

New plan mandates council growth

By Rick Orlov
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With concessions from Mayor Richard Riordan on his power to fire department heads, a new consensus charter reform plan emerged Wednesday from representatives of the city's two panels.

The compromise by Riordan was hammered out over the weekend in conversations with appointed commission Chairman George Kieffer and elected commission Chairman Erwin Chemerinsky by Riordan and his chief of staff, Deputy Mayor Kelly Martin.

It was ratified unanimously Wednesday night by the appointed commission, and the elected commission will consider it Monday.

The new document would mandate the expansion of the City Council from 15 to 21 or 25 members, eliminate the possibility of having elected neighborhood councils or giving mayors the power to fire department heads unilaterally. But it would give mayors the power to get rid of appointees to commissions that provide citizen oversight of city operations.

"Today's action represents a step in the right direction and results in a proposal which I can support and which I, in turn, can ask the voters of Los Angeles to support at the ballot box in June," Riordan said.

"I believe the consensus package achieves meaningful improvements in the way Los Angeles will be governed in the 21st century," he said.

Riordan dropped his insistence he be able to fire department heads unilaterally, in exchange for a proposal that allows the City Council to overturn him with a two-thirds vote and limits the time in which the council can take such an action.

The mayor also would be able to remove all city commissioners without council approval, with the exception of the Ethics and Police commissions.

Kieffer said the mayor's involvement in negotiations helped turn the corner on developing a consensus package for the appointed commission to submit to the council. The appointed panel was expected to approve the package, which was worked out during a daylong session of the joint conference committee composed of members of the elected and appointed commissions.

Chemerinsky, who has long fought for a single proposal to be submitted to voters, said the new package is better than the separate charter reform proposals developed by the two commissions.

"I think what we have now is a charter for the 21st century," Chemerinsky said.

But to win the mayor's support meant the elected panelists were turning their back on some pet issues.

"This is going to be a hard sell," said elected Commissioner Rob Glushon, who serves on the conference committee. "We have some members who have fought very hard for some of these proposals."

One of those is Bennett Kayser, who described himself as bitterly disappointed in the agreement to drop the separate provision to have elected neighborhood councils with some decision-making authority.

"I am going to fight it," Kayser said. "Without that, all we're doing is changing names on the doors. We won't have real reform."

But Kieffer was insistent that the elected commission drop its plan to have separate ballot measures on the neighborhood councils and in giving the mayor power to fire general managers

without City Council oversight.

"If the elected commission insists on that, then all bets are off," Kieffer said. "I'm prepared to go with what we had before."

One of the more significant aspects of Wednesday's action concerned the size of the City Council.

Even with legal advice they could be on shaky ground, the conference committee agreed to submit a main charter to voters without a specific number of City Council members.

Instead, in the proposal submitted by Chemerinsky, it would say the number of council members would be determined by voters at either 21 or 25, without any option to keep the current 15 members.

"Both commissions believe the City Council should be expanded and we felt this was the best way to accomplish that," Kieffer said.

But Deputy City Attorney Tony Alperin warned that such an action could be overturned by a court since there is no precedent for what the commissions are proposing.

Also, appointed commissioner Anton Calleia questioned the approach being taken.

"I think this is a devious way to get this before voters," Calleia said. "What if people like the charter reform but want to keep the council at 15 members?"

The conference committee also recommended that the city be allowed to have 150 managerial positions exempt from the civil service system, as well as exempting all deputy police chiefs.

The elected panel is planning to consider the proposal Monday and the appointed panel expects to submit its final version to the City Council next week, with hearings to be held in February.