

Communication from Public

Name: Mike Feinstein

Date Submitted: 05/17/2024 11:32 PM

Council File No: 23-1027

Comments for Public Posting: As part of developing the scope for the LA Charter Reform Process, the Ad Hoc Committee should direct the Charter Reform Commission to explicitly study electing the City Council from multi-seat districts elected by proportional representation (called proportional ranked choice voting, or PRCV), as part of its consideration of Council enlargement, as argued in this letter sent to Ad Hoc Committee Chair Krekorian in June 2023.

<https://democracysos.substack.com/p/la-needs-to-consider-using-proportional?> Under PRCV, the threshold to get elected is lower than a majority. This enables multiple winners, and broader and more proportional representation from within each multi-seat district. By empowering voters to rank their choices, P-RCV eliminates vote-splitting and the 'spoiler issue' that is inherent in single-seat, winner-take-all elections. In a city as diverse as Los Angeles, PRCV would mean far better realization of the goals of the federal and California Voting Rights Acts. Relevant to Los Angeles' redistricting process, it would substantially lower the stakes of drawing district lines, because elections and issues of representation would no longer be winner-take-all. By moving to a single PRCV general election and eliminating Los Angeles' two-round, contingent run-off system, it would place the choice of who represents Los Angeles before the greatest and most diverse number of voters, compared to lower-turnout and less diverse primaries. And by holding a single PRCV general election, limited public financing funds could apply to a single election, rather than being spread over two elections, increasing the sustainability of the program

To: City Council President Paul Krekorian and special advisor Steve Ferguson

From: Michael Feinstein, former Santa Monica Mayor and City Councilmember. June 28, 2023

Subject: Request for a study by the Chief Legislative Analyst of the impacts of using Proportional Ranked Choice Voting for city council elections

Los Angeles faces a historic opportunity for reform. But the limited scope of the Ad Hoc Committee on City Governance Reform is insufficient to meet it. The Ad Hoc Committee is focused on two reforms: 1) a redistricting commission that is independent of political pressure, and 2) increasing the size of the city council. Increasing the council size is long overdue. But the first goal, while better than the status quo in which the city council members approve of the final district lines themselves, will ultimately fail to adequately provide the democratic and expansive representation that a large, diverse city like LA needs. Superior methods of representation exist to LA's winner-take-all single-seat district system, such as that recently adopted by Portland OR, which will elect its city council from multi-seat districts by proportional ranked choice voting (P-RCV).

The problem is single-seat, winner-take-all districts

By definition, single-seat, winner-take-all districts limit political representation to some and not to others. As a result, these systems can also unnecessarily pit diverse elements of the community against each other to win representation – including different groups protected by the California Voting Rights Act. This is exactly the opposite of what Los Angeles needs after its recent bitter redistricting controversies. But unfortunately, it is the direction in which LA is headed by limiting itself to studying only single-seat, winner-take-all districts.

Even with an independent redistricting commission (IRC) drawing district lines, redistricting for single-seat districts will always remain problematic and controversial, because it will always involve a discretionary choice about which voters win representation and which do not. This was brought home

at the Ad Hoc Committee's April 13 meeting, when Councilman Harris-Dawson posited the idea of an artificial intelligence program that could factor in all of the variables that are part of the redistricting process, and magically produce a map that met all of the requirements. Yet even in such a theoretical case, he predicted that many groups and individuals would inevitably argue for different maps, all for reasons of their own advantage. That's because single-seat districts can't deliver broad and diverse representation to all of them.

This problem is not just theoretical. In recent decades, South Los Angeles has gone from being a strongly African-American part of the city to a Latino majority. Which should win representation? Aren't Blacks and Latinos who live there both deserving of representation? What about the diversity within each of those communities, since no racial or ethnically-based community is a monolith?

The truth is everyone deserves representation. But if Los Angeles continues to rely upon winner-take-all districts to elect its city council, these conflicts will continue to play out all over the city, among varied and different groups. At best, an IRC may make LA's inherently unrepresentative system seem less unfair. But the stakes, tensions, and conflicts around redistricting — especially in a city as diverse as Los Angeles — will inevitably remain high, regardless of who draws the lines. Democratic representation will continue to suffer.

For a salient recent example of the failure of IRC's combined with single-seat districts, one can look to Los Angeles's neighbor to the north, San Francisco, which already has an independent redistricting commission. Yet recent results there were not encouraging.

San Francisco faces similarly complex diversity and representation challenges, and in its 2022 redistricting of local redistricting lines experienced a brutal battle between competing racial groups and political factions. Its redistricting task force found itself bedeviled by a racial dogfight between Asian, Black and Latino communities. San Francisco's political leaders were openly saying in public many of the same things about who deserves representation that the LA city council members got caught saying behind closed doors, minus the hateful, racist language. Yet was this really surprising, owing to

the incentives of the system? Each was trying to increase the chances of one community claiming winner-take-all seats vs. another, and thus felt compelled by the inherent limitations of single-seat districts to argue who was more deserving of representation.

Request for a study by the Chief Legislative Analyst of the impacts of using proportional ranked choice voting to elect LA's city council

A positive alternative to the use of single-seat, winner-take-all districts is the use of multi-seat city council districts elected by ranked choice voting — commonly called proportional ranked choice voting, or P-RCV. Under P-RCV, the threshold to get elected is lower than a majority. This enables multiple winners, and broader and more proportional representation from within each multi-seat district. By empowering voters to rank their choices, P-RCV eliminates vote-splitting and the ‘spoiler issue’ that is inherent in single-seat, winner-take-all elections. In a city as diverse as Los Angeles, P-RCV would mean far better realization of the goals of the federal and California Voting Rights Acts. And relevant to Los Angeles’ redistricting process, it would substantially lower the stakes of drawing district lines, because elections and issues of representation would no longer be winner-take-all. Finally, by moving to a single P-RCV general election and eliminating Los Angeles’ two-round, contingent run-off system, it would place the choice of who represents Los Angeles before the greatest and most diverse number of voters, compared to lower-turnout and less diverse primaries.

Therefore as part of this historic moment for discussions over how to improve Los Angeles’ democracy, the Chief Legislative Analyst (CLA) should study how electing the city council by P-RCV would impact the city, and how it would compare to continued use of “winner take all” districts. This study should compare the impacts under the existing 15-member city council, as well as councils of other seat magnitudes, such as 25, 30, and even 50 seats (the latter is the size of the city councils in New York City and Chicago, which have comparable population sizes). The study should assess the impact on voter choice and on the representation of the diversity of Los Angeles, including various racial/ethnic groups, but also women’s representation, neighborhoods, LGBTQ+, and geography. The study also should assess impacts on voter turnout, the quality of campaigns, campaign finance inequities and its

use in conjunction with public financing, and more.

Fortunately, there is a specific example of a major US city recently adopting P-RCV that the CLA and the Ad Hoc Committee could study: in November 2022, voters in Portland, Oregon voted to amend its city charter and to more than double the size of its city council and elect it from multi-seat districts by P-RCV. This recommendation came out of a multi-racial public charter review commission process, led by communities of color, that rejected single-seat district representation like in LA in favor of multi-seat districts elected by P-RCV, because of the inability of single-seat districts to represent Portland's racial minority constituencies.

Presentation to the Ad Hoc Committee on City Governance Reform

As part of the research and study process, an expert from FairVote should give a presentation to the Ad Hoc Committee about proportional ranked choice voting and the positive impacts it could have in Los Angeles. In addition, a Portland charter review commission member (Sol Mora from the Coalition of Communities of Color) can be available to address relevant points, including why communities of color in Portland chose multi-seat P-RCV over single-seat districts. Additional P-RCV resources and references can be found here.

Even if such a study and presentation did not result in a P-RCV ballot measure in 2024, such due diligence on the part of the CLA and the Ad Hoc Committee would better meet the City's historic moment of opportunity. It would provide the public with more complete information about options, and better inform future work by the city council and any charter review commission undertaken by the City.

=====

See also

Op/Ed: The Scope of Ad Hoc Committee on LA City Governance Reform is Insufficient

By Michael Feinstein. CityWatchLA. May 4, 2023

<https://www.citywatchla.com/index.php/cw/la-election-2022/26895-the-scope-of-ad-hoc-committee-on-la-city-governance-reform-is-insufficient>

Opinion: LA City Council poised to strong-arm local democracy.

Why a ‘democracy package’ of charter amendments needs to be considered independent of elected officials.

By Michael Feinstein. LA Daily News. May 13, 2024

<https://www.dailynews.com/2024/05/13/la-city-council-poised-to-strong-arm-local-democracy/>

Opinion: Time for a Civic Assembly for Los Angeles charter reform

By Michael Feinstein. Los Angeles Daily News. April 17, 2024

<https://www.dailynews.com/2024/04/17/time-for-a-civic-assembly-for-los-angeles-charter-reform/>

LA needs to consider using Proportional Representation for city council elections

By Mike Feinstein. DemocracySoS. June 28, 2023

<https://democracysos.substack.com/p/la-needs-to-consider-using-proportional>

Recommendations for Independent Redistricting and Los Angeles City Council Size: The Ad Hoc Gov Reform Committee must request an immediate report back on the implementation of Ranked Choice Voting (RCV) as a potential component of the reforms being considered. The Ad Hoc Gov Reform Committee must request an immediate report back on hybrid at-large & multi-member district designs & conditions under which they would be acceptable for the City of Los Angeles.

By FairRepLA Coalition. August 2023.

https://bb675959-ffb3-445d-a15d-353b5d52737a.usrfiles.com/ugd/bb6759_5115e217c4b84e8a949f4de51926e8fc.pdf

