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## **Economy & Efficiency Commission**

# **Meeting Minutes**

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### **MINUTES OF THE ECONOMY AND EFFICIENCY COMMISSION**

WEDNESDAY, JANUARY 6, 1993  
KENNETH HAHN HALL OF ADMINISTRATION  
500 West Temple St., Los Angeles, CA 90012

*Editorial Note: Agenda sections may be taken out of order at the discretion of the chair. Any reordering of sections is reflected in the presentation of these minutes.*

#### **I. CALL TO ORDER**

Chairperson Buerk called the meeting to order.

#### **II. APPROVAL OF COMMISSIONER'S ABSENCES**

##### **COMMISSIONERS PRESENT:**

Gunther Buerk, Chair  
Betty Trotter, Vice-Chair  
George Ackerman  
Marshall Chuang  
Jack Drown  
Dr. Alfred Freitag  
Jon Fuhrman  
Chun Lee  
Roman Padilla  
Carol Ojeda-Kimbrough  
Robert Philiposian  
Daniel Shapiro  
Efrem Zimbalist, III

##### **COMMISSIONERS EXCUSED:**

Richards Barger  
Judith Brennan  
Louise Frankel  
Dr. Mike Gomez  
Abraham Lurie

Randy Stockwell

**COMMISSIONERS ABSENT:**

Fred Balderrama

**III. CONSIDERATION OF MINUTES**

December 2, 1992 Commission Meeting

Commissioner Trotter stated that the last sentence in the last paragraph on page 3 of the December minutes, should be stricken from the record. On page 4, the date November 31 should read November 30.

Resolved that: the Commission amend the December 2, 1992 minutes, deleting the last sentence in the last paragraph of page 3; and, on page 4, change the date November 31 to November 30.

Motion was seconded, voted, and approved.

Commissioner Fuhrman asked that attendance to task force meeting for Commissioners who were observers and not members of the task force be recorded in the attendance records.

Chairperson Buerk agreed that this type of attendance should be recorded, but not counted statistically. He asked that a separate category of observer status be used to account for those who attend but are not members of that task force.

**IV. OLD BUSINESS**

**PENSION FOLLOW-ON STATUS**

Commissioner Freitag distributed a letter praising the Pension Study from Rutgers University.

Mr. Staniforth reported on the Work Order for the Pension follow-on project with W. F. Carroon and Frank Smith. He had received bids back from both contractors and was in the process of negotiating funding with the CAO for this project. The funding for legal counsel will be approximately \$25,000 dollars, coming from the County Counsel budget. The Carroon portion of the study will come from the Executive Office budget. The level of funding for the Carroon portion of the study is still in the process of negotiations. When the level of funding is known, Mr. Staniforth stated that he would speak with the Task Force and develop a revised Work Statement for the Carroon part of the study. The final Work Statement will be distributed to the Task Force for their approval.

Chairperson Buerk felt that the Task Force should follow-up on the Board's implementation of the recommendations from the original Study.

Mr. Staniforth gave a brief update on the distribution of the Pension Study. To date, 200 copies of the Study have been distributed. One copy has gone to the Office of Governor Cuomo of the State of New York. The Governor has appointed a task force to study similar pension and benefits issues in the public school system. Major universities, newspapers, magazines, policy institutes, state and federal representatives, and special journals have all received copies of the study.

**DEPARTMENT OF HEALTH SERVICES STUDY STATUS**

Commissioner Zimbalist gave a summary on the various contractors' proposals and the issues surrounding final selection, which had been delayed due to unforeseen circumstances. Consideration of proposals were reopened to two firms, Arroyo Seco and Coopers & Lybrand. Commissioner Zimbalist stated the reasons he felt that Coopers & Lybrand should be selected to conduct the study. The Task Force had recommended to the Commission on a 4 to 1 vote to select Coopers & Lybrand.

Commissioner Fuhrman felt strongly about Arroyo Seco and wished to state his views to the full Commission. In stating his position, he felt that Arroyo Seco possessed the expertise and the resources, including Dr. Kizer, to do a superior job. He felt that their revised proposal was in line with the desires and goals of the Commission.

Resolved that: the Commission recommend the Task Force to contract with Coopers & Lybrand to conduct the Department of Health Services Decision-Making Study. The Task Force will instruct Coopers & Lybrand to contact Dr. Kizer through Arroyo Seco, to act as a subcontractor, with his fee coming out of the original bid level. If a subcontract relationship is not possible, an attempt through the interview process should be made to get Dr. Kizer's input during the study.

Motion was seconded, voted and approved, with one abstention.

### **LIABILITY AND RISK MANAGEMENT STUDY STATUS**

Commissioner Lee reported that he had received the December 28th letter from the Auditor-Controller issuing the work order for McGladrey & Pullen. The audit will begin January 12th and will be completed on April 30, 1993.

Mr. Staniforth stated that the letter is going through the normal process when a contractor is selected from the master list. The Board is notified and has ten working days to question that selection. If there are no objections, the contract will begin on the 12th of January. When asked about the timetable for the DHS Study, Mr. Staniforth stated that the DHS Study will take four months from the initiation of the contract. In the previous study, the Pension Task Force had developed a cover study after the contractor completed their work. Following the directions of the Commission, in the future, the contractor's report will be a Commission report, eliminating the need for a cover report, which will save time.

### **PROPOSITION A CONTRACTING STATUS**

Commissioner Trotter reported that the Task Force is awaiting a formal draft response from the CAO's office concerning the Board's motions on Proposition A. When the Task Force does receive the CAO report, it has proposed to develop an analysis of the report. Commissioner Trotter had seen the draft and it does include a number of suggestions reflecting the wishes of the Board concerning contracting. The report can be examined from the perspective of addressing the Board proposals and recommendations from previous Commission studies on contracting.

Commissioner Trotter reported that a notice went to all Department Heads in the County concerning improved public access to the meetings of the Board of Supervisors. Many of the improvements come from Commission recommendations. The agenda is much easier to read. On the inside pages of the agenda there is an explanation concerning the Board procedures. Also, the public can call or access information via the computer to determine what has taken place at the Board meeting. Unfortunately, the green sheet is still being used, and no progress has been made in this area. A letter should be sent recognizing the implementations of the Commission's recommendations.

Chairperson Buerk felt that Commissioner Trotter, being Chair of the Task Force on Public Access should send a letter to the Board, thanking them for the implementation of Commission recommendations, with a copy of that letter going to the CAO and the Executive Office. At the same time, she should point out the recommendations that still need to be implemented.

## **V. ELECTION OF OFFICERS**

Chairperson Buerk reminded the Commission that election procedures had been changed to comply with the Brown Act requirements. There will be a nomination and vote of the present members of the Commission. The election procedures were read by the staff.

Commissioner Philibosian nominated Commissioner Buerk as Chairperson. Commissioner Drown seconded the nomination.

Chairperson Buerk accepted the nomination and stated that he did not want to act as Chair during this portion of the meeting. He temporarily turned over the Chair to staff.

Commissioner Padilla nominated Commissioner Fuhrman which was seconded by Commissioner Shapiro.

There were no other nominations and a voice vote was conducted by Mr. Staniforth. Commissioner Buerk received a majority of the "aye" votes. Commissioner Fuhrman requested a show of hands on the vote. With a show of hands, Commissioner Buerk received 9 votes, Commissioner Fuhrman received 4 votes.

Commissioner Buerk was elected as the 1993 Chairperson of the Commission. Chairperson Buerk thanked the Commission and selected Commissioner Trotter as Vice-Chair.

## **VI. PRESENTATION**

Chairperson Buerk introduced Commissioner Ackerman, last year's Foreman of the Grand Jury and spoke about the role of the foremen who have worked on the Commission in the past.

Commissioner Ackerman presented Chairperson Buerk with a copy of the Grand Jury report and urged the Commissioners to read the report. Even though all Foremen of the Grand Jury sit on the Commission following their year of service, Commissioner Ackerman was not made aware of this fact until he had practically completed his term as Foreman. He described the selection process and composition of the Grand Jury.

Due to the work load, there is not much time to follow up on the work of previous year's Grand Jury. Last year's Grand Jury, of which Commissioner Ackerman was Foreman, is meeting with the new Grand Jury at the end of January, to determine if last years' recommendations of the Grand Jury were carried out by the Board of Supervisors. The Board is required to respond to the Grand Jury. Unfortunately, the response from the Board goes to the new Grand Jury, not the Grand Jury who had made the original recommendations. Many times there is not the will or interest to pursue these responses. Commissioner Ackerman hopes to change this by meeting with the new Grand Jury in January.

Commissioner Ackerman described some of the people who were interviewed by the Grand Jury and the projects that the Grand Jury had investigated. The issue of legal counsel arose over political pressures surrounding one of the cases the Grand Jury was hearing. Legal advice is given to the Grand Jury, but the legal advisor is on the District Attorney's staff. To maintain independence, Commissioner Ackerman suggested funding for an independent counsel to advise the Grand Jury.

An auditor is contracted to work for the full year on all Grand Jury projects. This arrangement was invaluable to the work of the Grand Jury and is something that the Commission might want to consider in the future.

Commissioner Trotter asked if the Grand Jury was hearing more criminal cases and whether there should be two Grand Juries, one being for criminal cases, and one for civil cases.

Commissioner Ackerman said that there were more criminal cases now. He advocated keeping one Grand Jury even though there is an incredible amount of work. When the Grand Jury is in session, 80-85% of the time is spent on criminal cases. The Grand Jury exists for the District Attorney. The use of the Grand Jury by the District Attorney has changed dramatically over the years.

Commissioner Ackerman will give a recommendation later in the year to the Commission concerning the work of the Grand Jury. The Commission should ask the Board to send their responses to the Grand Jury reports to the Commission.

Commissioner Fuhrman suggested that the Commission invite the Grand Jury, as their term closes, to pick one or two their studies that they would like to have the Commission to pursue. The Commission could appoint a Task Force with that year's Grand Jury Foreman who would sit on the Commission, to act as chair of this Task Force to follow-up on the Grand Jury's studies.

Commissioner Philibosian thought this was an excellent idea, but cautioned against the idea of allowing the Grand Jury to decide which projects the Commission will study. The Commission should not be formally bound to the suggestions of a Grand Jury.

## **VII. NEW BUSINESS**

### **PROPOSED REVISIONS TO THE COMMISSION OPERATING PROCEDURES**

Commissioner Trotter reported that staff had prepared a first draft of the revised Operating Procedures. She suggest that the Executive Committee review the draft.

Chairperson Buerk requested that the full Commission receive a copy of the revised Procedures, after the Executive Committee has reviewed the draft.

Commissioner Padilla suggested that standards for contractors be added to the Procedures.

Chairperson Buerk stated that the Commission is spending a lot of time going through the contracting phase of each study. Hearing how the Grand Jury approaches the contracting issue using one contractor, he requested the staff to look into these issues and offer recommendations on shortening the time period for contracting- out studies.

Mr. Staniforth agreed to look into the matter, but cautioned the Commissioners that a significant time-savings may not occur by maintaining their own master agreement list. The only time-savings would be the ten-day waiting period when the agreement in being processed by the Auditor-Controller.

Commissioner Shapiro introduced a new item of business. In the private industry, out-sourcing management information systems is becoming a trend. He felt that there might be some applications for the public sector. He proposed forming a task force to study out- sourcing management information systems in the County government.

Commissioner Padilla stated that this is a contracting out issue and could be examined by the Proposition A Task Force.

Chairperson Buerk suggest that Commissioner Shapiro speak with Commissioner Trotter, Chair of the Proposition A Task Force about looking into this matter and becoming a member of the Task Force.

#### **VIII. PUBLIC COMMENT**

In the absence of Dr. Waddell, Commissioner Trotter reported briefly on the Productivity Commission. There is a motion from the Board, for the Productivity Commission to monitor and implement a contract on working with youths.

#### **IX. ADJOURNMENT**

Respectfully Submitted,



Bruce J. Staniforth  
Executive Director

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