

MOTION BY SUPERVISORS LINDSEY P. HORVATH AND

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Increasing Effectiveness, Responsiveness and Accountability of County Government through Charter Reform

When the Los Angeles County Charter was adopted by the voters in 1912, Los Angeles County's (County) population was a little over 500,000. Since our governance model was adopted, the County has grown massively in scale and scope, becoming the most populous county in the nation with nearly 10 million residents and 88 incorporated cities within its borders. If the County were a state, it would be ranked as the 11th most populous, just below Michigan and above New Jersey. Economically, Los Angeles County has a larger Gross Domestic Product (GDP) than all but five U.S. states (California, Texas, New York, Florida, and Illinois). Yet our governance structure, established before women had the right to vote, has remained unchanged.

As a result, Los Angeles County residents suffer deficits of representation and accountability. Each of the five-person Board of Supervisors (Board), elected directly by voters, represents approximately 2 million constituents. In the unincorporated areas of the County, Supervisors additionally serve in the same capacity as mayors and councilmembers, responsible for direct municipal services such as waste collection and

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street repair. Furthermore, a governance structure that lacks an elected executive does not benefit from clearly delineated roles of accountability and district-specific interests might be prioritized over the County as a whole. A countywide official, elected by and answerable to the voters, is best positioned to consider the common interests of the entire County population and to be held accountable for their implementation. Such a system would sharply reduce the potential for parochialism and focus an essential regional perspective. Processes vital to how the County functions, such as the creation and passage of the County budget, should be led by an official who is chosen by and directly accountable to the voters.

For over half a century, multiple efforts have been made to reform the County's governance structure, including the expansion of the Board of Supervisors and the creation of an elected County Executive. County and State efforts on governance reform include:

- Proposition D: Board Expansion (1962)
- Proposition A: Elected County Mayor (1976)
- Proposition B: Board Expansion (1976)
- Proposition B: Elected County Executive (1992)
- Proposition C: Enlarging the Board of Supervisors (1992)
- [SCA 7 \(Polanco\): Mandated Board Expansion](#) (2000)
- Measure A: Board Expansion (2000)
- [SCA 8 \(Mendoza\): Charter Counties: Board of Supervisors: Redistricting](#) (2015)
- [SCA 12 \(Mendoza\): Counties: Governing Body: County Executive](#) (2017)
- [*Equitable Representation through Possible Expansion of the Los Angeles County*](#) (Solis-Hahn) (2023)
- [*Improving Los Angeles County Board Governance to Strengthen Equity and Transparency*](#) (Mitchell-Horvath) (2023) [[revised motion](#)].

Moreover, numerous studies on Los Angeles County governance reform have been published over the years, including:

- [*Study of Los Angeles County Charter*](#), Los Angeles County Citizens' Economy and Efficiency Committee (1970)
- [*Final Report*](#), Los Angeles County Grand Jury (1973)
- [*To Serve Seven Million, Public Commission on Los Angeles County Government, Los Angeles County Bar Association*](#) (1976)
- [*Report on the Executive Structure of Los Angeles County Government \(Organization\)*](#), Los Angeles County Citizens' Economy and Efficiency Committee (1990)
- [*Final Report*](#), Los Angeles County Civil Grand Jury (2016)
- [*Final Report*](#), Los Angeles County Citizens Redistricting Commission (2021)

Though most studies recommend the creation of an elected County Executive and/or an expansion of the Board of Supervisors, the aforementioned reports lead to the same conclusion: Los Angeles County's governmental structure is in need of reform.

While the data points may change over time, issues of accountability and the need for better representation remain. As we have faced and continue to face numerous crises on multiple fronts—the COVID-19 pandemic, massive wildfires, homelessness, criminal justice reform, and climate change to name a few—the lack of strong, elected executive leadership has impacted our ability to address those challenges as nimbly and efficiently as possible.

Further, in order to achieve the checks and balances essential to our democracy, creating an elected County Executive must be accompanied by an expansion of the Board of Supervisors. Including additional members to the Board increases equitable

representation for the County's 10 million residents in all their diversity, with varied perspectives to balance a strong County Executive. Los Angeles is an anomaly in terms of local government representation. Table A below illustrates how disproportionate representation is in Los Angeles relative to large metropolitan areas across the country:

Table A: County Comparisons

JURISDICTION	TOTAL POPULATION	LOCAL REPRESENTATIVES	CONSTITUENTS PER DISTRICT	ELECTED COUNTY EXECUTIVE
San Francisco City and County, CA¹	875,000	11 County Supervisors	79,500	Yes
Prince George's County, MD	950,000	11 County Councilmembers	86,000	Yes
Montgomery County, MD	1 million	11 County Councilmembers	91,000	Yes
Cuyahoga County, OH	1.2 million	11 County Councilmembers	109,000	Yes
Wayne County, MI	1.9 million	15 County Commissioners	127,000	Yes
King County, WA	2.3 million	9 County Councilmembers	256,000	Yes
Miami-Dade County, FL	2.7 million	13 County Commissioners	208,000	Yes
Cook County, IL	5.2 million	17 County Commissioners	306,000	Yes
New York City²	8.3 million	51 Councilmembers	163,000	Yes
Los Angeles County, CA	10 million	5 County Supervisors	2 million	No

With additional elected representation comes the need for independent oversight to maintain public trust. The numerous reports of ethics and corruption scandals in local government over the last two decades reinforce this need. An impartial body charged with

¹ Other than San Francisco, which is a consolidated city-county, California's counties are governed by an elected five-member Board of Supervisors.

² New York City consists of five boroughs coterminous with county boundaries. Boroughs function as counties for certain purposes, but there is no county government. When New York City was consolidated into its present form in 1898, all previous town and county governments within it were abolished in favor of the present five boroughs and a unified, centralized city government.

administering county and state laws related to such areas as campaign finance, government contracts, land use developers, governmental ethics, and lobbying must be formed to increase public confidence in local government and elections.

As we near the halfway point to the decennial reapportionment process and approach a presidential election which traditionally yields a higher voter turnout, now is the time to turn to the residents of Los Angeles County to reform government, improve accountability and representation, and take on the complex challenges of our time.

WE, THEREFORE, MOVE that the Board of Supervisors direct County Counsel to draft the necessary documents, including an ordinance, for a proposed Charter amendment reconstituting the Los Angeles County governance structure for placement on the November 5, 2024 ballot, to be consolidated with the Statewide election to be held that day, to be considered for two ordinance readings, with the second reading to be completed at a Board of Supervisors meeting by no later than 88 days before the November 5, 2024 Statewide Election, containing the following provisions:

1. By 2028, establish an office of County Executive to be elected directly by voters countywide at a general election for a term of four years and every four years thereafter. The County Executive shall have all executive and administrative powers and duties of the Board of Supervisors except for administrative oversight of the County Legislative Analyst and the Clerk of the Board of Supervisors. Legislative and quasi-judicial powers shall be retained by the Board of Supervisors. In addition, the County Executive shall have the following powers and duties:

- a. To perform all powers and duties provided by State law and

County Code to the county chief administrative officer.

- b. To appoint and dismiss all appointed department heads, subject to confirmation by the Board of Supervisors unless prohibited by law, except for the County Legislative Analyst and Clerk of the Board of Supervisors.
 - c. To supervise, direct, evaluate, and manage the conduct of all appointed department heads, unless prohibited by law, except for the County Legislative Analyst and the Clerk of the Board of Supervisors.
 - d. To develop and submit the County annual budget to the Board of Supervisors for approval or amendment by that body, which shall transmit back any amendments to the budget, to the County Executive, in accordance with State law.
 - e. To veto amendments made by the Board of Supervisors to the budget, except that the Board of Supervisors have seven days (excluding Saturdays, Sundays and holidays) from such veto to restore an amendment by two-thirds majority vote of the Board, within the time for adopting the County budget specified in State law.
2. Expand the Board of Supervisors from five members to nine members following the 2030 decennial census and reapportionment process.
- a. Seven Supervisors shall be elected in 2032. Two of the seven Supervisors will serve a term of two years. The initial two-year term shall not count towards the term limits established in the

County Charter but will also not create a break in service for incumbent Supervisors for purposes of determining consecutive terms. The Supervisorial Districts subject to an initial two-year term shall be selected randomly. Four Supervisors shall be elected in 2034 for a full term expiring in 2038. Thereafter, Supervisors shall be elected in staggered elections of five Supervisors and four Supervisors in even numbered years for four-year terms.

3. By 2028, establish the position of the Director of Budget and Management to prepare the County Executive's annual budget, to advise and provide recommendations to the County Executive on the fiscal condition, financial status, and future needs of the County, and to promote productivity, economic development, and efficiency in the conduct of County government.
 - a. The Director of Budget and Management shall be appointed by the County Executive subject to confirmation by the Board of Supervisors.
 - b. The Director of Budget and Management shall prepare the County's annual budget and administer the budget upon adoption.
 - c. The Director of Budget and Management shall coordinate additional administrative functions currently performed by the Chief Executive Office.
4. By 2028, establish the position of County Legislative Analyst.

- a. The County Legislative Analyst shall be appointed and removed by a two-thirds majority vote of the Board of Supervisors.
 - b. The County Legislative Analyst shall provide nonpartisan legislative support and analysis for the Board of Supervisors on County policy issues.
- 5. By 2026, require all non-urgency legislation be publicly posted for a minimum of 120 hours (five days) before action is taken by the Board of Supervisors.
- 6. By 2026, establish an independent Ethics Commission charged with the following:
 - a. Investigate allegations of misconduct by County officials and to monitor and enforce laws in coordination with other agencies related to governmental ethics, including but not limited to campaign finance, conflicts of interest, lobbying, post-government employment, government contracts, and land use developer conflicts.
 - b. Regularly review the County Code and make recommendations to the Board of Supervisors for updates regarding governmental ethics including, but not limited to, campaign finance, conflicts of interest, lobbying, post-government employment, government contracts, and land use developer conflicts.
 - c. Develop and/or implement additional updates and features to enable searchable public data portals related to governmental ethics, including but not limited to all lobbying activity, defined as

but not limited to registration, activity, contributions, and expenditures updated in real time, or as close to real time as practicable.

d. The Board of Supervisors shall provide reasonable funding and staffing for the Ethics Commission.

7. Authorize suspension of an elected county officer, including a member of the Board of Supervisors, with or without pay, who has been criminally charged with felony related to a violation of official duties to the extent permitted by law.
8. By 2026, establish the Office of Ethics Compliance to be led by the Ethics Compliance Officer to support the work of the independent Ethics Commission.
9. Require a “revolving door” policy for Los Angeles County that prohibits former Los Angeles County officials from lobbying the County for a minimum of two years after leaving County service, not the current one year.
10. Establish a Governance Reform Task Force, reporting to the Board of Supervisors, responsible for implementation of this Charter amendment upon adoption by the voters, including robust community and stakeholder outreach. The Task Force shall convene no later than 180 days after certification of the vote and provide initial recommendations to the Board of Supervisors within a reasonable timeframe in order to carry out the effects of the Charter amendment. The Task Force shall disband upon completion of implementation no later than December 3,

2028, unless otherwise directed by the Board of Supervisors.

11. Establish a Charter Review Commission to meet, at a minimum, decennially to review Los Angeles County governance and the Los Angeles County Charter. The Charter Review Commission shall make recommendations to the Board of Supervisors. Upon transmittal of the Commission's recommendations, the Board must place the recommendations on the agenda and vote no later than 90 days after receipt.
12. Require County departments and agencies to present their budgets to the Board of Supervisors in open, public meetings, prior to the annual budget being adopted.
13. Require that the implementation of this measure may only use existing County funding sources, and there not be any additional costs to or taxes imposed on taxpayers to implement this measure.

WE, FURTHER, MOVE that:

1. The Board of Supervisors shall provide, by ordinance, any process, office, or action necessary to implement this measure, if approved by the voters, consistent with the intent of the measure; and
2. County Counsel shall:
 - a. Draft all necessary documents to effectuate this motion, including incorporation of a severance clause and language from the 2000 Charter amendment ordinance proposing the establishment of a County Executive and expansion of the Board, to the extent appropriate but not inconsistent with this motion, and

- b. Ensure all changes proposed in this measure are publicly disseminated in the languages required for County election materials as set forth in Section 203 of the federal Voting Rights Act and Section 14201 of the California Elections Code.
3. Ensure that the proposed Charter amendment is clear that should any provision or part of the proposed Charter amendment be found unconstitutional or invalid, it would be severable, and its invalidity or unconstitutionality shall not affect the remaining provisions or application, which would be implemented without the invalid or unconstitutional part.

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