

October 2024

Fernando J. Guerra, Ph.D.
Timothy Krebs, Ph.D.
Sara Sadhwani, Ph.D.
Francisco Jasso, Ph.D.
Shauna Clark, M.B.A.
Lydia Lopez Wolfe, M.L.S.

Measure G

Examining Los Angeles County Governance Reform 2024

Thomas and Dorothy Leavey Center for the Study of Los Angeles (StudyLA)
Loyola Marymount University 310.338.4565
1 LMU Drive lmu.edu/studyLA
Los Angeles, CA 90045 @LMUstudyLA



Contents

About this Report 2

Authors 4

Introduction 5

County Elected Executive7

Expanding the Size of the Board of Supervisors 14

Comparing Ethics Structures in Largest Counties in California and Nationwide 20

Implementation 31

Endnotes.....39

About this Report

Loyola Marymount University

LMU is a private Catholic university with 6,250 undergraduates, 2,150 graduate students and 1,100 law students from diverse backgrounds and many perspectives. Our seven colleges and schools boast best-in-the-nation programs in film and television, business, education and more. Our stunning campus in West Los Angeles is a sun-soaked oasis overlooking the Pacific coast and a model of sustainability. We're rooted in the heart of Los Angeles, a global capital for arts and entertainment, innovation and technology, business and entrepreneurship. Our mission is grounded in a centuries-old Jesuit educational tradition that produces extraordinary men and women dedicated to service and social justice. We're proud of more than 92,000 LMU alumni whose professional achievements are matched by a deep commitment to improving the lives of others. For more LMU news and events, please visit www.lmu.edu/news.

Center for the Study of Los Angeles (StudyLA)

The Center for the Study of Los Angeles (StudyLA) at Loyola Marymount University is one of the leading undergraduate research centers in the nation with extensive experience in public opinion surveys, exit polls, leadership studies, community studies, and culture and climate assessments. Founded in 1996, StudyLA has conducted groundbreaking research through our ongoing LA Votes election project, LA Riots Anniversary Study, Angeleno Poll, and various leadership and community studies. We provide rigorous mentored research experiences for undergraduate students at LMU with an emphasis on hands-on research. StudyLA shares in the university's commitment to social justice, working with partners throughout civic Los Angeles to develop studies that result in data-informed decision-making and transformative change. For more information about StudyLA and our research, please contact: Brianne Gilbert, managing director, at brianne.gilbert@lmu.edu.

About the Report

In partnership with several academics and practitioners, StudyLA prepared this report to examine Measure G, the Los Angeles County Government Structure, Ethics, and Accountability Charter Amendment appearing before Los Angeles County voters on the November 2024 ballot. Voters are asked to consider the following:

Shall the measure amending the Los Angeles County Charter to create an elected County Executive; create an independent Ethics Commission to increase restrictions on lobbying and investigate misconduct; establish a nonpartisan Legislative Analyst to review proposed County policies; increase the Board of Supervisors from five to nine elected members; require County departments to present annual budgets in public meetings; using existing funding sources with no additional taxes to implement, as detailed in the charter amendment ordinance, be adopted?

Measure G is an attempt to reform county government and part of a broader statewide effort to enhance local governance, coinciding with similar reform efforts in the city of Los Angeles.

This report contextualizes the major tenets of Measure G and situates the effort within the broader U.S. and California government landscape as well as academic literature. It is organized as five individual briefs written by different authors.

Recommended Citation

Thomas and Dorothy Leavey Center for the Study of Los Angeles (2024). *Measure G: Examining Los Angeles County Governance Reform 2024*. Loyola Marymount University, Los Angeles, California.

Funders

Funding for this project came from the California Community Foundation. Donors are not involved in any aspect of report design or dissemination. To learn more about StudyLA's funders, please contact: Brianne Gilbert, managing director, at brianne.gilbert@lmu.edu.

In Memoriam

We would like to express our deepest gratitude to the late Dr. Boris Ricks, associate professor of political science and director of the Center for Southern California Studies at the California State University, Northridge. He was an integral part of the [Los Angeles Governance Reform Project](#) and instrumental in the initial efforts that led to this report. A brilliant scholar of urban politics and racial and ethnic politics, Dr. Ricks was a great colleague, collaborator, and friend. We miss him dearly.

Authors

Fernando J. Guerra, Ph.D.

Professor of Political Science and Chicana/o Latina/o Studies
Director of the Center for the Study of Los Angeles (StudyLA)
Loyola Marymount University

Timothy B. Krebs, Ph.D.

Professor of Political Science
University of New Mexico

Fellow at the Center for the Study of Los Angeles (StudyLA)
Loyola Marymount University

Sara Sadhwani, Ph.D.

Assistant Professor of Politics
Pomona College

Francisco Jasso, Ph.D.

Research Associate at the Pat Brown Institute for Public Affairs
California State University, Los Angeles

Shauna Clark, M.B.A.

Adjunct Professor, Public Sector Management and Leadership Program
California State University, Northridge

Lydia Lopez Wolfe, M.L.S.

Development Manager at the Center for the Study of Los Angeles (StudyLA)
Loyola Marymount University

Introduction

In 2024, voters are asked to consider a set of reforms that proponents assure will make Los Angeles County government more accountable, representative, and ethical. If Measure G is adopted, the form of county government will change from a County Administrator system to a County Elected-Executive model; the Board of Supervisors will expand from five members to nine; and the county will, for the first time in its history, have an Independent Ethics Commission to strengthen oversight of official government conduct.

Organized as a set of research briefs and written by different authors based at local universities, it is an effort to inform the public and key stakeholders about the likely implications of these changes for how county government will function in the future. Each brief relies on academic research, government data, and comparative examples across the nation and throughout California to place the various aspects of Measure G into a broader context.

Two guiding assumptions underlie this effort. First, the design of governing institutions matters. It establishes the rules of the game and creates a legal foundation to execute representative democracy, by guiding the behavior and practices of elected and unelected government officials. How government is organized also shapes how the public relates to the “system” and influences how empowered residents feel in making their voices heard.

Second, if adopted, Measure G *will* bring change. Through careful study and with an eye toward objectivity, the briefs in this report describe the nature of these changes and shine a light on what we might expect from them. This report attempts to bring these institutions and the proposed changes to them into the foreground of public discussion so voters can make decisions that align with their preferences. And whether it passes or not, we are confident that our efforts to explain Measure G will provide a baseline for future policy discussions among voters and interest groups, county elected officials, and policymakers outside Los Angeles that have a stake in what happens here.

In this report, we hope to illuminate some of the most complex and pressing questions surrounding Measure G. The briefs are not exhaustive or mutually exclusive, but we believe we have addressed the most asked-about issues that have been asked about Measure G.

In the brief about an Elected County Executive, Timothy Krebs discusses:

- How is an elected County Executive different from an appointed one?
- How will an elected County Executive change the politics of county government?
- Could an elected County Executive address policy gaps left by the current system?

In the brief about Board Expansion, Sara Sadhwani examines:

- What purpose does Board expansion serve?
- Why expand to nine?
- Do more Supervisors equal better representation?
- What could additional districts mean for communities of color?

In the brief about Ethics Structures, Francisco Jasso discusses:

- How does ethics in Los Angeles compare to counties and cities across the country?
- Would Measure G really make a difference in Los Angeles' ethics apparatus?

In the brief on Implementation, Shauna Clark explores:

- What will this all cost?
- If Measure G is passed, what happens next?
- How long will the reform process take?
- What will be the practical impacts on governance, County staff, and services?

Note: These are organized as separate briefs prepared by different authors so there may be differences in the reporting of some information, e.g., estimated population numbers in 2024 versus 2020 figures.

Truly historic in scope, these reforms have been considered, in various ways and at various times, over the last several decades. This past summer, however, members of the Board of Supervisors made another attempt at reform by voting to put a measure on the ballot that will allow Los Angeles County voters to weigh in on the matter.

Our work was made possible through the generous support of the California Community Foundation. It comes on the heels of intense philanthropic interest and support for efforts to promote good governance in the city of Los Angeles.

Importantly, in addition to Measure G, voters in the city will be asked to consider measures at the city level to change the process of redrawing council districts and strengthen ethics enforcement. With all the attention on national elections this fall, we must not forget the critical role of local government on which we depend every day for services that support economic development, infrastructure, planning, public safety, social services, public health, and democracy. It is not overstating the case that we are currently in a period of serious and sustained efforts to reform government at all levels in the state of California.

Regardless of the election outcome, we are confident this will not be the last effort to understand good governance in Los Angeles. We look forward to future conversations on the issues as voters strive for further accountability, better representation, and a more ethical system.

County Elected Executive

Timothy B. Krebs, Ph.D.

*Professor of Political Science, University of New Mexico
Fellow, Center for the Study of Los Angeles, Loyola Marymount University*

Background on County Form of Government and Measure G

This brief places the proposed Los Angeles County reform, Measure G, in national and state context using academic literature. It describes the forms of county and city government in the U.S. and California. This brief discusses the variation in form of government in the largest U.S. counties and cities and research findings from the political science, public policy, economics, and public administration literatures that bear on the implications of local government structure in several key areas. It leverages data from the U.S. Census, International City/County Management Association (ICMA), advocacy organization reports, and scholarly research to generate insights on Measure G, which proposes to substantially reform county governance in LA.

County Government in the U.S.

According to the U.S. Census, the U.S. has 3,033 county governments, the forms of which are defined in different ways throughout the country. The most common classification scheme is the County Commission, Commission-Administrator, and Commission Elected-Executive. Among these three, the most traditional is the County Commission, which is governed by a commission that has both legislative, executive, and judicial powers, followed by the Commission-Administrator and Commission Elected-Executive form, which more clearly separate legislative and executive functions.ⁱ

The number of counties in the U.S. and the number of counties in each state has remained consistent in recent decades, but the number of counties per state varies considerably. Texas has the largest number at 254, while Delaware has the fewest at three.ⁱⁱ The largest county by population is Los Angeles, California, which has 10,014,009 residents, while the smallest is Loving, Texas, which has 63.ⁱⁱⁱ

Information on the largest U.S. counties and their form of government are presented in Table 1. Governments that function as both cities and counties, like New York City with a population of 8.3 million residents, are excluded from the table. Also excluded are New York's Boroughs, which legally are counties, but whose governance structure is quite distinct from the typical U.S. county. Of the 17 largest counties listed in the table, the County Administrator form is most common, and is used in 12. The Commission Elected-Executive is used in the remaining five—Cook County, Illinois; Miami-Dade, Florida; King County, Washington; Wayne County, Michigan; and Philadelphia County, Pennsylvania.

Table 1. County Form Government by Population Size

County	Population (2020)	Form of Government
Los Angeles County, CA	10,014,009	County Administrator
Cook County, IL	5,275,541	County Elected-Executive
Harris County, TX	4,731,145	County Administrator
Maricopa County, AZ	4,420,568	County Administrator
San Diego County, CA	3,298,634	County Administrator
Orange County, CA	3,186,989	County Administrator
Miami-Dade County, FL	2,701,767	County Elected-Executive
Dallas County, TX	2,613,539	County Administrator
Riverside County, CA	2,418,185	County Administrator
King County, WA	2,269,675	County Elected-Executive
Clark County, NV	2,265,461	County Administrator
Tarrant County, TX	2,110,640	County Administrator
Bexar County, TX	2,009,324	County Administrator
Santa Clara County, CA	1,936,259	County Administrator
Wayne County, MI	1,793,561	County Elected-Executive
Alameda County, CA	1,682,353	County Administrator
Philadelphia County, PA	1,603,797	County Elected-Executive

California has 58 counties, each of which is served by a county governing body called a Board of Supervisors, which has legislative, executive, and quasi-judicial powers.^{iv v} State law distinguishes between General Law and Charter Counties. General Law counties strictly abide by state laws regarding both the number and duties of elected officials, administrative and service provisions, while Charter Counties have limited home rule power that grants them more flexibility regarding government form and services. There are currently 44 General Law and 14 Charter Counties in the state.^{vi}

Los Angeles County's current governing system is closest in form to a Commission Administrator model in that the Board of Supervisors appoints a full-time administrator whose job is to manage the daily affairs of county government. In LA, that person is the Chief Executive Officer. Because California counties are governed by a board, and not a commission, for clarity I will use the label County Administrator in place of Commission Administrator, and County-Elected Executive in place of Commission Elected-Executive. Measure G proposes to change the form of government from County Administrator to County Elected-Executive.

The County Administrator form is like the Council Manager system of government used in most American cities, where the city council appoints a city manager to oversee daily affairs. The difference is that unlike the council in council manager cities, the elected board exercises not only legislative, but executive and quasi-judicial powers as well. Measure G would make the county more like a Strong Mayor-Council form of government, which is in place in many cities, especially large ones. This form gives executive power to a mayor and legislative power to a city council. Like a governor, the mayor can influence the legislative agenda through their veto power, and their responsibility to prepare and submit a budget to the council. Nevertheless, in this system there is more of a strict separation between legislative and executive functions than one finds in a

council manager city. I turn next to the possible implications of moving LA County to a County Elected-Executive model.

Public Policy

The Connection Between Government Form and Fiscal Policy Choices

A question raised by Measure G is whether the proposal to replace the County Administrator form with a County Elected-Executive form will change the direction of county policy. Although Measure G is focused on Los Angeles County, most of the research on the effect of government form on public policy has been conducted on city, not county governments. Researchers typically focus on variation in revenues and expenditures because these are the most direct indicators of a community's policy choices, but also because data are regularly collected on them, making large-scale comparisons possible.

Before delving into the research, some additional background on the history of local government structure is necessary. Council Manager governments were advocated during Progressive Era (circa 1890-1920), to address fiscal mismanagement and bureaucratic corruption that plagued American cities. Consequently, researchers hypothesized that cities that adopted this form would be more efficient and less wasteful, resulting in lower taxes and less government spending relative to cities that used the Mayor Council system, which were often exploited by patronage-based party machines.^{vii}

At the county level, policy challenges associated with suburban population growth and greater metropolitan complexity caused leaders and residents to innovate with government form to professionalize county management.^{viii} Gradually, this led to the adoption in many places of the County Administrator or County Elected-Executive form, which were considered “reformed” relative to the County Commission model. The County Administrator form is designed to promote government efficiency through professional administration.^{ix} By contrast, the County Elected-Executive model is designed to promote both sound administration and, by calling for the election of the executive, strong political leadership. These two forms resemble the Council Manager and Strong Mayor-Council forms used in U.S. cities but are not identical to them.

How government form affects *municipal* policy outputs has generated a voluminous literature and is captured only in brief form here. Early studies indicated that Council Manager cities did in fact tax and spend less than Mayor-Council cities,^x while later studies employing more sophisticated research methodologies showed that either government form was not related to fiscal policy choices,^{xi} or that the effects were transitory in nature.^{xii} In a large and unique study of the influence of ideology on city spending policies, Tausanovitch and Warshaw showed that *no* institutional features of city government affect the direction of city policy outputs.^{xiii}

The existence of an executive is likely to bring efficiencies that will lower overall spending and taxes. However, because counties reformed in response to greater policy demands, it may be that they spend more to meet them. The trajectory of research on the policy effects of county institutional reform mirrors that of cities. However, the question of whether reformed counties spend more (or less) than unreformed ones has not been settled.

In perhaps the first empirical study on this question, DeSantis and Renner showed that counties with the County Administrator form spent *less* overall than those with the County Commission form.^{xiv} This difference, however, did not extend to counties with an elected executive.^{xv} Morgan and Kickham examined a small sample of counties that had changed their form of government to either a County Administrator or County-

Elected Executive to a sample that did not change from the County Commission form.^{xvi} Using a sophisticated interrupted time-series model, they found no difference in fiscal policy between the two groups before and after the switch was made. Choi et al found that reformed counties spent less on basic services, economic development, and social services, but that increased spending was associated with home rule power, another institutional factor that varies among counties.^{xvii}

On the other hand, Schneider and Park found that reformed counties provide *more* services, especially around economic development policy relative to unreformed counties.^{xviii} Benton found that reformed counties not only raised and spent more, but they also spent more on specific services, what he labeled “traditional” (e.g., police protection, corrections, courts, social services, public health, transportation), “local” (e.g., fire protection, sanitation, utilities, solid waste, libraries and parks) and “regional” services (e.g., housing, disaster preparedness, environment, airports, mass transit, stadiums and performing arts, education). He also found that the differences were greater when these same counties enjoyed home rule authority, which allows greater policy independence.^{xix} In other work, Benton found that changing the form of government to enhance administrative competence in rapidly growing Florida counties led to significantly larger tax collections to fund expanded services.^{xx}

In general, the results for counties are nearly as mixed as the results for cities. Furthermore, in most cases researchers collapse the County Administrator and County Elected-Executive form into one “reformed” government variable, which does not allow one to test unique effects to either form.^{xxi} Because a considerable portion of the empirical literature on county policy treats appointed and elected executive forms as the same (and compares this category to County Commission) there is simply no conclusion to draw from the extant literature on county government regarding the potential effects of elected executives. If Measure G passes, Los Angeles would simply move from one “reformed” system to another, at least as it has been defined and measured in the research literature.

The Non-Fiscal Policy Effects of Government Form

Of course, local governments do more than just make decisions about taxing and spending. Does form of government affect non-fiscal policy choices?

Feiock and Kim found that cities with professional management embodied by the Council Manager form had more robust processes for planning and executing economic development policies relative to the more political Mayor Council cities they studied.^{xxii} At the same time, Sharp’s study of economic development policy outputs in economically distressed communities demonstrated that cities with strong elected leaders were more likely to generate a range of policy responses to address downturns relative to those with appointed managers.^{xxiii} Lubell, Feiock, and Ramirez showed that interest group influence in economic development varies by form of city government, with city managers more responsive to concentrated development interests and mayors more responsive to upper status environmental and neighborhood concerns.^{xxiv} Examining U.S. counties, Ybarra and Krebs found that places with elected executives were more responsive to local interests in a national study of local anti-smoking policies.^{xxv}

In different ways these findings demonstrate that institutional arrangements shape the incentives of elected and appointed officials.^{xxvi} County reform was an institutional response to increased complexity and policy demand on emerging issues – for example, housing, homelessness, public health, – leading to the prediction that more policy activity would follow. City reform was a response to mismanagement and weak administration, thus stronger planning processes and better management should follow. Strong mayors were

instituted to enhance political leadership; thus, they are more likely to respond to financial distress with a range of policy responses relative to city managers in their effort to appease voters.

Governing institutions shape policy outcomes and political behavior in subtle ways, and the choice of governing institutions reflects the policy trade-offs local communities prefer at a particular moment in time. Does a community desire managerial competence or does it desire political representation and accountability? The choice is never this stark of course. Indeed, the desire for managerial competence does not mean that one must jettison a desire for political responsiveness, and vice-versa. And drives to change governing arrangements are never made in a political vacuum; they always seek to address some problem or set of problems. And they are never without the usual set of political actors—media, advocacy groups, elected officials, business and labor groups, racial and ethnic interests—seeking advantage for their side in the process.^{xxvii}

The evolution of city and county government institutions over the last few decades reflects broad changes in our understanding of how institutional design shapes practical politics and policymaking at the local level. During the Progressive Era, many new cities embraced Council Manager systems, nonpartisan ballots, and at-large elections. Over time it became clear that these reformed systems were unable to provide the kind of political responsiveness and representation provided by the Mayor Council systems they replaced. Likewise, Mayor Council systems were unable to provide the kind of sound management produced by the reformed systems. With time, these two systems began to resemble each other. For example, Mayor Council cities started using a Chief Administrative Officer to assist mayors with their administrative duties. And in Council Manager cities mayors that were once selected by city councilors and who served in a rotating capacity were now directly elected by voters. These so-called “adaptive cities” have proliferated in recent decades.^{xxviii}

Something similar has happened at the county level as well. As metropolitan fragmentation increased and populations grew, county governments adapted to manage change. Counties that were once “forgotten” elements of the U.S. federal system were now reforming to enhance managerial, policymaking, and service capacity.^{xxix} Los Angeles County fits into this larger stream of changes. Its governing system provides for professional management in the appointment of a Chief Executive Officer, but critics complain that the system still lacks administrative (service delivery) coordination and policy direction. The call to elect the County executive is a response to this challenge. Measure G also calls for the creation of an Office of Budget and Management, the director of which would be appointed by the County Elected-Executive, as well as the creation of an office of Chief Legislative Analyst for the first time, whose director would be appointed by and report to the Board of Supervisors. These two innovations also promise to enhance the governing capacity of the county, which has not changed in any fundamental way in over 100 years.

How institutional arrangements shape the incentives of elected versus appointed policymakers has been addressed in a series of studies. What Mayhew referred to as the “electoral connection”—or the drive among elected officials to be reelected—is geared toward meeting the demands of voters to enhance electoral prospects.^{xxx} To this point, Besley and Coate found that relative to appointed regulators, elected energy regulators in states provided greater relief to consumers on their electric bills.^{xxxi} Enikopolov (2014) showed that elected executives were more likely than appointed ones to expand government hiring or patronage, especially during election years.^{xxxii} Hessami demonstrated that elected mayors attract significantly more intergovernmental grants than do appointed ones, especially in election years.^{xxxiii} And Miller found that electing, rather than appointing statewide administrative positions (e.g., Secretary of State, Superintendent of Public Instruction, Attorney General) brought state policy more in line with state public opinion.^{xxxiv} By contrast, appointed officials are motivated more by actions and outcomes that enhance their professional

reputations.^{xxxv} Appointed state court judges write higher quality opinions than elected judges,^{xxxvi} and council manager cities led by city managers responsible for budget preparation and implementation have greater budget solvency than mayor council cities.^{xxxvii}

In summary, if Measure G is adopted, fiscal policy outputs in Los Angeles County are unlikely to be affected by a shift to a County Elected-Executive form of government. At the same time, patterns in political responsiveness are likely to change given the new incentive structure that will be created for county governance.

Governance and Elections

Changing county government from a Commission Administrator form to a County-Elected Executive model could also affect governance, voting, and campaigns. Although most research on these topics focuses on cities, the findings are applicable to this discussion of the possible implications of Measure G.

A potential drawback of empowering an elected executive is that separating legislative and executive functions may encourage political competition and gridlock. Svvara argues that a benefit of governing systems that lack a strong elected executive is that they move leaders away from a confrontational model of leadership and toward a “facilitative” one, which is a mayor’s exercise of soft power focused on cooperation and teamwork to move policy forward.^{xxxviii} This, in turn, enhances goal setting, problem-solving, and long-range planning. Importantly, it applies equally to managers in Council Manager cities as it does to elected officials.^{xxxix} It is fair to say that this dynamic could apply to counties as well, given the structural similarity we see in these forms of government.

In a substantial review of the literature on the main differences between Council Manager and Mayor Council systems of government, Carr reached the following conclusions:^{xl}

1. It’s unclear whether the operational performance of council manager cities is greater than that for mayor council ones.
2. Council manager governments do a better job than mayor council cities of distributing government benefit broadly rather than to narrow constituency groups; experience lower voter turnout; and senior managers are more focused on their management role than senior managers in mayor council cities.
3. Council manager government focus more intently on broad policy solutions than do mayor council cities, experience less conflict among senior officials, and are more innovative.
4. There is no difference between the two forms of government in terms of how they respond to powerful constituency groups, their levels of civic engagement other than voting, operational effectiveness, or the quality of public services they provide.

The switch to a County-Elected Executive model may cause county governance to become more contentious, and perhaps more targeted to advancing the interests of politically important groups.^{xli}

The change from a County Administrator to a County Elected-Executive model will affect voter turnout in a positive direction. Again, city level patterns are instructive for county reform. Voter turnout is greater in political systems that empower elected over appointed officials,^{xlii} which is what Measure G delivers. In a study of voter turnout in California cities, Hajnal and Lewis found that mayor-council cities consistently had higher turnout than council-manager cities.^{xliii} And while institutions like aligning state and local elections to the same

date have a far greater impact on voter turnout,^{xliv} form of government still matters. Greater voter turnout generally means a more diverse electorate which increases policy representation in government.^{xlv}

Institutions matter because they affect how public preferences are translated into government policy. Institutions that are more open to public input generally will be more responsive to public sentiment, if less efficient than ones geared more toward management. Some suggest that institutions don't matter because the marketplace will sort people into the ideal city or county for them. People have different preferences for taxes and spending and because there's choice in metropolitan areas with numerous governments, people can match their preferences to a particular location. And while this may be true on some level,^{xlvi} it doesn't mean that political preferences are unimportant. Indeed, a study of how partisanship affects the policies of California counties showed that more liberal counties provided more in the way of social services than more conservative counties, which favored economic development. These differences were exacerbated by whether a county enjoyed home rule power or not.^{xlvii} Other research shows that when more Democrats are elected to county commissions, policy turns in more liberal direction. These effects, however, are greater in counties that elect fewer commissioners, and nonexistent in counties with elected executives, which suggests the executive may have a constraining effect on the legislature.^{xlviii} Finally, given the implications of the switch to a County Elected-Executive, it should draw innovative and entrepreneurial candidates into the fray, which will have a direct impact on the nature of campaigns and elections in the county.^{xlix}

If Measure G is adopted, voter turnout and interest will ideally increase given the expected growth in the salience of county affairs and campaigns, especially that for the chief executive, which will likely draw strong candidates and involve large amounts of campaign spending.

Summary

Measure G represents a substantial change in county government. This brief addressed the possible implications of changing the form of government from County Administrator to County Elected-Executive.

For decades there has been tension at the local level between those who want a more managerial system of government that efficiently delivers basic services and those who desire a system that promotes participation and representation in government. City governments struck first in promoting changes that advantaged efficiency over representation. Then, decades after cities started adopting more administratively oriented structures, county governments began to focus more on professionalization and policy competence to address the changing nature of metropolitan America. They responded with systems that are like the Council Manager and Strong Mayor-Council forms found in U.S. cities. The County Administrator model before the voters this fall is consistent with these kinds of changes. It seeks to inject greater political accountability and representativeness in a system that has long had the administrative end of government at arms' length from the public. Because it also creates a Chief Administrative Officer position and an Office of Budget and Management, it also seems to acknowledge the critical importance of managerial competence in a government that spends \$49 billion annually.

Expanding the Size of the Board of Supervisors

Sara Sadhwani, Ph.D.

Assistant Professor of Politics, Pomona College

Democracy Fellow, Harvard Kennedy Ash Center for Democratic Governance & Innovation

Los Angeles County is home to nearly 10 million residents and is one of the most diverse counties in the nation. Measure G calls for the expansion of the Board of Supervisors from its current five positions to nine. This brief examines the proposed change by leveraging relevant scholarly research, a comparison of the governing structure of other large counties, a consideration of the potential voting rights implications, and a brief review of past attempts to expand the governing structure.

There is no adequate comparison to Los Angeles County, the most populated county in the United States. Each of the five supervisorial districts contains nearly two million individuals. By contrast, San Francisco (which is both a city and a county), has an 11-member board for a population of 875,000. Cook County, Illinois, which includes Chicago, has a 17-member commission for a population of 5.2 million.

Why Nine?

Measure G calls for the increase to nine supervisors. Why not 11 like the San Francisco Board of Supervisors? Why not 15 like the Los Angeles City Council? There is no magic formula for determining the appropriate number of seats a governing body should have. There are few if any empirical studies on the optimal size of a legislature, though some studies of legislative committees have recommended a range between nine and thirteen members.¹ New York City expanded its council from 35 to 51 seats in 1989 to improve representation and did not use any scientific method or formula when selecting 51 beyond preferring an odd number to avoid voting ties.

If passed, Measure G mandates the creation of a charter commission, which will continue to examine and update recommendations for a future number of seats. Others have argued that nine seats are an appropriate first step because it is the number that has been discussed most in prior attempts at reform, and that nine seats would cut the constituent-to-representative ratio in roughly half – from two million residents per district to about one million, bringing legislators closer to their constituents and to approximately the size of a state senate district.

The authors of Measure G have additionally suggested that nine could be a first step towards better representation. Reformers who have examined possible districting scenarios have shown that nine seats offer the best opportunity to concentrate Asian American and Pacific Islander communities into a district, such that they might have significant influence over the outcome of the election for the first time in county history.

Governance in Comparison

In comparison to state legislative districts, the county supervisorial districts are significantly larger in population. State senate districts contain approximately 1 million residents, Congressional districts approximately 725,000 residents, and state assembly districts roughly 500,000. A key difference between these various legislative bodies is that the five supervisors have sole allocating authority over a budget of

roughly \$45 billion. The rationale that supporters use for the increase is that smaller district size brings elected officials in closer contact with the people they serve and thus legislators will better allocate funds and legislate policy with improved knowledge of the needs and concerns of their district residents.

Relative to other counties nationwide, Los Angeles has a small board of supervisors. With the exception of Harris County, Texas, no other counties in the United States* have more than one million people in a supervisorial county district. Los Angeles stands out with double that amount per district. The table below reports the nation's largest counties along with their population, the number of district jurisdictions, and the constituent-to-representative ratio.

Table 1: Comparison of Largest Counties in the United States by Board Size

County	Population (2020)	Number of Representatives	Constituents per district (appx)
Los Angeles County, CA	10,014,009	5	2,002,802
Cook County, Illinois	5,275,541	17	310,326
Harris County, Texas	4,731,145	5	1,182,786
Maricopa County, Arizona	4,420,568	5	884,114
San Diego County, California	3,298,634	5	659,727
Orange County, California	3,186,989	5	637,398
Miami-Dade County, Florida	2,701,767	13	207,828
Dallas County, Texas	2,613,539	5	653,385
Riverside County, California	2,418,185	5	483,637
King County, Washington	2,269,675	9	252,186
Clark County, Nevada	2,265,461	7	323,637
Tarrant County, Texas	2,110,640	5	422,128
Bexar County, Texas	2,009,324	5	502,331
Santa Clara County, California	1,936,259	5	387,252
Wayne County, Michigan	1,793,561	15	119,571
Alameda County, California	1,682,353	5	336,471
Philadelphia County, Pennsylvania	1,603,797	17	160,380

**New York City counties do not appear in this analysis due to a shared governance structure between city and county. New York's boroughs are represented by the New York City Council which comprises 51 members.*

Size of Legislatures and Quality of Representation

A key argument made by proponents is that the quality of representation will improve by decreasing constituency size through expansion. This is likely to be the case. Comparisons between cities with districted or at-large city councilors is instructive, with the core geographic difference between them being district size. District councilors represent a subset of the city's population, while at-large councilors represent an entire city. Research shows that districted councilors are more attuned to their jurisdictions, do more constituency casework, and are more in favor of targeting government benefits to specific constituencies.^{li}

In a related fashion, Oliver and Ha show that in smaller jurisdictions—which would be produced if the number of supervisors was increased—voters are more engaged, more likely to know who their representatives are, and are more likely to vote against incumbents.^{lii} Indeed, the idea that smaller jurisdictions provide better

representation, particularly for communities that have faced historic exclusion in voting is the core value of the *California Voting Rights Act*. That voters in smaller jurisdictions are more likely to vote against incumbents is supported in a major study of incumbent electoral safety in California Board of Supervisor elections.^{liii} Contrary to conventional wisdom, Lascher found that incumbent supervisors who represented larger constituencies had higher vote shares, and were more likely to win reelection than those who represented smaller constituencies (i.e., smaller districts produce more competitive elections). In short, shrinking the size of supervisorial districts through board expansion will have a net positive effect on democracy and representation in LA County.^{liv}

History of Board Expansion and Maintenance of the Status Quo

At the turn of the 20th century, Progressive Era governance reform swept the nation but was largely limited to states and municipalities. During this time California implemented nonpartisan elections, adopted the direct democracy ballot initiative, use of at-large districts, and adopted home rule for counties in 1911. The voters approved a new charter in 1913, and since that time the Los Angeles County government has remained largely unchanged, despite a persistent undercurrent calling for reform. According to Sitton, a charter amendment to expand the board from five members to seven reached the ballot in 1926 but lacked campaign support, and in the 1930s there was discussion of increasing the board to 15 members, an effort which also did not advance.^{lv}

The movement to further reform and reorganize county structures has mostly occurred since the 1950s.^{lvi} In 1956, Supervisor Kenneth Hahn first introduced a motion to expand the board to nine members but could not convince his colleagues to place it on the ballot.^{lvii} When the County Hall of Administration was built in the early 1960s, additional chairs were added to the board hearing room because builders expected the body to expand as the population grew.^{lviii} By 1962, after two study commissions produced reports, each calling for the expansion of the board, a proposition to expand to seven members reached the ballot. While the initiative had the support of the League of Women Voters, it faced powerful opposition from the Los Angeles Chamber of Commerce, and, without campaign support, was not approved by voters.

In 1970, the Los Angeles County Citizens' Economy and Efficiency Committee produced a report that examined county governance. The commission came to the unanimous conclusion that an increase of the board from five members to seven should be put in front of the voters. Six years later, a blue-ribbon non-governmental public commission was created by the Los Angeles County Bar Association to examine the county's governance structure. Like Measure G in 2024, the 1976 commission argued for the expansion of the board to nine members and the creation of an elected executive position. The commission report is clear that both reforms should occur jointly and not in isolation. That year, however, separate propositions occurred on the ballot for a board expansion and an elected county executive. Both measures failed.

Over the proceeding decades numerous calls were made for county reform, each facing opposition, largely from sitting members who did not wish to relinquish power to either new colleagues or a county executive. A 1990 report by the Economy and Efficiency commission came to similar conclusions, released just one month after the historic Voting Rights Act (VRA) case of *Garza v. The County of Los Angeles* found the county was in gross violation of the VRA by diluting the vote of Latinos. The report stated:

“The nature of the county’s work is changing along with changes in the structure of the population...the primary challenge facing the county in its role of efficiently delivering goods and services is not one of inadequate funds, but more one of using existing funds more effectively,” (22-23).

The commission recognized that the board could change and adapt to the changing needs of the county's populace without increasing expenditures. Yet, with opposition from sitting board members, the effort to expand the board in 1992 failed before the voters. Additional reports in 2016 by a Los Angeles County Civil Grand Jury and again in 2021 by the Los Angeles Citizens Redistricting Commission each called upon the county to expand the number of seats to decrease the constituent-to-representative ratio and to provide the opportunity for improved representation for the diverse residents of Los Angeles County.

Scholarly literature has attempted to assess the outcomes of these board expansions and reforms with mixed results. A number of empirical studies dating from the 1960s continuously find that governance structure does have an impact on local government policy decisions.^{lix} This body of research finds that "reformed" county governance structures produce an increased quantity of public services and a more professional administration.^{lx} Regarding the cost of a potential expansion, nearly all the aforementioned reports agree that reform can be cost neutral by reallocating existing expenditures in new ways – a move that suggests each of the current five members would need to have a reduced administrative budget from their current allocations.

Nearly 70 years since Kenneth Hahn's first motion calling for reform, and despite dramatic population increases and demographic diversification, Los Angeles County has resisted the call for change and has maintained the status quo.

Representation and Potential Voting Rights Implications

An increase in the number of board seats is likely to bring about an increased sense of representation for communities that have historically faced discrimination at the ballot box and underrepresentation in elected office. Even 50 years ago, the 1976 report centers its recommendation for an increase in the number of seats on the need for greater representation of racial minorities in Los Angeles. The board has a long history of working to maintain their power through opposition to expansions of the board as well as documented cases of diluting the vote of minority communities.

The single member district system is the most commonly used form of representative government in the United States today. Districting requires the identification of territories containing people with certain proclivities and ethnic identification, which can be arranged to benefit one interest or another.^{lxi} Stanford University Professor Bruce Cain, who served as the chief consultant to the California Assembly's Special Committee on Reapportionment in 1981 said, "Every plan is going to have a bias. Every plan is going to have a slant... it is going to have an intention to it. It is going to favor some groups and not others."^{lxii} Despite the population growth of the Latino community in Los Angeles starting in the 1950s, the board of supervisors intentionally and unconstitutionally excluded Latinos from an opportunity to elect their candidate of choice by dispersing Latino voters across districts. Doing so runs afoul of the landmark Voting Rights Act of 1965, which provides a legal grievance process in which impacted communities might seek a remedy.

The Mexican American Legal Defense and Educational Fund (MALDEF) sued the county in 1988 in one of the first Voting Rights Act violation claims on behalf of Latinos in the state of California. The federal courts agreed with MALDEF and despite the board's appeal to both the Ninth Circuit and Supreme Court, the district court ruling was upheld. As recounted by Caltech Emeritus Professor Morgan Kousser, who served as an expert witness in the case:

“Because of their numbers, settlement patterns, strong identification with the Democratic party, and until very recently, relative lack of power, Latinos in Los Angeles have been more often the objects or pawns of redistricting than its shapers or beneficiaries,” (2000, p. 79).

Following the 1990 ruling, new districts for the first time consolidated heavily Latino neighborhoods from East Los Angeles to the San Fernando Valley to create a Latino-centric seat. In 1991, Gloria Molina was elected the first Latina and first woman to serve on the board. The following year she was joined by the first Black woman, Yvonne Burke.

As of the 2020 Census, roughly half the county’s residents identify as Latino or Hispanic, 25 percent are white, 15 percent Asian American, and nine percent Black or African American. Despite this historic diversity, only one member of the Board of Supervisors is Latino and one member is Black. No Asian American has ever served on the board. With Asian American organizations and leaders officially supporting Measure G, one might adapt Professor Kousser’s statement on Latinos in the *Garza* case as being used as redistricting pawns to now apply to Asian Americans.

The election of a minority candidate, however, is typically a sense of pride for communities but is no guarantee that such a “descriptive” representative will provide substantive benefits. Racialized communities have varied and discrete needs when accessing county services or interacting with county administration. Social science research has shown that more than the mere election of any representative of a minority community, what improves the delivery of substantive benefits to minority communities is an increased concentration of the community within a district. Smaller districts give minoritized communities greater voting power within a district, such that any candidate must court their vote and thus provide the community with substantive policy benefits.^{lxiii} This argument was similarly used in a recent [scholars amicus brief](#) to uphold the California Voting Rights Act in 2021. In other words, concentrating Asian Americans into a smaller district where their vote is more consequential to the outcome of the election may not yield an Asian American supervisor per se, but it will yield a supervisor who is more attuned and attentive to the needs of the community.

Chief among the needs of diverse communities are culturally competent and linguistically appropriate services and information. For example, in 1999 the community-based organization PALS for Health filed a complaint against the LAC/USC county hospital with the Office of Civil Rights because the hospitals failed to provide interpreter services to limited English proficient county residents, especially the growing Asian American population. A similar probe in 2013 led the Justice Department to find the county was in violation of Title VI of the Civil Rights Act for failure to provide court interpreters to Korean Americans. Many communities have faced exclusions in Los Angeles County history, but Asian Americans stand out for their rapidly growing size and their unmet accessibility needs.

How Might Future Districts Be Drawn?

Los Angeles County uses an independent redistricting commission process in which ordinary citizens are selected to draw and pass redistricting maps without the influence of legislators. In 2016, the California Legislature passed Senate Bill 958 requiring the county to assemble such a commission following the federal decennial census. In 2021 the first county commission was formed and successfully passed maps using census data and community input.

Scholars from the UCLA Voting Rights Project prepared a set of draft districts to examine what the switch to nine districts might produce. While there are any number of possible district outcomes, the UCLA project finds

that with nine seats it would be possible to draw a county map that includes a new district in which Asian Americans would have significant influence over the outcome of future elections. They found it would be possible to draw two or three Latino-centric districts and possible to draw either one or two districts where Black or African American voters have significant influence. Ultimately if Measure G were passed, the authority to draw the new districts would fall to the next commission which will be formed in 2031, and communities on the ground would have the opportunity to advocate for their preferred districting outcomes.

Implications of an Expanded Board

If passed, Measure G would require the development of an implementation taskforce who would create a detailed implementation plan including operational, functional, and structural considerations. Supporters of Measure G believe an expanded board and the creation of an executive branch will increase the effectiveness, responsiveness, and accountability to become an improved public forum for some of the most pressing local policy issues facing LA County residents. To achieve this, however, the taskforce will need to consider how the board and new CEO operate and interact daily, including allocations of space, staffing, and resources.

In addition, there are a host of ways in which the board functions based on its current five-member structure that would need to be reconsidered and potentially adjusted through state legislative action. For example, at present all five members serve on the Metro Board of Directors, as required by a 1992 law that created Metro and established its 13-member governing board ([AB 152-Katz](#)). The board has four Los Angeles representatives, four council members representing the county's other 87 cities and the five county supervisors. Should five of nine members serve on such a board in the future, they may be vulnerable to violating the Brown Act transparency law, which prevents serial meetings of members outside of a publicly noticed formal meeting of the board. Such matters may require state lawmakers to adjust the statutory requirements to account for the larger board.

A structural change of an expanded legislature and the creation of an executive branch would likely result in greater bargaining between supervisors. As stated in the 1976 civil commission report, "Legislative functions have been the chronic losers of the Supervisor's time and attention... A legislative body would normally be the place in which local interests are represented and mediated. It would be the forum in which County-wide policies are debated and criteria for distributing resources are discussed and established," (p.67). The implementation taskforce should review the established powers such as veto power, budgeting and agenda setting of each branch governance and anticipate points of conflict to the extent practicable. With an increased number of supervisors, new ideological debates and coalitions may emerge among future supervisors. When conducted civilly, such debate is a sign of democratic health.

Measure G – Reform from Within

Change is hard. For more than 50 years there have been numerous efforts to reform the governance structure and size of the board. Notably, each reform has been strikingly similar. Over numerous decades and various political contexts researchers, commissions, and taskforces have all reached the same conclusion – the Board of Supervisors should expand. Facing opposition from within the board itself, the status quo has prevailed again and again.

Despite numerous attempts to reform the county, the two major reforms that have occurred in the last several decades have come from external force. In the *Garza* Voting Rights Act case, referenced above, the courts forced the county to overhaul its districting to ensure representation for minority communities. More recently, the state legislature removed the power of redistricting from the hands of the supervisors and mandated the county adopt an independent redistricting commission. This November, Los Angeles County residents have an opportunity to reform itself from within.

Comparing Ethics Structures in Largest Counties in California and Nationwide

Francisco Jasso, Ph.D.

Research Associate, Pat Brown Institute of Public Affairs
California State University, Los Angeles

Core Question

The purpose of this brief is to compare the ethics reforms proposed for Los Angeles County through Measure G to the existing ethics structures of the largest counties in both California and nationwide. The animating questions behind this review are:

1. What structure of ethics do other large counties have in place?
2. If they have ethics boards/commissions, how robust are their ethics powers and responsibilities?

While the primary focus for comparison are counties, some large cities are included in the analysis as well to add depth to the comparisons.

Summary of Topline Findings

Leveraging other large jurisdictions' ethics structures provides a guide for understanding what Los Angeles County's proposed ethics reforms will mean for its ethics governance. While jurisdictions have basic, fundamental ethics components relating to codes of conduct or bare minimum provisions mandated by state and federal law, it is each jurisdiction's prerogative to build a robust and independent ethics structure with ample authority, powers, and duties. About half of the largest jurisdictions examined in this brief have such an ethics body (in the form of an ethics board or commission), and they serve as a guide to the components a county-level ethics body must have to effectively enforce its ethics laws and ordinances.

Los Angeles County's Proposed Ethics Commission

The ethics reform package proposed in Measure G aims to establish mechanisms for accountability and prevention of corruption.^{lxiv} It proposes the creation of an independent ethics commission to oversee ethics, county contracts, financial disclosures, lobbying, campaign finance laws, conflicts of interest, and implement a public data portal for lobbying and campaign transparency. The proposed Ethics Commission would have five commissioners appointed by neutral parties such as academics, ethics experts, or retired judges. An Office of Ethics Compliance would be established in 2026 and an Ethics Compliance Officer in 2028. Ethics reforms in Measure G would additionally prevent former politicians from lobbying the County in the first two years after leaving office and authorize suspension of County politicians criminally charged with a felony.

Nature of Ethics Structure Among the Largest Counties in California and Nationwide

Conceiving of ethics bodies as a range from bare bones codes and regulations prescribing standards of ethical behavior to an independent ethics board or commission with ample authority, duties, and investigatory and enforcement power, what do the largest counties in the nation have in place? Table 1 below presents what the 15 largest counties nationwide (excluding California) and the 11 largest counties in California have in place regarding ethics.^{lxv}

Beyond fundamental provisions of conduct, regulations, and ethics training, which are present across all jurisdictions, Table 1 shows that about half of the counties have built an ethics board or commission whose powers and duties include the administration and enforcement of existing county ethics codes and regulations. The establishment of ethics boards or commissions at the county level has been gaining traction in the last 20 years or so. Only 7 of the 26 counties reviewed had established ethics boards or commissions prior to the year 2000: King County, WA (1972); the three New York City boroughs (1989); Cook County, IL (1993); San Francisco, CA (1993); and Miami-Dade County, FL (1996). After the year 2000, 9 more counties created ethics boards or commissions.

Apart from San Francisco, only one county in California created an ethics commission with several members - Orange County, CA in 2016. Three other counties have ethics offices with a singular ethics officer or director (San Diego, San Bernardino, and Kern Counties). Alameda County appears to have the weakest ethics structure, having little to no ethics policy, code of conduct, or a standardized process for ethics complaints that applies to all county employees and officials. Despite having an Alameda County Civil Grand Jury bring this to their attention in 2015, no action appears to have been taken as of 2022.^{lxvi}

Counties in the city of New York and state of Texas have unique situations. As boroughs within New York City, the counties/boroughs of Kings (Brooklyn), Queens, and Manhattan are governed by the New York City charter. The ethics body that has jurisdiction over these three counties/boroughs is the Conflict of Interest Board established in 1989 with the revision of the NY City charter.

The ethics structure of counties in Texas is governed by Texas Local Government code that, since 2009, allows the Commissioners Court of a county to create a county ethics commission.^{lxvii} None of the largest Texas counties (Harris, Dallas, Tarrant, and Bexar) have created county ethics commissions. Rather, their ethics bodies are composed of codes and regulations and have different county and state agencies carry out administrative ethics tasks. Harris County, TX for example, abides by a Code of Conduct, reports violations to the County Auditor's office, and handles filings and disclosures with the County Clerk and Texas Ethics Commission.

Examples of Texas counties leveraging their 2009 and 2019 state legislation allowing for counties to create ethics commissions include El Paso County (2020 population: 865,657) in 2009 and Montgomery County (2020 population: 626,351) in 2019. The structure of each county's ethics commission is governed by the provisions of Chapter 161 of the Texas Local Government Code which establishes commission size, appointing authorities, number and length of terms, and other pertinent provisions.

Table 1. Ethics Structure of Largest Counties in the US and California

Counties Nationwide (excluding California)	Population (2020)	Ethics Body Commission
Cook County, IL	5,275,541	Cook County Board of Ethics (1993)
Harris County, TX	4,731,145	Commission attempted in 2009
Maricopa County, AZ	4,420,568	-
Kings County (Brooklyn), NY	2,736,074	Conflict of Interest Board (1989)
Miami-Dade County, FL	2,701,767	Commission on Ethics and Public Trust (1996)
Dallas County, TX	2,613,539	-
Queens County, NY	2,405,464	Conflict of Interest Board (1989)
King County, WA	2,269,675	Board of Ethics (1972 by ordinance)
Clark County, NV	2,265,461	-
Tarrant County, TX	2,110,640	-
Bexar County, TX	2,009,324	-
Broward County, FL	1,944,375	One task, temporary Ethics Commission (2009)
Wayne County, MI	1,793,561	Ethics Board (2012)
New York (Manhattan), NY	1,694,251	Conflict of Interest Board (1989)
Philadelphia County, PA	1,603,797	Board of Ethics (2006)
El Paso County, TX	865,657	Ethics Commission (2009)
Montgomery County, TX	626,351	Ethics Commission (2019)
Counties in California	Population (2020)	Ethics Body Commission
San Diego County	3,298,634	Office of Ethics and Compliance (2013)
Orange County	3,186,989	Office of Campaign Finance and Ethics Commission (2016)
Riverside County	2,418,185	-
San Bernardino County	2,181,654	Office of Compliance and Ethics (2006; attempted board in 2009)
Santa Clara County	1,936,259	-
Alameda County	1,682,353	Alameda County Civil Grand Jury has recommended action on this since 2015
Sacramento County	1,584,169	-
Contra Costa County	1,165,927	-
Fresno County	1,008,654	-
Kern County	909,235	Compliance and Accountability - division within Administrative Office (2008)
San Francisco County	873,965	Ethics Commission (1993)

Composition and Appointment of Ethics Commissions

Among the counties examined with an ethics board or commission, most have a five-member ethics commission. Only Wayne County, MI (7-member board) and the Texas counties (El Paso and Montgomery counties, which have 10-member commissions) deviate from the pattern of 5-member boards/commissions. From counties that do detail their commission’s staff, there is a range of 10 staff members (Philadelphia, PA), to 17 (Miami-Dade County, FL), to 29 (San Francisco).

Each county has its own pre-determined appointing authorities and method of appointment. While in Cook County and Philadelphia the singular appointing authority selects all commissioners, the county executive of King County must make selections in three steps where selection in the second step is made from a list of nominees provided by the county council and where selection in the third step is made from a list provided by the first four selected commissioners. Other counties share the appointment powers across several county elected officials (New York City counties; Wayne County). Some additionally allow county entities, community organizations, or academics to directly appoint or nominate commissioners for selection (Texas counties; Miami-Dade County).

Appointment term also varies, ranging from two-year terms (Texas counties) to six-year terms (San Francisco) with a maximum of two consecutive terms (New York City counties).

Table 2. Composition of Ethics Commissions

Counties Nationwide (excluding California)			
Ethics Commission	# of Commissioners	Appointing Authority	Appointment Term
Cook County Board of Ethics (1993)	5	President of county board with advice and consent of County Board	4-year terms
Kings, Queens, Manhattan Counties: Conflict of Interest Board (1989)	5	Mayor (3), public advocate (1), and comptroller (1)	6-year terms; max of 2 consecutive terms
Miami-Dade Commission on Ethics and Public Trust (1996)	5; each from a specified field/position; staff of 17	Chief Judge of 11th Circuit (2); Deans of Univ. of Miami Law and St. Thomas Univ. Law (2); Miami-Dade League of Cities; and Director of FIU Center for Labor Research and Studies	4-year terms; staggered
King County Board of Ethics (1972 by ordinance)	5	County executive (2), County executive from a list submitted by the county council (2), and County executive appoints chair from a list of nominees submitted by the other four members.	3-year terms

Counties Nationwide (excluding California) – continued			
Ethics Commission	# of Commissioners	Appointing Authority	Appointment Term
Broward County one-time Ethics Commission (2009)	11	Each County Commissioner shall appoint 1 member from their respective districts, and 2 countywide members shall be appointed by the Broward League of Cities.	Serve until a Code of Ethics is adopted
Wayne County Ethics Board (2012)	7	Wayne County Commission and each of the 6 countywide officials (county executive, treasurer, register of deeds, sheriff, prosecutor and clerk) appoint 1 member to the board.	4-year terms; max of 2 consecutive terms
Philadelphia Board of Ethics (2006)	5	Mayor	4 years; multiple terms at discretion of Mayor
El Paso County Ethics Commission (2009)	10	Commissioners & County Judge (5), County agencies nominate the other 5 and Commissioners approve	2-year terms
Montgomery County Ethics Commission (2019)	10	Commissioners & County Judge (5), County agencies nominate the other 5 and Commissioners approve	2-year terms
Counties in California			
Ethics Commission	# of Commissioners	Appointing Authority	Appointment Term
San Diego Office of Ethics and Compliance (2013)	Director	Chief Administrative Officer	-
Orange County Office of Campaign Finance and Ethics Commission (2016)	5	By each Board District and confirmed by a majority vote of the Board of Supervisors	3-year terms; 2 terms max
Kern County Compliance and Accountability (2008)	Chief compliance and accountability officer	-	-
San Francisco Ethics Commission (1993)	5 (staff of 29)	Each appointed by the Mayor, the Board of Supervisors, the Assessor-Recorder, the City Attorney and the District Attorney. Appointees must have specified qualification.	6-year singular term; cannot be reappointed until after 6 years

Necessity of Empowering the Ethics Commission

Simply creating an ethics commission is insufficient. Key to delivering on the intended outcomes of more ethical governance is strengthening the ethics commission's independence, authority, oversight, and enforcement power.

Academic literature on independent ethics commissions is scarce, focusing mainly on case studies of specific jurisdictions. These studies detail the events necessitating the creation of an ethics commission in each jurisdiction and the efficacy of the ethics commission. The lack of systematic studies and diversity of states' and cities' approaches to ethics limits the development of best practices and judgment about which commissions are more effective than others.^{lxxviii} Nonetheless, there are important insights to note.

Jurisdictions are reluctant to adopt strong ethics bodies whether they be in the form of commissions or laws and ordinances. A survey of California localities' ethics ordinances found that most localities adopted no more than the bare minimum requirements modelled after the Political Reform Act.^{lxxix} Of the 40 localities Simmons et al. (1998) surveyed that had adopted ethics policies, only six had created ethics boards including Los Angeles and San Francisco. And on the "effectiveness" criteria of *independence, adequate funding, and enforcement power*, Los Angeles was the only city to meet all three.^{lxx}

Even when established by charter amendment, ethics commissions are vulnerable to being undermined if they are denied rule-making power, enforcement power, or deprived of a sufficient budget.^{lxxi} A common deficiency in the ethics bodies of cities and states is inadequate budgets to fulfill their responsibilities and enforce.^{lxxii} Giving the commission unfunded mandates is another common way of undermining ethics commissions.^{lxxiii}

Commissions can also experience unforeseen problems beyond their vulnerability to enforcement and budgetary constraints. New Orleans' Ethics Review Board had ample enforcement authority but misunderstood its own legal authority and fell short of fulfilling its charter-driven responsibilities (i.e., failed to recommend improvements, failed to enforce, violated transparency principles, among more).^{lxxiv} Weaknesses of the Florida Commission on Ethics included poor ethics training and an inability to prevent the use of complaint filing to influence election outcomes.^{lxxv}

San Francisco's ethics reforms are one of the most recent examples of an ethics revamp that both strengthens ethics codes and empowers their Ethics Commission. After enough corruption and convictions of high-level officials, San Francisco began a review of its Conflict of Interest rules in 2020 with a focus on behested payments,^{lxxvi} gifts to individuals/departments, and strengthening essential ethics provisions.^{lxxvii} This effort ended with the passage of Proposition D in 2024, amending San Francisco's Campaign and Governmental Code dealing with campaigns, lobbying, conflicts of interest, and whistleblower protections.^{lxxviii} While voters can still amend ethics law via ballot measures, Proposition D empowered the Ethics Commission to engage in the legislative process to amend ethics-related ordinances along with the Board of Supervisors.

This election, the city of Los Angeles has placed Charter Amendment ER on the ballot to establish a variety of reforms to bolster its independence from city council, such as establishing a minimum annual budget for their ethics commission, give it more authority over hiring and spending, allow it to retain outside legal counsel, compelling the city council^{lxxix}

Measure G proposals for LA County do not detail as many reforms or specific duties and authority for the County ethics commission as the city's Charter Amendment ER in ensuring its independence. However, the limited detail provides leeway in future assignment of duties by ordinance.^{lxxx} For example, the 2006 charter

amendment establishing a Board of Ethics in Philadelphia had limited details but included the following in the charter amendment: “In addition, and subject to the provisions of this charter, the Board of Ethics shall exercise such other powers and duties vested in and imposed upon it by ordinance.”^{lxxxix}

The environment of ethics policy enforcement is composed of several interacting and cooperating entities given the overlapping of local, state, and federal jurisdictions. Table 3 below shows the powers available to ethics commissions as they enforce their jurisdiction’s ethics laws and ordinances. Ethics trainings and interpreting and administering their jurisdiction’s ethics laws are common responsibilities of ethics commissions. Other duties and responsibilities of ethics commissions can include issuing advisory opinions on potential ethics violations as well as in opinions on ethics laws, preserve records, and conduct investigations with subpoena power.

When ethics violations fall within the purview of other local, state, or federal entities, ethics commissions can cooperate with other entities. Cook County’s and Philadelphia’s Board of Ethics, for example, can investigate violations of their ethics ordinance including issuing subpoenas, can refer complaints to appropriate governmental entities such as the offices of U.S. Attorney, State Attorney, and Independent Inspector General, and can impose sanctions as authorized by their ethics ordinance.

The enforcement apparatus of California’s Political Reform Act, the Fair Political Practices Commission (FPPC), can act and enforce on specified areas and when violations meet their specified thresholds or conditions. If counties specify more stringent thresholds or conditions, such as Los Angeles County imposing a lower campaign finance limit than the state limit, the enforcement responsibility falls on the county to investigate and enforce rather than the FPPC.

Los Angeles County’s Board of Supervisors also sit on the Los Angeles County Metro Board of Directors and are thus subject to their ethics laws, regulations, and sanctions many of which adopt the interpretations of the FPPC. In the case of the LA Metro, ethics violations by board members are investigated by the Inspector General and can be referred to the District Attorney of LA County to bring civil and criminal prosecutions if warranted.

San Francisco and Orange County, for example, specify the areas and ordinances their ethics commission has jurisdiction (e.g., campaign finance, lobbying, gift ban, whistleblower protection). Other counties are less clear on these mechanisms. San Francisco appears to be unique in their ethics commission’s ability to submit ethics ordinances (e.g., conflicts of interest, campaign finance, lobbying) directly to voters by four-fifths vote.

An ethics commission with ample authority and decision-making participation in ethics updates secured in the Los Angeles County charter would allow for more effective ethics governance. Ethics reforms can be accomplished in various ways, but for an enforcement body to effectively hold public servants accountable it needs a secure place in the charter to protect it from dissolution without the consent of the people.

Table 3. Enforcement Powers of Ethics Commissions

County/City	Ethics Commission Interprets & Administers Ethics Laws	Ethics Commission Authorized to Receive Complaints, Conduct Investigations, and Impose Fines/Sanctions
Measure G	Yes	Yes
Cook County, IL	Yes	Yes
San Diego County, CA	Yes	Investigations
Orange County, CA	Yes	Specific to certain areas and ordinances
Kings County (Brooklyn), NY	Yes	Yes
Miami-Dade County, FL	Yes	Yes
Queens County, NY	Yes	Yes
King County, WA	Yes	Along with Office of Ombuds
Wayne County, MI	Yes	No subpoena power
New York (Manhattan), NY	Yes	Yes
Philadelphia (City/County), PA	Yes	Yes
Kern County, CA	Yes	Investigations
San Francisco County, CA	Yes	Yes
El Paso County, TX	Yes	Yes
Montgomery County, TX	Yes	Yes
City of Los Angeles	Yes	Yes
City of San Diego	Yes	Yes
City of San Jose	Yes	Yes
City of Sacramento	Yes	Yes

Additional Ethics Reforms Proposed in Measure G

Measure G proposes two additional non-commission related ethics reforms:

1. Prevent former politicians from lobbying the county in the first two years after leaving office; and
2. Authorize suspension of county politicians criminally charged with a felony.

The first reform deals with the prevention of former officials from participating in and influencing decisions in which they have conflicts of interest. Article IV, Section 5e of the California State Constitution contains provisions that restrict the lobby activity of former elected officials for a period of one-year after the official's term ends. The Milton Marks Post Government Employment Restrictions Act of 1990 extended this one-year ban to cover former officials representing others who attempt to influence legislative proceedings and outcomes. While these provisions apply to state officials, cities and counties have adopted and applied these temporary restrictions to their own jurisdictions. Los Angeles County adopted these restrictions through the 2006 Postgovernance Ordinance in accordance with the provisions of the 1974 Political Reform Act. Measure G seeks to increase the period of prohibition in Los Angeles County from one year to two years.

Table 4 shows what the nature of post-employment lobby restrictions and possibility of removing elected officials that are criminally charged is in the largest counties and cities analyzed in this brief. In general, the examined counties and cities tend to have both temporary one-year limitations on lobbying generally as well as permanent, lifetime bans on lobbying where the former official participated personally and substantially.

Few jurisdictions impose two-year limitations. San Jose recently shortened its two-year period to one-year.^{lxxxii} Los Angeles County has similar temporary and permanent restrictions to those of the City of Los Angeles, but Measure G would extend the period of temporary restriction from one to two years. As a charter reform, Measure G could only be amended another charter amendment that would have to be approved by the voters.

The second reform deals with the removal of city officials that are criminally charged. The California Constitution allows charter cities to dictate how they will handle removal of their officials. Because charter cities enjoy plenary authority to provide for a procedure of removal, their provisions can supersede the grand jury process of removal in Government Code section 3060.^{lxxxiii} A charter city's municipal code may provide for removal of city employees but only charter provisions may be considered when removing elected officials.

It is crucial that jurisdictions provide in their charters for procedures and reasons for the removal of officials that go beyond simply leaving resignation in the hands of the official under suspicion. The cities of Los Angeles, San Jose, and San Francisco have provisions in place to remove officials for misconduct of which felony convictions are included. Where removal provisions are not detailed in a way that assert exclusive authority for removal, charters can be amended to expand definitions of vacancy to allow for the application of state law removal procedures.

Some jurisdictions, like San Diego County, have a process of seat forfeiture where conditions detail the forfeiture of a given office when the official takes on a second public office. San Diego does not appear to have amended its charter to allow for additional reasons for removal (beyond fraud) nor processes outside of death, resignation, and recall despite recommendations from the 2016 Charter Review Committee.^{lxxxiv}

Table 4. Measure G-Specific Provisions among the Largest Counties and Cities

County/City	Post-Employment Lobby Restriction	Removal of Official Criminally Charged
Measure G	2 years	Yes
Cook County, IL	Permanent and temporary (1 year) restriction	-
San Diego County, CA	-	Yes
Orange County, CA	1 year	Only by resignation or Attorney General
Kings County (Brooklyn), NY	Permanent and temporary (1 year) restriction	Misconduct or neglect
Miami-Dade County, FL	2 years	-
Queens County, NY	Permanent and temporary (1 year) restriction	Misconduct or neglect
King County, WA	1 year	-
Wayne County, MI	Permanent and temporary (1 year) restriction	Misconduct or crime
New York (Manhattan), NY	Permanent and temporary (1 year) restriction	Misconduct or neglect
Philadelphia (City/County), PA	Permanent and temporary (1 year & 2 year) restrictions	Appointed officials
Kern County, CA	1 year	-
San Francisco County, CA	Permanent and temporary (1 year) restriction	Misconduct
El Paso County, TX	2 years	Yes
Montgomery County, TX	2 years	Yes
City of Los Angeles	Permanent and temporary (1 year) restriction	Yes
City of San Diego	Temporary (1 year) ban on 2 categories: a general lobby ban and a project specific ban	For fraud but no other felonies
City of San Jose	Shortened restriction from 2 years to 1 year in 2023	Felony conviction
City of Sacramento	1 year restriction	Recall process; Council votes to declare council seat vacant

Implications of Measure G

While the City of Los Angeles has been in the spotlight of ethics violations in recent years, the Los Angeles County has experienced its fair share of ethics violations by supervisors and staff members ranging from campaign violations to bribery and fraud, some instances which involved the FPPC and the U.S. Attorney's Office. Through Measure G, Los Angeles County can join many of the largest counties in the nation to have an independent ethics commission that houses the interpretation, administration, and enforcement of ethics laws and ordinances.

While Measure G is limited in its provisions that would ensure the independence of the ethics commission, analysis of the ethics bodies of other counties and cities in this brief serve as models for necessary and minimum components for the ethics commission to function as an effective enforcer of ethics. Additional non-commission ethics reforms proposed in Measure G (longer limitation on post-employment lobbying and specifying criminal charge as a reason for removal) go beyond what other jurisdictions have in place when facing the issue of removing officials. If Measure G passes, the charter commission will have a mechanism to improve and enhance local ethics as a part of the larger enforcement apparatus from the state to federal agencies including FBI and FPCC.

Implementation

Shauna Clark

*Adjunct Professor, Public Sector Management and Leadership Program
California State University, Northridge*

In her motion for placing Measure G on the ballot, Supervisor Lindsey Horvath said:

“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.”

Supporters assert that Measure G will:

- Enhance representation and service delivery by expanding the Board of Supervisors;
- Improve checks and balances by creating an elected County Executive;
- Strengthen decision-making and improve outcomes by assigning a Legislative Analyst to educate and advise the Board on policy implications and by giving veto-override powers to the Board;
- Improve transparency and public access to Board decision-making by posting Board Agendas 120 hours (five days) before the meeting – subject to exceptions permitted by State law, where applicable;
- Enhance operational transparency and improve trust in county officials by reducing potential conflicts of interest. The measure creates an Ethics Commission with investigative and enforcement powers, an Office of Ethical Compliance, lengthens the ban on post-employment lobbying, and requires the Commission to post public documents and campaign filing on a public records portal;
- Give stakeholders and the general public better access to budget preparation and approval by requiring every department to present their proposed budgets at a public hearing;
- Allay cost concerns by guaranteeing that Measure G will be implemented without tax increases; and
- Create a Charter Reform Commission.

The appointment of a Governance Reform Task Force will be one of the Board's first actions upon the election's certification. The Task Force will engage in extensive outreach and return implementation recommendations to the Board.

Measure G Implementation Timeline	
Year	Action
2024	Measure G takes effect; Governance Reform Task Force convenes (within 180 days of election certification)
2026	Ethics Commission and Office of Ethics Compliance established.
2026	Election for Supervisors from Districts 1 and 3.
2028	Establish the office of elected County Executive, position of Director of Budget and Management, and the position of County Legislative Analyst. Elect Supervisors from Districts 2, 4, and 5. Task Force disbands by December 2028.
2030	Redistricting process begins based on 2030 Census data.

2031	New district maps approved by the Independent Redistricting Commission
2032	Election of supervisors from Districts 2, 4, 5, 6, 7, 8, 9. Two districts will be randomly selected for an inaugural term of two years. Election (re-election) of elected Chief Executive
2034	Elections for the two-year term supervisors and Districts 1 and 3. Charter Reform Commission meets.
2036	Next round of supervisor elections.

Background on Los Angeles County

Upon its incorporation in 1850, California established 27 counties to facilitate the efficient delivery of state services across its vast 155,812 square mile territory.^{lxxxv} The California Constitution and Government Code designated a county seat for each county to give residents access to services without the need to travel long distances to Sacramento. Each county was governed by a five-member elected Board of Supervisors, Sheriff, District Attorney, and other officials to ensure essential state services were provided effectively. Over time, California’s original 27 counties became 58, with Los Angeles County, home to 9.7 million people, remaining the most populous county in the United States.^{lxxxvi} More people live in Los Angeles County than in forty US states.

Span of Representation

All California counties, except the combined City and County of San Francisco, have five supervisors, but constituency sizes differ significantly. The following table shows the populations and constituency size for each supervisor in the only counties in California with more than two million residents.

**Board of Supervisors Span of Representation
for California Counties with over 2 million residents^{lxxxvii}**

County Population	2020	2021	2022	2023	2024	Size of Constituency
Los Angeles	10,013,976	9,992,813	9,809,462	9,719,765	9,663,345	1,932,669
San Diego	3,298,648	3,295,298	3,274,432	3,277,176	3,269,973	653,994
Orange	3,186,997	3,185,734	3,160,611	3,150,372	3,135,755	627,151
Riverside	2,418,182	2,422,993	2,453,399	2,474,241	2,492,442	498,488
San Bernardino	2,181,660	2,183,391	2,193,087	2,194,908	2,195,611	439,122

Board Expansion

If voters decide that the Board of Supervisors will expand from five to nine members, each Supervisor’s voting power and internal influence will be diluted. The size of each constituency will be reduced from about 2 million to 1.07 million, improving constituent access to Board members and potentially allowing for more thoughtful decision-making. LA County Supervisors not only represent a substantial constituency and oversee a broad array of services.

Municipal Services

About 8.5 million people live in one of Los Angeles County’s 88 incorporated cities, each represented by a local mayor and city council also living within that city. The mayor and council use local taxes to provide municipal services such as law enforcement, fire suppression, public works, parks, libraries, zoning, etc. The elected mayor and council are the point of contact for city residents.

In addition to a large constituent base, Los Angeles County Supervisors have a more substantial workload than most colleagues. One million additional residents live within one of about 120 unincorporated communities in Los Angeles County. On average, each Supervisor represents 200,000 of those residents. Without local elected officials or a city hall, those residents look to their county supervisor as their mayor and council. Many of the 120 unincorporated communities, including Altadena, Hacienda Heights, and East Los Angeles, are large and dense enough to be recognized as cities, yet their incorporation attempts have failed. Without self-governance and power to impose taxes, the residents of unincorporated Los Angeles County rely on the county for representation and service delivery. These services are paid for through traditional means such as property, sales, utility, and transient occupancy taxes.

Office of the County Elected Executive (CEE)

Currently, the Los Angeles County Board of Supervisors appoints and can remove the County’s Chief Executive Officer (CEO). Measure G elevates the office and its CEO from board-appointed to independently elected. In this brief, we will refer to the proposed office of the County Elected Executive as the “CEE” to distinguish between the current, appointed “CEO” position.

Management of a county by an elected executive would be unique to California except in the combined City and County of San Francisco, where the government structure is called “strong mayor.” San Francisco’s city council is also its board of supervisors.

Brief Overview of CEE Responsibilities

Presently, Los Angeles County’s CEO is a subordinate of the Board of Supervisors. The CEO has 570 employees overseeing the \$49 billion budget that funds 117,000 employees^{lxxxviii}. Measure G restructures county governance by creating a directly elected chief executive.

The measure empowers the Chief Elected Executive to:

- Assume all executive and administrative powers and duties of the Board;
- Veto appropriations subject to Board override;
- Prepare and submit the annual budget; and
- Lead and direct the county’s emergency response.

The Board will retain its legislative and quasi-judicial powers including final determinations on administrative hearings and public hearings in areas such as conditional use permits, variances, subdivision maps, etc. Still, executive oversight of county departments will be limited to budget approval and confirming upper management staff appointments and dismissals.

As it stands, it is unclear what, if any, term limits will exist for the CEE. It stands to reason that this will be an issue of importance for the Governance Reform Task Force to explore, if this Measure is passed by the voters.

The Working Environment

The working environment in the office of an elected official differs significantly from that of an appointed professional. The press, interest groups, and the public heavily scrutinize elected officials who, in turn, must relinquish authority and independence to staff because their outward-facing duties draw them away from administrative oversight. This pressures subordinates to be politically astute to effectively represent the CEE and may increase conflict among staff. On the other hand, Measure G is intended to open the county to additional transparency and accountability, and this aspect of the measure has been promoted as the path to that end.

Generally, elected executives are empowered to choose their upper management without regard to qualifications. Moreover, the upper cadre may be replaced when a new official is elected. The probability of staff turnover could lead to instability, but competency is a greater concern. Appointed leaders are likelier to base staff selection on qualifications, whereas elected officials prize loyalty and familiarity in subordinates. Although the Board retains confirmation power over higher-level staff positions, it is rare for an elected official to interfere with the staffing choices of another elected official. In addition, restructuring may affect the civil service protections of existing employees, and unions are entitled to meet and confer on matters affecting the working conditions of their members.

Expectations of the Chief Elected Executive

Electing a candidate with experience managing an organization as vast as Los Angeles County is exceedingly unlikely. Los Angeles County operates on a massive scale with an annual revenue of \$49 billion—comparable to major a corporation like Nike. It serves a population nearly equal to that of Greece and double that of New Zealand. The total GDP of Los Angeles County is around \$800 billion, accounting for roughly 20.5% of California's GDP and nearly 3% of the entire U.S. economy. The scale and complexity of governance at this level are rarely matched in any other public or private sector role.

The directly elected executive will be accountable only to the voters, with no internal oversight or risk of job loss. This means the Chief Executive will effectively have free rein over an organization of substantial size. The sole qualification for nomination is being a county resident and registered voter at least 30 days before filing nomination papers. Success will depend heavily on the candidate's values, governing philosophy, and the electorate's awareness of key performance challenges. The first Chief Elected Executive will begin the nomination process in the fall of 2027 for the 2028 primaries, with the general be elected in November 2028, and the inauguration in December 2028.

Director of Budget and Management

Measure G elevates budgeting to a more public and prominent role by creating the Office and Director of Budget and Management reporting to the CEE. The measure lays out the responsibilities of the Budget and Management Division simply:

- Advising the Board on the fiscal condition, financial status, and future needs of the county;
- Preparing and managing the county's annual budget; and
- Promoting productivity, economic development, and efficiency within county operations.

The Director will prepare and present the annual budget, the county’s most comprehensive and meaningful policy document. Budgets bridge the legislative and executive realms but center organizational power in the hands of those who prepare and execute them. Preparation and adoption require close coordination between departments, the Budget Director, and the Board of Supervisors. Once adopted by the Board, the Director of Budget and Management will execute the budget to ensure that programs and operations adhere to legislative intent and stay within cost allocations.

Fiscal sustainability is an essential government objective. It requires diligence and singular focus. At the same time, budgets are very political. Thousands of stakeholders are interested in Los Angeles County budgeting; some want more access and time to be heard while others are lobbying for additional funding. To make the budgeting process accessible and transparent. Each department will present their budget in a public hearing before the Board. Though budget hearings are an important aspect of democracy, the hearings will be time-consuming for all. Budget review and approval may be more political as departments realize they can go over the heads of the Chief Elected Executive, the Budget and Management Office, and the County Legislative Analyst by appealing directly to the Board. Decision-makers beware that “iron triangles” may form – though the CAO serving the Board will be able to police these kinds of requests attempting to circumvent the process.

Legislative Analyst to the Board of Supervisors

The County Counsel’s analysis of Measure G states:

“The Board will appoint a County Legislative Analyst to provide nonpartisan legislative support and analysis to the Board on County policy issues”

Many county employees advise the Board on policy, but these advisors have separate agendas. When budget preparation and strategic operational oversight shift from the Board of Supervisors to the directly elected Chief Executive, the Board will lose significant staff capacity for fiscal and policy analysis. To address this gap, the measure establishes a County Legislative Analyst (CLA) as a neutral advisor to the Board. One of the CLA’s primary responsibilities will be to provide informed guidance on upcoming policy decisions. The office will make recommendations on the proposed budget, review agenda reports, perform cost analyses, and monitor legislation in Sacramento and Washington, DC.

To be effective, the CLA must earn and maintain the trust of Supervisors and staff. The CLA will influence the Board to adopt effective, sustainable programs and policies that align with the county’s strategic plan and fiscal realities. This position requires deep expertise in Los Angeles County’s budgets, departments, and institutions and a solid grasp of public administration best practices.

City of Los Angeles Chief Legislative Officer

A comparable model exists in the City of Los Angeles, where the City Council is supported by a Chief Legislative Analyst (CLA). The CLA assists with legislative development, budget analysis, and policy research. Appointed by a two-thirds majority of the City Council, the CLA has significant influence due to a close working relationship with the Council. This proximity and access make the position one of the most powerful and impactful roles within Los Angeles City Hall.

The Ethics Commission

Designing the Ethics Commission, including staff positions and operating procedures, will be one of the first responsibilities undertaken by the Governance Reform Task Force. The Ethics Commission must be in place within two years of the 2024 election. An Office of Ethics Compliance will support the Ethics Commission by investigating misconduct allegations. The Commission will be empowered to enforce ethics-related laws, covering areas such as campaign finance, conflicts of interest, lobbying, post-government employment, government contracts, and land use developer conflicts. However, the sources of enforcement power, county codes, the Charter, and the Government Code must be examined to ensure enforcement can be activated. Additionally, the Commission can recommend changes to enforcement and other provisions.

The department will also need enhanced IT support because a key transparency goal of the measure is to establish document portals that enable the public to easily access campaign finance disclosures, statements of economic interest, hearing reports, Levine Act violations. It is unclear where the Ethics Commission will fit within the county's organizational structure. Typically, ethics commissions operate independently to avoid conflicts of interest and the appearance that the Board can influence outcomes.

Many counties and states have Ethics Commissions, but enforcement powers vary. Some Commissions have investigators and access to prosecutors, while other Commissions, limited by funding constraints, are advisory only. The City of Los Angeles Ethics Commission has investigators, funds for prosecutions, and support staff. The city council has placed Charter Amendment ER on the ballot this election to strengthen its Ethics Commission. Among other enhancements, Charter Amendment ER sets a funding minimum of \$7 million per year, allows the Commission to hire outside counsel, and increases penalties for violations of City laws.

Measure G Cost Considerations

The measure dictates that:

“...implementation costs be funded with existing county funding sources with no additional costs to, or taxes imposed on, taxpayers.”

The costs of Measure G can be viewed in two categories: startup and operational.

Startup costs, which generally occur once, include:

- Remodeling and constructing office space, including rebuilding the dais and other modifications to the Board Hearing Room;
- Finding, leasing, and furnishing at least four new field offices. Some existing field offices may also need to be relocated to reflect newly configured districts;
- Operating the Governance Reform Task Force;
- Providing temporary offices during remodeling and construction; and
- Upgrading technology.

Ongoing operational costs will include:

- Salaries and benefits for additional staff;
- Maintenance and utilities for the new offices and field offices;
- Supplies, equipment, vehicle usage, and technology; and
- Staffing for new divisions and commissions.

Though the costs of elections would seem to rise due to adding five elected positions to county ballots, increased costs would be nominal. The Los Angeles County Clerk and Registrar/Recorder will mail ballots and sample ballot pamphlets to the same number of voters. The County Clerk will operate the same number of vote centers. No elections will be added to the calendar as elections for the CEE and supervisors will coincide with presidential and gubernatorial races.

At the request of the Board, County Auditor Oscar Valdez estimated start-up costs at \$8 million but declined to put a number on the ongoing costs because he cannot predict the actions of future Supervisors.^{lxxxix}

Nevertheless, taxes cannot be increased to pay for either startup or ongoing costs of Measure G. The State Constitution and Government Code require voter approval before enacting, increasing, or extending a local tax. Property taxes are the most significant contributor to the county's general fund; however, property taxes may not be increased except with a two-thirds public vote to fund a general obligation bond. Assessments to pay for public facilities that benefit real property require property owner approval. Fees for using local agency facilities and services may not exceed the reasonable cost of providing those facilities and services. Protests from a majority of property owners can defeat increases in water and sewer fees.

The county can do one or more of the following to cover the implementation of the measure.

- Set aside the incremental increases in local tax revenue. Locally generated revenues amount to \$13.125 billion.^{xc} Revenues expand as property values rise and the cost of goods increases. For example, the 2024 Assessment Roll Forecast estimated a 4.79% increase in assessed valuation over the prior fiscal year.^{xcii}
- Reallocate staff. The county has approximately 117,086 budgeted employees. Just this month, existing funds were used to generate a net increase of 413 positions.^{xcii}
- Generate savings from efficiencies.
- Reduce service delivery or eliminate programs.

Costs of Board Expansion

The ongoing costs of Board expansion will not accrue until December 2032 when the new Supervisors are sworn in. The 2024-25 Final Budget allocates approximately \$300 million and 500 employees to the Board, however, when viewed as a percentage of the total, the Board's budget is small. Even if the addition of four supervisors were to double the existing Board budget, the resulting \$600 million would still represent less than 1% of the total budget.

The Offices of the Chief Elected Executive and the Director of Budget and Management

It is likely that the offices of the Chief Elected Executive and Director of Budget and Management can be staffed with existing employees. Currently, the CEO has 570 employees, most of whom can be reassigned. The existing budget division could be transferred to the Director of Budget and Management.

County Legislative Analyst

In her October 10, 2024 interview with *LAist*^{xciii}, Supervisor Horvath suggested staffing for the County Legislative Analyst could be carved out from some at-will positions in the existing budget of the Board's Executive Officer.

The Ethics Commission

The Ethics Commission will generate one of the first cost impacts of Measure G. The Los Angeles City's Ethics Commission has a \$7 million budget. If the county had a similar-sized budget, this cost may need to be covered by future revenue growth and staff reallocations.

Conclusion

If approved, within six months a governance reform task force will be formed to implement the county's transition to the new system of government. The transition will be consistent with the timeline established in the ballot measure.

The plan to establish the implementation task force was criticized for not permitting enough time to make effective recommendations. And given the stakes of this governing transition, it will be important to get the details right on implementing these changes.

Measure G also establishes a charter commission that will meet regularly starting in 2034 (after the initial timeline for implementation has been met). This was done to ensure that challenges associated with initial and ongoing implementation will be addressed either with new charter language or suggestions for new county ordinances.

Endnotes

Section 2: County Elected Executive

- ⁱ ICMA, County Form of Government 2014 Survey Results (Washington, DC: International City/County Management Association, 2015), 1.
- ⁱⁱ Connecticut and Rhode Island do not have county governments. Also, counties in Alaska are called Boroughs, and in Louisiana they are referred to as parishes.
- ⁱⁱⁱ See <https://www.census.gov/data/tables/time-series/demo/popest/2020s-counties-total.html>, accessed October 21, 2024.
- ^{iv} As both a city and a county, San Francisco is the lone exception to this. It has 11 supervisors and uses a Strong-Mayor form of government, which is like what is being proposed in Measure G.
- ^v See <https://www.counties.org/general-information/county-structure-0>, accessed October 7, 2024.
- ^{vi} See <https://www.counties.org/node/1991>, accessed October 18, 2024.
- ^{vii} Bridges, Amy. *Morning glories: Municipal reform in the Southwest*. Princeton University Press, 1999.; Hays, Samuel P. "The politics of reform in municipal government in the progressive era." *The Pacific Northwest Quarterly* 55, no. 4 (1964): 157-169.; Welch, Susan, and Timothy Bledsoe. *Urban reform and its consequences: A study in representation*. University of Chicago Press, 1988.
- ^{viii} Park, Kee Ok. 1996. "Determinants of County Government Growth." In Donald C. Menzel, ed., *The American County: Frontiers in Knowledge*. Tuscaloosa: University of Alabama Press, 34-50; Schneider, Mark, and Kee Ok Park. "Metropolitan Counties as Service Delivery Agents: The Still Forgotten Governments." *Public Administration Review* 49, no. 4 (1989).
- ^{ix} Svara, James H. "Dichotomy and duality: Reconceptualizing the relationship between policy and administration in council-manager cities." *Public administration review* (1985): 221-232.
- ^x Lineberry, Robert L., and Edmund P. Fowler. "Reformism and public policies in American cities." *American Political Science Review* 61, no. 3 (1967): 701-716.
- ^{xi} MacDonald, Lynn. "The impact of government structure on local public expenditures." *Public Choice* 136 (2008): 457-473; Morgan, David R., and John P. Pelissero. "Urban policy: does political structure matter?" *American political science review* 74, no. 4 (1980): 999-1006.
- ^{xii} Ruhil, Anirudh VS. "Urban Armageddon or politics as usual? The case of municipal civil service reform." *American Journal of Political Science* 47, no. 1 (2003): 159-170.
- ^{xiii} Tausanovitch, Chris, and Christopher Warshaw. "Representation in municipal government." *American Political Science Review* 108, no. 3 (2014): 605-641.
- ^{xiv} DeSantis, Victor S., and Tari Renner. "The impact of political structures on public policies in American counties." *Public Administration Review* (1994): 291-295, p. 293.
- ^{xv} According to their findings, there were no differences in the spending totals for cities with the County Elected-Executive form and those using the County Commission form.
- ^{xvi} Morgan, David R., and Kenneth Kickham. "Changing the form of county government: Effects on revenue and expenditure policy." *Public Administration Review* (1999): 315-324.
- ^{xvii} Choi, Sang Ok, Sang-Seok Bae, Sung-Wook Kwon, and Richard Feiock. "County limits: Policy types and expenditure priorities." *The American Review of Public Administration* 40, no. 1 (2010): 29-45.
- ^{xviii} Schneider and Park (1989), Op cit.

- ^{xix} Benton, J. Edwin. "County service delivery: Does government structure matter?" *Public Administration Review* 62, no. 4 (2002): 471-479.; Benton, J. Edwin. "County government structure and county revenue policy: What's the connection?" *State and Local Government Review* 35, no. 2 (2003): 78-89.
- ^{xx} Benton, J. Edwin. "The impact of structural reform on county government service provision." *Social Science Quarterly* 84, no. 4 (2003): 858-874.
- ^{xxi} But see Schneider and Park 1989, Op cit.
- ^{xxii} Feiock, Richard C., and Jae-Hoon Kim. "Form of government, administrative organization, and local economic development policy." *Journal of Public Administration Research and Theory* 11, no. 1 (2001): 29-50.
- ^{xxiii} Sharp, Elaine B. "Institutional manifestations of accessibility and urban economic development polity." *Western Political Quarterly* 44, no. 1 (1991): 129-147.
- ^{xxiv} Lubell, Mark, Richard C. Feiock, and Edgar E. Ramirez De La Cruz. "Local institutions and the politics of urban growth." *American Journal of Political Science* 53, no. 3 (2009): 649-665.
- ^{xxv} Ybarra, Vickie D., and Timothy B. Krebs. "Policy responsiveness in local government: Adoption of smoke-free policies in US Counties." *State and Local Government Review* 48, no. 1 (2016): 6-20.
- ^{xxvi} Lubell, Mark, Richard C. Feiock, and Edgar E. Ramirez De La Cruz. "Local institutions and the politics of urban growth." *American Journal of Political Science* 53, no. 3 (2009): 649-665., Lubell, Mark, Richard C. Feiock, and Edgar E. Ramirez De La Cruz. "Local institutions and the politics of urban growth."
- ^{xxvii} Bridges, Amy. *Morning glories: Municipal reform in the Southwest.*; Hays, Samuel P. "The politics of reform in municipal government in the progressive era"; Trounstine, Jessica. *Political monopolies in American cities: The rise and fall of bosses and reformers.* University of Chicago Press, 2009.
- ^{xxviii} Frederickson, H. George, and Gary Alan Johnson. "The adapted American city: A study of institutional dynamics." *Urban Affairs Review* 36, no. 6 (2001): 872-884.
- ^{xxix} Schneider and Park, Op Cit.
- ^{xxx} Mayhew, David R. *Congress: The electoral connection.* New Haven: Yale University Press, 1974.
- ^{xxxi} Besley, Timothy, and Stephen Coate. "Elected versus appointed regulators: Theory and evidence." *Journal of the European Economic Association* 1, no. 5 (2003): 1176-1206.
- ^{xxxii} Enikolopov, Ruben. "Politicians, bureaucrats and targeted redistribution." *Journal of Public Economics* 120 (2014): 74-83.
- ^{xxxiii} Hessami, Zohal. "Accountability and incentives of appointed and elected public officials." *Review of Economics and Statistics* 100, no. 1 (2018): 51-64.
- ^{xxxiv} Miller, Susan M. "Administering representation: The role of elected administrators in translating citizens' preferences into public policy." *Journal of Public Administration Research and Theory* 23, no. 4 (2013): 865-897.
- ^{xxxv} Hess, Frederick Michael. *Spinning wheels: The politics of urban school reform.* Harvard University, 1997.; Krebs, Timothy B., and John P. Pelissero. "Urban managers and public policy: Do institutional arrangements influence decisions to initiate policy?" *Urban Affairs Review* 45, no. 3 (2010): 391-411.; Ruhil, Anirudh VS, Mark Schneider, Paul Teske, and Byung-Moon Ji. "Institutions and reform: Reinventing local government." *Urban Affairs Review* 34, no. 3 (1999): 433-455.
- ^{xxxvi} Iaryczower, Matias, Garrett Lewis, and Matthew Shum. "To elect or to appoint? Bias, information, and responsiveness of bureaucrats and politicians." *Journal of Public Economics* 97 (2013): 230-244.
- ^{xxxvii} Jimenez, Benedict S. "Municipal government form and budget outcomes: Political responsiveness, bureaucratic insulation, and the budgetary solvency of cities." *Journal of Public Administration Research and Theory* 30, no. 1 (2020): 161-177.
- ^{xxxviii} Svara, James H. "Institutional powers and mayoral leadership." *State & Local Government Review* (1995): 71-83.
- ^{xxxix} Whitaker, Gordon P., and Kurt Jenne. "Improving city managers' leadership." *State & Local Government Review* (1995): 84-94.

- ^{xi} Carr, Jered B. "What have we learned about the performance of council-manager government? A review and synthesis of the research." *Public administration review* 75, no. 5 (2015): 673-689.
- ^{xlii} Trounstein (2009) argues that reform and machine-dominated cities focused policy benefits on a narrow set of important constituency groups essential to maintaining power. Full citation is in endnote 27.
- ^{xliii} Hajnal, Zoltan L., and Paul G. Lewis. "Municipal institutions and voter turnout in local elections." *Urban Affairs Review* 38, no. 5 (2003): 645-668; Karnig, Albert K., and B. Oliver Walter. "Decline in municipal voter turnout: A function of changing structure." *American Politics Quarterly* 11, no. 4 (1983): 491-505.; Oliver, J. E. "Democracy in suburbia." (2001); Wood, Curtis. "Voter turnout in city elections." *Urban Affairs Review* 38, no. 2 (2002): 209-231.
- ^{xliiii} Hajnal and Lewis (2003), Op Cit.
- ^{xliv} Anzia, Sarah F. *Timing and turnout: How off-cycle elections favor organized groups*. University of Chicago Press, 2013.
- ^{xlv} Hajnal, Zoltan, and Jessica Trounstein. "Where turnout matters: The consequences of uneven turnout in city politics." *The Journal of Politics* 67, no. 2 (2005): 515-535.
- ^{xlvi} Tiebout, Charles M. "A pure theory of local expenditures." *Journal of political economy* 64, no. 5 (1956): 416-424.; Peterson, Paul E. "City limits." *Boston: Little&Brown* (1981).
- ^{xlvii} Percival, Garrick L., Martin Johnson, and Max Neiman. "Representation and local policy: Relating county-level public opinion to policy outputs." *Political Research Quarterly* 62, no. 1 (2009): 164-177.
- ^{xlviii} de Benedictis-Kessner, Justin, and Christopher Warshaw. "Politics in forgotten governments: the partisan composition of county legislatures and county fiscal policies." *The Journal of Politics* 82, no. 2 (2020): 460-475.
- ^{xlix} Schneider, Mark, and Paul Teske. "The antigrowth entrepreneur: Challenging the "equilibrium" of the growth machine." *The Journal of Politics* 55, no. 3 (1993): 720-736.

Section 3: Expanding the Size of the Board of Supervisors

- ¹ Muzzio, Douglas, and Tim Tompkins. "On the size of the city council: Finding the mean." *Proceedings of the Academy of Political science* 37, no. 3 (1989): 83-96.
- ⁱⁱ Clingmayer, James C., and Richard C. Feiock. "Council views toward targeting of development policy benefits." *The Journal of Politics* 57, no. 2 (1995): 508-520; Welch, Susan, and Timothy Bledsoe. *Urban reform and its consequences: A study in representation*. University of Chicago Press, 1988.
- ⁱⁱⁱ Oliver, J. Eric, and Shang E. Ha. "Vote choice in suburban elections." *American Political Science Review* 101, no. 3 (2007): 393-408.
- ^{liii} Lascher Jr, Edward L. "Constituency size and incumbent safety: a reexamination." *Political Research Quarterly* 58, no. 2 (2005): 269-278.
- ^{liiv} Ibid.
- ^{liv} Sitton, Tom. *LA's Titans of Temple Street: Los Angeles County Government Since 1950*. McFarland, 2023, 103.)
- ^{lvi} Marando, Vincent L., and Mavis Mann Reeves. 1993. "County Government Structural Reform: Influence of State, Region, and Urbanization." *Publius: The Journal of Federalism* 23 (1): 41-52.
- ^{lvii} Op Cit.
- ^{lviii} (*LA Times*, Richard Simon, Oct. 12, 1992)
- ^{lix} Benton, J. Edwin. "County service delivery: Does government structure matter?" *Public Administration Review* 62, no. 4 (2002): 471-479.
- ^{lx} Schneider, Mark, and Kee Ok Park. "Metropolitan Counties as Service Delivery Agents: The Still Forgotten Governments." *Public Administration Review* 49, no. 4 (1989). Park, Kee Ok. 1996. "Determinants of County Government Growth." In Donald C. Menzel, ed., *The American County: Frontiers in Knowledge*. Tuscaloosa: University of Alabama Press, 34-50.

^{lxi} Kousser, J. Morgan. 2000. *Colorblind Injustice: Minority Voting Rights and the Undoing of the Second Reconstruction*. Univ of North Carolina Press.

^{lxii} As quoted in Kousser, J. Morgan. *Colorblind injustice: Minority voting rights and the undoing of the second reconstruction*. Univ of North Carolina Press, 2000, 56.

^{lxiii} Grose, Christian R. *Congress in black and white: Race and representation in Washington and at home*. Cambridge University Press, 2011.

Section 4: Comparing Ethics Structures in Largest Counties in California and Nationwide

^{lxiv} Resolution Of The Board Of Supervisors Of The County Of Los Angeles Calling For And Giving Notice Of A Special Election To Amend The Charter Of The County Of Los Angeles And Consolidating The Special Election With Other Elections To Be Held Within The County On November 5, 2024. <https://file.lacounty.gov/SDSInter/bos/supdocs/193728.pdf>

^{lxv} Two counties in Texas are included in Table 1 as examples of counties in Texas with independent ethics boards despite not being among the largest counties nationwide by population: El Paso County and Montgomery County.

^{lxvi} Alameda County Grand Jury Final Report. (2023). <https://grandjury.acgov.org/wp-content/uploads/2023/06/2022-23-GJ-Full-Report-Consolodated.pdf>

^{lxvii} Chapter 161. County Ethics Commission in Certain Counties. Local Government Code. <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.161.htm>

^{lxviii} Maletz, Donald J., and Jerry Herbel. "Beyond idealism: Democracy and ethics reform." *The American Review of Public Administration* 30, no. 1 (2000): 19-45; Menzel, Donald C. "Research on ethics and integrity in governance: A review and assessment." *Public Integrity* 7, no. 2 (2005): 147-168; Simmons, Charlene Wear, Helen E. Roland, and Jennifer Kelley-DeWitt. *Local government ethics ordinances in California*. Vol. 98, no. 2. California Research Bureau, California State Library, 1998.

^{lxix} Simmons, Local Government Ethics.

^{lxx} Even while operating with a budget at half of the requested level (Simmons et al. 1990, p.34).

^{lxxi} Maletz and Herbel, "Beyond idealism: Democracy and ethics reform," 29.

^{lxxii} Herrmann, Frederick M. "Bricks without straw: The plight of government ethics agencies in the United States." *Public integrity annual* 2 (1997): 13-22.

^{lxxiii} Wechsler, Robert. *Local government ethics programs: A Resource for Ethics Commission Members, Local Officials, Attorneys, Journalists, and Students, And A Manual for Ethics Reform*. City Ethics, Incorporated, 2013.

^{lxxiv} Marcello, David A. "Ethics Reform in New Orleans: Progress-and Problems Ten Years Post-Katrina." *Loyola Law Review*. 62 (2016): 435.

^{lxxv} Williams, Russell L. "Controlling ethical practices through laws and rules: Evaluating the Florida commission on ethics." *Public integrity annual* 1 (1996): 65-72.

^{lxxvi} Payments made by someone at the request of a public official or employee, usually to a nonprofit organization.

^{lxxvii} Bribery rules, disclosure of personal, professional, and business relationships, among other areas of ethics code such as the unstandardized penalty provisions across the ten chapters of ethics code and vulnerability to unilateral legislative amendment by the Board of Supervisors.

^{lxxviii} <https://sfethics.org/ethics/2024/06/what-will-proposition-d-do.html>

^{lxxix} Charter Amendment ER. https://clkrep.lacity.org/election/2024_General_Municipal_VIP201.pdf

^{lxxx} Wechsler, Local government ethics programs, 88o.

^{lxxxii} *Ibid.*, 88o.; Philadelphia Home Rule Charter, Chapter 11, section 4-1100.

^{lxxxii} Jana Kadah, “San Jose eases transparency rules,” *San Jose Spotlight*, September 5, 2023, <https://sanjosespotlight.com/san-jose-city-council-eases-transparency-lobbying-campaign-contribution-rules/>

^{lxxxiii} Jan I. Goldsmith, “Report to the Charter Committee: State Law and Charter City Provisions Governing Removal of Officers for Cause,” Office of the City Attorney City of San Diego, May 18, 2016, 1-20, <https://docs.sandiego.gov/cityattorneyreports/RC-2016-7%20with%20attachments.pdf>

^{lxxxiv} Ibid.

Section 5: Implementation

^{lxxxv} US Census <https://data.census.gov/profile?g=010XX00US>

^{lxxxvi} Annual Estimates of Resident Populations for Counties in California: April 1, 2020 to July 1, 2023, CO-EST2023-POP-06. U.S. Census Bureau, Population Division, Release date March 2024.

^{lxxxvii} Ibid.

^{lxxxviii} Los Angeles County Chief Executive Office 2024-2025 Final Recommended Budget Charts, page 2 of 9

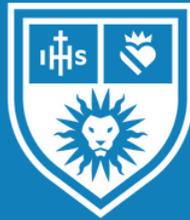
^{lxxxix} County Auditor-Controller’s Fiscal Impact Statements – Measure G.

^{xc} Los Angeles County 2024-2025 final budget.

^{xci} Office of the Chief Executive 2024-25 Final Changes (undated)

^{xcii} Ibid

^{xciii} <https://laist.com/>



**Loyola Marymount
University**
StudyLA

**Thomas and Dorothy Leavey
Center for the Study of Los Angeles**

Measure G: Examining Los Angeles County Governance Reform 2024

**Thomas and Dorothy Leavey Center for the Study of Los Angeles
Loyola Marymount University**

1 LMU Drive
Los Angeles, CA 90045

lmu.edu/studyLA
[@LMUstudyLA](https://twitter.com/LMUstudyLA)