

LOS ANGELES COUNTY
CITIZENS ECONOMY AND EFFICIENCY COMMISSION
ROOM 139, HALL OF ADMINISTRATION / 500 WEST TEMPLE / LOS ANGELES, CALIFORNIA 90012 / 974-1491

Maurice Rene Chez
Chairman

George S. Bodle
John D. Byork

James J. Cunningham
Roc Cutri
Jerry Epstein
Milton G. Gordon
Dixon R. Harwin
Mrs. Ray Kidd
Joseph A. Lederman
Harlan G. Loud
Leo A. Majich
Ferdinand Mendenhall
Robert A. Olin
George Shallenberger
William Torrence

Burke Roche
Executive Secretary

March 12, 1974

Honorable Board of Supervisors
Los Angeles County
383, Hall of Administration
Los Angeles, California 90012

Gentlemen:

SUBJECT: APPOINTMENT AND SUPERVISION OF THE DIRECTOR OF REGIONAL PLANNING

At the meeting of the Board of Supervisors on February 26, 1974, your Board requested the Economy and Efficiency Commission to report within three weeks on Supervisor Ward's proposal to establish a department of Regional Planning under a Director of Regional Planning who would be appointed by and report to the Board of Supervisors.

As Mr. Chez informed you at that meeting, your Board requested the E & E Commission in May, 1973, to conduct a study of the seven commissions where the commission itself operates as the head of the department and appoints the chief staff executive reporting to it. A task force of our commission is now half way through such a study. One of the commissions under study is the Regional Planning Commission.

The task force herewith submits its response to your Board's specific request with regard to the Regional Planning Commission. The task force consists of Mrs. Ray Kidd, Chairman; Dr. Robert Downey, Catherine Graeffe, Joseph A. Lederman, and W. J. Moreland.

TASK FORCE RECOMMENDATION

The task force strongly supports the proposal to establish a department of Regional Planning and to transfer authority to appoint and supervise the Director of Regional Planning from the Regional Planning Commission to the Board of Supervisors.

The task force agrees with the proposal that the responsibilities of the Regional Planning Commission as a hearing board should remain unchanged.

The County Counsel has informed us that this change can be accomplished simply by making an appropriate revision to the ordinance establishing the Regional Planning Commission.

REASONS

The task force believes there are four compelling reasons for making this change.

1. The Board of Supervisors is the chief executive of the government of Los Angeles County and must be held accountable for its operations. While a commission appointed by the Board may operate effectively in some circumstances in directing the operations of a County department - particularly in areas which require special expertise of a scientific, technical or cultural nature - we do not find this to be a requirement for the effective operation of the Regional Planning department. The commission in this case is a lay group who meet part-time one to three times a week. The experts and the technicians are the Director of Regional Planning and his staff.

The Board of Supervisors is the final arbiter on the County's planning policies. Since the director and his staff are responsible for carrying out the Board's orders, it is particularly important with respect

to basic policy matters that the communication between the director and the Board be as direct and continuous as possible. We see no advantage therefore in the commission's serving in an intervening capacity to supervise the director and his staff. Rather this executive role of the commission tends to prolong and hinder effective communication between the director and the Board of Supervisors.

Consequently, for the most effective operation of the department, we conclude that the final accountability should rest directly with the Board of Supervisors, without the intervention of a department head commission between the Board and the director. The Board should appoint the director and should hold him solely and totally responsible for the operation of the department. The director in turn should appoint the staff personnel under him and hold them accountable for their assigned functions.

The commission should be divorced from its role of department head, and should take no part in the supervision of departmental operations or in the selection of departmental personnel. The duties of the commission should be confined to its responsibilities as a hearing board, that is, to sit as an impartial body to review and approve general and sectional plans prepared by the department staff and to hear and act on requests for zoning changes, variances and exceptions. It should also act in an advisory capacity to the Board of Supervisors on planning matters.

2. The task force agrees with Supervisor Hahn that the director and his staff should be in a position to operate with a reasonable independence from the Regional Planning Commission. Transferring the authority to appoint the director to the Board of Supervisors will therefore

provide a healthy check and balance system. With this change, the director can feel free to present his views, his analyses, and his conclusions to the Regional Planning Commission without being overly concerned that any difference between him and the commission could result in disciplinary measures taken against him.

3. The proposal will also enhance the independence and impartiality of the Regional Planning Commission. Now the commission is in the position of directing its own staff to prepare County general plans, area plans, background analyses on zoning requests, zoning ordinances and codes, subdivision reports, highway reports, and similar studies. It then sits as a hearing body to review and approve what action should be taken on these matters. Consequently, in a real sense it sits as both the chief executive of the department and a judge of the department's actions.

With the director no longer acting as the commission's own staff officer, the commission will be in the position of reviewing his plans and his analyses as a completely independent body. Again, we think this will serve to provide a more healthy environment in the operation of both the Regional Planning Commission and the Director of Regional Planning.

Moreover, the present executive role of the commission often places both the commission and the director in a compromising position. This occurs when the director's recommendations are opposed by citizens in the community which the recommendations affect. In this case, the director serves in an adversary capacity with relation to certain citizens who oppose his recommendations before the commission which appoints and supervises him. However objective and impartial the commission may seek to be in this

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situation, it is obviously vulnerable to the criticism that it has a built-in bias towards the views of its own staff.

Thus, divorcing the commission from this role will enhance its claim to act as an impartial arbiter in providing fair and equitable service to all citizens.

4. Finally, making the Director of Planning solely and totally responsible for the operation of the department enables the Board to hold one man clearly accountable for its effective operation. Now this responsibility is shared by five commission members. One man, operating on a full-time basis is in a much better position to make knowledgeable decisions in a timely manner regarding the internal operation of the department than is a commission of five members operating on a part-time basis and requiring at least a majority consensus of its members in order to reach a decision.

OTHER JURISDICTIONS

Our conclusion that the Board of Supervisors is the appropriate appointing authority for the Director of Planning is the result of our analysis of the operation of the Regional Planning Commission and its relationship to the Board of Supervisors and its own director.

As additional support for our conclusion, however, it is important to note that it is in agreement with a strong trend which has developed during the past 30 years in public agencies throughout the country. In 1948, for example, in cities in the United States with a population of over 10,000 the Planning Director was appointed by the Planning Commission in 50.3% of the cities. The Mayor or City Manager made the appointment in 36.7%.

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Fifteen years later, in 1963, the pattern had completely reversed itself. The Planning Commission made the appointment in only 16.4% of the cities; the Mayor or City Manager made the appointment in 64.0%. (See David C. Ranney, Planning and Politics in the Metropolis, Columbus, Ohio, Charles E. Merrill Publishing Co., 1969, p. 59.)

That this trend has continued in recent years is reflected in the current practice in other public jurisdictions in California. Among 36 of the larger counties and cities in California, only two counties - Alameda and San Francisco - and only one city - Long Beach - now delegate the authority to appoint and supervise the Director of Planning to the Planning Commission. In almost all counties the director is appointed by the Board of Supervisors and reports directly to the Board, not to the Planning Commission. Similarly, in eleven of twelve cities the director is appointed by the Mayor or City Manager and reports to that official. (See Appendix I for a copy of the questionnaire which the task force sent to 38 California jurisdictions in February of this year. See also Appendix II for the results which were received from 36 jurisdictions.)

CONCLUSION

These are the principal reasons why the task force supports Supervisor Ward's proposal. In submitting this recommendation, however, we should emphasize that it must not be concluded that we will necessarily reach the same conclusion with respect to the other commissions that act as department heads and appoint the chief staff executive. Our study so far indicates clearly that each of these commissions is unique in its responsibilities, in its method of operation, and in the problems which

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confront it. Therefore, no general conclusion can be reached at this time with respect to the other commissions as to whether the authority to appoint the chief executive should or should not be transferred to the Board of Supervisors.

As Mr. Chez indicated to your Board, we will continue our study of the other commissions and submit our recommendations with respect to them in a following report.

Very truly yours,

MRS. RAY KIDD
Chairman, Task Force on Department
Head Commissions

MJK:ml

LOS ANGELES COUNTY
CITIZENS ECONOMY AND EFFICIENCY COMMISSION

APPENDIX I

ROOM 139, HALL OF ADMINISTRATION / 500 WEST TEMPLE / LOS ANGELES, CALIFORNIA 90012 / 974-1491

February 4, 1974

Maurice Rene Chez
Chairman
George S. Bodle
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TO: COUNTY ADMINISTRATIVE OFFICERS
And
CITY MANAGERS

Burke Roche
Executive Secretary

Dear Sir:

At the request of the Board of Supervisors, the Los Angeles County Citizens Economy and Efficiency Commission is conducting a study of certain County commissions one of which is the Regional Planning Commission.

We would appreciate your help in this study by answering the following questions. For your convenience, they may be answered and returned on this form.

1. Who appoints the Director of Planning?
Board of Supervisors or the City Council _____
Planning Commission _____
Other _____
2. Who directly supervises the Director of Planning?
Board of Supervisors or the City Council _____
Planning Commission _____
Other _____
3. Are members of the Planning Commission required to meet certain qualifications for appointment? Yes _____ No _____

A summary or a copy of these qualifications would be appreciated.

Very truly yours,

LUKE A. HEESE
Staff Specialist
LAH:ml

APPENDIX II-A

APPOINTING AND SUPERVISING AUTHORITY FOR DIRECTOR OF PLANNING IN 24 CALIFORNIA COUNTIES

Appointing Authority

Supervising Authority

Alameda
Contra Costa
Humboldt
Kern
Mann
Merced
Monterey
Orange
Riverside
Sacramento
San Bernardino
San Diego
San Francisco
San Joaquin
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Stanislaus
Tulare
Ventura

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*Other Titles:

Environmental Development Agency Administrator; and
Administrator, Community Development and Environmental
Protection Agency.

APPENDIX II-B

APPOINTING AND SUPERVISING AUTHORITY FOR DIRECTOR OF PLANNING IN 12 CALIFORNIA CITIES

Appointing Authority Supervising Authority

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Bakersfield

Berkeley

Burbank

Glendale

Inglewood

Long Beach

Los Angeles

Oakland

Pasadena

Pomona

Sacramento

Torrance

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