



County Supervisor Resignations Could Lead to Hand-Me-Down Appointments

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By Donald Cohen

San Diego political community is buzzing with rumors that long-time County Supervisors Greg Cox and Ron Roberts will retire sometime soon. The heart of the story is that instead of serving out their remaining years, one or both might resign mid-term allowing the County Board to appoint a successor.

This would presumably be the preferred choice of the local Republican establishment, increasingly worried about San Diego's "blue-ward" shift after Obama's first-time-since-FDR county democratic majority last November. Since Cox and Roberts are both Republicans in districts with massive Democratic registration advantage, a mid-term appointment may be the only way for the party to hold on to the nominally non-partisan seats. Especially if their replacements were 'elected' by the four remaining members of the Board of Supervisors - all Republicans.

San Diego: If Cox or Roberts were to resign mid-term the County Charter (section 401.4) gives the Board three options of how to fill the seat. The remaining board members could then 1) appoint a successor to fill the expired term, 2) appoint a successor until a special election or 3) make no appointment and immediately hold a special election.

But there is a fourth option that would be better for democracy. The supervisors could appoint a 'caretaker' supervisor until the next election with a commitment that he or she won't run for the office. It's the deal that New Hampshire Senator Judd Gregg made with that state's governor before (temporarily) accepting the nomination to become President Obama's Commerce Secretary. It was a classy counterpoint to former Illinois Governor Rod Blagojevich's abuse of the unitary power of governors to fill Senate vacancies. The Board of Supervisors has even chosen this option once before when they appointed Patrick Boarman as a caretaker to fill Roger Hedgecock's seat left vacant by his successful run for Mayor in 1982.

Since there are no term limits, an appointment to the Board of Supervisors can, in effect, be for a lifetime. It's been 25 years since an incumbent supervisor has been beaten at the polls. In 1984, Imperial Beach Mayor Brian Bilbray rode a bulldozer from the Tijuana River into office and George Bailey ousted Paul Fordem. The County's population was considerably smaller in the 1980s and there are still only five supervisors, so candidates had to campaign to many fewer voters than they do now. In 1980, San Diego County had a total population of 1.86 million with each supervisor representing about 370,000 people. The latest population figures for the County put that number at 562,000 people per supervisor.

As the county grew the supervisors became more distant from individual voters. And the power of incumbency surged as challengers needed to raise even more money to reach more voters and Supervisors were able to raise large sums as sitting elected officials.

Cox's appointment in 1995, when Bilbray went to Congress, is the perfect example of an end-run around the rigors of elections and a robust democracy. Now, if Cox stepped down before his term ends and the Board were to make another non-caretaker appointment to fill the vacancy, it'd mean the seat would have been passed down the imperial line since 1985. Given the uphill climb for a challenger today running in a district larger than all but the four largest cities in California, the hand-me-down seat could be passed on for another 15 years - or more.

One can only imagine the political machinations in determining who gets an appointment-for-life. While technically Cox or Roberts wouldn't have a vote on their replacement, their ability to decide when and if an appointment happens at all gives them the virtual unitary power that Blagojevich had in appointing Obama's successor in the Senate. In this case, the appointee would be getting an almost guaranteed life-time job that pays well, has good benefits and a seat of power. The potential horse trading among supervisors, backroom deals and even new careers for the retiring members could create an endless number of appointment scenarios.

It's a bad sign that Cox's most recent attempt at making County elections 'more democratic' was his proposal to prohibit "write-in" candidates for County offices during general elections. That was to head off another threat to incumbents by a candidate like Donna Frye, who could defy the odds with a successful write-in candidacy. In the name of cleaning up the County Charter, Cox, Roberts and the Board made it even a little easier for seats to be passed down from generation to generation.

We can only hope that the Board of Supervisors chooses democracy over hand-me-down government in the coming years.

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