
COUNTY PROPOSITIONS "A" AND "B"

ELECTED MAYOR AND SIZE OF THE BOARD OF SUPERVISORS

October 1976

Report by the Task Force on Charter Amendments

Dr. Mario Di Giovanni, Chairman
Margaret Paterson Carr
Anne S. Collins
Douglas W. Ferguson
Gloria Starr
Larkin Teasley

Other Commission Members
Dr. Robert J. Downey, Chairman
George E. Bodle
Catherine Graeffe Burke
John D. Byork
Dr. Carolyn L. Ellner
Jerry Epstein
Milton G. Gordon
Richard S Gunther
Mary Jane Kidd
Leo A. Majich
Robert Rucht, II
Luis A. Ruiz
Dr. Warren H. Schmidt
George Shellenberger
Bryan Walker

Commission Staff

Burke Roche, Executive Secretary
John J. Campbell, Staff Specialist
Maxlynn Larsen, Secretary to Commission

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Preface	i
I. Findings and Conclusions on Proposition A	1
Separation of Powers	1
Accountability	4
Political Leadership and Visibility	5
Unity of Command	6
The Cost Question	6
The Trend in County Government	7
II. Rebuttal of Arguments Against Proposition A	10
Politicizing the County	10
Potential Stalemate	16
Personnel Costs	18
III. Findings and Conclusions on Proposition B	20
Arguments For Proposition B	20
Arguments Against Proposition B	22

PREFACE

In November the voters will decide whether Los Angeles County government should be reorganized to establish a separation of powers with an elected County Mayor as the chief executive and the Board of Supervisors continuing as the legislature. This proposed amendment is Proposition A on the ballot.

The voters will also decide whether the Board of Supervisors should be increased to nine members. This is Proposition B on the ballot. This amendment will become effective only if the voters approve Proposition A.

The provisions of these propositions are presented in detail in the voters' pamphlet for the election. Therefore, there is no need to present the details of the propositions in this report. The amendments were developed through a long series of meetings and conferences by the Board of Supervisors this summer. The Board was assisted by the Public Commission on County Government which had recommended the amendments in its report "To Serve Seven Million." The report was released in February, 1976, after a year long study by the 12 members of the commission and its professional staff.

The Economy and Efficiency Commission believes that as an advisory commission to the Board of Supervisors, charged with the responsibility to make recommendations directed toward improving the economy and efficiency of County government, it should evaluate these two propositions and present its conclusions to the Board of Supervisors and to the public. Accordingly, the chairman of the commission appointed a Task Force on Charter Amendments to conduct the study. The task force herewith submits its report to the full commission.

I. FINDINGS AND CONCLUSIONS ON PROPOSITION A

The task force unanimously supports Proposition A to establish the position of an elected County Mayor. We reached our conclusion through a detailed analysis of the advantages and disadvantages of this proposed change. The disadvantages are discussed in Section II. In this section we outline the reasons why we believe the advantages outweigh the disadvantages.

Separation of Powers

Separating the legislative and the executive branches of government is the strongest advantage the proposed structure has over the present County organization. A key question which the opponents of the elected mayor concept must answer is why Los Angeles County - the second largest local government in the United States and larger than 41 state governments - should not follow the principle of separation of powers established in the Constitution of the United States and applied to all state governments and to the seven largest city governments in the United States.

It is not sufficient to argue that the County is simply an administrative arm of State government. Los Angeles County employs 82,000 employees, operates 58 different departments, and has an annual operating budget of \$3.2 billion. While many County functions are mandated by the State, the Board of Supervisors in almost all cases determines the level of service and decides how these functions are organized, how many employees are assigned to them, the pay levels and classification of the employees, and the facilities which house the employees.

Consequently, the Board of Supervisors exerts tremendous power and influence in its responsibility to provide a vast range of government services

to the citizens of the County, including the departments of Adoptions, Animal Control, Art Museum, Assessor, Beaches, District Attorney, Health Services, Flood Control, Forester and Fire Warden, Libraries, Natural History Museum, Parks and Recreation, Probation, Public Defender, Public Social Services, Regional Planning, Registrar-Recorder, Sheriff, and Treasurer-Tax Collector.

The five-member Board of Supervisors can no longer effectively act as both the legislature and the chief executive of an organization as large and complex as the County. The burden is simply too great. As a consequence, items on the agenda which should be acted on are continued week after week. Or again, because the organization is so massive, problems which should be acted on and resolved are not brought to the Board's attention. Too often they are allowed to fester until eventually they erupt into full blown crises and are reported on in headline news in the media.

Consequently, something has to be done to relieve the Board of Supervisors of this excessive workload. Separation of powers is the traditional governmental structure in the United States. We fail to see why this traditional structure is somehow not suitable to the largest county government in the United States.

The proposed amendment gives strong executive authority to the County Mayor. We think this is appropriate. In a recent report, the Economy and Efficiency Commission warned that Los Angeles County is moving rapidly toward a serious fiscal crises (The New York City Crisis and Los Angeles County Government, May, 1976). The basic cause, the report stated, is the same as that which led to the crisis in New York. Expenditures are outrunning revenues. The recent budget deliberations further emphasized the critical need to bring County costs under control.

What is needed is basic organizational reform. The task force believes that the County Mayor concept meets that need. If the County Mayor is to accomplish the reforms that are needed to bring costs under control, he must have strong executive authority. A weak mayor system - a mayor without strong appointing and discharging authority in particular - would be no improvement at all.

The task force, therefore, endorses the strong mayor concept as incorporated in the proposed amendment.

The separation of powers provides an effective check on the Mayor's authority. The Mayor appoints department heads, subject to approval by the Board of Supervisors. The Mayor prepares and submits the annual budget to the Board of Supervisors for final approval. He may veto deletions or additions made by the Board, but the veto may be overridden by a two-thirds vote of the Board.

In addition, the amendment prescribes that the Board shall appoint a General Accounting Officer - similar to the General Accounting Officer in the Federal government and the Legislative Analyst in the State Legislature. The record of accomplishment of both the General Accounting Office and the Legislative Analyst clearly demonstrates the value and the need for this type of independent audit function in any large government.

Under the existing structure, an audit function cannot operate independently of the executive, since the Board is both the chief executive and the legislature. This lack of an independent audit function may account in part for the series of crises which have erupted lately in County government. The creation of an independent audit function is one of the most significant innovations which could be made to improve the efficiency and responsiveness of County government.

The separation of powers accompanied by the system of checks and balances which the amendment prescribes, should provide effective safeguards against potential abuse of his or her authority by a politically motivated Mayor. Authority may be abused. Nevertheless, authority must be granted if we expect effective action to be taken. The proposed amendment effectively balances the assignment of executive authority to the Mayor and the assignment of approval and auditing authority to the Board of Supervisors.

Accountability

The new structure would bring single accountability to County government. Now no single supervisor can be held accountable for the overall effectiveness of the government. Under the Mayor structure, if the tax rate increased or if inefficiencies or scandals were exposed, the Mayor could not escape accountability.

While a Mayor might attempt to shift the blame to the Board of Supervisors, it is not likely that he would succeed. The executive responsibility assigned to the Mayor in the amendment is clear and precise. Any general discontent by the electorate over the operation of the government during the Mayor's first term would endanger his chances for reelection. While the amendment limits the Mayor to two terms and thus does not provide an incentive for reelection in the second term, the desire for other high office would very likely provide an equally strong incentive.

Since ancient times when man first began to analyze organizational principles, the validity of the principle of single executive authority and accountability has been tested time and time again. There are few or no instances of an army being commanded by five generals all sharing the same authority, a warship being commanded by five captains, or a corporation being directed by five presidents - and for good reason. Shared accountability almost always

results in finger-pointing and avoidance of accountability. As James Foy, Editorial Director of KNBC has put it, "The one job that doesn't exist in the County is one at the top. There's now no one person you can blame for a bad performance or commend for a good one."

Thus because the electorate could hold the Mayor solely responsible for the effective management of County operations, the person elected to this position would be strongly motivated to make the hard, tough decisions that must be made in any organization to keep it effective, to achieve its goals, and to eliminate waste and inefficiency.

Political Leadership and Visibility

The new structure would provide unified and stronger political leadership to the County. The County Mayor would immediately become the second most visible political leader in the State - second only to the Governor. An effective Mayor could galvanize public opinion and lead the community in support of governmental reorganization, tax reform, and expenditure control.

Also, because he or she would operate from a broad political base and because of the power and prestige which would gravitate to the position, he or she would be in a strong position to represent the interests of County government in its relationship with Federal, State, and municipal governments. In these days of increasing Federal and state financing of local government, this is a fact the County can ill afford to ignore.

Beginning with the first campaign for Mayor - with its attendant publicity and voter interest - the County Mayor structure would immediately bring an identity and visibility to County government which it has never had before.

It is vitally important that a government have visibility, that it be subject to public scrutiny, that the citizens know how their government is operating and what programs and policies it is pursuing. Otherwise, without

the constraint of a "watchdog" public, there is grave danger of the organization becoming sluggish and unresponsive, concerned principally with its own self-preservation, or worse, an organization whose taxing and contracting authority is exploited by special interests at the taxpayers' expense.

Unity of Command

It is extremely difficult for five different individuals - each with different political priorities, interests, and opinions - to perform effectively the role of a single chief executive. Effective management requires constant review and direction of the organization. It requires long-range planning, systematic analysis of organizational needs, and daily decision making. Such a task is difficult for a single executive. It is close to impossible for five Supervisors whose authority is divided evenly and who can make decisions only by vote in a public meeting.

The Cost Question

The proponents of Proposition A state that it will reduce government costs. The opponents say the opposite.

The task force concludes that at this time it is impossible to give an accurate answer to this question. Whether costs increase or decrease will depend essentially on the ability of the person who is elected Mayor. It seems likely that if the Mayor is dedicated and competent, he could achieve significant savings. However, it is impossible to estimate these savings at this time with any degree of confidence.

In the Economy and Efficiency Commission's September report, Eliminating the Automatic Step Plan and Controlling Supervisory Costs in Los Angeles County Government, the commission estimated that deficiencies in the County's compensation system and supervisory structure were generating at least

\$30 million in excess costs annually. The commission plans to report in the future on other areas where costs appear to be excessive. In general, however, too little is known about the details of County operations where possible economies could be achieved.

We believe the most reliable information on the cost question comes from the citizen government research groups in other areas of the country. For example, in a letter to our commission in 1974 Norman N. Gill, Director, Citizens' Governmental Research Bureau, Milwaukee, Wisconsin, makes this comment about the elected executive in Milwaukee County. "It is difficult to 'prove' statistically, but it is my value judgment that the cost of the Executive's office, since it began functioning in 1960, has paid for itself many times over."

This view is supported by William L. Massey, Executive Director of the Municipal League of Seattle and King County, a long established citizens' reform group.

"Our experience," Massey states, "with an elected county executive in King County has been exceptionally good so far. Since the charter went into effect in 1968 nearly every facet of county government has been improved. From my experience this has been the direct result of the county executive's authority to be able to organize and operate as he sees the need ... If you want clear lines of responsibility, letting an individual executive rise or fall on his own merits, then an elected executive is the way to go."

The task force concludes that the County Mayor plan can result in substantial improvement in the operation of County government.

The Trend in County Government

County governments initially began as the local administrative arm of the state, responsible principally for rural road building and fire and police protection to unincorporated areas. Today Los Angeles County and a number of other urban counties are now operating as regional governments providing a vast

range of services to metropolitan areas. The trend in recent years in these urban counties is in the direction of an elected chief executive.

In St. Louis County, Missouri, a citizens' charter commission was established in 1966 to study the current County Charter. This charter, which established an elected chief executive, was adopted in 1950. A new charter recommended by the commission continued the elected chief executive, making changes only to strengthen his appointing authority and to separate the auditing function under the legislature from the accounting department under the chief executive. The voters adopted the new charter in April, 1968.

The commission report states, "The chief executive, who retains the title of County Supervisor, is the elected head of the government, just as the President of the United States is the elected head of the Federal government, and the governor is the elected head of the State Government. The Council is the legislative arm of the government . . . This concept of the St. Louis County Government is basic and had stood the test of time." (New St. Louis County Charter, April 2, 1968, p iii)

Fred W. Bennion, Director of the Tax Foundation of Hawaii, reports a similar satisfaction by the people of Honolulu. "Finally," he writes in a letter to our commission, "we should add that certainly the people of Honolulu believe in the concept of an elected strong Mayor-council form of government. It has been reaffirmed twice in modern history with practically no opposition to the concept."

In 1968 the National Association of Counties reported that the charters of 13 counties at that time established the position of elected county executive. In 1969 the Association reported that this number had increased to 23 counties. The Association observed, "The elected executive, who in turn

appoints a chief administrative officer, seems to be the current trend." (American County Government, April, 1969, p. 20)

In 1973 the Association reported that the charters of 49 counties had established the position of elected executive, including on the West Coast, Multnomah County, Oregon; King County, Washington; and the City and County of San Francisco. "The 49 executive counties," the Association's report stated, "have a total 1970 population of 26 million people--26,714,326 precisely." (NACO Fact Sheet, Elected County Executives, May 1, 1973, p. 1) Since 1973 fifteen more counties have established the elected chief executive position. Now NACO reports a total of 65 counties with the position (one had been left off the previous list). They serve a total population of 41 million.

In none of these counties do we know of any dissatisfaction with the elected executive structure or any movement to abolish it. The task force believes that once established, such a structure will bring similar benefits to Los Angeles County.

It is time that Los Angeles County discarded its rural county structure, established in the 1913 charter and little changed since then. The problems that today confront the County and other governmental agencies in our congested urban environment are already enormous. These problems - poverty and the welfare load, crime and violence, racial and sexual inequality, pollution, physical decay, congestion, the cost of medical care, overloaded and obsolete transportation systems, and the ever increasing cost of government itself - are bound to become even more serious unless effective action is taken.

The conclusion, we believe, is clear. If the County is to participate effectively with other agencies, public and private, in resolving these problems, this fundamental change must be made in the County's organizational structure.

II. REBUTTAL OF ARGUMENTS AGAINST PROPOSITION A

A basic axiom in organization planning is that any organizational change, while it may resolve certain existing problems, invariably creates new ones. The task force, therefore, analyzed the major advantages of the elected Mayor concept with reference to the problems now existing in the County, which it should eliminate or diminish, and the corresponding disadvantages with reference to new problems it may create.

The task force conclusion in favor of Proposition A is presented in Section I. Here we present what opponents say are major arguments against Proposition A. Our rebuttal follows the presentation of each argument.

Politicizing the County

The election process is not necessarily dedicated to electing a professionally competent manager. Rather it tends to produce a person adept at politics and campaigning, but not necessarily qualified as an experienced manager.

This potential problem is intensified under the proposed charter amendment. The County Mayor would appoint the head of each County department, except the elected officials, the General Accounting Officer, and the Clerk of the Board of Supervisors. The Mayor's appointments are subject to approval by a majority of the Board of Supervisors, provided only that the Civil Service Commission certifies that the candidate meets the standards for the position. In addition, the Mayor would appoint an Assistant Mayor, subject only to approval by the Board of Supervisors. The Mayor may discharge any official, provided only that he states the reasons in writing.

The costs of a successful campaign for County Mayor would be high. The cost for supervisorial campaigns, as well as County-wide campaigns for the Sheriff, Assessor,

and District Attorney, now run as high as \$500,000. The cost of a campaign for Mayor would approach a million dollars or more. Thus a successful candidate would be exposed to the influence of the special interests who contributed to his campaign. His office could become a powerful patronage stronghold, rather than one which concentrated solely on what was in the best interests of all taxpayers, in particular, an efficient and economical government.

It is no secret that shortly after a successful candidate takes office he immediately spends much time cementing his political base. Running an immense operation involving billions of dollars annually requires intense concentration by the chief executive in handling the tremendous and diversified daily problems inherent in any enterprise of the County's size. It is difficult for an executive who must continually mend or strengthen his political fences to concentrate solely on the proper management of the County organization. Consequently, with an elected chief executive the management function may take second place to politics.

It is therefore possible that beginning with the very first election, under the duress of the campaign, candidates for Mayor would promise jobs in return for support. Once a Mayor is elected these pressures would continue whenever an opening occurred. Furthermore, since the Mayor would have almost unrestricted discharge authority, openings would occur whenever the Mayor decided to make a replacement. This decision could be made because an official was incompetent. It could also be made for purely political reasons.

The danger, then, is that without the requirement for open competitive examinations and without safeguards against arbitrary or politically influenced discharge, the top hierarchy of County management could become entirely politicized. One of the

strongest elements of County government now is the professional caliber of its management. County managers with few exceptions are trained and experienced in their positions. Either they have been promoted through the ranks to their present position by means of the Civil Service competitive examination process or have been appointed from outside the County, again through competitive examination based upon merit.

The County Mayor would also appoint the members of all boards, commissions and committees. He would appoint the members of the Civil Service Commission and thus could exert strong influence on Civil Service policies and procedures. He could exert similar influence on the decisions of such boards and commissions as the Regional Planning Commission, the Assessment Appeals Boards, the Architectural Evaluation Board which screens and recommends architects for County buildings, and four boards concerned with building regulations and reviewing construction programs.

The amendment also fails to specify appropriate roles for the Assistant Mayor and the Chief Administrative Officer. Counties with an elected chief executive which offer a model of this type of government typically establish a professional management position reporting directly to the elected county executive. Usually this position is called Chief Administrative Officer or County Administrative Officer. The charters of these counties delineate in detail the duties of this position. According to this concept, the elected executive is the political leader who determines the major policies and programs, organizes community support for them, and acts as the major liaison with other governments. The administrative officer is the professional manager who directs and administers the policies and programs on a day-to-day basis. His duties are similar to those of an executive vice president or senior vice president of administration in a private firm.

The 1973-74 Grand Jury, which recommended an elected County Mayor, stressed this concept. The Jury's final report commented, "The Grand Jury recommends that the County Charter be amended to provide for an election of a County Chief Executive Officer with a professionally trained administrator assigned to the executive office, with the powers and duties of both offices delineated in the Charter amendment."

In contrast to this concept of a professional manager, the proposed amendment states only that "The County Mayor shall appoint, subject to confirmation by the Board of Supervisors, an Assistant County Mayor." (Sec. 10.22) It is surprising that omission of the Assistant Mayor's qualifications and duties was allowed to stand, since the Public Commission in its report warned of the need to protect the County's tradition of professional management. "We believe," the Commission stated, "that there is a means by which to insure that the rich tradition of professional administration in the County is maintained and protected from any excesses which could be induced by the elective status of the Executive . . . prudence dictates explicit provision that the Executive shall appoint, with the consent of a majority of the legislative body, a Principal Deputy for Administration of established professional qualifications and experience." (p. 61)

The provision for an Assistant Mayor also creates an uncertainty over the role and responsibilities which the present Chief Administrative Officer would assume. The amendment states only that "The positions assigned to the Chief Administrative Office of the County on the date the first County Mayor takes office shall be transferred to the office of the County Mayor as of that date." (Sec. 10.27)

Under the proposed amendment, the position of Assistant Mayor is second-in-command - a position which very likely would be filled by a political appointee. What role, then, will the Chief Administrative Officer play? The charter amendment is silent on the responsibilities of both positions.

Comment - The task force believes that entirely adequate safeguards against political abuse have been incorporated in the amendment. The separation of powers establishes a check and balance system which would make it highly unlikely that a Mayor, if he were so inclined, could establish and maintain a system of eastern machine politics in Los Angeles County.

In the proposed structure the Board of Supervisors approves the Mayor's department head appointments, approves his proposed budget, authorizes the expenditure of all funds, sets the County tax rate, determines the functions to be performed, the services to be provided, and the policies to be followed by County departments, and determines the number of employees in each department and their salary levels.

The Board also approves the Mayor's appointments to the Civil Service Commission. In addition, the Mayor may not remove a member of the Commission except with the consent of the Board of Supervisors by a four-fifths vote and only upon stating in writing his reasons for removal and allowing the member an opportunity to be publicly heard in his own defense. Thus the independence of the Civil Service Commission is adequately assured.

Finally, the Board appoints and directs a General Accounting Officer who has the responsibility to investigate and audit the operations of the executive branch.

The arguments criticizing the deficiencies of the election process as a means of selecting the chief executive reduce to one question. Is the democratic process of free elections established in this country to select governmental leaders valid and feasible?

As we stated in Section I, the effectiveness of the proposed structure depends on the ability of the Mayor. If the people elect an incompetent or unprincipled candidate, then management may take second place to politics, and the influence of special interests may dominate.

The examples of Spiro Agnew and Dale Anderson in Baltimore County,

Maryland, are effectively countered by the examples of commendable performance by such county executives as Gene McNary and his predecessor, Lawrence Roos, of St. Louis County, Missouri, John Speilman of King County, Washington, and John Doyne of Milwaukee County, Wisconsin.

Reviewing Mr. Doyne's accomplishments in 1972 after 12 years as the County's first elected chief executive, the Milwaukee Journal reported, "Most county officials and community leaders consider Doyne an outstanding leader, well qualified to break in the new office of county executive . . . Doyne also has proved the value of the office to county government. Having a head of government has tightened control over county programs and spending. Doyne has melded the county's administrative operations. He has made a start, at least, toward welding what one political scientist called 'a loose collection of independent chieftains' in the county family into a cohesive organization where responsibility can be pinpointed." Lawrence Roos, Gene McNary, and John Spellman have received similar commendations.

The task force concludes that the argument that the election process is not an effective means of selecting a county chief executive or that the office "could become a powerful patronage stronghold" is not persuasive. The position of Los Angeles County Mayor would undoubtedly attract able and well qualified candidates. We believe the electorate can be trusted to make a responsible decision in choosing among them.

The task force agrees that the failure to provide for a professional manager as second-in-command with clearly prescribed duties is a deficiency in the amendment. We do not believe, however, that the omission is so serious that it is sufficient reason to oppose Proposition A.

We would urge that the first elected Mayor establish the professional manager structure by combining the positions of Assistant Mayor and Chief Adminve Officer with clearly prescribed duties covering the administration of County departments.

We would also recommend that the Board of Supervisors in the future place an amendment on the ballot incorporating this position and its duties in the Los Angeles

County Charter, similar to the provisions for this position in the charters of many counties with an elected chief executive.

Potential Stalemate

Under a separation of powers structure, a potential threat of stalemate between the two separate and equal branches of government is always present. We have seen this happen most recently in the Federal government, with the Presidency held by one party and the Legislature controlled by the other. It has happened often in State government - most recently over funding for the Agricultural Labor Relations Board. In this case the same party controlled both branches of government.

Consequently, the potential exists for similar stalemates between an elected Mayor and the Board of Supervisors, with resulting charges and countercharges between the two branches. While this contest was going on, implementation of needed and vital County programs could be delayed or indefinitely stalled.

Such stalemates are impossible in the present County structure, since the Board operates as both the chief executive and the legislature. Furthermore, while the Board at times may argue and debate a subject over a prolonged period, once a consensus is reached or the majority view is voted, the County can act with extreme rapidity. The Board need not wait for a separate and equal branch to implement the plan nor fear that the implementation may be half-hearted and piecemeal, if not circumvented. The Board need only to instruct the Chief Administrative Officer and the concerned County department heads to take action. That action will be taken.

Comment - There is no question that stalemates and friction could occur between the Mayor and the Board of Supervisors, just as they now occur between the President and Congress and the Governor and the State Legislature. Because they occur at the Federal and State levels, should we then advocate that the President and Congress

and the Governor and Legislature be replaced by a board or commission which would serve as both chief executive and legislature?

As Bernard Hillenbrand, Executive Director of the National Association of Counties, and a long time advocate of the elected concept, has commented,

"What is it about County government which is so different that it requires a concept of management totally different from that commonly applied to sister governments at the local, state, and national levels? . . . Would anyone seriously propose that we do away with the office of governor and have a five-member commission run any one of our states? Would anyone propose that we do away with the office of President of the United States and have a multi-member commission run the executive offices of the American government?" (The Case for an Elected County Executive," The American County, February, 1970, p. 10.)

It is true that the Board of Supervisors can act rapidly once it has reached a decision. However, in the absence of a strong executive there is little check on the Board's power to make decisions which are contrary to the best interests of the County as a whole. The need for such a check is the basic rationale for a separation of powers.

Personnel Costs

The amendment states that, "It is the firm intent of these amendments that the number of professional staff people assigned to the office of each Supervisor be substantially reduced as executive authority is transferred from the Board of Supervisors to the County Mayor." (Sec. 6.18)

The amendment, therefore, limits the non-civil service staff of the Mayor to seven deputies. In addition, it limits the professional staff of each Supervisor, if the number of Supervisors is five, to seven persons who may be civil service or non-civil service employees. If the voters approve Proposition B and increase the number of Supervisors to nine, the professional staff of each Supervisor will be reduced to five persons.

However, there are loopholes in these provisions. The Mayor's staff may be increased by an ordinance requiring a two-thirds vote of the Supervisors subject to veto by the Mayor - which is hardly likely. Similarly, the staffs of the Supervisors may be increased by a two-thirds vote of the Supervisors, subject to veto by the Mayor. In this case the Mayor's veto may have more significance.

Furthermore, there is another loophole with respect to the Mayor's staff. As we have seen, the amendment states that the positions now assigned to the Chief Administrative Office would be transferred to the office of the Mayor. These positions, with the exception of the Chief Administrative Officer, would remain in civil service. There is no limitation on their number, and the Mayor is free to increase this part of his staff subject to budgetary control.

The addition of Mayor and Assistant Mayor positions will increase County personnel costs, but the increase is hardly significant. The real possibility of substantial cost increases lies in the potential for staff increases in the Mayor's office and in the offices of the Supervisors. It is impossible, however, to estimate what the increase, if any, might be. It should be recognized that the limitation on staffing has considerable flexibility.

Comment - The provisions for an increase of staff personnel are necessary, since it is difficult to determine the exact staffing requirements of the various offices. To establish a set number in the charter, which could only be changed by a vote of the people, would result in an overly rigid restriction.

In addition, while the staff limitations are flexible, the amendment provides for strong budgetary controls. First, before the Mayor can increase his staff - either his non-civil service personnel or the civil service personnel in the Chief Administrative Office - he must secure approval of the increase in his budget by the Board of Supervisors as well as

authorization by the Board for the actual expenditure of funds. There is no certainty that the Board would routinely approve such increases.

On the other hand, a budget authorization voted by the Board to increase the supervisorial staffs is subject to veto by the Mayor. Again, there is no certainty that the Mayor's approval would be routine.

As we have continually stressed in this report, underlying all arguments for and against a County Mayor is one basic point - the effectiveness of the government will depend directly on the ability of the person who is elected Mayor. This represents a major difference from the present structure under the Board of Supervisors. Regardless of the individual capabilities of the members of the Board, the structure is essentially unworkable. Five different supervisors - no matter how capable they may be - simply cannot effectively act as both the chief executive and legislature of an organization as massive and complex as Los Angeles County.

III. FINDINGS AND CONCLUSIONS ON PROPOSITION B

The task force is evenly divided on the question of increasing the Board of Supervisors to nine members. Consequently, we cannot recommend a single position to the full commission. Nevertheless, for information and discussion purposes we present the views of the members who support Proposition B and the views of the members who oppose it. As we stated in the preface, this amendment will become effective only if the voters approve Proposition A.

Arguments for Proposition B

Representation - The purpose of a legislature is to be as representative as possible so that all segments of the population have a voice in the people's government. Each Supervisor now represents 1.4 million people. This is more than any elected legislator in California, except the two United States Senators. In contrast, a State Senator in California represents approximately 500,000 people, and a United States Congressman represents 525,000 people. Increasing the Board to nine members would reduce the constituencies of the Supervisors to approximately 778,000.

It would also increase the ability of the two principal minorities - the blacks and the Latin Americans - to elect representatives of their own race. As the report of the Public Commission on Los Angeles County Government states, Spanish-Americans now number more than 18% of the population, and blacks number 11%. The report concluded, "When sustained over decades, the failure of the structure to result in the election of a single member of these communities is, in itself, a powerful critical comment." (p. 23)

Cohesiveness and Community of Interest - The supervisorial districts now are so large and contain such heterogeneous populations that no Supervisor, however skilled, can effectively represent all elements of the population. The State law (Government Code, Section 25001) provides that in establishing the boundaries of supervisorial districts the Board of Supervisors "may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, contiguity, integrity and compactness of territory, and (d) community of interests of the district." Anyone who makes an objective examination of the five supervisorial districts as they presently exist must conclude that they do not meet these criteria. In particular they violate the principles of cohesiveness, compactness of territory and community of interests.

For example, the fourth supervisorial district stretches from Long Beach and Palos Verdes north along a narrow corridor all the way up the coast to the Ventura County line. It contains such diverse areas as Compton, San Pedro, Palos Verdes, Rolling Hills Estates, Santa Monica, and Malibu. The third supervisorial district stretches from Westwood to East Los Angeles and contains such diverse communities as Bel Air, Beverly Hills, Boyle Heights, Monterey Park and Cudahy.

Consequently, dividing the County into nine districts, following the criteria set forth in the Government Code, cannot help but improve the cohesiveness, compactness of territory, and community of interests in each district. Each district would be more homogeneous from whatever point of view one takes - ethnic, cultural, or economic. Increasing the districts would thus substantially improve the chances of the voters in each supervisorial district to elect a Supervisor who represents their views and with whom they can identify. Finally, each Supervisor would have over 600,000 fewer people to represent and on the average, almost one-half less territory to cover. He would thus be in an improved position to know the people in his district and to work on the problems which they believe are important. The result is bound to be a more stable, effective and relevant government.

Arguments Against Proposition B

Cost - The principal disadvantage of increasing the size of the Board is the likely increase in cost. While the amendment proposes to reduce the staff of the Supervisors to five professional employees, the Supervisors can increase this number by a two-thirds vote, subject to veto by the Mayor.

The City Council of Los Angeles with 15 Councilmen, has an average staff of 14 employees per Councilman. Thus, it is very likely that the staffs of the Supervisors would grow with a corresponding increase in cost.

Representation - It is extremely difficult to determine what is or is not an appropriate number of people for one Supervisor to represent. To match Orange County representation, for example, the Los Angeles Board would have to be increased to over 23 members. When the population of a constituency approaches a million people, population ceases to be a practical criterion for determining representation. One person cannot truly get closer to 778,000 people than he can to 1.4 million.

With respect to minority representation, the argument is often heard that only a Spanish-American can effectively represent Spanish-Americans, or a black, black Americans because he has grown up in the barrio or the black neighborhood and understands the needs and feelings of his people. This argument, however, cuts both ways. If that is true, then only a white American can represent white Americans. This would mean that in the predominantly white areas, no black or Spanish-American could effectively represent the interests of the district. Supervisor Hahn has effectively represented the interests of the blacks in his district, as shown by an overwhelming support for him in election after election. The question of race, therefore, should not be a factor, regardless of whether the Board of Supervisors has five members or nine.

