

**LOS ANGELES COUNTY
CITIZENS ECONOMY AND EFFICIENCY COMMITTEE**

ROOM 139, HALL OF ADMINISTRATION/500 WEST TEMPLE/LOS ANGELES, CALIFORNIA 90012/625-3611, Ext. 64605

M I N U T E S

FULL COMMITTEE MEETING

DATE: Monday, April 6, 1970
TIME: 9:30 a.m.
PLACE: Hall of Administration, Room 739

Robert Mitchell,
Chairman

Raymond Arbuthnot
Dr. John C. Bollens
Davis Brabant
John D. Byork
Maurice Rene Chez
Roc Cutri
Dr. Warren S. Jones
Mrs. Ray Kidd
Harlan G. Loud
P. S. Magruder
Kiyoshi Maruyama
Irvin Mazzei
L. E. McKee
Ferdinand Mendenhall
Louis Rogers
George Shellenberger
Mrs. Benjamin Erick Smith
William Torrence
Gus A. Walker
Burke Roche,
Executive Secretary

Members Present:

Robert Mitchell, Chairman
Joseph Bishop
Davis Brabant
Maurice Rene Chez
Dr. Warren Jones
Mrs. Ray Kidd
Harlan Loud
P. S. Magruder
Irvin Mazzei
William Torrence

Members Absent:

Ray Arbuthnot
Dr. John Bollens
John Byork
Roc Cutri
Kiyoshi Maruyama
Ferdinand Mendenhall
Louis Rogers
George Shellenberger
Mrs. Benjamin Erick Smith
Gus Walker

GUEST SPEAKERS: Mr. Ed Pratt, Manager
California Association of Professional Employees

Victor Hochee, General Manager
Los Angeles County Employees Association

Mr. Mitchell called the meeting to order at 9:34 a.m. He introduced Mr. Pratt as the first speaker.

Mr. Pratt said that he had been a close observer of County government for 14 years. In comparison with other governments - particularly in the East - Los Angeles County is remarkably clean as a government agency. For example, the civil service employees in the City of Albany contribute a week's wages each year to the coffers of the party in power.

He said that there is a trend at the opening levels to relax civil service procedures in order to give more opportunity for employment to minorities. Previous speakers before the committee had recommended that the civil service procedures at the top levels also be relaxed. Mr. Pratt strongly advised against the committee making such a recommendation.

Mr. Pratt said he was a member of the Charter Study Committee in 1962. He said he did not believe that any proposed change to the size of the Board of Supervisors would accomplish anything. With over 7 million people in the County, to provide greater contact for individual citizens with Board members would require an increase in the size of the Board to an astronomical number.

E & E COMMITTEE MINUTES

April 6, 1970

Page 2

With regard to department heads, Mr. Pratt said it is simply not true to say they cannot be removed. Several department heads in past years have been removed. Although not fired, they have been removed by one device or another.

What the employees in the County fear most is the patronage system. The County has just experienced a recent attempt to make a political appointment to the Employee Relations Commission. The Board attempted to bypass the selection procedures provided in the Employee Relations Ordinance. Labor was successful in opposing this move, and the Board appointed one of the three candidates proposed jointly by labor and management.

While the civil service system is not the most efficient, it is probably the best system devised to protect the public against partisan appointments and patronage. Mr. Pratt said he did not recommend any change in the present system.

Mr. Mitchell then opened the meeting to questions from committee members.

Mr. Brabant said that no speaker has presented a formula to determine what is adequate representation. He asked Mr. Pratt if he had considered a formula involving a change in district representation as distinguished from racial representation. He also asked if Mr. Pratt's group had given thought to how the districts should be defined.

Mr. Pratt said that his group had not given a great deal of thought to the definition of a district. He said that if minority representation is desired, then it would require a considerable amount of gerrymandering of the districts.

Mr. Torrence asked if giving department heads civil service immunity does not create a problem, since if they are inefficient, it is very difficult for the County to replace them.

Mr. Pratt replied that there have been department heads who have left the County voluntarily primarily because they were unsatisfactory to the Board of Supervisors. The Board of Supervisors and the Chief Administrative Officer can usually make life so unbearable for an individual that he will leave of his own volition. The same principle holds for people down the line. If they are truly incompetent, they can be discharged. If the department properly documents its charges, it can sustain the charge against an appeal to the Civil Service Commission. Also in many cases the employee does not appeal his discharge. Mr. Pratt said his organization, during his 14 years, has never opposed a discharge. This is because the County departments are very careful in most cases before they make a decision for discharge. The process may slow the operation down a bit but by the same token it provides security for competent employees. If the employee is incompetent, he will be fired.

E & E COMMITTEE MINUTES

April 6, 1970

Page 3

Mr. Magruder asked Mr. Pratt's opinion whether he favored an appointed County manager or an elected chief executive. Mr. Pratt said he completely opposed an elected executive.

Mr. Mazzei asked if Mr. Pratt would favor expansion of the Board, not on the basis of representation for minorities, but in order to achieve a wider variety of viewpoints on the issues of the day. Mr. Pratt said that he felt an increase in the Board would only multiply the problems of reaching a decision.

Mr. Loud asked if Mr. Pratt believed that the daily operation of the County would be more efficiently conducted if the supervisors acted as a policy-making group and the County manager had the authority to be a true manager of the County. Mr. Pratt said he felt the operation would be more efficient. He agreed that the chief executive should have appointing and dismissal powers over department heads. The system in which members of the Board of Supervisors are assigned as chairmen over various departments should be eliminated. The supervisor exercises little administrative control over the department heads; but in effect, it results in each department head having two bosses. If the chief administrative officer has appointive and removal powers and complete control over the operation of the departments, then the departments should be grouped into five or ten agencies under assistant chief administrative officers or agency directors. The chief administrative officer simply cannot handle the responsibility for direct supervision of 57 different departments.

Mrs. Kidd asked if the chief administrative officers's decision on removal should be subject to a 4 to 5 vote of the Board of Supervisors. Mr. Pratt said the chief administrative officer should be solely responsible for appointment and removal of department heads. The Board should have no responsibility for selection or removal whatsoever. The department heads, however, should be appointed and removed through the civil service process. The watch dog is the Civil Service Commission itself.

Mr. Mitchell then introduced Mr. Hochee. Mr. Hochee said that his group feels the County government has basically been a very good government. Unlike other areas of the country, there has been very little spoils activity. Mr. Hochee said his organization consists of 30,000 County employees cutting across every single classification in County government. The Association has been in existence since approximately 1911. Mr. Hochee explained that he was reflecting the views of the Executive Committee of the Association, which consists of 7 out of the 21 members of the Board of Directors. He also suggested that later on when the committee has developed its proposals and before it has made a final determination on various alternatives, it might be worth the Association's time and effort to run a poll in its newspaper to determine membership reaction to various proposals.

E & E COMMITTEE MINUTES

April 6, 1970

Page 4

Mr. Hochee said that his organization has had real difficulties with department heads from time to time. Some department heads have engaged in empire building. They have been insulated to some extent from what goes on about them, and the Association has often felt frustrated in its dealings with these officials. Two changes have been made to improve the situation. First was the charter change establishing the Personnel Department and the Personnel Director. The second was the establishment of the Employee Relations Commission. These changes have resulted in an increased responsiveness, more receptivity to proposed changes, and a decrease in the number of arbitrary actions by department heads. There is more uniformity among departments and improved communications. But these changes are not enough. There is not enough responsiveness from the various County officials that are involved.

Mr. Hochee said the Executive Committee feels, therefore, that a chief executive or county manager concept is desirable and necessary. The chief executive should have the ability to hire and fire department heads, with certain qualifications. The present position of chief administrative officer can be broadened and expanded to include the powers required for a chief executive. The present fiscal responsibility of the CAO provides a good base for evaluation of department performance. The chief executive should not have civil service status. He should serve at the will and pleasure of the Board of Supervisors. The Association favors this concept because it would provide it with an avenue of influence through the Board of Supervisors in relation to the selection of County managers. Serving at the pleasure of the Board would provide increased incentive for the chief executive to carry out his responsibilities. If the Board of Supervisors is not happy with him and he is discharged, he should have the right of appeal. Probably the Civil Service Commission would be the appropriate body for such an appeal. Mr. Hochee said his Association opposes election of the chief executive.

Mr. Hochee said that he feels it is most important that the present system in which individual supervisors are assigned as chairman of various departments must be removed. The duplication of authority between the Board members and chief executive must be eliminated. The position of the chief executive should be strengthened to give it as much power as possible. One way to do this is to remove the assignment of the Board of Supervisors as department chairmen.

He believes it is also very important that the chief executive, in conjunction with the Director of Personnel, establish more uniform procedures among the various departments on personnel matters. In some areas under the current system there are 50 different procedures for 50 different departments.

On the second charter issue regarding the authority and status of department heads, Mr. Hochee said that the Association feels there is no greater problem than having an incapable or inefficient department head. Whatever that department head does affects the morale and performance of County employees. Mr. Hochee said the Association has seen it time and time again. Fortunately, most department heads are capable, but in some cases they are insensitive to employee needs and rights, as well as to the rights of the organizations which represent the employees.

E & E COMMITTEE MINUTES

April 6, 1970

Page 5

The department head and his chief deputy should be exempt from the civil service system, but they should have the right to a hearing before the civil service commission if they want it. The department heads should be appointed by the chief executive through an examining process. The appointment should be subject to approval by the Board of Supervisors. Mr. Hochee said also his Association is not satisfied with the present probationary period for department heads as well as the chief executive. Six months is not an adequate time for thorough evaluation. The time should be extended to one year so the executive can be evaluated through at least one full cycle of the budgetary process. These changes should not be applied to present incumbents. They should be protected through a grandfather clause which would phase out the old system.

Mr. Hochee said the third question which the committee raised on the size of the Board of Supervisors was perhaps the most difficult to discuss. The Association has some real reluctance to see the size of the Board increased. The Board has functioned reasonably well for many years. However, the Executive Committee feels an increase in the Board is desired first of all to gain minority representation for larger segments of the community. It is now difficult for minorities to elect representatives because it is difficult for them to raise the money to do the job. Mr. Hochee said the Executive Committee does not feel the size of seven or nine is unwieldy, although seven is preferable. Despite the increased cost the greater representation would justify the increase.

The argument has been raised that the unincorporated areas are shrinking, and consequently, there is no need to increase the size of the Board because its responsibilities are decreasing. Mr. Hochee said he did not think this argument was valid. As the number of the cities increase the County's services through the contract plan also increase, since most new cities contract for some services. The result is really an expansion of County government through the contract program.

At the conclusion of his presentation Mr. Hochee introduced Mr. James Fitzharris, a County employee in the Assessor's office who is a member of the Board of Directors of the Association and who served as Chairman of the sub-committee which reviewed the charter issues.

Mr. Fitzharris said he would like to emphasize again that the Association had not taken a poll of its members. However, the Executive Committee reviewed the issues in detail and this material was reviewed by the Board of Directors.

Mr. Hochee concluded by saying he would like to comment on several issues not directly related to the issues the committee was considering but which reflected serious problem areas. The first problem involves the need for additional sources of revenue for the County. Unless new sources of revenue are developed, it will be virtually impossible for the County to pay just and warranted salaries. A second problem, the Association believes, involves the services which the County now provides. Some were developed in the past when probably

E & E COMMITTEE MINUTES

April 6, 1970

Page 6

the tax pinch was not as great. These services should be assessed to determine how much they are needed today and whether the taxpayers want to pay for them.

Beginning the question period, Mr. Chez asked Mr. Hochee which minorities he felt were not represented on the Board today. Mr. Hochee said that the black and the brown minorities were not represented in person. Questioned further by Mr. Chez on the representation for such other minorities as the Jewish and Oriental communities, Mr. Hochee replied that a case can be made for any given minority group. However, until that group expresses itself as not having adequate representation, then there is not a strong argument for personal representation. If a minority feels strongly that it is not receiving adequate representation, then this question should be considered seriously to determine if the Board should be expanded to provide such representation. It is essentially a political question.

Mr. Chez asked if Mr. Hochee felt that a supervisor must be a direct representative of a minority in order to function. Mr. Hochee replied, absolutely not. However, he said it was desirable to have minority people on such a board when you have a population which is concerned and which feels that it is not being represented adequately.

Mr. Brabant asked Mr. Hochee if adding two districts and redrawing district boundaries would insure black and brown representation. Mr. Hochee said theoretically no, but practically it would almost certainly result in a black and brown board member. He said that two new districts could be drawn without severe gerrymandering to retain cohesion and conformity within a given area. The South Central part of Los Angeles is obviously an example.

Mr. Mazzei asked Mr. Hochee if he thought that the present districts penalize minorities by splitting their population among the districts rather than consolidating them as a majority in a single district. Mr. Hochee said he agreed and added that redistricting would result in a consolidation of the minority communities in the new districts.

Mr. Mazzei then questioned Mr. Hochee on his recommendation to use the Civil Service Commission to provide due process to department heads in case of dismissal. Since Mr. Hochee had recommended that the department heads be exempted from civil service, Mr. Mazzei asked if it would not be more logical to use an impartial arbitration board rather than the Civil Service Commission. Mr. Hochee agreed that the due process could be provided through the use of an outside panel. The Civil Service Commission now provides this function, but the Association would not object to an impartial outside body, as long as due process is provided.

Mr. Roche asked Mr. Hochee if he would include the chief executive position in the County charter. Mr. Hochee said that he thought so. To make the position strong and to provide the support it needs, it should be included in the charter.

E & E COMMITTEE MINUTES
April 6, 1970
Page 7

Mr. Roche also asked Mr. Hochee if he favored grouping related department together under an agency system. Mr. Hochee said he felt it was desirable. Even though an additional layer is created, the reduction in the span of control for the chief executive justifies it.

Mr. Mazzei commented on the desirability of having a poll of employee Association members covering the charter issues. Mr. Hochee said that perhaps the Association could go ahead even without waiting for the various options to be solidified.

Mr. Mitchell thanked the speakers for a very informative session and adjourned the meeting at 11 a.m.