

Prospects for Compromise Charter Plan Dim

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The formal release of the appointed Los Angeles charter commission's draft charter Tuesday has fueled a growing debate over the powers a new city constitution should give the mayor.

In fact, the appointed panel, which proposes only a modest expansion of the mayor's authority, and its elected counterpart, which wants to enhance mayoral powers more broadly, are so divided over that issue that their respective chairmen have decided not to discuss the question at a special meeting scheduled for Thursday.

Leaders of both panels have frequently said they would like to work out a single compromise plan to put before the voters. But the prospects of that are dimming because of the current controversy.

Both commissions face mounting pressures to hold their ground.

In the case of the appointed commission, that pressure comes from the City Council, which has the last word on whether that panel's work makes it to the ballot next year. Councilwoman Jackie Goldberg has been personally lobbying some commissioners, as has council President John Ferraro.

In the case of the elected commission,

the pressure is being raised by Mayor Richard Riordan and his top advisors, including lawyer and Democratic king-maker Bill Wardlaw.

The focus of contention is whether the mayor should have the power to fire department heads without City Council approval.

"This has become the focal point of the most intense political pressure for insiders in the charter reform debate," said Erwin Chemerinsky, chairman of the elected commission. "This issue has become enormously important, substantively and symbolically."

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George Kieffer, chairman of the appointed commission, defended his panel's rejection of that mayoral power at a news conference Tuesday. Kieffer, who called the completion of that draft charter "a historic moment," said that he believed voters would reject giving the mayor that power and that a more modest approach was better government as well. He was joined by former City Councilman Marvin Braude, who effusively praised the appointed commission's work but added that he hopes compromises will allow the two charter commissions to agree on a common document.

The appointed commission, after first endorsing unfettered mayoral firing power, rejected it in its draft charter, causing Riordan to abandon his support for that panel and cast his lot with the elected commission. A growing number of the elected panel's members, however, are showing signs of wavering on the firing issue, mostly because city employee unions are mounting a strong campaign to convince them to follow the appointed commission's lead and reverse their earlier vote.

Led by influential Service Employees International Union local chief Julie Butcher, those union leaders warn that giving the mayor unfettered firing authority will intimidate department heads and politicize city government. In contrast, supporters of the idea note that it works in many major American cities—not to mention private companies and the federal government—and say it would lead to greater accountability by city bosses.

To bolster its argument, the mayor's staff conducted an extensive survey of major American cities and found that virtually all of them allow their mayors that power. Cities as diverse as New York, Boston, Atlanta, San Francisco, Seattle, Anchorage and Salt Lake City all allow their mayors to fire department heads without council approval, according to the survey.

Riordan and Wardlaw were personally calling commissioners

Monday, and the mayor made a rare appearance at the Monday night meeting of the elected commission. Believing he had the votes to affirm his view, Riordan tried to maneuver a vote on the issue, even though it was not scheduled for consideration.

Likewise, labor leaders and Ferraro's representatives, thinking they had the votes to prevail, tried to have the matter taken up.

In the end, no vote occurred on the issue, disappointing both sides. The matter is expected to be brought up next week.

One curious aspect of the debate

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ERWIN CHEMERINSKY
Chairman of the elected charter commission

is that both sides believe they are close to having the votes to prevail once the issue comes to a head. Most of the votes are considered solid, but three commissioners have come under close scrutiny by activists on each side.

They are: Woody Fleming, who works for Councilwoman Rita Walters and wants to run for her seat when term limits force her out; Anne Finn, whose commitment to listening to both sides of any issue often makes her a swing vote, and commission Chairman Chemerinsky, who backs the mayor's position but is eager to win broad support for charter reform and may compromise on the firing issue if he thinks it will help win passage of a new charter.

As they lobby, Riordan and Wardlaw are mixing carrot and stick, with Riordan emphasizing the good-government reasons for giving the mayor the firing power and Wardlaw sending out powerful political signals.

When Fleming held a fund-

raiser last month for expenses connected with his current position, for instance, Wardlaw was in the audience, and the event was held at Riordan's restaurant, the Pantry. The presence of Wardlaw, who prefers behind-the-scenes lobbying to public appearances, sent a not-too-subtle reminder that if Fleming wants to win a council seat in downtown Los Angeles, he might find the going easier with Wardlaw's support rather than his opposition.

That is particularly true given the challenge Fleming is likely to face: He is contemplating running in a district that, although historically African American, is now increasingly dominated by Latinos. Riordan ran well among Latinos in his last election, and Fleming, who is African American, might benefit from the mayor's support.

But Fleming still works for Walters, who is Riordan's most ardent foe on the City Council. As a result, Fleming is under considerable pressure to modify his earlier position to conform with his boss' stance.

Meanwhile, both sides have focused attention of a different sort on Chemerinsky and Finn. Chemerinsky is particularly important because he commands great respect on the commission, and he initially voted for giving the mayor the power to fire department heads.

Although Chemerinsky previously has supported the mayor's position, he is not a natural Riordan ally. He is more liberal than Riordan and was elected with the support of labor, not the mayor. As a result, labor leaders and council members hope he will vote with them when the matter comes up for reconsideration.

As for Finn, sources said she has been personally lobbied by both Riordan and Ferraro. Although those sources say she seems inclined to stick with her earlier support for giving the mayor the power to fire, she has not given a clear sign of how she will vote. Her decision may depend on the debate among her fellow commissioners and on Chemerinsky's decision, since the two often agree.