



**2015-2016  
LOS ANGELES COUNTY  
CIVIL GRAND JURY**

**FINAL REPORT**



**POLITICS 101:**

**OBSERVATIONS ON LOS ANGELES**

**COUNTY GOVERNANCE**

## **POLITICS 101: OBSERVATIONS ON LOS ANGELES COUNTY GOVERNANCE**

“No man undertakes a trade he has not learned, even the meanest;  
yet everyone thinks himself sufficiently qualified for the hardest of all trades, that of  
government.”

*Socrates*

### **I. EXECUTIVE SUMMARY**

In the past nine years, the Los Angeles County Board of Supervisors (BOS) has changed the county’s governance structure twice: in 2007 it provided a strong appointed Chief Executive Officer (CEO), and, in 2015 repealed its 2007 action, reverting to a decentralized/weak CEO model. The 2015-2016 Los Angeles County Civil Grand Jury (CGJ) was interested in determining the impact of these actions and conducted interviews with current and past officials at all levels.

The Los Angeles County Charter does not provide for an independent elected-at-large executive accountable to county residents for the functioning of the county. Prior to May 2007 the county operating structure was decentralized with appointed department heads reporting directly to BOS.<sup>1</sup> In May 2007 the county operating structure was centralized through the creation of an appointed chief executive to be a single point of contact for department heads and accountable for the implementation and management of county programs.<sup>2</sup> In July 2015 the county operating structure reverted to the previous decentralized structure and department heads again report directly to BOS.<sup>3</sup>

The CGJ found that while it may be premature to determine the long-term impact of the change in governance structure, the structure’s short-term impact is to displace long-term goals.

The CGJ found that, under the present system enacted in July 2015, BOS intended that the direct communication between it and county departments would lead to more efficient conduct of public business. BOS motions proliferate, however, and departments find it difficult to adjust to BOS’ constantly changing priorities.

The CGJ found that the CEO no longer tempers the heat of BOS - say no - or to advocate on behalf of departments.

The CGJ found that there is no structured form of communication between BOS and department heads, nor does BOS meet with all departments on a regular basis.

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<sup>1</sup> Chief Administrative Office, Los Angeles County Administrative Governance Transition Report, May, 2007, p. 10.

<sup>2</sup> Chief Administrative Office, op. cit., pp. 5-6.

<sup>3</sup> Chief Executive Office, County Governance, July 7, 2015, p. 1.

The CGJ found that the county lacks an updated strategic plan as well as a meaningful structure for measuring management performance.

Nearly all of the next most populous counties in the country elect a county chief executive. Two previous Grand Juries made recommendations that the county adopt an elected chief executive officer and increase the number of supervisors. This CGJ finds both concepts need to be revisited and provides appropriate recommendations for the 2020 county-wide election.

## II. BACKGROUND

Reorganization of the structure of county government is not a topic that readily engages most citizens. Their concerns are more basic. They care only that county services are provided well. The CGJ looked at the recent change in the structure of the governance of Los Angeles County from the perspective of citizens concerned with the efficient application of public money to county responsibilities.

### A. May 2007 Centralization of County Governance Structure

In 2007, BOS adopted a strong CEO model replacing a decentralized organization structure in which 34 appointed Department Heads reported independently to BOS.

The “hallmark principles” of the strong CEO model included:<sup>4</sup>

- *“Benefits to County residents:* With the day-to-day operation of the County vested in the CEO, BOS was able to partner with residents and communities in focusing on studying and developing strategies to address the complex social, economic, and environmental issues that impact the quality of life in Los Angeles County. The CEO’s accountability for implementing BOS policy direction to improve outcomes for residents through service and resource integration and enhanced service accessibility was to result in significant benefit for County residents.”
- *“Strengthen the Board’s policy role:* BOS’s role was strengthened through the creation of the CEO as a single point of contact accountable for implementation and management of Board direction.”
- *“Focus on outcomes:* The County would systematically focus on the needs of County customers – children, families, senior citizens, other residents and the communities they live in – and on improving outcomes for customers.”
- *“Service integration:* Focus on the needs of County customers would be implemented through integration of County services, the optimal use and/or blending of resources, and continuously working to improve the County’s organization and its operating processes.”

The 2007 ordinance adopting the strong CEO model included a non-intrusion clause which reinforced BOS as exclusively vested with the responsibility for county policy, regulations, and organizational directions. Individual BOS members and their staff continued to seek information and assistance from county department heads and employees.

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<sup>4</sup> Chief Administrative Office, Los Angeles County Administrative Governance Transition Report, May 2007, pp.5-6.

## B. July 2015 County Governance Structure Reversion

On July 7, 2015, BOS adopted a revised county governance structure aiming to improve the (a) effectiveness of service delivery, (b) efficient utilization of limited resources, and (c) timely implementation of Board policy directives. The new governance structure was further intended to balance “flexibility, accountability, transparency and efficiency.”<sup>5</sup>

The justifications provided for this action included:<sup>6</sup>

- “The new structure will provide for more Board interaction with departments, more effective decision making, and additional opportunities for policy discussions.”
- “Ad hoc initiatives, housed within the CEO will provide for greater energy, focus, and interdepartmental collaboration on Board initiatives, with the flexibility to quickly adjust to new priorities.”
- “The CEO will evaluate the placement and composition of CEO and County functions to provide for efficient operations and effective and innovative constituent services.”

## III. METHODS AND PROCEDURES

The CGJ researched and reviewed governance and best practices sources.

Interviews were conducted with current and past county officials at all levels.

## IV. FINDINGS

### A. Checks and Balances:

***The CGJ found that the Los Angeles County Charter does not provide for an executive accountable to county residents for the functioning of the county.***

The underlying governmental structure of the United States is a separation of powers between the legislative, executive and judicial branches, known as checks and balances. No branch of our government can gain absolute power or abuse its powers with impunity.

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<sup>5</sup> Chief Executive Office, County Governance, July 7, 2015, p. 1.

<sup>6</sup> *Ibid.*, p. 2.

- The legislative branch proposes and enacts the laws, adopts the budget, and may overturn an executive veto. Each representative represents but a small portion of the nation, but collectively Members of Congress can be seen as reflecting the popular will.
- The executive branch is intentionally structured as the guardian of the national interest: elected at large, commander in chief of the military, responsible for proposing the annual budget, wielding the veto, and managing the national bureaucracy.
- The judicial branch declares the law of the land in accord with the Constitution, and in response to legislative and executive actions. Federal judges must be confirmed by the Senate and, like all elected federal officials, may be impeached.

Although not perfect, this tri-partite arrangement is ingrained in the national psyche as a model for all government in the United States – except in California at the county level, where there is no separation of the executive and legislative functions.<sup>7</sup>

Section XI of the State Constitution and Article II of the Charter of the County of Los Angeles provide for a five-member supervisory structure. County voters can take advantage of the discretion given them in the County Charter by making changes in the county’s governing board, officers, and employees such as:<sup>8</sup>

- increasing the number of county supervisors,
- electing county supervisors at-large,
- appointing fewer county officers and specifying their duties,
- contracting out for any service (subject to certain state contracting rules), and
- specifying a process to fill a supervisor vacancy.

Our County Charter does not provide for an elected executive function in spite of the enormity of our population or the budget and bureaucracy providing services to it. Los Angeles County is a \$27.1 billion enterprise,<sup>9</sup> with 37 departments and 108,000 employees, representing a population of 10.1 million (in fact, Los Angeles County, standing alone, would be the eighth most populous state in the country),<sup>10</sup> governed by a five member board. The governance structure in Los Angeles County is the same as that in every other California county except for San Francisco, which has an elected executive. Amendments to the State Constitution and the County Charter have not addressed this basic governance structure, which reflects the State’s agrarian and early 20th century reform history.

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<sup>7</sup> “Unlike the separation of powers that characterizes the federal and state governments, the Board of Supervisors is both the legislative and the executive authority of the county (except San Francisco City and County). It also has quasi-judicial authorities.” California State Association of Counties, County Government in California: An Introduction to California Counties, [http://www.counties.org/sites/main/files/file-attachments/tab\\_2\\_-\\_county\\_government\\_in\\_california.pdf](http://www.counties.org/sites/main/files/file-attachments/tab_2_-_county_government_in_california.pdf)

<sup>8</sup> Ibid.

<sup>9</sup> 2015-2016 Los Angeles County Adopted Budget.

<sup>10</sup> U.S. Census Bureau, 2010 Census Population Data. <http://www.census.gov/popfinder/>

In the opinion of the CGJ, an organization on this scale cannot be effectively governed and managed by a board or committee. It is not unreasonable to wonder if BOS has the time not only to govern, but also to manage the county departments.

### **B. County Governance Structure Prior to May 2007:**

***The CGJ found that prior to May 2007 the county operating structure was decentralized with 34 appointed department heads reporting directly to BOS.***

BOS has made several attempts to find an optimal governance structure to meet the needs and aspirations of the electorate. Prior to May 2007, the county's operating structure was characterized as a "... decentralized structure in which 34 appointed department heads report independently to the Board."<sup>11</sup> A 1995 article on the county's government structure noted:

- "The five-member board doesn't work. Responsibilities for setting policy and actual administration of the county are so intertwined that there is no discipline in the system. Additionally, there is a confusion of priorities among jurisdictions within the county, which leads to conflict and unnecessary waste."<sup>12</sup>
- "As a five-member Board, the Board of Supervisors is too small to allow for shifting coalitions, too big to allow any single member to emerge as a leader because no one is willing to allow his or her colleague to step out in front. Nor are there enough members to seriously represent the county's diversity, whether ethnic or geographic."<sup>13</sup>
- ". . . there is no constituency for saying 'no.' And there is little courage to stand up for the broader picture beyond one's district."<sup>14</sup>

### **C. May 2007 Centralization of the County Governance Structure:**

***The CGJ found that in May 2007 the county operating structure was centralized through the creation of an appointed chief executive to be a single point of contact for department heads and accountable for the implementation and management of county programs.***

The following are observations from current and past county officials:

#### Positive Observations

- *"Fan of previous structure where deputy CEO attempted to integrate all BOS views and department views."*

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<sup>11</sup> Chief Administrative Office, *Los Angeles County Administrative Governance Transition Report*, May 2007, p. 10.

<sup>12</sup> Kayden, Xandra, "Behind the County Health Woes: An Outmoded Government: A last minute federal rescue should not lessen the need to reinvent a deeply flawed structure of governance." *Los Angeles Times*, September 24, 1995.

[http://articles.latimes.com/1995-09-24/opinion/op-49458\\_1\\_l-a-county](http://articles.latimes.com/1995-09-24/opinion/op-49458_1_l-a-county)

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

- *“The CEO acted as a filter to bounce ideas off and finesse proposals before transmittal to BOS.”*

The May 2007 governance structure addressed those issues by “... the creation of the CEO as a single point of contact accountable for implementation and management of Board direction.”<sup>15</sup> Specifically, the CEO would be “... the one person in the governing structure who would consider and propose policies and resource allocations with all of the people in the county in mind – especially the underserved and marginalized residents.”<sup>16</sup> In effect, the action provided for a “checks and balances” on BOS by separating governance and management (executive) functions in the operation of the county. The CEO filled the executive function, handling the county’s day-to-day operations and acting as a filter by dealing with “every-day” and “ordinary” issues.

Significantly the CEO was expected to wield independent executive power, even providing push-back to BOS where appropriate, while serving at BOS’s pleasure in an appointed position.<sup>17</sup> Given this conflicting dual nature of the CEO’s position, it can be no surprise that the CEO developed into and was seen as an independent power center, the “sixth, unelected Supervisor.”<sup>18</sup> The CEO’s power rested on intimate knowledge of the County’s day-to-day operations and ability to influence the good will of at least three of the Supervisors. The CGJ believes that such inherent structural conflict between BOS and the CEO resulted in the July 2015 action.

#### **D. Return to Decentralized Pre-2007 Governance Structure:**

***The CGJ found that in July 2015 the county operating structure reverted to the decentralized structure in which department heads report directly to the board. Additionally, the CGJ found that BOS intended the direct communication between it and county departments to more efficiently further the conduct of the public’s business.***

The following are observations from current and past county officials:

##### Positive Observations

- *“Philosophy was different between CEO and BOS.”*
- *“BOS is not to be minimized.”*
- *“BOS wants increased level of communications.”*
- *“New structure compels policy as a priority and is streamlined.”*
- *“There should be no impediments to process of getting information.”*
- *“A strong commitment to do the public’s business efficiently.”*
- *“BOS wants more input in policy decisions.”*
- *“New focused initiatives (priorities) are staffed across departments – working more together than ever before.”*

<sup>15</sup> Chief Administrative Office, Los Angeles County Administrative Governance Transition Report, May, 2007, pp. 5-6.

<sup>16</sup> Yaroslavsky, Zev, “Reflections on Four Decades in Office,” Bollens-Ries-Hoffenberg Lecture, University of California, Los Angeles, April 7, 2015.

<sup>17</sup> Observations from current and past county officials.

<sup>18</sup> Observations from current and past county officials.

### Negative Observations

- *“Structure was seen as cause so just changing CEO was not solution – BOS always had the power.”*
- *“There was a bad relationship between prior CEO and BOS, BOS wants CEO to downsize.”*
- *“There was a conflict with the prior CEO who acted like a sixth supervisor.”*

By changing the CEO’s function back to the pre-May 2007 governance structure, the “new” operating structure again blurs the boundaries between governance and management. In an article on the re-restructuring, the Los Angeles Times noted:

- “The change back to a weaker executive has many wondering whether the supervisors’ new power will result in more streamlined, decisive management or simply create more meddling by the elected officials and politicize the workings of government.”<sup>19</sup>
- As Supervisor Mark Ridley-Thomas commented at the Los Angeles Current Affairs Forum in 2015: “Politics 101, ladies and gentlemen, never give away your power.”<sup>20</sup>

Within the first year of the new governance structure, BOS adopted a series of sweeping actions to address long standing and urgent needs:

- Allocated \$100 million for each of three years, to construct and maintain affordable housing (October 27, 2015);
- Consolidated public health care functions of the Departments of Public Health, Mental Health, and Health Services (January 21, 2016);
- Created the Homeless Initiative to coordinate county strategies to reduce homelessness through an intensive, inclusive planning process (January 21, 2016); and
- Delayed the construction of and reduced the size of the new Men’s Central Jail (June 9, 2015).

### **E. Impact of Return to Prior Decentralized Governance Structure:**

***The CGJ found that, under the present system enacted in July 2015, BOS intended that the direct communication between it and county departments would lead to more efficient conduct of public business. BOS motions proliferate***

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<sup>19</sup> Sewell, Abby, “L.A. County supervisors move to consolidate power by weakening CEO’s job,” *Los Angeles Times*, July 7, 2015. <http://www.latimes.com/local/california/la-me-0708-county-ceo-20150708-story.html>

<sup>20</sup> Editorial Board, “New thinking at the L.A. County Board of Supervisors,” *Los Angeles Times*, December 24, 2015. <http://www.latimes.com/opinion/editorials/la-ed-county-supervisors-20151223-story.html>

***however, and departments find it difficult to adjust to BOS' constantly changing priorities.***

The following observations are from current and past county officials:

Positive Observations

- *“Less interference since deputy CEO is gone.”*
- *“Issues discussed directly with BOS deputies.”*
- *“Department has reorganized to provide flexibility in answering BOS needs.”*

Negative Observations

- *“Lots of motion sickness.”*
- *“More effort involved in responding to BOS motions.”*
- *“Planning and priorities are messed up.”*
- *“Sustainability of management by motion is unknown.”*
- *“BOS determines department priorities – not interested in department concerns, it’s difficult to plan.”*
- *“Need an entity to coordinate information going to BOS.”*
- *“Reorganization changed nothing, but changes in BOS members and removal of deputy CEOs increased business – now everything is hot.”*
- *“No impact except more direct instructions (via motions) by BOS.”*
- *“Deputy CEO used to absorb BOS demands on department heads, new CEO is not doing that.”*
- *“Deputy CEO (DCEO) did not stop BOS from contacting department heads directly.”*
- *“DCEO used to chair cluster meetings, no longer; CEO finance person just sits in.”*

BOS has addressed pressing issues by establishing task forces composed of county employees taken from various departments involved in various aspects of the issues addressed. Relying on the cross-department knowledge and experience of its members, each task force is intended to address pressing issues with a global perspective. This action breaks down the self-imposed barriers of intra-department prerogatives and concerns (also known as silo-ization) with an inter-department viewpoint to address issues of common interest.

Commendable as this action is, it has its downside – personnel taken from their regular assignments to address task force issues, are not replaced, leaving vacuums, staffing shortages and the possible inability of those departments to meet their mandated budget and program goals. The enactment of priority motions (also known as “motion sickness” or “management by motion”) without proper consideration of the impact on short-term policy decisions, sacrifices long-term goals and needs. The short-term interests change with each new priority issue.<sup>21</sup>

BOS direct decision making approach is not limited at the management level, but in some cases reaches down to the lowest levels of county operations. Instead of letting

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<sup>21</sup> Observations from current and past county officials.

managers manage, BOS dictates departmental priorities and goals, and is not interested in a department's concerns. Departments are forced to work on the priority issues to the exclusion of their regular mandated work.<sup>22</sup> This makes it very difficult for a department to do any meaningful future planning. It stifles management initiative and necessary pushback where warranted (e.g., budget, program, legal, or other mandated considerations), and fosters a climate of insecurity – officials never know when their job is on the line (also known as “living Tuesday to Tuesday”).<sup>23</sup>

The CGJ is very concerned about the future of the county's administrators – how will the county attract and keep quality people when their every decision may be second guessed? BOS' discretionary authority, its opaque decision making processes, and the degree to which it is insulated from direct political controls, often deflects the brunt of public discontent and accusations of waste and mismanagement of scarce resources. Direct management action by BOS in the county's operations should mean that BOS will be directly responsible for the results. Instead, department heads suffer the consequences.

The CGJ is concerned that although the impact of term limits has not been felt yet, each Supervisor's emphasis on parochial interests will only increase as their term in office is limited.

As noted in an editorial in the Los Angeles Times:

“... county government is not a game. It's the chief provider of human services and vital infrastructure to a region of 10 million people. Who's in charge? With the five-member committee that is the Board of Supervisors, who knows? The members make up a sort of legislature with no executive, yet at the same time they are a kind of five-headed executive with no legislative oversight. They are a family of squabbling brothers and sisters trying to manage the house in the absence of their parents, each sibling sniping about the others while forming, breaking and re-forming alliances in order to move their various agendas. They are a comically constituted group with deadly serious business to perform for their constituents.”<sup>24</sup>

#### **F. Management Issues:**

***The CGJ found there is no structured form of communication between BOS and department heads, including lack of a meaningful structure for measuring management performance. BOS does not meet with all departments on a regular basis. Further, the county lacks an updated strategic plan.***

The following are observations from current and past county officials:

Positive Observations

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Editorial Board, “Grading L.A. County,” Los Angeles Times, March 12, 2016. <http://graphics.latimes.com/grading-la-county-2016/>

## Negative Observations

- *“Before reorganization, departments only had to convince the CEO; now, they need to convince three out of five BOS members and the CEO is no longer involved.”*
- *“No structured communication between BOS and management, departments with departments.”*
- *“BOS needs to meet with all departments on a regular basis, visit departments at least once per year.”*
- *“No updated long-term strategic plan.”*
- *“No meaningful structure for measuring departments’ and their management performance.”*
- *“No clear chain of command between BOS, CEO, and department heads with clearly defined responsibilities.”*

One stated reason for BOS’s 2015 reversion is the intent to ensure direct communication between it and county departments, which in turn leads to more efficient conduct of public business.

The CGJ found that although the “filtering” layer of Deputy CEO’s (DCEO) was eliminated, departments now report to Supervisors’ deputies.<sup>25</sup> Instead of one reporting site, departments now have to report to five. There appears to be no communication clearing house to coordinate information requests, schedule structured regular communication meetings among the Supervisors’ deputies, and/or schedule communications meetings with and among department heads.

The CGJ found that BOS must develop an up-to-date county-wide long-term strategic plan, and allow feedback, refinement and updates by department heads. Departments should develop their plans in support of the strategic plan, including levels of service and outcomes from BOS to department heads, and department heads to “street level” operations.

### **G. Role of CEO:**

***The CGJ found the CEO no longer tempers the heat of BOS, “say no,” or to advocate on behalf of departments.***

The following are observations from current and past county officials:

#### Positive Observations

- *“While seen as beneficial by some departments, BOS felt isolated from department heads and wanted first-hand information.”*
- *“BOS felt CEO was making decisions without them, believed they had to go through CEO before talking to department heads.”*

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<sup>25</sup> Observations from current and past county officials.

As noted by former Los Angeles County Supervisor Zev Yaroslavsky, "...our current system puts a premium either on parochial or consensus based decision making."<sup>26</sup> The CGJ is concerned that without an executive function to oversee the day-to-day operations of the county, and ensure the long-term fiscal health and viability of its programmatic needs and goals, there is a real possibility that such concerns will be overlooked or forgotten.

A major impetus of the May 2007 governance structure was the impending retirement of then Chief Administrative Officer David E. Janssen, who expressed concern that no replacement could be found for him while the county continued to operate without a strong CEO.<sup>27</sup>

The current governance structure eviscerates the recent function of the CEO by limiting its operations to budget and labor relations. BOS did not test whether Janssen's fears were warranted by conducting an executive search. It determined to strip the appointed CEO of independence and authority, and quickly appointed its own Executive Officer to fill the diminished post.<sup>28</sup>

On March 29, 2016, BOS took further action that limited the CEO's function to its "core mission" and transferred non-"core mission" functions to other departments (e.g., photo and graphics, health and wellness, Work Place Programs, Employee Assistance Program, Occupational Health, Leave Management, and Real Estate).<sup>29</sup>

The CGJ is concerned that the new role of the CEO appears to be one of insisting on form over substance. Responding to a reporter's question as to why no additional resources had been provided for the Department of the Medical Examiner-Coroner (DMEC) in the 2016-2017 County Budget, the CEO stated: "...the request was not granted because the department had not submitted required paperwork documenting its justification for the added positions."<sup>30</sup>

#### H. Case Study:

***The CGJ found that problems in the DMEC were due in part to a lack of communication. DMEC's staffing and funding concerns were not heard by the CEO, which, in turn, asked why those concerns had not been transmitted. DMEC's responses to a Corrective Action Plan were not accepted by the CEO prompting the Chief Medical Examiner-Coroner (CMEC) to resign.***

BOS challenges in attempting to act in its executive function, are illustrated in the recent resignation of the CMEC, as noted in CGJ's April 21, 2016, interim report *Who Cares for the Dead When The Dead Don't Vote?*

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<sup>26</sup> Yaroslavsky, Zev, "Reflections on Four Decades in Elected Office," Bollens-Ries-Hoffenberg Lecture, UCLA, April 7, 2015.

<sup>27</sup> Observations from current or past county officials.

<sup>28</sup> Sewell, Abby, "L.A. County Supervisors vote to make interim chief executive permanent," [Los Angeles Times](http://www.latimes.com/local/lanow/la-me-ln-county-chief-executive-20151006-story.html), October 6, 2015. <http://www.latimes.com/local/lanow/la-me-ln-county-chief-executive-20151006-story.html>

<sup>29</sup> Chief Executive Officer, "Chief Executive Office Organization Redesign," March 29, 2016, pp. 1-2.

<sup>30</sup> Sewell, Abby. "\$28 billion L.A. County budget proposal aims to address homelessness, improve jails," [Los Angeles Times](http://www.latimes.com/local/lanow/la-me-ln-la-county-budget-20160411-story.html), April 11, 2016. <http://www.latimes.com/local/lanow/la-me-ln-la-county-budget-20160411-story.html>

DMEC's problems can be attributed to years of insufficient staffing levels, due to a number of factors:

- Too few budgeted positions;
- Not enough available qualified candidates to fill the needs of the department (e.g., forensic pathologists);
- Toxicology reports are six to seven months behind schedule;
- Salary constraints that inhibit recruitment and retention of qualified professionals;
- BOS requests for immediate processing of selected cases, thereby negatively impacting DMEC's internal prioritization of investigations; and
- The sheer geographic and population size of the county and its resultant workload.

Insufficient staffing has led to the following results:

- Worker fatigue and burnout;
- Extended time required to complete autopsy reports;
- Suspension of a number of operations, including gunshot residue, scanning electron microscopy, and Law Enforcement/Officer involved shooting case review;
- No cushion to absorb extra work generated by catastrophes and extended leaves of absence (e.g., maternity or bereavement leave, illness);
- Possible loss of accreditation from The National Association of Medical Examiners (NAME), Institute of Medical Quality/California Medical Association (IMQ/CMA), and the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ACSLD/LAB). The loss of accreditation may have significant impact in terms of challenging the credibility and validity of the Medical Examiner-Coroner findings in court.

Repeated requests by the CMEC to BOS for appropriate funding for DMEC to meet its statutorily-mandated goals went unheeded. During the 2016-2017 Budget process, BOS and the CEO provided a "current level budget" and imposed a "Corrective Action Plan" which in great detail set out steps to address the various issues facing DMEC, and requested responses from the Medical Examiner-Coroner. In follow-up meetings with the CEO and BOS, DMEC's responses to the Corrective Action Plan were refused for consideration. Since he did not receive adequate resources to address DMEC's significant needs, the CMEC submitted his resignation on March 11, 2016.

## I. Independent County Executive Function:

***The CGJ found that nearly all of the next most populous counties in the country elect a county chief executive. The counties, listed by their relative sizes per population, are:***

- (2) Cook County, IL (pop. 5.2 million),***
- (3) Harris County, TX (pop. 4.4 million),***
- (7) Miami-Dade County, FL (pop. 2.7 million),***
- (8) Kings County, NY (pop. 2.6 million),***
- (9) Dallas County, TX (pop. 2.5 million),***
- (11) Queens County, NY (pop. 2.3 million),***
- (13) King County, WA (pop. 2.1 million), and***
- (15) Tarrant County, TX (pop. 2.0 million).***

***The exceptions to the elected county executive trend are the following large counties, most of which are in California: (4) Maricopa County, AZ (pop. 4.1 million), (5) San Diego (pop. 3.3 million), (6) Orange (pop. 3.1 million), (10) Riverside (pop. 2.3 million), (12) San Bernardino (pop. 2.1 million), and (14) Clark County, NV (pop. 2.0 million).***

Prior CGJ reports (1972-1973; 1996-1997) have recommended the creation of a strong independent executive function. Their recommendations are supported by organizations such as the Los Angeles County Bar Association, the League of Women Voters, and the Los Angeles County Economy and Efficiency Committee. The 1972-1973 CGJ report also recommended that BOS membership be expanded so that each Supervisor would represent only one million residents.

This CGJ agrees with that recommendation. Given that the County's current 10.1 million population is growing, BOS membership should therefore increase to 10 or, if an odd number is required 11. The cost of additional Supervisors should be a zero sum game by taking the current budgeted amount for the Supervisors and their staff, and dividing that by 11. Currently each Supervisor's office budget is \$3.4 million or \$17 million for all five.<sup>31</sup>

This CGJ believes that the time has come to (a) revisit the creation of a strong independent elected chief executive function, and (b) increase BOS membership to a minimum of 11 Supervisors.

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<sup>31</sup> Executive Office of the Board of Supervisors.

## **J. County CEO Response to Prior CGJ Recommendations:**

***The CGJ found that two previous Grand Juries made recommendations that the county adopt an elected chief executive.***

The County's CEO's response to the CGJ's 1996-97 recommendation was that voters defeated the proposals:

- In 1992, by a margin of 57 to 43 percent.
- In 1978, by a margin of 53 to 47 percent.

The response also indicated that adding such a proposal to the ballot would cost in excess of \$1 million.

In both elections, opponents of the issue noted that it would just add another layer of bureaucracy at additional costs to the taxpayers. The question that needs to be asked is whether the public is served by the current structure of five czars controlling the fate of the county without any checks and balances. Adding an independent elected chief executive (at an estimated four million dollar cost, approximately 0.015%) in a \$27.1 billion budget to provide the necessary checks and balances seems a small price to pay.

## **V. RECOMMENDATIONS**

- 11.1 That Los Angeles County, within six months, create a structured communication system between the Board of Supervisors and all department heads, and across departments, between department heads, through a centralized clearing house, so that information is transmitted clearly and efficiently.
- 11.2 That Los Angeles County ensures that the Board of Supervisors tour each county department and meet management there, at least once per year.
- 11.3 That Los Angeles County, within six months, establish a published county chain-of-command with clearly defined responsibilities.
- 11.4 That Los Angeles County, within one year, develop and implement a long-term strategic plan for the county and for each county department.
- 11.5 That Los Angeles County, within one year, establish for each department, levels of service with measurable goals and outcomes, allowing for feedback, refinements and updates by department management.
- 11.6 That Los Angeles County approve and place before the electorate for the 2020 election an amendment to the County Charter that provides for a County Chief

Executive, elected on a county-wide basis, with the powers and duties substantially similar to those provided in the May 2007 county governance structure.

- 11.7 That Los Angeles County approve and place before the electorate for the 2020 election an amendment to the County Charter to provide six additional supervisory districts in Los Angeles County, created based on equal proportions of the county's population, within the current budget, as adjusted for inflation. Such amendment should include provision for adding supervisory districts as the populations grows.
- 11.8 Los Angeles County should establish a Citizens' Ad Hoc Committee on government reform and report back to the Board of Supervisors no later than April 1, 2017, with appropriate language for the amendments recommended in 11.6 and 11.7.
- 11.9 Los Angeles County should, prior to the 2020 county-wide election, support, explain, and otherwise strongly back the amendments recommended in 11.6 and 11.7, emphasizing the benefits of each to county residents and to the careful furtherance of county government in the public interest.

## **VI. REQUEST FOR RESPONSE**

California Penal Code Sections 933(c) and 933.05 require a written response to all recommendations contained in this report. Such responses to recommendations shall be made no later than ninety (90) days after the Civil Grand Jury publishes its report (files it with the Clerk of the Court). Responses shall be made in accordance with Penal Code Sections 933.05(a) and (b).

All responses to the recommendations of the 2015-2016 Civil Grand Jury must be submitted on or before September 30, 2016, to:

Presiding Judge  
Los Angeles County Superior Court  
Clara Shortridge Foltz Criminal Justice Center  
210 West Temple Street  
Eleventh Floor-Room 11-506  
Los Angeles, CA 90012

Responses are required from:

Los Angeles County Board of Supervisors: 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9

## VII. ACRONYMS

<b>BOS</b>	Board of Supervisors
<b>CEO</b>	Chief Executive Officer
<b>CMEC</b>	Chief Medical Examiner-Coroner
<b>DCEO</b>	Deputy Chief Executive Officer
<b>CGJ</b>	Civil Grand Jury
<b>DMEC</b>	Department of the Medical Examiner-Coroner

## VIII. COMMITTEE MEMBERS

Bart Benjamins	Co-Chair
Bruce A. Berke	Co-Chair
Judy Goossen Davis	
Victor H. Lesley	
Molly Milligan	
Sandy A. Orton	
Arun Sharan	
Bob Villacarlos	