

Los Angeles Daily News

School offered \$5,000 for local official's help

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Tuesday, October 19, 2004 - WOODLAND HILLS -- A prominent member of the local neighborhood council discussed whether he would take a \$5,000 fee to help the Ivy Academia charter school get its Woodland Hills campus opened despite the objections of Councilman Dennis Zine.

The incident involving the Ivy Academia and Gordon Murley, vice president of the Woodland Hills/Warner Center Neighborhood Council and longtime president of the Woodland Hills Homeowners Association, marks the second time recently that the city's advisory council members have become involved representing private interests in dealing with the city. Browning-Ferris Industries, operator of the Sunshine Canyon Landfill, offered a similar fee to a downtown neighborhood council for lobbying help.

In the Woodland Hills case that surfaced Monday, no money changed hands. But a contract was drawn up for Murley to assist Ivy Academia Principal Tatyana Berkovich in her struggle to overcome Zine's resistance.

Murley's proposed contract with the school was drawn up by Joyce Pearson, an attorney who serves as president of the neighborhood council.

Zine said he was relying on advice from the neighborhood council but the proposed contract raised questions about its impartiality.

"I believe (Murley and Pearson) would have to recuse themselves," Zine said. "I don't know how you'd be involved in a community issue like this and then turn around and vote on something like that."

Berkovich said Murley approached Ivy leaders and asked them whether they wanted to hire him to get through the city's red tape to open their campus at 6051 De Soto Ave.

"It was more the school's idea," Murley said. "They came and said they needed help. I would only do it to answer their questions. It wasn't to lobby for them."

Pearson declined to comment.

The proposed contract reviewed by the Daily News stipulates that Murley would not necessarily advocate for the school, but rather help Ivy officials comply with the demands of Zine, the Los Angeles Unified School District and the city's Building and Safety, Zoning and Administration and Fire departments.

Since Sept. 9, the 300-student charter school has been housed in temporary quarters while awaiting city permits on its permanent buildings. Ivy officials have accused Zine and the neighborhood council of blocking them with excessive regulations.

Zine said the school created the crisis by coming to the city for permits at the last minute. Murley denied that the neighborhood council is trying to thwart the school, saying a hearing on the school has been delayed only by scheduling issues.

While confirming the proposed pact with Murley, Berkovich declined to comment in detail, saying she didn't want to jeopardize any endorsement from the neighborhood council to open the campus when the panel meets Oct. 27.

"I don't want to take any chances," she said. "We've been fighting for our kids for so long."

The issue surfaced as city officials wrestle with the rules governing the nearly 100 neighborhood councils, which often deal with local land-use issues even though their power is only advisory.

Earlier this month, Councilman Greig Smith proposed banning lobbyists from serving on the panels, saying he was concerned that a landfill operator hired a neighborhood council member to lobby for the expansion of the Sunshine Canyon dump into Granada Hills.

And last month, the City Council approved a measure requiring that lobbyists disclose their lobbying relationship to a project when they attempt to influence neighborhood councils.

Some critics have long suggested that the city-recognized panels are susceptible to outside influences because they are run largely by community volunteers with little knowledge of ethics laws.

Officials from the Los Angeles City Attorney's Office, City Ethics Commission and the Department of Neighborhood Empowerment said the question of neighborhood council members serving as project consultants is largely uncharted ground.

Ethics Commission Executive Director LeeAnn Pelham said the issue "underscores the importance of public disclosure" when money changes hands. City Attorney's Office spokesman Frank Mateljan said the office has no record that Murley or the school asked for a legal opinion on the contract.

Greg Nelson, general manager of the Department of Neighborhood Empowerment, said state law would forbid a neighborhood council member from taking money to lobby on a project the council might rule on.

Ivy's enrollment has fallen under 300 students at the charter campus, which hoped to have 385 children. Students are scattered across three different sites, including two churches and the charter holders' private school, Academy Just for Kids.