

# CITY WATCH

*An Insider Look At City Hall*

June 14, 2004 Volume 2 Issue 12

CITY WATCH

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CITY WATCH

We publish City Watch to promote grassroots civic engagement through information and ideas.

City Watch is distributed to Los Angeles' Neighborhood Councils representing more than 3,000,000 stakeholders.

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**City Watch Conversation With: Greig Smith-Part 1**

## **Smith: "Sunshine Canyon Letter Was Extortion Plain and Simple"**

*(Los Angeles City Councilman Greig Smith has been involved in a battle to close the Sunshine Canyon Landfill for years. He serves on the City's Landfill Oversight Committee and Chairs the Future Alternatives Technology subcommittee. Sunshine Canyon is back in the news again, the result of their recent letter to the City demanding a contract extension and recovery of costs or, they say, rates will go up and LA trash will be refused. We asked Smith what the City was going to do about it.)*

**City Watch:** Your op-ed piece in the Daily News was pretty strong. You've been trying to close Sunshine Canyon for years. What is it that's driving you on this issue?

**Greig Smith:** It's a health issue for me. I don't know why Los Angeles, or the United States in general, continues to use technology that's thousands of years old and hasn't improved to any satisfactory level when there is so much out there that other countries are doing to take trash and use it in a meaningful way to produce energy, by-products, recycle it, whatever and have only a very small area for landfills.

**City Watch:** Give us an example.

**Greig Smith:** You go to Germany and their landfills aren't much bigger than this office park here. They reuse 93% of their trash. Here we reuse 60% of the landfill trash and probably 30% of trash overall.

*Continued on Page 6. See "Conversation"*

### **Perspective**

## **DWP Still Not Clear on the Concept**

**By Ken Draper**

Some years ago, the Chairman of a major US corporation nixed an ad buy on national television. His reason: It was scheduled for Sunday afternoons and "everybody I know is at the polo matches." This is a true story and it is used to this day as an example of ivory tower corporate management out of touch with regular people.

The story comes to mind as I watch LA's Department of Water and Power continue to stumble over themselves while they try to patronize the regular folks who constitute the majority of LA's Neighborhood Councils.

The latest proof that the DWP honchos just don't get it is their invitation to NC's to take a three-day expense-paid trip around the water company facilities and up to Owens Valley. In case you missed it, Acting General Manager Frank Salas and Board President Dominick Rubalcava sent a May 19 letter to Neighborhood Council representatives inviting them on a three-day field trip touring the LADWP's LA, Mono Basin and Owens Valley facilities. DWP, to "provide all amenities during the trip." Why would DWP want to do this? "To familiarize you with the facilities and operations," according to the invitation, or perhaps the real reason, also in the invitation, "to increase your awareness of policy issues and challenges facing the LADWP." This isn't a trip to Owens Valley folks, it's a trip to spin city.

*Continued on Page 5. See "Perspective"*

## LA's NC's Begin Partnership Meetings with DWP Reps

By Ken Draper

A citywide Neighborhood Council task force is scheduled to begin meeting with representatives from the Department of Water and Power this Saturday, June 19. The goal is to fashion an inclusionary partnership agreement that will guarantee DWP adherence to City Charter requirements for early notification on matters coming of for vote and inclusion of Neighborhood Councils in the policy and planning process.

Monthly meetings are set through September. Commissioner Pat Herrera Duran, from the Board of Neighborhood Commissioners has been tabbed to moderate.

### Letter of Intent

The idea for the Partnership agreement was an outgrowth of the NC confrontation with the DWP over a proposed rate increase. On March 20, council and DWP representatives signed a Letter of Intent agreeing to meet and attempt to craft the Partnership.

The goal of the Partnership effort is to create systems for notifying NC's on issues in enough time for consideration and advice, before a vote takes place; for the education of NC's, and their stakeholders, on DWP purpose and operations; for the NC monitoring of the delivery of DWP services; and, for the inclusion of NC's in the policy-making and planning process.

### 24 Councils Commit

Twenty-four Neighborhood Councils have provided commitment letters to date with another dozen having adgenized the decision to participate.

If an agreement is reached it would be precedent setting for Councils and City Departments in its scope. The Department of Public Works and four East Valley NC's signed off on a pilot program, similar in format, in late January. Observers will be watching this effort to see if the larger number of councils can remain focused and together and to see if the DWP goals are deeper than the public relations benefit it would reap with an agreement. ■

*(Neighborhood Councils with questions or wishing to participate in the Partnership of Inclusion process, contact: Jim Alger at 818.928.9001 or DWPTaskforce@NorthridgeWest.com.)*

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## CITY WATCH

### ASSIGNMENT DESK

*Stories in development.*

*Coming to a City Watch near you soon*

- ✦ **Big Box Retail Superstores provide discounts and jobs: What's not to like?**
- ✦ **\$3.5 million. How are Neighborhood Councils spending all that public money?**
- ✦ **How does Tom LaBonge remember all those names?**
- ✦ **Neighborhood Councils: Who's making it? Who's not? See our list.**
- ✦ **Mayoral candidates ... and, candidate wannabe's. Where they stand on Neighborhood Councils.**
- ✦ **Business is finally making it to the NC table. Let us list the ways.**

□ □ □

## We've Got Mail

### NC's Should Not Chase the DWP Carrot

A few years ago the DWP used to give tours of their facilities to the LA City Council and other groups. At first glance this may seem like an educational experience, but the public perception of these two- three day, all expenses paid, jaunts was quite negative.

How could the City Council, the DWP's final governing authority, be neutral if they were receiving what amounted to free weekend vacations? For this, and other reasons, the practice stopped. But not for long.

Now, after a battle over rate increases, and in the midst of a partnership negotiation between DWP and citywide Neighborhood Councils, it is Neighborhood Councils that are being offered the trip. Needless to say, the timing couldn't be worse and Neighborhood Councils have been very wise in, for the most part, turning down the offer. Good move, we would only end up defending it later.

Perception is everything and if we went on this weekend trip, no matter how well intentioned, we would be undermined in the eyes of the public. And we all know, that in an environment where Neighborhood Councils are holding government accountable, stopping rate hikes, forcing audits, and challenging the establishment, the DWP and some City leaders would never want to see the Neighborhood Councils credibility undermined right?

-Jim Alger  
Northwest Valley Activist  
...

### More Inclusionary Zoning

Grass Roots Venice Neighborhood Council Land Use Planning Committee unanimously passed the following Inclusionary Zoning motion on June 2: "Motion to support the proposal before the City Council for an Inclusionary Zoning Ordinance that would require new housing developments to include a specific number of affordable units, defined as those renting to an purchased by persons whose income is at or below a specified percentage of the area median income. Additionally, GRVNC encourages Council to continue to work with housing produces to assure that the Inclusionary Zoning Ordinance includes effective incentives and stimulates housing production, rather than unintentionally restricting it."

-Greg Fitchitt, VP  
Grass Roots Venice NC  
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## There's More to Infrastructure than Pot Holes, Sidewalks and Sewers

For most LA residents, when they hear the word **infrastructure** they think pot holes, sidewalks and sewers. There's another dimension, however, that may be even more important to Los Angeles. There is also **social infrastructure**. Parks, schools, and affordable housing are the fabric of social infrastructure and these foundational dimensions affect our leadership future, public safety and quality of life. Devising a workable and productive social infrastructure is paramount. And the time is now. Don't miss this very special and exclusive report in the next City Watch on June 28. ■

### NC Sponsors Forum

## Arts and Biz Communities Gather In Search of \$\$\$

By Sarah Epstein

Neighborhood Councils are invited to participate in the first annual LA Means Business event this Saturday, June 19. The event starts at 9 a.m. and will be held at the LA Convention Center and other locations throughout downtown.

LA creative arts and professions will network with the business, government and lender communities in search of new ways to generate economic growth.

LA Means Business is sponsored by the Downtown Los Angeles Neighborhood Council and will focus on Downtown, however, all LA Neighborhood Councils and stakeholders are invited to participate and learn how to create economic growth in their neighborhoods. According to Brady Westwater, DLAN board member, "If you're looking to open the latest night spot, fusion restaurant, clothing line, art gallery or book store, this first of a kind event is where you need to be." ■

(For more information or to participate, contact Brady Westwater at [BradyWestwater@LAMeansBusiness.com](mailto:BradyWestwater@LAMeansBusiness.com) or call: 213.804.8396.)

# NC WATCH

*An Insider Look at Neighborhood Councils*

## NC Elections: Missed, Mixed Up and Massaged Get Center Stage

By David Lowell

Neighborhood Council election issues get the spotlight this month: the procrastinators, the problems and the procedures. Councils with overdue elections, the Grass Roots Venice controversy and the proposed election guidelines are featured.

Indicating that patience is wearing thin, the Board of Neighborhood Commissioners has summoned six Neighborhood Councils to their June 22 meeting at Le Conte Middle School to explain why their elections are late and what they're going to do about it.

The Foothill Trails, South Robertson, Greater Cypress Park, West Adams, Mid City and Van Nuys Neighborhood Councils have been asked to appear before the Commissioners. In a letter from DONE General Manager Greg Nelson they were asked to provide a written report on the status of their elections, outstanding issues, proposed solutions and steps and timeframes for completing their election.

An indication that time may be running out for these election-delinquent councils is the meeting agenda. BONC, which has been wrestling with this issue for some time, reserves the right on the June 22 agenda for "possible Board action". As one staff member noted, "If ever there were a case where decertification were appropriate, this is it."

### Showdown in Venice

With a polling date looming (June 27), the Grass Roots Venice NC finds itself in yet another election dilemma. One that pits the Council against the Department of Neighborhood Empowerment and apparently against a bevy of Venice stakeholders who claim they have been frozen out of the process.

In a June 11 letter to the GRVNC Board, DONE General Manager Greg Nelson repeated his advice to postpone the June 27 election for 90 days. Nelson also reminded the Grass Roots Venice Board that whereas DONE has no legal authority to force a Council to postpone, it "does have the right to withhold financial support and its 'sanction' to an election that we feel is not in the best interest of the stakeholders." He also suggested that a failure to act on the part of the Board could lead to decertification. The Board had voted, by a slim majority, on June 7 to go ahead with the election despite the concerns of DONE, and some stakeholders, that the process was flawed.

At least one GRVNC Board member, Jim Smith, questioned in a letter made public, DONE's "authority over Neighborhood Councils citing a recent "Midterm Status Report" from USC. Smith also suggested that "DONE's record (on election advice) is not good" and that Nelson's current urgings might be another DONE policy reversal or an application of a selective standard.

**Continued on Page 7. See "Elections"**

## Hearings Calendar Election Procedures

### West Los Angeles

Tuesday, June 15 from 6:30-8:30 PM  
Felicia Mahood Senior Citizen Center  
11338 Santa Monica Blvd., Los Angeles,  
90025

### East Area

Tuesday, June 15 from 6:30-8:30 PM  
Barrio Action Youth & Family Center  
4970 S. Huntington Dr., Los Angeles,  
90032

### South Los Angeles

Wednesday, June 16 from 6:30-8:30 PM  
Constituent Service Center  
8475 S. Vermont Ave., Los Angeles,  
90044

### South Valley

Monday, June 21 from 6:30-8:30 PM  
Kaiser Regional Laboratory  
11668 Sherman Way, Los Angeles, 91605

### North Valley

Tuesday, June 22 from 6:30-8:30 PM  
Mission Valley Medical Building, 2nd Fl-  
Conf Room  
14850 Roscoe Blvd., Los Angeles, 91402

### Harbor Area

Wednesday, June 23 from 6:30-8:30 PM  
Los Angeles Harbor College  
1111 Figueroa, Liberal Arts Building,  
Rm#120,  
Los Angeles, 90744

### Central Area

Thursday, June 24 from 6:30-8:30 PM  
Empowerment Academy Training and  
Community Engagement Center  
305 E. First St., Los Angeles, 90012

Please RSVP by calling 213-485-1360, or toll free at (866) LA HELPS or by e-mail at [ncelections@mailbox.lacity.org](mailto:ncelections@mailbox.lacity.org). If you are unable to attend the focus groups, you may e-mail comments or questions regarding these proposed Procedures to [ncelections@mailbox.lacity.org](mailto:ncelections@mailbox.lacity.org). You may also mail comments to:

### DONE

Elections and Policy Development Team  
10221 Compton Ave., Ste. 203  
Los Angeles, CA 90002.

# City Watch

## Issues

### DayPlanner

#### Action Issues

**LAX Modernization:** Compromise has been reached between the Mayor's and Councilwoman Miscikowski's plans. Commission and Council consideration due shortly.

**Newsrack Ordinance:** Was on canceled City Council agenda last Friday. Check Council Calendar at [www.lacity.org](http://www.lacity.org).

**Bookmobile** (#04-0600-S10)  
Motion looking for funds to continue Bookmobile Program.

#### Calendar

##### Tuesday June 15

###### **City Council (10a)**

- Needle exchange
- Reconsideration of 77<sup>th</sup> Area police garage award

###### **Education & Neighborhoods (2p)**

- Increase penalties for hate crimes.
- Allowing NC's to carry budget balances into next fiscal year
- DONE report on NC's not receiving sufficient notice for encumbering funds
- DONE/City Attorney report on ways to move forward with Van Nuys NC

###### **Olympic Torch Relay (9a)**

- Starts at Venice Beach, continues through LA, ends at Dodger Stadium at 6p



## Perspective-Continued from Page 1

How could the people who pushed and approved this ill-conceived idea be so far off mark? How could they so misread the timing? Let me count the ways:

1. For starters, Neighborhood Councils are just a few weeks away from having rejected DWP's hype on the dire need for dollars to protect the City's water and save their bond rating. So, after asking the rate-payers to cough up more bucks they, the perception is, are going to spend \$30,000 to \$50,000 of it softening up Neighborhood Councils. It's the \$150,000 Rose Parade Float issue all over again. In the world of million dollar income streams, it's no big deal. To the rate-payer families working two jobs to earn that much in a year, it's a fortune.

#### **Reduces Significance of Meetings**

2. The DWP is scheduled to begin partnership meetings with Neighborhood Councils on June 19, just a week before this education and public relations field trip is set to launch. One of the basic and important tenets of the partnership agreement is a system for educating councils and stakeholders on DWP operations. The timing of this expense-paid tour reduces the significance of the DWP/NC meetings and serves to insult the participating NC representatives. If the folks in the DWP Ivory Tower really got it, they would have run this by Neighborhood Councils first to get a reading ... which is what the Partnership of Inclusion they are about to help negotiate is all about. Even DWP Chief Operating Officer, Jerry Gewe agrees, "the timing couldn't be worse."

#### **Culture of Power**

3. Even though mandated by the City Charter, DWP is having trouble getting clear on the concept of working with Neighborhood Councils. It's hard to escape from the culture of power and elitism once enshrined. Folks in towers of power speak a different language and talk in codes. It helps set them aside from the regular folks. The idea of informing NC's in advance of decision-making translates into asking permission to people in power. The idea, for example, that NC's should be informed on ... even be permitted to question ... things like \$53-million contracts to outside tree trimming services, when the City has three different departments already that do tree trimming, is beyond the grasp of agencies as big and powerful as DWP.

#### **\$16 for Parking**

It costs \$16 to park in the DWP parking lot. The price is set so high, I was told, to keep people from the Music Hall from parking in the DWP lot. However, it also shuts out ordinary people attending, say, DWP Board meetings. People who have a right to be there to watch how their water company is being managed but can't afford to give up %10 of a days wages to come watch their money flow to PR projects like the Neighborhood Council tour of Owens Valley. Perception, as they say, is everything.

Ninety percent of successful dialogue, the say, is listening. As of last Thursday, only four Neighborhood Councils had reserved a seat on the DWP bus. The Councils are speaking. The question is, is DWP management listening? And, further, even if they are, are they capable of getting it? ■

THINK CITY HALL  
THINK CITY WATCH

## Conversation-Continued from Page 1.

**City Watch:** But alternatives are somewhere into the future. In the meantime, you seem to be saying that BFI (owners of Sunshine Canyon) have done a less satisfactory job.

**Greig Smith:** That's an understatement. There have been hundreds of violations. Some of them very serious. Like the medical waste bags. Over two hundred medical waste bags have been buried there and they don't even know what's in them.

**City Watch:** Some of the residents there around the landfill believe they are at risk and that the landfill has actually been the cause of some of their medical problems.

**Greig Smith:** I think there's a very good argument there. It's never been fully analyzed. There was one cursory review that was done county wide in the 90's by the County. Then there was a more specific study done more recently, but nothing has really focused on the neighborhood and the history of the neighborhood and people who have died and who have left to see if there is a correlation between the diseases they have identified and the landfill. I have been out there, especially in the 90's and late 80's, when smoke was billowing up from mountains of burning trash and that stuff landed on the community and who knows what's in it.

**City Watch:** BFI (Browning-Ferris Industries) sent a letter to the City threatening to raise rates and refuse trash from LA if their contract wasn't extended to 2010. Has the City responded to this letter?

**Greig Smith:** The City Attorney has drafted a response. If it isn't ready yet, it will be shortly. The Mayor and the City Attorney tell me that they don't have that right. We have an agreement with them and it's very clear. We have to give them a year notice and that's not due until June 5<sup>th</sup> of next year. We feel very confident that they have no right to break that agreement.

**City Watch:** Are most of your colleagues with you on this?

**Greig Smith:** This new Council has been very supportive. I've brought a number of motions having to do with BFI and gotten a unanimous vote on all but one. If the 1999 zone change had been before this council, I guarantee you it wouldn't have passed. They are not enamored of Sunshine Canyon. I think this letter perturbed a lot of them. It was extortion plain and simple

**City Watch:** So, the City is going to send a letter back to the Sunshine folks that says that says in effect, "Sorry, we don't read the contract that way and we're not giving you an extension. Talk to you in a year. Does that require any council action?"

**Greig Smith:** No it does not.

**City Watch:** And, Sunshine Canyon says well we do read it that way ... and then what happens?

**Greig Smith:** They can try to change the rules and they can either sue us or we can sue them and we'll see what a judge says. But, our City Attorney feels very confident that the language is very clear. I think the bottom line is: you make a deal and you live with it. And the deal is very clear that we give them one years notice.

**City Watch:** And you believe that notice will be what?

**Greig Smith:** By that time we need to have a plan in the works. We're working very diligently on a long-term plan to get the City out of landfills. And, I'm not just talking about Sunshine Canyon. We shouldn't be putting our trash in someone else's back yard. There's a better way to do it. ■

*(Councilman Greig Smith represents the 12<sup>th</sup> District, which includes the Sunshine Canyon landfill.)*

**The Councilman also talked about Inclusionary Zoning, redesign of the Los Angeles Airport, Neighborhood Councils and more. See Conversation with Greig Smith Part 2 in the June 28 issue of City Watch.**

## Quotables

***"I don't know why Los Angeles ... continues to use technology that's thousands of years old."***

**-Greig Smith  
12<sup>th</sup> District Councilman**

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***"If you don't believe anything else we've every that we've ever told you, believe us when we tell you that if you proceed with an election amid these chaotic condition, the election will produce division, conflict and confusion from which Venice may never recover."***

**-Greg Nelson  
DONE General Manager  
to GRVNC Board -May 25  
(See story page 4.)**

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***"I think this letter perturbed a lot of them (Council members). It was extortion plain and simple."***

**-Greig Smith  
12<sup>th</sup> District Councilman  
(See story page 1.)**

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## Elections-Continued from Page 4

Sheila Bernard, the GRVNC President, says that last year many in the community were upset about an absentee voting issue and wanted a postponement. "Despite the acrimony," she notes, "it was the decision of the Board, sanctioned by DONE, to hold the election at the appointed time. So, for the current GRVNC Board to decide to hold its upcoming election at the appointed time, after tens of thousands of newsletters and newspapers have already hit the stands, is neither far-fetched nor unprecedented."

### If You Don't Believe Anything ...

Nelson may have answered that logic in advance. In late May, he told Grass Roots Venice, "If you don't believe anything else that we've ever told you, believe us when we tell you that if you proceed with an election amid these chaotic conditions, the election will produce division, conflict and confusion from which Venice may never recover."

It appears that the division, conflict and confusion are already in play. The showdown appears to be set. What remains to be determined is how badly damaged the GRVNC will be and whether, in fact, they will ever recover.

### Election Procedures Hearings Set

It's time now for the public to weigh in on the latest draft of the proposed Neighborhood Council Election Procedures. Not in time apparently to help the anguished folks in Venice but here none-the-less.

Under the direction of Frank Martinez, the City Clerk's Election Division CEO, the Election Procedures Working Group has crafted "final" set of procedures known as "Draft 21" and they are now looking for input from the City's NC's and their stakeholders.

### Designed to Make it Easier

The Working Group is made up of 10 Neighborhood Council leaders and representatives from the League of Women Voters, the City Attorney's Office, DONE and BONC. According to DONE, the document is designed "to make it easier for Neighborhood Councils to plan and hold their elections in a timely manner and to select an election model that best meets their needs."

Seven hearings have been scheduled for NC and stakeholder input. "Your input is critical," DONE says, "to developing the final set of citywide NC election procedures."

This is one of those subjects that generates a tepid response from Councils but becomes a big deal at election time. It would probably be helpful for Neighborhood Councils to keep in mind that regardless of how their elections have gone to date, these procedures will affect the way they conduct elections in the future. And, once passed, they become the standard for all Councils. When it comes to NC elections, now is the time for councils to get serious and get heard. ■

### Related Info

➤ The June 22 BONC meeting will be held at Le Conte Middle School at 1316 N Bronson Ave. in Hollywood (7 p.m.). Agenda is available on the DONE website ([www.lacityneighborhoods.com](http://www.lacityneighborhoods.com)).

➤ For NC Election Procedures Hearing times and dates, see this City Watch, Page \_\_.

For a copy of Election Procedures "Draft 21", visit the DONE website ([www.lacityneighborhoods.com](http://www.lacityneighborhoods.com)).

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