

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

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

Robert Mitchell,
Chairman

Dr. John C. Bollen
Davis Brabant
John D. Byork
Maurice Rene Chez
James J. Cunningham
Roc Cutri

Jerry Epstein

Leo D. Epstein

Milton G. Gordon

Dixon R. Harwin

Mrs. Ray Kidd

Joseph A. Ledtrman

Harlan G. Loud

Irvin Mazzei

Ferdinand Mendenhall

R. J. Munzer

Robert A. Olin

George Shellenberger

William Torrence

Gus A. Walker

Burke Roche,

Executive Secretary

August 9, 1972

TO: The Citizens Economy and Efficiency Committee

FROM: The Charter Study Task Force

PROPOSED CHARTER AMENDMENTS

At a meeting held on July 27, 1972, the Board of Supervisors requested the Economy and Efficiency Committee to review various proposed amendments to the County charter and report back to the Board by August 15, 1972. This letter has been prepared by the committee's charter study task force, under the chairmanship of Maurice Chez, in response to the Board's request. The task force respectfully requests approval of the full committee for formal submission of this letter to the Board on August 15.

As you know, the charter study task force has been conducting a series of interviews and meetings with many individuals and groups pertaining to possible charter reforms.

Although we are still in the information gathering stage of this study, we are convinced that major changes must be made in the charter to bring it into line with present day operating practices and to meet more effectively the needs of this continually growing County. The issues,

however, are complex, and we believe, deserve further careful study and analysis before responsible recommendations can be made for effective charter reform. In particular, we believe that each proposed change must be studied thoroughly for its effect on other sections of the charter. We have not completed this procedure at this time.

Nevertheless, the task force is prepared to offer its comments, designed to be as constructive as possible, on the proposals which the Board is considering for placement on the November ballot. Before commenting on these proposals, however, the task force would like to submit an additional proposal which it feels would not endanger other sections of the charter. It would be a small but very significant change and would substantially improve the County's ability to appoint the most qualified and capable applicants to top level positions.

Proposal to Hold Open Competitive Examinations for Top Level Positions

Under the present County charter, because of restrictive language, the County cannot hold an open, competitive examination for its top level positions if three or more applicants within the County satisfy the specifications for that position. Thus, only under unusual circumstances or in the case of a highly specialized position does the County have the opportunity to consider outside applicants for these positions.

We strongly believe that County employees who are qualified should always be given the opportunity to compete for a position, but we also believe that they should be willing to compete with qualified outsiders on an equal basis. Now the present philosophy expressed in the charter is: The County must promote from within, unless unusual

circumstances justify going outside. We believe the charter should be changed to express an opposite philosophy: Hold open, competitive examinations for all top level positions, unless unusual circumstances clearly do not justify it. By top level positions we mean agency and department heads and their chief deputies. The Civil Service Commission should decide when an unusual circumstance exists.

We have reviewed this proposal with the Civil Service Commission, the Chief Administrative Officer, the Director of Personnel, and a number of County union representatives. All expressed approval and support of the proposal.

The task force, therefore, recommends that the Board of Supervisors consider this proposal for placement on the November ballot.

We now comment on the proposals contained in the Chief Administrative Officer's report of July 21, which was referred to the committee by the Board of Supervisors.

1. Should the Board of Supervisors be Increased from Five to Seven Members?

In the committee's previous study of the County charter in 1970, the members were unable to reach a unanimous decision on the desirability of this proposal. A majority of the committee was opposed to the increase. A minority favored the increase.

However, although the members were divided on the issue, they were unanimous in the conclusion that the proposal properly should be submitted to the voters for their decision. "Following the traditional democratic process," our report stated, "it is the voters who rightfully should decide whether or not they are willing to pay the additional cost in return for whatever benefits they believe the increase will bring."

Your task force continues to support this principle. However, our interviews indicate that while there appears to be a growing support for increasing the size of the Board, there is still strong opposition to the concept, principally because of the increased cost of supporting two additional supervisors and their staffs. We intend to review this issue once again and submit our conclusion to the committee.

In the meantime, however, we would point out that the size of the Board of Supervisors is closely associated with the concept of a strong County chief executive. That is, the larger the Board becomes the less likely will it be able to function effectively as both the legislative and executive head of County government. Hence, while increasing the size of the Board to seven members may make it more representative, the increase in members can only make the Board's proceedings more complicated and cumbersome. The need for a strong County chief executive will thus become increasingly urgent.

We therefore recommend against placing this issue on the ballot without a thorough review of other associated organizational changes which ought to accompany it in order to insure the effective operation of the County.

2. Should the Charter be Amended to Provide for One Supervisor for Each One Million Population?

Our remarks on proposal No. 1 apply equally to this proposal.

3. Should the Position of Elected County Executive be Established in the Charter?

The task force is unanimous in its support of establishing a strong County Chief executive as a charter position. However, it has not concluded its study of the relative merits of an appointed versus an elected chief executive and therefore cannot make a recommendation on this proposal at this date.

4. Should the County Civil Service Commission be Increased from Three to Five Members?

The task force strongly recommends against this proposed charter change. It would result in each Supervisor appointing his representative to the Commission, and so inevitably result in "politicizing" the Commission. We support the present method of selection in which the Board as a whole appoints the three commissioners.

5. Should Section 47, the Prevailing Wage Clause, be Deleted From the County Charter?

The task force has just begun its study of this issue and therefore cannot make a recommendation on its merits and demerits.

Strictly as a comment at this stage, we should point out that the collective bargaining system established under the Employee Relations Ordinance is only two years old. This type of bargaining system was recommended by the Economy and Efficiency Committee in 1966, and it appears to be working reasonably well. For example, the average wage increase of 3.6 percent which was negotiated this year under this system cannot be considered as excessive. Therefore, until more experience is developed with this system, it seems premature to initiate a change which is bound to generate a serious strain on management-union relations in the County, which so far under the Ordinance have been relatively harmonious.

Moreover, we question the wisdom of submitting this very controversial issue on a ballot which already contains twenty State measures (the legislature may add more) and four or five Los Angeles City Charter amendments. Deletion of the prevailing wage clause is a serious issue and deserves as- much attention and study by the voters as possible. It is not likely to receive that attention on a ballot already crowded with so many other extremely controversial issues, including a Presidential election.

We recommend, therefore, that this issue be postponed until more evidence is in on the relationship between the prevailing wage clause and the effective operation of the County's collective bargaining system.

6. Should the Charter be Amended to Permit Broader Authority for Contracting for the Care of County Patients-in Private Hospitals?

As a basic principle the task force favors broadening the County's authority to contract with private firms when this action will clearly result in improving the efficiency and economy of these services. However, we understand that at the request of-the Board the County Hospital Commission has studied this issue and submitted its recommendations to the Board. We, therefore, have not studied this proposal.

7. Should Department Heads and Principal Assistants be Removed from Civil Service Status?

In its previous charter study, the committee recommended that department heads and their principal assistants be removed from civil service status. However, we also included a number of provisions in our charter proposal providing for strong safeguards designed to protect department heads and their assistants from undue political pressures. We recommended, for example, that if a department head were replaced, he should have the right to a public hearing and to return to civil service

tenure at an appropriate-level as determined by the County chief executive.

Without these and other safeguards and without the establishment of a strong County chief executive position, we do not recommend that this proposal. be placed on the November ballot.

Other Proposals

The task force has not had the opportunity to study the three additional matters which were added to the list of proposals in the Chief Administrative Officer's report. Consequently, we cannot responsibly comment on them.

Summary Conclusions

1. The task force recommends that the Board place a charter amendment on the November ballot which will allow the County to hold open, competitive examinations for agency and department heads and their chief deputies, unless unusual circumstances clearly do not justify it. The Civil Service Commission should decide when an unusual circumstance exists.

2. The task force did not study Proposal 6 and the three additional proposals in the Chief Administrative Officer's report and therefore makes no recommendation on these matters.

3. The task force recommends against placing the other proposals on the November, 1972, ballot.

The committee's practice has always been to present recommendations to the Board of Supervisors only after the subjects have been thoroughly studied by our various task forces and then by the full committee. This task force intends to follow this procedure in its continuing study of possible charter reforms.

CHARTER STUDY TASK FORCE

Maurice Chez, Chairman

Dr. John C. Bollens

John C. Byork

Leo D. Epstein

Milton Gordon

Dixon Harwin

Mrs. 'Ray Kidd

Ferdinand Mendenhall

George Shellenberger