

May 26, 2021

SUBMITTED FOR PUBLIC COMMENT

Los Angeles Unified School District Redistricting Commission

Re: Opposition to Agenda Item No. (2) on the May 26, 2021 Agenda

Dear Honorable Commissioners:

California Common Cause and the League of Women Voters Los Angeles write in opposition to item No. 2 on the May 26, 2021 agenda, specifically a potential amendment to the Executive Director's contract to provide consulting services for mapping and demographic services for the LAUSD Commission (Commission).

Neither the City of Los Angeles nor LAUSD can afford to repeat the mistakes which undermined the public's trust and confidence in the previous redistricting cycle.¹ Last year, over thirty local, state, and national organizations demanded that redistricting in Los Angeles use a more independent, transparent, and accessible process.² Unfortunately, the Commission is at risk of ignoring that advice and jeopardizing the public's faith in the redistricting process. It is our understanding that the Mapping and Data Committee (Committee) has recommended that the Commission forgo a Request for Proposals (RFP) for mapping and demographic services and that a no-bid contract for those services be awarded by amending the Executive Director's existing contract. We oppose this choice, which is not employed by any other redistricting commissions in the state to our knowledge, for several reasons.

First, as this Commission knows, a successful redistricting process hinges on this Commission's adherence to best practices that promote public trust and participation, including an open bidding process. Foregoing an open bidding process for this key role on the commission would effectively create a no-bid contract in which alternative offers were not fielded and the public was denied a fair and competitive bidding process.

Second, the appointment of the Executive Director as demographer and redistricting consultant could create conflicts of interest. The Commission's own job description stressed the need for the

¹ See David Zahniser, *LA City Council Redistricting Discussions May Turn Nasty*, LOS ANGELES TIMES, Feb. 15, 2012; See also Times Editorial Board, *L.A.'s Last Redistricting Was A Sham. Do Better This Time*, LOS ANGELES TIMES, Oct. 2, 2020. Collectively attached herein as Attachment A.

² See Coalition Letter From Over Thirty Signatories. Attached herein as Attachment B.

Executive Director position to avoid the “appearance of conflict of interest.”³ Through the consolidation of roles, this Commission is not only leaving itself vulnerable to the appearance of future conflicts of interest but also the possibility of actual conflicts of interests. For instance, in the event the Commission’s staff or the Commissioners are dissatisfied with the mapping services provided or the demographer’s interactions with and outreach to the public, it would be the responsibility of the Executive Director to course correct or even consider a termination of the demographer’s contract. In the event that the Executive Director and the demographer are the same person, or the Executive Director controls the demographic firm, an obvious conflict of interest would arise. This would harm the integrity of the process. A single person or entity playing these dual roles would also create unnecessary confusion for commissioners, stakeholders, and the public, who would be unsure whether they are speaking to that person or entity in their role as Executive Director or in the role as demographer for the Commission.

Third, the appointment of the Executive Director as demographer may undermine the power and influence of the commissioners, who together bring a wide diversity of perspectives, identities, and experience. Consolidating several key roles into the Executive Director’s position may create a singular position with substantial control over the entire LAUSD redistricting process.

This consolidation would also break with state tradition and convention, as this practice is *not* commonly employed by other commissions in California, as the Executive Director/Chief of Staff roles are distinct from the mapping consultant’s role and carried out by separate entities. We recommend that the Commission announce its contractual need for a demographer and redistricting consultant to the public through its Request for Proposal process. By doing so, it ensures that this Commission creates a redistricting process that is free of any potential conflicts and maintains the public’s faith in the Commission’s work.

Thank you for your consideration.

Respectfully Submitted,

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California Common Cause

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³ *Executive Director of Los Angeles Unified School District Redistricting Commission*, CITY L.A., https://ens.lacity.org/cla/sdlausdrc/clasdlausdrc3204146141_12112020.pdf (last visited May 25, 2021). Attached herein as Attachment D.