

**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 27, 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 Mazzel
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
Davis Brabant
Maurice Rene Chez
Dr. Warren Jones
Mrs. Ray Kidd
P. S. Magruder
Gus Walker

Members Absent:

Ray Arbuthnot
Dr. John Bollens
John D. Byork
Roc Cutri
Harlan Loud
Kiyoshi Maruyama
Irvin Mazzei
Ferdinand Mendenhall
Louis Rogers
George Shellenberger
Mrs. Benjamin Erick Smith
William Torrence

GUEST SPEAKER: Sigmund Arywitz, Executive Secretary
Los Angeles County Federation of Labor, AFL-CIO

Mr. Mitchell called the meeting to order at 9:45 a.m. and introduced Mr. Sigmund Arywitz.

Mr. Arywitz said he would address himself to the three issues which the committee has asked him to speak on. (1) Should the chief administrative officer of Los Angeles County be elected or appointed by the Board? (2) Should department heads continue under civil service status or should they be appointed at the pleasure of the Board? (3) What should the size of the Board of Supervisors be? These three questions were considered at a meeting of the Executive Board of the Federation. Their recommendations were then presented to a delegate meeting of the County Federation of Labor. These recommendations were endorsed at the meeting.

On the first question regarding the chief administrative officer, Mr. Arywitz said they felt it would be unfortunate if there were a division of authority in the County where you had an elected administrative officer and an elected Board of Supervisors. If an elected mayor were to mean anything, you would have to take substantial powers away from the Board of Supervisors, and it is their feeling that nothing can be served by reducing the status of the Board.

The Federation feels there is a growing trend of using skilled, trained, public administrators to handle the administrative responsibilities of government while leaving legislative and general policy matters to elected officials who are responsive to the people and must from time to time go back to the people for a

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renewal of their mandate. So their answer to the first question is that the chief administrative officer should continue to be appointed by the Board, be responsible to the Board, and serve at the pleasure of the Board.

Mr. Arywitz said the answer to the second question took a great deal of consideration because they were mindful of the need for public employees to continue on their jobs with some sense of security. They do not want a renewal of the spoils system which would result in ousting at least the top men of government everytime there was a new election. So the Federation feels that consideration must be given to continuity of employment in the sense of security, which if lacking would make responsible people less willing to take positions and would make them more inclined to play it safe. Yet there has to be some responsiveness to how voters react and to policy considerations in the departments.

Mr. Arywitz said they thought the best answer was by a dicotomy. They could not give a straight answer applicable to all department heads. Each department's function should be reviewed as to whether it performs a ministerial role or a policy role. Department heads in departments where policy considerations were paramount, where there was direct service to people and where there is a need to be responsive to the policies of the Board, should be appointed and serve at the pleasure of the Board. Where the function is maintenance of services, housekeeping, and things that are not immediately responsive to changes of political philosophy, there the civil service system should prevail, and the department director should be covered by civil service.

On the size of the Board of Supervisors, Mr. Arywitz said that they are very mindful of the fact that the population of Los Angeles has grown tremendously, yet there are still only five supervisors. Each supervisor has a constituency of very close to a million and a half people. The first premise is that there should be an increase in the number of the Board members. The question is how many and should it be tied to population so that everytime the population increases by another million, another supervisor is added. The Federation feels it would not be proper to put it wholly on the basis of population because there are geographic considerations. They feel there is a need for more supervisors but are also aware of the cost. They believe that two additional supervisors would be appropriate.

This increase would also make it possible to provide for representation for minority communities. The redistricting could be such that there would be minority representation. Mr. Arywitz said that he is aware that this is a sensitive area. He could not say to his knowledge that minorities have been deprived because there was not minority representation on the Board, but he is aware that in these communities the people severely feel this lack. They think there would be better services, and they think they would be in a better position if there were minority representation. He said that in his experience a grievance exists not only because a person actually is aggrieved, but because he feels aggrieved. He said it is not necessary to go to the question of whether or not the minority groups suffer because there is not minority representation, it is enough to be aware that they think they are suffering.

So, while the Federation favors an increase in the Board of Supervisors, they also feel it ought to be on the basis that this would permit representation of minority groups.

Opening the question period, Dr. Jones asked Mr. Arywitz how he would suggest writing the question of minority representation into the charter. Mr. Arywitz said that the charter should provide that the districts be compact and contiguous. If the County is divided into seven areas and the districts are compact and contiguous, he does not see how minority representation can be missed unless lines are deliberately drawn to divide the minority communities into as many pieces as possible. He said he didn't think you had to gerrymander to make the districts secure for minority representation. He sometimes thought the safest thing would be to take a grid and put it on the map, and the odds are that the grid would give you just as good representation as you possibly can have. He said he thought you would really have to go hunting to deprive people of representation when they are living closely together and the neighborhoods are as contiguous to each other as the minority areas are.

Mr. Brabant asked for more detail as to which department heads would come under civil service and which would not. Mr. Arywitz said the first department that came to mind was the Department of Public Social Services. This was a policy department making policy judgments all of the time. The leadership of such a department should not come on a basis of seniority and held by longevity. The department head should be genuinely responsive to the Board and be aware that he has a policy responsibility to the Board every day for every decision.

Mr. Roche asked if he thought the policy-making department head should be given some kind of protection against political or arbitrary discharge or discipline. Mr. Arywitz said that in the State government a pleasure appointee is purely a pleasure appointee and has no protection at all. He said, however, that safeguards could be written into the charter to protect a department head against discharge for reasons of capriciousness or willfulness, and the appointing authority would have to show that there really was a policy violation. He said he did not think there were too many departments where there was this kind of a policy situation.

Mr. Roche asked if he recommended that the chief administrative officer have authority to appoint and dismiss department heads. Mr. Arywitz answered that he did not recommend this since the chief administrative officer was an appointee himself. He thought the Board could delegate day to day responsibility to him. Appointment and removal of pleasure appointees should be done by the Board. This in itself would be a protection because it would take a majority of the Board.

Mr. Roche said that previous speakers had criticized the situation in which the departments are assigned to a particular board member. The department head tends to be caught between two bosses - the chairman of his department and the CAO who has budgetary authority and some responsibility for coordinating and directing the departments. Mr. Arywitz said he thought the only real boss is the

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Board of Supervisors. The CAO is a minister of the Board and has the role of housekeeping and efficiency and seeing to it that the budgets are properly prepared and adequate.

Mr. Chez asked if his recommendation to increase the Board to seven members was because of the increased population or because of the minorities. Mr. Arywitz said that the fact that the government is much more complicated and the County is bigger puts a greater burden on the Supervisors. But expansion would also provide better representation for the minorities.

Mr. Chez asked if he thought a supervisor could be in closer touch with a million people than with a million 400 thousand. Mr. Arywitz answered that the districts would be reduced by almost a third. In each district there is a lot of space to cover and a lot of special interests asking for attention. As you reduce the number of people, you reduce the pressures on each of the supervisors.

Mr. Chez asked if he were suggesting that two supervisors be added to represent the black and the Latin speaking communities. Mr. Arywitz said the result of what he was saying would be just that, but he realized there were other minorities. He said there are two gentlemen on the Board now who are sensitive to minority problems. However, the minority communities do have a sense of lack and this must be taken into consideration. He said also that the two minorities mentioned come somewhere within 15% of the total population. None of the other minorities come anywhere near that. Of course, all people have to be represented, and ideally when a man is elected to office, he should represent all the people. We know, however, that often people who are represented do not feel that they are, because they are not represented by someone with whom they can identify.

Mr. Brabant asked how he would determine which department heads would be under civil service and which would not. Mr. Arywitz said each department would have to be looked at to determine what its function is. It would have to be determined if it is a policy or housekeeping department. The housekeeping departments would be civil service and the policy departments would be headed by appointees.

Mrs. Kidd asked if she was correct in her interpretation that he wasn't indicating much change in the present status of the CAO. Mr. Arywitz said only that he wouldn't be under civil service. She asked if he considered the CAO's duties and relationship to the Board an ideal situation. Mr. Arywitz said that he did, particularly since most of his authority rises from his personality rather than from the charter.

Mr. Roche asked if he would include the functions, authority and responsibilities of the CAO in the charter. Mr. Arywitz said yes, he would. But he cautioned that the charter should not be filled with details. He said that it is a good rule that what can be done by statute and ordinance, ought to be done by statute and ordinance. The charter should set forth general principles rather than specific procedures.

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Mr. Brabant asked if Mr. Arywitz's organization had investigated the legality of racial or nationalistic background as a qualification for a Board member. Mr. Arywitz said it had not, and he thought this would be wrong to make this a qualification. It may be a qualification in the minds of some voters, but it certainly can't be a qualification for filing for office or for holding office.

Mr. Arywitz said he wasn't asking or suggesting that the districts be set up on a racial or ethnic basis. You would have to aim very hard to miss the target if you have seven districts not to have some districts that would have some members predominantly of one minority group. If you draw the boundaries in any reasonable manner, you almost certainly will have minority representation.

Mr. Roche said in private industry, if there is a conflict on a labor relations problem between a department head and the personnel director, it is usually resolved by the president. This is not true in the County. Sometimes the Personnel Department takes one position, the CAO another position, and the department head still another position. He asked Mr. Arywitz to comment on this. Mr. Arywitz said that this would happen more in the area of public employment than in private employment. In private employment you can define the boss. In public employment you can't because the electorate, collectively, is the boss. You have a number of people who represent the electorate. You have to get back to the Board of Supervisors. They are the ultimate decision makers. He said, if he were an employee, he would want to make sure he could go to the Board of Supervisors if he had a problem and the personnel director or the CAO could not resolve it. He would feel that ultimately he could go to the courts, much more than if he were a private employee. A private employee knows who his boss is. He said this is one of the reasons for public employee strikes today - the frustration in not knowing who your boss is. A department director or the personnel director is the boss when it suits his convenience, and he has absolutely no authority when it suits his convenience not to be. Everyone can say no, but nobody can say yes.

Mr. Magruder said this was the very point the committee has seized on as an objective to correct, this idea of a man not knowing who his boss is, or knowing that there are five of them with different ideas. He said the committee was hoping to come up with a method to correct this situation. He asked if he understood Mr. Arywitz to say that this is a problem peculiar to government and there is no very good way to get around it.

Mr. Arywitz said he was not recommending that the status quo remain intact. He would recommend a number of changes. He said he is suspicious of a strong executive in government. He said he would like some balance, would like to see a few people in on the act so that we don't have somebody clothed in executive powers where he cannot be questioned. For this reason, he is willing to leave the principal authority with the supervisors.

Mr. Mitchell thanked Mr. Arywitz for appearing before the committee and adjourned the meeting at 10:30 a.m.