

DRAFT MINUTES



Los Angeles Neighborhood Council Coalition

November 6, 2010, 10:00 AM

Hollywood Constituent Center
6501 Fountain Avenue
Los Angeles 90028

1. **CALL TO ORDER** by our President, **Leonard Shaffer**, @ 10:12 am
2. **SELF-INTRODUCTIONS** There were over 30 participants and 2 Special Guests participating
3. The **AGENDA** was **REVIEWED & APPROVED**,
4. **APPROVAL of the 10/02/10 MINUTES and SECRETARY 's REPORT by Daniel Wiseman**

- a. The **MINUTES OF the OCTOBER 2, 2010** meeting were e-mailed to our current "Master List" of LANCC participants before the meeting date..

Copies were circulated at this meeting and reviewed. No corrections were offered. The Minutes were **approved and sent for posting**.

As always, corrections may be made after the meeting by contacting Daniel Wiseman, LANCC Secretary at dwisemanmd@yahoo.com
1-818-635-4033.

- b. Daniel Wiseman described the work to create the **LANCC MASTER LIST**; a tool to connect ("network") LANCC Participants and facilitate their tasks.

He said that the email and telephone numbers on the MASTER LIST are available by Public Records Act to anyone. Our list is made up from the recent NC Election Results (all current NC Board Members and unsuccessful candidates). It is, therefore, very current. Also included is data from DONE and private sources. The list LANCC uses will not be opened to Public Records Act requests because LANCC is NOT a governmental agency. The list may be supplemented with additions from NCASHS, everywhere, and the entries may be categorized as to titles, parent organizations and interests so we can send and receive pertinent subject-specific materials.

For those who have not joined, yet, please join

[**NCASHs@yahoogroups.com.**](mailto:NCASHs@yahoogroups.com)

The weblog materials (links, documents, comments, etc.) will be “visible” to or “readable” by anyone but moderated by LANCC officers to exclude spam and irrelevant entries. Only members may submit comments and other materials. I think you will find this site to be a useful place for us to share and prepare materials for our meetings.

You can join by following the instructions on the INVITATION or by sending an email message to

[**NCASHs-subscribe@yahoogroups.com**](mailto:NCASHs-subscribe@yahoogroups.com)

Future plans will be to have messages sent from LANCC to specified groups (e.g. City Planning Issues) or to all participants (e.g. Minutes).

Rules to guide the use of these data must be developed to...

- protect the website from “spam” and improper postings
- protect the privacy of participants
- permit free access to the information contained

5. PUBLIC COMMENT

- a. **Steve Twining** spoke about the blockage of the Skirball offramp of the 405 FWY by construction, the proliferation of rehab homes in the neighborhood, the fact that the City’s (long-term leased) Westwood Parking is empty.

He expressed concern for the creation of Public-Private-Partnerships (P-3 arrangements) to manage the Convention Center, the Zoo as well as the Parking Facilities.

The Bel Aire-Beverly Crest NC has a brochure on EARTHQUAKE SAFETY>

- b. **Stephen Box** announced his candidacy for City Council, District #4.
- c. **Tom Williams** introduced the CRA PROJECT to redevelop the Corn Fields area.

[**According to the CRA “...the proposed 663-acre Cornfield Arroyo Seco Redevelopment Project Area \(Proposed Project\) is located just northeast of Downtown Los Angeles, bounded by the Chinatown Redevelopment Project Area to the west and Lincoln Heights to the east.**](#)

[The Los Angeles River and Arroyo Seco travel through the Proposed Project and meet near its northern boundary. The historic Arroyo Seco Parkway and Interstate 5 also traverse the Proposed Project. The Proposed Project is served by the Gold Line Light Rail, while the proposed High Speed Rail will probably cut through the area.](#)

[The Proposed Project includes industrial and warehouse areas,](#)

residential neighborhoods and numerous City facilities. Councilmember Ed P. Reyes requested that the CRA/LA study the Proposed Project area to explore ways to reverse the existing physical and economic decline and identify revitalization strategies.

While the area is called “Cornfields” because of its past history as an agricultural area, the area has been solidly middle-class and low-income residential for the last 80 years. Most residents have lived there , as owners or renters, for many decades and the plans may cause them to lose their homes. **CRA may ask for Eminent Domain power to take-over non-resident owned properties.**

The CRA Proposal involves the creation of the high speed rail route approved by Planning Commission on 11/4. LANCC President Len Shaffer suggested that the RFP, Blight study and other studies to justify this as a CRA PROJECT be reviewed.

- d. **Philip Iglauer** (Glassel Park) spoke of the NorthEast LA Coalition (in formation). They plan a 11/9/10 5:30 Meeting at Glassel Park which will be a WORKSHOP ON DEMOCRACY for NCs, Churches, Chambers of Commerce, other groups to learn about and participate in the democratic meetings. All are invited. The event is co-sponsored by DONE – GM Bong-Hwan Kim will speak.
- e, **Mike Cohen** spoke of the LA Clean Sweep Meeting, Sunday, 11/7 – all are invited – all candidates are invited.
- f. **Nina Royal** spoke of the LA DEPT OF PLANNING “challenges.” There will be a new neighborhood liaison performing started “ombudsman” services. The method of picking this person is of concern to Nina. She would like to see NCs have influence in the choice. This activity can be coordinated with PlanCheck

6. **DISTRICT REPRESENTATIVES REPORTS** – included in Public Comment

7. **PRESENTATION - IDEAS FOR REFORMING OUR CITY GOVERNMENT**

- a, **Nicholas Dalton-Pawle** (Sun Valley NC) presented a critical review of the City Government’s performance; its failure to deliver mandated services even before the current economic crisis and further deterioration in that process. He supports the principles and activities of the Clean-Sweep Program. (Brochures distributed to the attendees.)
- b. **Ginger Damon** continued the discussion with specific information on how interested NCASHs could get involved. She described the current political climate as particularly anti-incumbents and suggested that this year’s crop of challengers had a much better chance of replacing the incumbents ... but they will need support in the form of work and money.

That is what the Clean Sweep Movement is all about.

8. **PRESENTATION – The WE MOVEMENT (wemovement.org)** Cherie Kerr, Southern California Representative (cherie_kerr@kerrpr-execuprov.com) said that the mission of The WE MOVEMENT is to connect those that have goods, products and services that they wish to offer through HELP4U (HELP4U.com)

Secretary’s Note: The above URLs and email addresses are provided so you can learn more, validate and verify the nature of these activities.

They offer “... a revolutionary online “search & match” software program that brings these Providers and Recipients together. WE’s motto is: “Offer What You Can. WE Will Do the Rest.” They offer assistance in six areas: health care, housing, financial services, legal assistance, your programs and education.

9. **PRESENTATION – DONE’s EXHAUSTIVE MEASURES PEER GROUP**

Grayce Liu (grayce.liu@lacity.org) told us of a new group, being formed by DONE, to assist with NCs who are experiencing serious conflicts. It would be formed of NC peers who could go to the conflicted NC, offer their experiences in similar situation and seek solutions to that NCs’ problems. The concept grew out of the ByLaws Task Force deliberations but was not part of their work product. The key difference in DONE’s proposal is its desire to avoid but its responsibility to effect decertification, as a “last resort.”

Her presentation was followed by a long string of NCASH comments which expressed concern for the feasibility and the lack of effective action of DONE in the past to resolve serious NC conflicts. Many examples of NCs “frozen” and unable to meet or operate were cited. They compared it to the current proposal to the developing Mentoring Program and to the Problem Resolution Program begun 5 years ago. The biggest defect in all of these programs was a lack of participation by the adversaries. The adversaries would not accept DONE’s advice, peer pressure, mediation and refused arbitration.

10. **ByLaws REVIEW TEAM (BRT)** Bob Gelfand told us that the ByLaws Task Force had wanted to make all ByLaws changes voluntary but advised uniformity of the numbering of the key subjects (NC Name, NC Mission, NC Membership, etc., etc.). The Task Force recognized the value but did not endorse the DONE offerings of “usable language” even though the option to enter a phrase such as “Our NC does not want to make a ByLaw for this item” was an option.

11. **SECRETARY’s REPORT** Daniel Wiseman (LANCC Secretary) described the efforts to create the MASTER LIST (again). He then went on to describe the formation of NCASHs@yahoogroups.com and invited all to join that activity.

12. **WP MOTIONS APPROVED BY CITY COUNCIL** Chuck Ray brought us up to date on the complex process of the City Council’s struggles with the DWP.

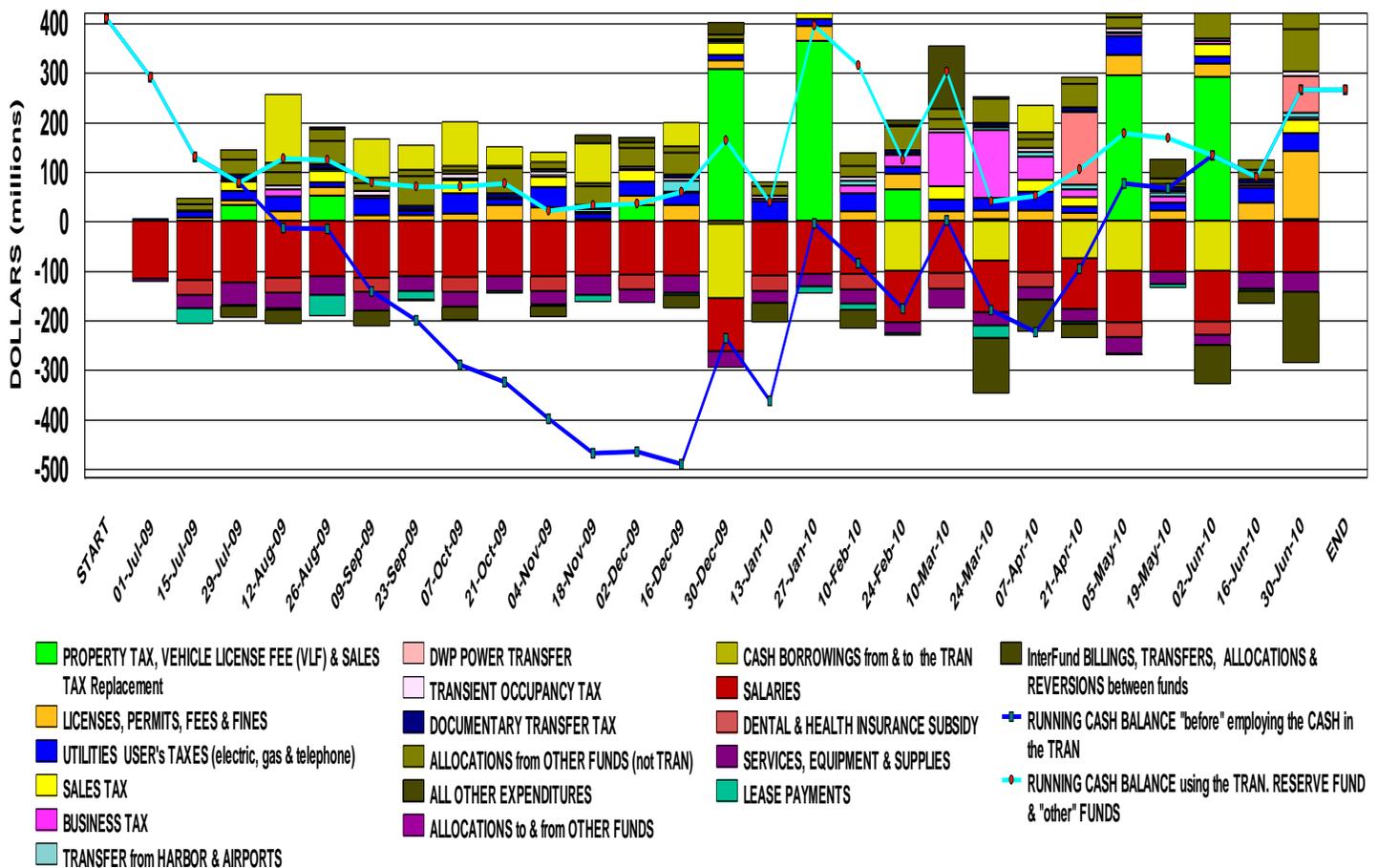
Secretary’s Note: What follows is an attempt to document the history of the City Council Motions re: the DWP, to capture Mr. Ray’s points made at our 11/18/20 LANCC Meeting and to

cite the City Council actions up to and including November 26, 2010. As such, the material which follows, here, covers actions which occurred in the last several months and for up to 7 days after this meeting.

FY2009-2010 REVENUES & EXPENSES per the CITY CONTROLLER's "CASH FLOW"

NOTE how SALARIES & HEALTH BENEFITS (red bars) dominate the expenses (the bars below the ZERO line)

Balances are without (dark blue line) & with (cyan-light blue line) use of the "TRAN" (shown stippled yellow)



- a. The graph, above, shows the City's Revenue (Income – above the zero line) and Disbursements (Expenses – below the zero line). Salaries Expenses (the solid red bars below the line) are the largest and most consistent expenses. The majority of the "big" Revenues (Property Taxes – solid green bars, Business Taxes – pink checkerboard bars) are not received until December or later. We borrowed \$ 1.2 BILLION on Tax Revenue Anticipation Notes to make up the deficits of the first six months of the fiscal year. Our TOTAL CASH is displayed as a light blue line (CASH-on-hand) and CASH (without the use of the TRAN – dark blue line). As you see, borrowing from the TRAN (yellow-stippled bars) keeps the CASH-on-hand above the zero line. The City must pay back the TRAN before May 31, each year (return of TRAN – yellow-stippled bars, below the zero line) and that brings the two blue lines back together before June 30th.

- b. The City Council, faced with a very tight FY2009-2010 Budget, was told in February 2010 by the DWP Board of Commissioners that DWP “could not (would not) make its payment ... \$ 120 million ... of this year’s Power Transfer without threatening DWP’s Bond Ratings.” The lack of those funds to the City could have caused a decrease in the City’s Bond Ratings and possibly emptied the City’s Cash Asset Accounts (Cash, Reserve Fund, etc.).
- c. An audit by the City Controller Wendy Greuel found that DWP had adequate Cash Reserves to make the payment. However, since the Power Transfer had not been received, Ms. Greuel also reported that the City would be “out of cash” on May 5, 2010.
- d. DWP relented and paid \$ 147 million of the Power Transfer to the City (red checkerboard bar) on April 21, 2010, just in time to avert the “out of cash” prediction. Then the DWP completed its Power Transfer with a \$ 73,475,000 payment in June.
- e. The City Council spoke loud and passionately about the actions of the DWP. They re-activated the concept of an **Independent Rate Payer’s Advocate (IRPA)** for the DWP and reconsidered the several previously created “alternatives” to an IRPA.
- The **IRPA** had been proposed, 3-4 years earlier, by NC Stakeholder Jack Humphreville to **analyze and report (directly to the public) on the DWP proposals and rate changes** in an impartial manner. The IRPA had a specific definition to free this office from City Politics..
 - In 2008, Councilmember Jose Huizar proposed an “**Ombudsman**” (**C.F. #08-1967**) who would **aid qualified people to receive Lifeline and Low Income Benefits** but would also **increase the collection of unpaid DWP bills**. The position or office was to be appointed by the Council but funded by the DWP (It wasn’t.)
 - In October 2009, Councilmember Greig Smith proposed an office of the “**Inspector General**” (**IG, C.F. #09-2544**) to carry out the Council **mandated (but not regularly done) annual fiscal analyses of the DWP Budget and new proposals**. This position would be “empowered to assemble an independent review panel of experts.” The IG would be **appointed by the Mayor with the advice and consent of the City Council**. It would report “directly to the public (presumably) without interference from the DWP, the DWP Board of Commissioners, the Mayor, the City Council or the NEIGHBORHOOD COUNCILS.”
 - Also, in October 2009, Councilmember Eric Garcetti proposed an **Office of the Ratepayer Advocate (ORA, C.F. #08-1967-S1)**, a revision of the Ombudsman, to “**identify best practices, present options ...and... create a role for customers**” at DWP. The appointing authority was not specified; presumably it would be the Mayor and City Council, again. The ORA would report to the DWP Board of Commissioners, the City Council and the Mayor.
- f. From June to October 2010, the City Council’s Energy and Environment Committee (Jan Perry, Chairperson) and Rules and Elections Committee (Eric Garcetti, Chairperson) held **six (6) Public Meetings** all over the City where the Members of these Committees and other City Council Members listened attentively to the comments, opinions and suggestions of dozens of NCASHs (NC Active Stakeholders) and other citizens.
- g. City Council Members had proposed a flurry of Ordinances to contain the DWP and to try to prevent a repeat of last spring’s experience with the DWP Power Transfer. They included....
- **C.F. 10-0851** (Smith/Perry) to require City employees who transfer to become a DWP Worker to wait **5 years before their Pension Plan vests**.

- **C.F. 10-0852** (Smith/Perry) to allow the **City Council to remove a DWP General Manager by a 2/3 vote**
- **C.F. 10-0853** (Smith/Perry) to allow the **City Council to remove a Member of the Board of DWP Commissioners by a 2/3 vote**
- **C.F. 10-0854** (Smith/Perry) to **create Wage Parity** between like job descriptions in the City and DWP staffs
- **C.F. 10-0855** (Smith/Perry) to allow the City Council to review and approve all Rate Increases and Pass-throughs (like ECAF, etc.) before they were activated by DWP
- **C.F. 10-0856** (Smith/Perry) to discontinue the current practice whereby the Mayor appoints all of the DWP Board of Commissioners and **change the appointments of the Board to...**
 - **2 by the Mayor**
 - **2 by the City Council**
 - **1 by the Neighborhood Councils**
- **C.F. 10-0857** (Smith/Perry) to require that the DWP Budget be approved, each year, by the Council
- **C.F. 10-0858** (Smith/Perry) to require revisions of the **improve the L.A. Municipal Services (DWP section) bill for clarity and simplification** bill plus specify sub-meter charges.

These proposals got widespread approval and support from the NCs, LANCC and the Regional NC Alliances.

Now, it is not unusual for proposed ordinances to **“go nowhere” ... but ALL OF THESE PROPOSALS went nowhere.**

- h. By November 2, 2010, the proposals were converted into ballot measures for the March 8, 2011 election. They were crafted as “Charter Amendments” for Mr. Huizar’s original **“Ombudsman” proposal (C.F. #08-1967)**.and then given “new” Council File Numbers and “packaged” with eleven (11) ballot measures as **C.F. #11-1100**. There was little or no Public Comment possible on these ballot proposals.

- **C.F. #11-1100-S9 – Item 9 or 10 or 11 or 12 or 13** - are versions of a Charter Amendment which would
 - = **“expand the DWP Board of Commissioners from five (5) to seven (7) members”** and
 - = **“require that some of them possess particular expertise (aka qualifications) or background ”** and
 - = **“decrease Commissioners’ term of office from five (5) years to three (3) years”** and
 - = **“to permit the City Council, by two-thirds vote, to remove a commissioner or retain a commissioner removed by the Mayor”** and
 - = **“permit the City Council, by two-thirds vote, to remove the DWP General Manager”**
 - = **“require the DWP to report on a preliminary budget by March 31st”** for the purpose of making the POWER TRANSFER.

- **C.F. #11-1100-S9 – Item 9 or 10 or 11** are versions of Charter Amendments which would create the **OFFICE of PUBLIC ACCOUNTABILITY (OPA) for DWP**....a “replacement” or “consolidation” or “redefinition” of the original Independent Rate Payer’s Advocate and the Ombudsman and the Inspector General. The name change was made because IRPA could make the public think that the office might be able to lower DWP rates. The specifications of the OPA include...

- (1) The OPA Executive Director shall be appointed by a Citizens Committee (with the Advice and Consent of the Mayor and City Council) to a five year term
- (2) The OPA Executive Director shall have full charge and control of all work of the OPA.

- (3) The OPA staff shall include a Ratepayer's Advocate.
- (4) The OPE shall submit a Budget to the CAO, annually. This requirement, which presumably includes review by the Budget & Finance Committee and approval by the City Council is sharply criticized by Chuck Ray (Vice Chair of the DWP-MOU Oversight Committee) who thinks it reestablishes political control over the OPA.

13. The creation of these ballot proposals not only...

- (1) delays implementation of these measures for another year,
- (2) subjects the ballot proposals to campaign rhetoric,
- (3) removes the responsibility for the results from the City Council and allows City Council
- (4) lets City Council avoid offending the DWP and its powerful (campaign fund donating) IBEW #18 Union,
- (5) puts the responsibility on the intelligence level of the voting public,
- (6) causes confusion and reaction in yet another complex, multi-issue ballot with more difficult language for the voters to decipher,
- (7) presents the daunting requirement that a Charter Amendment must receive a 2/3 majority to pass.

This is a prescription for failure of any real DWP reform.

14. ADJOURNMENT at 1:15 p.m.

NEXT MEETING: Saturday, December 4, 2010, 10:00 a.m.
Location T.B.D..