

CITY WATCH

An Insider Look At City Hall

November 2, 2004 Volume 2 Issue 20

CITY WATCH

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Say What?

"Don't let them

take away

your right to complain.

Vote in every election."

--Mary Bottenberg
Citizen

Vote November 2nd

Neighborhood Extortion?

Neighborhoods Putting Big \$\$ Squeeze on LA Filmmakers

So far, no reports of NC's demanding fees

By Ken Draper

The neighborhood practice of threatening to disrupt an on-location film shoot if not paid a fee is not new. Industry location managers have had to deal with it for years. But, if the recent experience of one filmmaker is any indication, the amounts being demanded are spiraling and could soon lead to prosecution or legal action.

In a recent report to colleagues, long-time filmmaker Timothy Hillman described a mid-city attempt to exact big dollars. "On the day of filming," he wrote, "we were contacted by a homeowner association. This woman, Dianna, demanded a 'settlement' for filming in their neighborhood of \$5,000 per day." If he didn't pay up, he was told, his shoot could be interrupted by car alarms or gardener leaf blowers.

One industry attorney called it "outright extortion."

"It's illegal," he said, "and it's time now for the industry to take a stand. If the County won't prosecute these threats, we'll take our own legal action. We have to put an end to this extortion."

Continued on Page 5. See "Filmmakers"

CITY WATCH

NC 2nd Election Voter Drop-off: Outreach Failure or Phenomenon?

By Ken Draper

Somewhere around 60% of Neighborhood Council follow-up elections attract fewer voters than the first election after certification. Views differ on the reasons why and the significance of the statistic.

Some NC critics want you to believe that it's all about outreach, but that theory doesn't stand the test. Since DONE provides the timelines and the election outreach materials for councils, most second elections receive even better stakeholder coverage than the first. Because they have the experience, most second elections are better run than the first. And, even if a council was outreach-deficient between elections, it stands to reason that more stakeholders are aware of them for the second go 'round than the first.

Silver Lake NC Co-chair, Jason Lyon, thinks a number of factors contribute to the falloff, but first among them is that fewer board positions are open. "We were only electing half of our Governing Board this year, whereas, last year all 21 seats were up for grabs. So, there were twice as many candidates, twice as many personalities and twice as many opportunities to get the word out last year."

Continued on Page 6. See "Election Drop-off"

Op and Ed Page

Insight

Are LA's Commissioners Losing Power to LA's NC's?

By Mark Siegel

(Some of the City's boards and commissions have gotten more than their share of attention this year. A lot of it has been negative. City Controller Laura Chick has produce less than flattering audit results. Some of the commissioners have been accused of ethics violations. Who are these people and how did they get these appointments anyway? City Watch goes in search of an answer in this special report.)

Commissioners were actually the City's first attempt at citizen participation. Virtually every city depart has a commission of five to seven, sometimes more, citizens to perform a wide range of tasks, depending on the commission. Appointed by the Mayor and confirmed by the City Council they are the focus of attention again with the scheduling of a workshop, hosted by City controller Laura Chick, to train activists to seek vacancies on the various boards and commissions.

To understand the role of commissions you have to look back to the early part of the last century when the progressive era was in full bloom. The city elite wanted to eliminate politics from local government to the greatest degree possible. Their vision was that Department heads would be highly qualified technocrats insulated from political pressures of city hall. Commissions were given the responsibility to set policy. They were nominated by the Mayor and confirmed by the Council and the charter at that time protected them against being fired for not healing to the mayor's every whim.

Continued on Page 7. See "Commissioners"

Guest Commentary

Hollywood Cameras and Mission Creep

By Michael Klein

Concerning the issue of surveillance cameras in Hollywood, has anyone noticed the "mission creep?" First traffic intersections, then small areas, now 64 cameras in Hollywood!!

What's next? Cameras everywhere?

Hey, why not? If you can put 64 cameras in Hollywood, why not 5,000 in Los Angeles?

We are docilely allowing the precedent to be set --- and there is no logical stopping place.

Wake up Californians! Your ancestors cared enough about privacy to put a specific privacy provision in the California Constitution. We are squandering their legacy to us.

These cameras will be able to scrutinize private areas. These cameras will be used for further invasions of our privacy and or precious constitutional freedoms. It is only going to get worse in the future.

Continued on Page 5. See "Hollywood Cameras"

CITY WATCH

The E-Newsletter for LA's NC's

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CITY WATCH is published electronically on Tuesday of every other week. Share it with your Neighborhood Council and other activists.

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Op & Ed Page-2**Guest Commentary****A Classic Case: What Happens When Stakeholders Aren't Paying Attention?**

By DeDe Audet

When sophisticated, political persons work hard to take over a Neighborhood Council, it is easy. And, the reason is that most stakeholders are too busy with work and family cares to put in the time necessary to understand what is going on. Sometimes a huge issue does not get the attention it deserves.

Most residents of Venice are happy to be non-confrontational and respond favorably to messages of love, peace, help the homeless, preserve the artists, down with the greedy, and up with freedom.

But in this era of spin and buzzwords, a small and dedicated group can use this attitude to take advantage of stakeholders. With the right kind of platform, a constituency of dissidents and oddballs can form to make loyal support for a takeover.

Now, Venice has to deal with the results of its failure to pay close attention to what was going on in its Neighborhood Council. There could not be a clearer demonstration of Venice' problem than what took place on October 27 in the Los Angeles City Council Chamber when the amendment to Section 42.15(LAMC) was considered.

ORDINANCE FIRST CONSIDERATION relative to amending Section 42.15 of the Los Angeles Municipal Code (LAMC) to require that public expression activities allowed by that Section be exercised in designated spaces on the Venice Beach Boardwalk (Boardwalk), and that the use of those designated spaces be regulated by a permit process.

Continued on Page 6. See "Classic Case"

Guest Commentary**Is There Intelligent Life in the Universe ... of Neighborhood Councils?**

By Michael Cohen

If a recent Board of Neighborhood Commissioners is any indication, the answer is NO.

At that meeting, I heard one stakeholder implore the Commissioners to start killing recalcitrant neighborhood council board members.

Others told of not having been able to hold an election for two years. Another spoke of a vindictive quorum boycott by one half of the board against the other half. And, yet another of having to roust their own board members out of their recliners and TV stupor just to get a quorum.

The failure of a few Neighborhood Councils to graduate from grammar school playground behavior is highlighted by just the reason I was to speak that night.

Continued on Page 7. See "Intelligent Life"

News ...**... You Can Use****For Cell Phone Users
How to Bypass 911**

Cell phone users have reported response delays when calling 911.

Cell phone calls to 911 are directed to the California Highway Patrol.

By way of example, recently two different people called 911 from a firearms-involved robbery. It took nine minutes for CHP to pick up the call. It was a busy night.

There is a plan to change the system but not until spring of 2005 at the earliest. Once the new system is in place, cell phone call will be routed to the station nearest the calling party.

In the meantime, there are numbers that allow cell phone users to bypass 911 and get directly to LAPD for emergencies.

213.928.8206

or

213.928.8208

They numbers can also be used for fire and medical emergencies. Add them to your cell phone speed dial and pass this information along to your Neighborhood Council and stake-holders.

(Thanks to Bel Air/Beverly Crest NC Public Safety Chair, Bob Knotek, Patty Post and Norm Kulla for providing and forwarding this News You Can Use.) ■

BONC Biz**New Board Policy Could End Long NC Election Delays**

By Sara Epstein

The board of Neighborhood Commissioners approved a new policy that could bring the curtain down on delayed NC elections. The policy says, in effect, that if a certified Neighborhood Council's interim board cannot organize and conduct an election within at least eight months, the BONC can authorize DONE to step in and appoint an independent, third party, Administrator to remedy the problem.

Although the new policy would apply to all councils with over due elections, the Greater Wilshire Neighborhood Council was the focus of attention at the October 19 meeting.

Contentious Interim Board

For almost a year, a contentious interim board has been unable to come together for any business, let alone to organize an election. Likewise, the Board's decision left the group divided.

One interim co-chair, John Gresham, lauded the Board and said it was step in the right direction. On the other hand, Co-chair Michael Rosenberg called it a "coup d'etat" and the policy illegal. Rosenberg now wants the community split into two councils.

What Happens Now?

The next step is for DONE to recommend an administrator and an arbitrator and some election procedures for the Commission's approval. A similar process is being used to try to resolve the Van Nuys Council's election snags. If the new plan works, it could help end the NC election gridlock that has a half a dozen certified councils dangling because of their inability ... or unwillingness ... to hold a DONE-approved election.

Other BONC actions certified the City's 83rd Neighborhood Council (Northridge West), heard a status report on the NC Taskforce-DWP negotiations, reviewed draft 23 of the NC Election Procedures and heard Old Northridge defend its last election. The Board was unable to act on Old Northridge because it was agendized as a report instead of an action item.

In the meantime, the BONC retreat, scheduled for November 6, has been cancelled because all seven Commissioners could not attend on that date. ■

NOTICE TO CERTIFIED NEIGHBORHOOD COUNCILS**Re: Rooftop By Right for Cellular Antennas**

You are hereby notified that the Planning and Land Use Management Committee of the Los Angeles City Council will consider, on **Wednesday, November 17, 2004**, at approximately **2:00 pm**, or soon thereafter in Room 1010, 200 North Spring Street, City Hall, a proposed ordinance to permit cellular antennas and associated equipment cabinets by right on rooftops of buildings in the commercial and manufacturing zones, provided they meet specified design standards.

Applicant: City of Los Angeles, Department of City Planning

If you are unable to appear at this hearing, you may submit your comments in writing. The file referred to above can be reviewed in the Office of the City Clerk, Room 395, City Hall, 200 North Spring Street, Los Angeles, CA 90012.

Please be advised that the Planning and Land Use Management Committee reserves the right to continue this matter to a later date, subject to any time limit constraints. The City Council will consider this matter at a later date.

Issues Watch*(Citywide Top Ten)*

November 2, 2004

Current/Previous

- 1/1 Inclusionary Zoning
- 2/4 Half-Cent Public Safety Sales Tax
- 3/3 Transparent DWP Funds Transfer
- 4/6 LAX Expansion
- 5/5 2005-2006 City Budget
- 6/7 Business Tax Reform
- 7/10 Mayoral Election
- 8/8 Parking Meter Revenues/Distribution
- 9/2 King/Drew Closure
- 10/9 Urban Landfills BFI/Sunshine Canyon

**Issues Watch***(NC Top Ten)*

November 2, 2004

Current/Previous

- 1/2 NC Election Procedures
- 2/3 NC Funding Delays
- 3/4 Lobbyists ID for NC's
- 4/6 NC Appointments to Commissions
- 5/5 NC/DWP Partnership Negotiations
- 6/2 Meetings W/Out Quorums
- 7/7 Reasonable Time for NC's at City Meetings
- 8/8 Sanctions for Failing/Dysfunctional NC's
- 9/10 Cable TV Access
- 10/9 Decision-Making Powers(Public Works/Land Use/Budget)



Filmmakers-Continued from Page 1.

On the flip side of the coin, many neighborhood associations argue that the community is disrupted and inconvenienced and they are entitled. The businesses or property owners involved in the shoot get paid but the residents or the public who lose their parking, or in some cases the use of their streets, and have to put up with the lights and noise, get nothing.

"First of all," the attorney noted, "these are public streets paid for by all of our taxes. Secondly, these companies paid for a permit. And, finally, if someone is unhappy with the system, there are legal ways to deal with it. Extortion is not one of those."

Belief in Law

Miracle Mile Residential Association President, Jim O'Sullivan, says, "I have a simple belief in the law and if a film crew is permitted, that's it for me. If I don't like it, I can work within the system to change it."

O'Sullivan is also an actor. He talked about his own experiences. "When I was working on locations, the production manager often handed out money to the nearby neighbors to keep everybody happy but," he added with dismay, "I don't remember having of this kind of threat or that kind of money mentioned."

Citywide Problem

According to Hillman, the problem is citywide, but that doesn't mean most people are on the take. I have that experience "maybe once a shoot," he says. "Ninety-eight percent of us (production companies) go out there and do our jobs right and try to make sure everyone has a pleasant experience. And there are a couple of us who get it wrong and that makes all of us look bad. And, I think that holds true for neighborhood associations."

Of the reports we received and the people interviewed for this story, there were no Neighborhood Councils named in this "inconvenience fee" practice.

"I now get one of these on every shoot, Hillman said. The question that has some of the industry concerned now is whether these exorbitant demands are a trend that will force them into costly and time consuming litigation to stop. ■

Hollywood Cameras-Continued from Page 2

Or think about this. If a dictator were interested in taking over this country, one of the things that would most facilitate efforts to restrain and control the populace would be an installed base of cameras and the legal precedents to retain them.

Cameras not only violate privacy rights, and endanger the public welfare in the long term, but they use funds that should be used for human officers who can monitor behavior, and also perform other necessary police functions.

Of course, if the police finance sales tax referendum passes Tuesday, there should be plenty of funding of new police officers. Which may be precisely why they have announced this policy now, before the election.

(Michael Klein is an attorney in Los Angeles.) ■

Mayoral Showdown 2005

City Watch

In-depth Coverage

Begins November 9

**City
Hall:
We've
Gotcha
Covered !!**

**Make
Sure
You're
on
the
City
Watch
Network**

*Send your name and
e-address to:*

lacitywatch@aol.com

Election Drop-off-Continued from Page 1

DONE's GM, Greg Nelson, agrees, "Few of the subsequent elections," he confirms, "involve all of the board seats. Nearly everyone staggers terms."

Downtown LA offers a slightly different slant. In the second election, says DLANC President Brady Westwater "we didn't have the large hard core group working for two years to get the council up and running, which really pushed to get out and vote." Downtown had 1,787 voters two years ago. Fewer than half that number showed up for this year's election.

Then there's the benefit of having an issue or a cause. "We had one slate that tried to take over DLANC the first time around," Westwater notes. Nelson agrees, "There's a direct relationship between controversy and turnout."

Satisfied Customer Theory

And, there's the satisfied customer theory: "Many on the Board ran again," argues Westwater, "and the communities were happy with their representation, so a number of people had few, or even no, opponents, which meant less need for campaigning."

Finally, what about lack of voter interest? Lyon tells us, "You can't underestimate the power of plain old voter apathy." Which, it would seem, has Neighborhood councils becoming more bodies of assimilation than bodies of change.

It could certainly be argued that the performance of Neighborhood Councils, between elections, also has an affect on election turnout. The case could just as easily be made that, instead of stakeholder satisfaction, the reason for fewer voters is disillusionment. The same argument NC's make about other City bodies.

Coming to Grips

And, at some point, Neighborhood Councils are going to have to come to grips with perhaps the most cogent question of all, what percentage of their stakeholders voting is regrettable, acceptable, commendable? When a council with 50,000 stakeholders can only nudge 65 voters to the polls one must question how relevant they are and how well they are serving their stakeholders.

Someone once suggested that a minimum voter response be required in order to remain certified. Everyone places great importance on elections. Much DONE and NC time and many of their resources go into conducting an election. Perhaps turnout at elections ... the first and the subsequent elections ... should be one of the keys to determining how well Neighborhood councils are serving their stakeholders. ■

Classic Case-Continued from Page 3.

The taped record of that event will survive as a classic demonstration of a Neighborhood Council gone wrong. I will take a copy of it door to door in my area to help stakeholders understand how important it is to pay attention.

Thanks to the perseverance of Councilmember Cindy Miscikowski, and a few Venice residents and artists, the desire of the current Grassroots Venice Neighborhood Council to preserve the free (west) side of Ocean Front Walk as a venue of hawkers selling cheap scarves and sun glasses was defeated. The L.A. City Council vote was unanimous for doing what is necessary to return Ocean Front Walk to a place of free expression where artists can display and sell their original works and performers can work their magic on the crowd.

Ocean Front Walk is a vital part of the City of Los Angeles. With its hundreds of thousands of visitors, both local and foreign, it makes jobs and revenue for the City, even though parking issues and noise make it difficult for residents.

Continued next column

Information!

Education!

Provocation!

CITY WATCH!

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Cont from previous column

But Ocean Front Walk is a part of the whole city, not just an enclave of Venice, as GRVNC wanted it to be. Nevertheless, keep in mind that, if City Council had taken GRVNC to be truly representative of all of Venice, there might have been another outcome.

(DeDe Audet is a longtime community activist and a resident of the Venice community.) ■

Commissioners-continued from Page 2

The relative power of a commission varied widely. The proprietary departments (Airport, Harbor and DWP) have very powerful commissions that in essence run the department like a board of directors. Other powerful commissions are Planning, Recreation and Parks, Police and Fire. These commissions have broad powers over land use and setting departmental policy.

The commission system was weakened when Richard Riordan was mayor. He demanded complete authority and loyalty of the commissioners. He had every person he appointed sign an undated letter of resignation that was pulled out of the drawer when an individual became too independent. One of his major goals in the Charter Reform effort that he sponsored was to give a mayor more power over commissioners by making the council veto of a commissioner firing more difficult. Under the new charter commissioners serve at the pleasure of the Mayor and may be terminated without cause.

Who are These Guys?

So who are they? A Daily News study several years ago found that commissioners come from the wealthier parts of the City, West LA, Hancock Park, Encino etc. The Westside Council districts are home to a disproportionate number of commissioners. Less wealthy and minority communities were generally ignored. Mayors tend to have a few loyalists that get moved from commission to commission to get the Mayor's agenda done. Dan Garcia, Ted Stein, Rick Caruso and Leland Wong have all served on several commissions and have survived changing administrations

Mayor Tom Bradley would occasionally make an effort to reach outside the usual group for candidates. His successor, Riordan was once quoted as saying there were not enough qualified people in the less wealthy parts of town to find commissioners there. Mayor Hahn has broadened participation somewhat, but since charter reform and the rise of Neighborhood Councils, commissions have been de-emphasized as a way to have citizen input on city policies. The mayor, as a result of changes to the Charter, has direct hire and fire authority over general managers and no longer requires commission input on policy decisions.

Training to become a commissioner is worthwhile and could give you a new view of the city operations, but don't expect much in terms of power. ■

Intelligent Life-Continued from Page 3

Several dozen Neighborhood Councils are working very cooperatively with each other and the Los Angeles Department of Water and Power in drafting a Memorandum of Understanding (MOU) to radically alter (monkey) business as usual in our City. This is what the Charter envisioned as the responsibility of Neighborhood Councils - more citizen participation in government and to make government more responsive to local needs.

Passion is lauded in salespersons, advocating attorneys, stockbrokers and some other areas of life where a professional self-interest is the point of view. That is where the win at any cost philosophy took root.

I have found this to be ineffective for Neighborhood Council Board members. We have more of a yeoman's duty, more like a traffic court or divorce court if you will, to our stakeholders. Passion gets in the way, causing hard positions to be set in prematurely. We are charged with the responsibility of representing our stakeholders not our personal point of view. In a democracy, compromise is a virtue. The majority shouldn't trample the rights of the minority nor should the minority position stymie any action

Don't be confused by your personally held positions, no matter how deeply felt, and what you imagine are those of your stakeholders and other board

Continued next column

Quotables

(Comments to City Council at hearing on LAX expansion)

"The reality is that the Council will be voting on, not the Miscikowski tiered approach, but the entire master plan."

**--John Hess
Congresswoman
Jane Harmon's office**



"The millions of dollars spent on consultants, that many of you objected to, was this arrogance of moving forward with the expansion of LAX no matter what in anticipation that they would finally wrap everybody up, roll them in and get their way."

**--Maxine Waters
Congresswoman**



"We looked optimistically forward when Mayor Hahn was elected in 2001 when he signed a pledge saying that he would not support a plan that called for the expansion of lax."

**-- Mike Gordon
Former El Segundo Mayor**

Cont from previous column

members. Leave your preconceived judgment or opinion (prejudice), and frankly your personal life, at home when you become a board member. We have work to do making this City better. It will take time, patience and cooperation. There is NO other way.

(Michael N Cohen is City Council Liaison for the Reseda Neighborhood Council.) ■