ANALYSIS

This ordinance amends Title 2 - Administration of the Los Angeles County Code to add Chapter 2.01 - Interim Governance Structure which delegates to the chief administrative officer additional responsibilities for the administration of the county, including the oversight, evaluation and recommendation for appointment and removal of specified department heads and county officers, and which enacts a non-intrusion clause applicable to individual board members and their deputies. This ordinance anticipates a charter amendment to permanently enact a similar measure, and will sunset upon the certification of the results of the election on such measure that is substantially similar to that set forth in this ordinance.

RAYMOND G. FORTNER, JR.
County Counsel

By Leela Kapur
LEELA A. KAPUR
Chief Deputy County Counsel

SJC:dd

ORDINANCE NO. ____

An ordinance amending Title 2 – Administration of the Los Angeles County Code, to add Chapter 2.01 - Interim Governance Structure, to amend the administrative governance structure of the County as an interim measure pending the consideration of an amendment to the Los Angeles County Charter making a similar governance structure permanent.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Chapter 2.01 is hereby added to Title 2 – Administration of the Los Angeles County Code to read as follows:

Chapter 2.01

Interim Governance Structure

SECTIONS:

2.01.010 Statement of intent and definition.

2.01.020 Oversight of department heads.

2.01.030 Appointment of department heads.

2.01.040 Evaluation and removal of department heads.

2.01.050 Non-intrusion.

2.01.060 Limitation upon authority.

2.01.070 Sunset date.

2.01.010 Statement of Intent and definition.

A. It is the intent of the board of supervisors in enacting this chapter to establish a new, interim, system of administrative governance for the county in which the board of

supervisors delegates the responsibility for general administration, including responsibilities for the oversight, evaluation, and recommendation for appointment and removal of specified department heads and officers of the county, to the chief administrative officer. It is also the intent of the board of supervisors to submit to the voters for approval at an election in 2008 amendments to the charter which, if approved, will make permanent a governance structure similar to that described in this chapter. Upon approval of such a charter amendment, this code will be extensively amended to permanently reflect the new structure. Until such time as this interim ordinance sunsets, is extended or otherwise amended, it is the intent of the board of supervisors that the provisions of this chapter prevail over any inconsistent provisions of this code.

B. As used in this chapter, the term "department head" means those persons identified in section 2.02.190, except those persons identified in paragraphs G., H., and I. of said section.

C. Nothing in this chapter is intended to change the reporting relationship of the Department of Museum of Art or the Department of Natural History Museum or of any county commission. Each county commission shall continue to report to the board of supervisors and/or any county officer or employee specified in the resolution or ordinance adopted or other action taken by the board of supervisors relating to said commission.

2.01.020 - Oversight of department heads.

Pursuant to article I, section 2 of the charter, the board of supervisors designates

the chief administrative officer as its agent and officer, and delegates to him or her the responsibility for the administrative oversight of all non-elected county departments heads, with the exception of the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief. In furtherance of the administrative oversight responsibilities, any section of this code which requires a non-elected department head other than the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, or the fire chief to report to or be directed by the board of supervisors, is superceded by this chapter. Hereafter, said non-elected department heads other than the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief shall report to and take direction from the chief administrative officer. All other duties of department heads as provided in this code, when not in conflict with this section, remain the same.

2.01.030 - Appointment of department heads.

A. Pursuant to article I, section 2 of the charter, the board of supervisors designates the chief administrative officer as its agent and officer, and delegates to him or her administrative authority to recruit candidates for all non-elected department head positions, with the exception of the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief. After the recruitment process is complete, the chief administrative officer will propose one candidate to the board of supervisors for approval. If the board of supervisors rejects the recommendation, or fails to approve the recommendation within 30 days of

submission, the chief administrative officer will propose another candidate in the same manner, unless otherwise directed by the board of supervisors.

B. All reporting requirements of the director of human resources with regard to the appointment of department heads other than the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief are superceded by this section. For the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief, the director of human resources shall continue to report to and take direction directly from the board of supervisors.

2.01.040 - Evaluation and removal of department heads.

Pursuant to article I, section 2 of the charter, the board of supervisors designates the chief administrative officer as its agent and officer, and delegates to him or her administrative authority to evaluate and recommend removal, with or without cause, of all non-elected department heads, with the exception of the chief administrative officer, the county counsel, the auditor-controller, the executive officer of the board of supervisors, and the fire chief. In the event that the chief administrative officer determines that any such department head should be removed, he or she will recommend such action to the board of supervisors, and the board of supervisors shall act on the recommendation within 30 days. For the positions of chief administrative officer, county counsel, auditor-controller, executive officer of the board of supervisors, and fire chief, the power to evaluate and remove said officers remains with the board of supervisors.

2.01.050 - Non-intrusion.

Except as otherwise provided in this chapter, the board of supervisors, as governing board of the county, retains full authority to take any and all official action for the governance of the county. However, no individual member of the board of supervisors, nor any deputy or assistant to any member of the board of supervisors, shall give orders to or instruct any county officer or employee, but may seek information and/or seek assistance from county officers and employees.

2.01.060 - Limitation upon authority.

No provision of this chapter is intended to vest in the chief administrative officer any duty, or grant to him or her any authority, which pursuant to law is required to be performed by the board of supervisors.

2.01.070 - Sunset date.

The provisions of this chapter shall expire upon the certification of the results of the election at which a charter amendment that will make permanent a governance structure substantially similar to that set forth in this ordinance is presented to the voters.