city charter. This detailed measure was designed in negotiations between civic reformers and the city council for ultimate placement on the ballot by the city council. It is one of the most significant ethics reforms in any American city. The most similar structure is in the city/county of San Francisco.

Unlike most other city commissions, which are appointed by the mayor with the concurrence of the council, the Ethics Commission has multiple appointing authorities; the mayor, the council president, the controller, and the city attorney. The mayor can remove a commissioner for non-performance with the council's concurrence, and the council may remove a commissioner with a two-thirds vote (Charter section 700e).

The commission has significant power to propose rules and regulations for the ethics system.

The charter requires the council to consider such proposals "without amendment" and then to send them on to the mayor. When it comes to ordinances, however, there is no formal requirement that the Ethics Commission proposal be considered without amendment.

Placing the council in this powerful role regarding ordinances on ethics reform raises a similar question to that of redistricting: should the council be the sole decision point to make ordinances regarding its own ethics rules, without being required to consider the role of a relatively independent ethics commission? The council also has the lead role in charter amendments that expand or limit ethics reforms.

This review is timely because the Ethics Commission has submitted a list of proposed charter reforms that are currently being considered by the city council and its committees.<sup>23</sup> Among the many proposals in that document, we have focused our attention on several structural reforms (with modification through our deliberations) that would enhance the role of the Ethics Commission in the development of ordinances regarding ethics without impeding the council's central role in ordinances.

### Ethics Reform Proposal

We propose several recommendations that are structural in nature and could enhance and empower the Ethics Commission going forward.

#### **We propose:**

1. Ethics reform should be integrated into the ballot package for independent redistricting and reduction of size of council districts.
2. Currently rules and regulations proposed by the Ethics Commission must be addressed by the council without amendment (Charter Section 703). This does not apply

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<sup>23</sup> <https://ethics.lacity.org/news/ethics-commission-approves-sweeping-reforms/>



to ethics legislation (ordinances). We propose that if the Ethics Commission submits draft legislation to the council, that the council must bring it up for consideration. Before a final vote, the Ethics Commission would have to approve it by majority vote. Indeed, all council legislation on ethics must provide such a requirement for the Ethics Commission to approve.

3. Authorize the Ethics Commission to place policy recommendations directly on the ballot as a voter-approved ordinance. The San Francisco Ethics Commission has such a process in its charter if 4/5 of the commissioners vote for it. If passed by the voters, the measure could be written so that revisions can be made to the ordinance by a vote of the city council, but only after the Ethics Commission approves the changes by a majority vote. It would not be necessary to return to the ballot.

While the LA City Council should still have the authority to pass ordinances regarding ethics, the council should not have the exclusive, unshared authority to do so. Ethics reform in LA will require ensuring that the Ethics Commission has a seat at the table.

## Timing: Phase Two

- June kickoff for public input.
- Respond to our website.
- Present the final proposal incorporating public feedback in the fall.
- This package would be proposed to the voters in November 2024.

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