



California State Association of Counties

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Urban Counties of California

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July 5, 2017

The Honorable Henry Stern
Chair, Senate Elections and Constitutional Amendments Committee
State Capitol Building, Room 2203
Sacramento, CA 95814

RE: Senate Constitutional Amendment 12 (Mendoza) – Counties: governing body: county executive.
As amended June 27, 2017 – OPPOSE
Hearing Date: July 12, 2017 – Senate Elections and Constitutional Amendments

Dear Senator Stern:

The California State Association of Counties (CSAC) and the Urban Counties of California (UCC) respectfully oppose Senate Constitutional Amendment 12 by Senator Mendoza. This measure would require a county with a population of five million or more after the 2020 census to expand the number of supervisorial districts, if approved by a statewide vote. It would also create a directly elected county executive officer position in these counties. We believe that decisions seeking to change local government representation should be made by those most directly impacted by the outcome of such a decision – the voters of that local jurisdiction. Furthermore, the arbitrary spending caps imposed on impacted counties runs counter to the intent of the measure to improve county representation. Unfortunately, SCA 12 imposes a top-down approach that is hampered by technical issues and policy that weakens local authority. Making matters worse, the budget approval process as outlined in SCA 12 upends provisions in the County Budget Act that governs all 58 counties.

Loss of Local Control. Under existing charter authority, counties may already expand their supervisorial seats and create a modified role for their county administrative/executive officer. These changes are voted on through the charter amendment process that requires public hearings and a vote by the people of the impacted county. SCA 12 overrides that process and establishes a requirement for additional districts to be added that are roughly the size of two United States House of Representatives districts. For Los Angeles County, this could require potentially seven to nine seats total. (It should be noted that SCA 12 is silent on census outcomes that would result in adding just one or three seats and thus creating an even number of supervisorial districts, which is problematic for Board actions.)

SCA 12 would also ask California voters from all counties to make changes that would only affect the governance structure of a single county in light of current population projections. The impact is

localized and so the votes should be as well. We strongly oppose seeking a statewide vote to make changes in a limited number of local jurisdictions.

Cost Impacts are Staggering. SCA 12's fiscal impact on counties would be staggering even when setting aside the associated elections costs for each of the 58 counties to include the proposed measure on a statewide ballot.

One-time costs following a census report would be in the millions of dollars to reorganize and renovate office space to accommodate supervisors and staff, equip new offices, and update the board chambers and public meeting space. In addition, the estimated ongoing cost of operations would easily exceed the baseline year. Despite the new cost pressures, SCA 12 states that no new expenditures can be made above the county's 2020-21 expenditure level except for extenuating circumstances in 2020-21 or for adjustments to the Consumer Price Index. This is a disservice to the new supervisorial districts as well as the existing five districts who must share the same level of funding perhaps in perpetuity. We recognize the intent of the bill is to improve representation but the cost cap seems to run counter to this objective. The very real result could be residents from the existing districts will receive fewer resources to meet their communities' needs and the added districts will receive insufficient funding for adequate county representation.

Elected CEO Position Inappropriate for County Governance Structure. Perhaps the most concerning provisions in SCA 12 relate to the creation of an elected county executive officer (CEO). By no means could this new seat replace the existing duties and responsibilities of the appointed county administrative officer (CAO) so SCA 12 adds another mandated position to the county governance structure. Ultimately, we believe having a non-partisan, appointed CAO ensures a highly and professional trained individual with the appropriate and necessary background in finance and management, which serves as a foundation to the essential elements of effective, efficient government administration.

Other county-wide positions, such as treasurer-tax collectors, have minimum professional requirements. Having a politicized office, with no minimum qualifications, to manage a government agency may jeopardize day-to-day operations and the stability of county service delivery for residents. SCA 12 is also silent on many key provisions needed to establish an elected office. This includes, but is not limited to, the process for removing the individual from office if found to be incompetent or for violating state or local laws.

Proposed Budget Changes Upend All County Practices. We believe the proposed budget review and adoption process in SCA 12 should be stricken entirely so that county budgeting can account for state and federal budget allocations, public input, and the established fiscal year. SCA 12 would potentially remove the current transparency provided for in the county budget adoption process and create a new process that is unlike any other applied to the 57 other counties.

In closing, we believe the discussions during at the joint informational hearing between the Senate Elections and Constitutional Amendments Committee and Senate Governance and Finance Committee, titled, "Representative Democracy for a Growing California – Should Counties Have Elected Executives and Larger Boards?", held in October 2016 brought forward thoughtful comments on this matter that should be revisited in earnest before SCA 12 is given further consideration.

For the aforementioned reasons, CSAC and UCC respectfully oppose SCA 12. Should you have any questions regarding our position, please do not hesitate to contact us. Dorothy Johnson can be reached at (916) 650-8133 and Jolena Voorhis can be reached at (916) 327-7531.

Respectfully,



Dorothy Johnson
Legislative Representative, CSAC



Jolena L. Voorhis
Executive Director, UCC

Cc: Honorable Members, Senate Elections and Constitutional Amendments Committee
The Honorable Tony Mendoza, California State Senate
The Honorable Ben Allen, California State Senate
The Honorable Steven Bradford, California State Senate
The Honorable Cathleen Galgiani, California State Senate
The Honorable Bob Hertzberg, California State Senate
The Honorable Jerry Hill, California State Senate
The Honorable Ben Hueso, California State Senate
The Honorable Connie Leyva, California State Senate
The Honorable Scott Wiener, California State Senate
The Honorable Scott Wilk, California State Senate
Darren Chesin, Chief Consultant, Senate Elections and Constitutional Amendments Committee
Cory Botts, Consultant, Senate Republican Caucus