



an insider look at city hall

CITYWATCH

citywide edition

December 15, 2005
Volume 3 Issue 21

CityWatch Today—The Mayor ran into some rough weather this past week, but no one seriously expects him to change direction.

He says he is holding firm on exceptional salary increases, got buffeted somewhat in City Council over his appointment of ACLU Executive Director, Ramona Ripston, to the Homeless Authority and seems to be in a no-win corner over his firing of Animal Services Director, Querdon Stuckey. We've got that story, an opinion and the complete text from the ASD employee's letter to the Mayor in this CityWatch.

In addition, we've got one perspective on the success ... already ... of the NC/LADWP MOU, an opinion on the City Attorneys NC gifts proposal, a bunch of mail and more. I hope you find it useful.

Please watch for the two upcoming special issues of CityWatch. This Thursday CW revisits some of the extraordinary events of 2005 and offers some insight and analysis ... along with our provocative list of Stocking Stuffers. On the 28th, we take a look through the 2006 prism and t try for some helpful clarity. I think you will find them both worth your time ... perhaps even the download.

--Editor

Say What?

"The terrorists will never be satisfied. They will never go away."

--ASD Employees
Letter to Mayor Villaraigosa



NewsLines

Mayor Cans Animal Services Boss; Says Rights Group Not the Reason

By David Lowell

Amid protests from Animal Services employees, accusing him of yielding to animal rights activists, Mayor Antonio Villaraigosa cut the leash on ASD GM Querdon Stuckey and appointed a replacement. A letter, signed by 149 ASD employees, charged the Mayor with conceding to the "terrorists for the ousting of our General Manager" and said that his action had "cast a pall over the Department and the City."

Villaraigosa appointed Ed Boks, who held a similar post in New York City, to replace Stuckey. The Mayor's press release said that during his two-year tenures in New York, Boks had reduced euthanasia by approximately 20% and had increased pet adoptions by 30%.

The Mayor told the LA Times that he did no cave in to pressure from extremists, "I told them that as long as they continued to engage in that kind of activity I would never bend to that kind of pressure."

Boks will take over as ASD Interim General Manager on January 3. (For complete letter from ASD employees, see page 8. For an opinion piece on the animal rights war, see CityWatch Page 2.) ▣

Legal Action

The City Attorney has announced the beginning of a legal action against animal activists known as the Animal Defense League. Misdemeanor conspiracy charges have been filed, claiming the ADL has violated state law that prevents people from threatening, or attempting to threaten, public officers or employees.

Perspective

NC/DWP MOU Already a Success

By Ken Draper

Eric Braun is a Graduate Student at USC's School of Policy, Planning and Development. He's working on a group project currently that is attempting to analyze the Memorandum of Understanding agreed to last spring by Neighborhood Councils and the Los Angeles Department of Water and Power. In an email recently, he wondered how we planned on measuring the success of the MOU. The MOU is already a success for Neighborhood Councils, and LA's NC system, and here's why.

1. It already provides timely notice on LADWP issues and matters of relevance to the City's Neighborhood Councils.
2. It requires intimate involvement by NCs in the LADWP budget process, helping protect against surprise announcements on proposed rate increases and other layers of budgetary planning. Three budget workshops for Neighborhood Councils have already been held. Another is set for early next year.

See Page 5, "Perspective"

Op & Ed Page

Who Doesn't Love Animals? "Can't We All Just Get Along"

As hot-button issues go, treatment of animals is right up there with religion, politics and the behavior of your kids. Part of the problem with the dog euthanasia brouhaha is, some of the parties are behaving like kids.

Opinion

Everyone claims to share the same goal: No Kill/Low Kill LA. One hundred forty-nine Animal Services Department employees say that the department was headed in that direction and that the firing of GM Stuckey was caving to extremist pressure. Animal activists say the ASD is cooking the books and the euthanasia of animals is not decreasing. The Mayor says his new GM has a history of No Kill/Low Kill, that GM Stuckey didn't do the job and he didn't cave to extremists. Kindergarten playgrounds offer more direct and mature dialogue than this. What we have here, is a failure at communication.

The history of the Mayors appointment would seem to indicate that the Mayor cares about animals and wants to reduce the killing. Most, if not all, of the ASD employees also care. Most have pets of their own. Why else do this work? Even though their methods leave question marks, we must assume the activist faction in this triangle cares as well. So, call me crazy, but if we can set our egos aside, seems like we're all on the same team.

It also seems like it's time for a coming together and some dialogue on the goals they have in common. It would also let us know who REALLY cares.

--Editor, CityWatch

(See ASD employee letter to the Mayor on Page 8.)

Viewpoint

Donations Ordinance Handcuffs NCs

By Jim McQuiston

Background

The authority for City departments or agencies to accept gifts must come from the Charter or an ordinance. Neither the DONE no Neighborhood Councils have that authority. Councils are considered city agencies.

The Education and Neighborhoods Committee asked the City Attorney and the Ethics Commission to draft an ordinance that would allow the Department and NCs to accept donations and gifts.

The City Attorney drafted such an ordinance and it was on the BONC agenda on December 6, 2005.

The ordinances proposed by the City Attorney add substantial overhead on any donations received by either the Department or by any Neighborhood Council. If the price of this massive overhead is the only acceptable way to achieve donations, then we must decide if the cost is worth the benefit.

Moreover, because the report does not say that any Neighborhood Council was allowed to participate in designing these proposals, one must conclude that Section 907 of the City Charter was violated and Section 910 was not followed. This would include the Department of Neighborhood Empowerment and that's extremely inappropriate.

In any case, the ordinances are flawed because they deal with earmarked monies without preserving the earmarks entirely. Each specifies that, under

See Page 5. "Donations Ordinance"

CITYWATCH
The E-Newsletter for LA's NC's

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CITYWATCH
Holiday Issue
Dec 21!

We've Got Mail



Garcetti Good for NCs? A Firm No

I just read your opinion regarding whether Garcetti's new position as president of the City Council will be good for neighborhood councils. In light of his sleazy secretive violation of the Early Notification System this past summer, my answer is a firm "No.". There is nothing empowering about allowing a project to slip through the Housing Committee and full City Council board within 7 days without telling even one neighborhood council board member.

On July 27th the Housing Committee chaired by Councilman Eric Garcetti heard the CRA's plan to buy three parcels of land on Gower Street (1720-1726) in the center of "Social Service Alley" otherwise known as Hollywood Skid Row. Their idea is to build a Permanent Adult Supportive Housing facility. The move was rubber stamped and fast-tracked straight to the full City Council with the rubber stamp applied again unceremoniously.

At the time all this was taking place these properties were actually in escrow having been purchased by a notoriously conscientious Hollywood developer, Adolfo Suaya. Suaya owns the Gaucho Grill restaurant chain and is responsible for rehabilitating Jane's House and converting it to Hollywood's first ever tourist center.

The Neighborhood Council for this area, Hollywood United Neighborhood Council heard about the plan after the neighbors held their own grassroots meetings having built their own consensus with a firm NO to this project. While this NC doesn't seem to have a problem with the fact that they were sidestepped by Garcetti, I believe that it is only due to their reliance on the funding that the city provides that keeps them quiet. Their silence on this violation speaks volumes for their ability to be responsible representatives to the neighborhoods within their boundaries but that's not the point here.

When neighborhood councils were first proposed, one of the more powerful features that attracted neighbors was the concept of Early Notification PRIOR to the passing of motions or taking of action that could impact a neighborhood. We were promised a seat at the table and a level playing field with access to City Government similar to that enjoyed by lobbyists. We were to be lobbyists for our neighborhoods.

Garcetti violated the people's right to know and you consider that empowerment? Please.

--Fran Reichenbach, President

NON-certified INDEPENDENT Neighborhood Council
Franklin-Hollywood Hills Community Council

To All Those at CityWatch

Thank you for doing such a great service to all in this city.

I've been battling with cancer for months. I just completed my chemo treatments, and started on the final recovery path. No more cancer cells found at present through tests. Thank G-d, and to Dr. Gary Swartz, with the caring members of the Great Oncology Dept. at Kaiser Hospital, in Woodland Hills.

CityWatch has kept me in touch with the city outside my home, all through this challenge. I just want to thank you all personally, so much for that.

--Norman M. Huberman

Kudos

I just wanted you to know how much I thoroughly enjoyed the article entitled, "10 Reasons Why Neighborhood Councils Should Be Thankful." (CityWatch, Nov 17, 2005.)

Excellent job.

--Kim Thompson
Granada Hills

LA Not Serious About Streets

The sad truth is that the City of Los Angeles won't take resurfacing of streets seriously.

The Bureau of Street Surfaces 2005-2009 annual resurfacing program is \$63M. Of that, only \$10M (15.4%) is actually from the City of Los Angeles. The balance comes from some state sources including proposition money, local gas tax and a bit from the AQMD (for dust mitigation!) This allows some 245 miles of street repair.

Contrast the \$10M spent by the City on street repair with the \$22M spent on just enforcing rent control.

That there isn't enough money the City says isn't their fault. The State says it isn't their fault. They all agree it was the asphalt.

--Michael Cohen
Reseda Neighborhood Council

Note

(Opinions expressed are not those of CityWatch. Some letters are edited for brevity and/or clarity. Send comments to: Editor@CityWatchLA.com.)

CITYWATCH I-TRAC**Tracking the Issues**

(03-1260) DONE report to E&N Committee on creating a Neighborhood Empowerment Trust Fund and **authority to accept gifts**. (Also, see *Ordinance Summary and opinion on this subject, this CityWatch, Page 2.*)

(05-0575) Report from Chief Legislative Analyst (CLA) on proposal that NCs be allowed to request **Council File Numbers**.

(03-0450) Final Environmental Impact Report, from LADWP, on **Pine Tree Wind Development Project**.

(05-2182) Report from General Services on the Department of Animal Services (DAS) **employee survey** regarding their **safety and security** while at DAS facilities.

(05-2738) Request for Planning Department and Building and Safety to report in 30 days with a survey of the history and rationale behind the **3 ½ foot height limit for fences** in front yards (LAMC).

(05-2737) Request that the Emergency Preparedness Department, LAPD and LAFD report within 90 days on the provisions of the City's current **emergency response plans** in the event of a large-scale disaster.

(03-1204-S3) Report from the City Administrative Officer on the LA Zoo's Elephant Exhibit Review.

(Note: The number that precedes each paragraph is the Council File Index number. If you visit the City website ... www.LACity.org ... and click on Council File Index ... you can read and/or download the complete motion.) ▣

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NC WATCH**File# Issue Continued to January**

The **December 14 City Council** meeting ran unusually long. The Ramona Ripston appointment to the Homeless Authority, the tenured Park Rangers vs. the General Services concept, lengthy public comment were some of the reasons. As a result, the Education and Neighborhoods Committee meeting, scheduled for 2 o'clock, was canceled.

Key issues on the E&N agenda ... NC Council File Numbers and the Council System Review Commission ... were continued to the January 11, 2006 meeting.

More than 30 Neighborhood Council representatives waited through the lengthy City Council meeting for an opportunity to provide input

LANCC Sets First Meeting Date

The **LANCC Taskforce** announced Saturday that the ratification threshold had been met and that the first official meeting of the newly formed NC Congress would be held on February 4, 2006 at the DWP (John Ferraro Building) in the Portland Room.

Twenty two NCs have ratified the Proposed Charter. An additional 12 have ratification on their agendas over the next six weeks. Projections are that more than 30 Neighborhood Councils will have signed on by the February 4 meeting. To date, only one council board has considered the Charter matter and voted not to join. (Info on the NC Congress: www.LANCCongress.org.) ▣

CityWatch**Future Assignments**

◆ **Is This the Best LA City Council Ever?**

Our panel and our readers have opinions

◆ **NC Boundaries the Same as Council Districts?**

Will NCs then report to their Councilpersons?

◆ **LA's 90,000 Homeless**

Does anyone, other than Jan Perry, care?

◆ **Warm & Fuzzy Holiday CityWatch**

Checking our list twice—a must read

December 21

◆ **The City Through a 2006 Prism**

Comprehensive CityWatch Year-ahead issue

December 28

Next CityWatch: December 21 ...

...ON A COMPUTER NEAR YOU!

Perspective-From Page 1.

3. On the rate increase subject, the MOU caused the City Council to pass a bill requiring an independent financial review, before any proposed rate increase is presented to NCs or the City Council.
4. NC/DWP Liaisons ... in particular Paul Wang ... have already resolved a number of local NC issues. And continue to provide that service with sensitivity and expediency.
5. The MOU's education component has been a boon to NCs in helping them understand the complexities of managing an operation the size of LADWP.
6. The MOU has become a model for future NC/City Department MOUs. Witness the Planning Department MOU now underway.
7. It provided a degree of validity for NCs citywide.
8. It helped unite Neighborhood Councils citywide and, for the first time, demonstrated the potential of their citywide voice. It also created an awareness for many elected and government officials of the power of that voice.
9. The very creation of the document was a demonstration of grassroots democracy at work. Disparate NC representatives, all cultures and ethnicities, all parts of the city, working together to reach planning consensus during the creation of the MOU.
10. And, lastly, it created a proactive climate, inside of LA's largest proprietary agency, of awareness of this new, Charter-mandated, component of city government.

There is much to be tested and learned yet, from and about this first-if-its-kind agreement, but few who are knowledgeable about the process would question that it is already an achievement. In fact, it could be argued, that the day the Water Department's Chief Operating Officer, Jerry Gewe, sat down at a small table ... in the musty confines of the Farmers Market that March day two and a half years ago ... with Jim Alger and his small band of protesters and signed a Letter of Intent to go forward with the crafting of an MOU, Neighborhood Councils had achieved, at the least, historical success. ■

Donations Ordinance-From Page 2.

some conditions, earmarked monies may be expended without regard to earmark. They do not specify that donations must be returned if not used as the donor requests.

An alternative might be to treat NCs as First-Amendment groups which would free them to accept donations and to disburse funds. They would still have to follow the present procedures when spending their city funding.

The City Attorney's "donations" ordinance binds what began as an independent First-Amendment group. It places NCs in handcuffs and it is not beneficial to the City's welfare to do so. Think about what this will do to the enthusiasm of Neighborhood Council volunteers. A better idea, that this one offered by the City Attorney and his collaborators, is needed. ■

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CITYWATCH**The News That Was ...**

DECEMBER 9 – 16, 2005

Kid Misses 40 Days; Parent Pays

Kids must attend school. It's the law in LA. Stay away and the parents pay. The LA City Attorney ordered parents of a truant child to pay \$640 in fines and penalties and to complete a 20-week mandatory parenting program.

Manuel Osorio and Denora Hernandez each pleaded no contest to one count of violating the education code requiring mandatory attendance at school. The couple's 13 year-old child had missed more than 40 days of school from Audubon Middle School.

•••

Talk Urged on Lincoln PI Dispute

The City Council passed a resolution urging owners and tenants of the Lincoln Place apartments in Venice to reopen talks and try to resolve their dispute.

The complex is set for demolition. Most residents have either left or been evicted. About 80 have remained either because they can't afford to go elsewhere or in hope that they can find a way to reverse the owner's plan and will be able to stay.

•••

Mini MOU to Take Next Step

As part of a project facilitated by the USC Neighborhood Participation Project, four Neighborhood Councils are working with the Department of Transportation to craft an MOU. Some members will meet on January 5, with a DOT representative, to begin an outline draft of the possible MOU.

•••

After Debate, Homeless Authority Set

After a considerable amount of passionate debate, the City Council finally approved the Mayor's five nominations for the LA Homeless Services Authority. Led by Councilwoman Jan Perry, a number of the members took issue with the fact that three of the five appointees have affiliations with the ACLU of Southern California, which sued the City in 2003 over unreasonable search of the homeless. Ramona Ripston has been the Executive Director of ACLU-SC since 1972.

•••

Workshops on Auto Repair Code Changes

The Planning Department announced workshops for NCs on new Municipal Code changes to regulate spray booths, automotive repair and other auto uses near residential and business areas. The workshops will be held on January 18 and 25. *Call Dick Platkin, City Planner, for details: 323.733.8233 or email: dplatkin@planning.lacity.org.*

See next column

**CITYWATCH
DayPlanner**

Because of the holidays, most City meetings have been canceled for the remainder of 2005. City Council meets on December 21 and 22, then recesses

January 6, 2006.

Please check the City website for schedules and agendas.

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-Los Angeles Magazine



(From previous column)

Horse Proclamation Comes in First

Councilman Greig Smith made the City's first proclamation using the new video conferencing system that links up the Valley with City Hall. The proclamation was one declaring the second Saturday of December "The Day of the Horse." ■

**CITYWATCH
KNOWMORE**

Summary

Ordinance Allowing NCs to Accept Donations

(This summary of the "NC Donations" Ordinance was created by the City Attorney's office and is posted on the DONE website.)

This ordinance grants the authority and creates a process for accepting monetary and non-monetary gifts by the Department and the Neighborhood Councils. A gift may be accepted if it falls within certain acceptable parameters related to the Citywide system of Neighborhood Councils and if the gift is valued at \$10,000, or less.¹ Any gift that falls outside these allowable parameters must be referred to City Council for action.

The ordinance establishes two types of accounts that may be used for depositing monetary gifts, either a Trust Fund or a checking account. The Trust Fund is an account established within the City's Treasury for use by Neighborhood Councils. The Trust Fund is administered by the Department, which means that requests to deposit or expend any funds are processed through the Department with the City Controller.

The Neighborhood Council checking account will be established by the City's Treasurer at a private lending institution under the City's existing banking contract, currently Bank of America. The checking account will be a joint account between the Neighborhood Council and the Department. Any expenditure from the checking account will require the signature of two Neighborhood Council officers on a negotiable written instrument, e.g., by written checks. The Treasurer, Controller and Department will be granted access to the checking account to review Neighborhood Council deposits and expenditures. The ordinance grants the ability to make expenditures from the Trust Fund or the checking account consistent with the purposes of the Neighborhood Council system. Further, the Neighborhood Councils must not maintain a balance in excess of \$50,000 in the checking account and any excess funds must be deposited into the Trust Fund.

This ordinance also creates disclosure requirements for any accepted gift. If a gift is valued over \$100, the donor must complete a "Donor Disclosure Form." The ordinance's disclosure requirements help ensure compliance with state law mandates that require the retention of certain information regarding gifts donated to the City. The ordinance adds another disclosure provision not currently required by state law: donors must disclose whether they are seeking any real estate development projects, licenses, or permits from the City. This additional requirement is intended to identify gifts that may create a potential conflict of interest. If a potential conflict exists, the gift must be submitted to City Council for an evaluation regarding the propriety of its acceptance. Reports on any accepted gifts will be sent on a six-month basis to City Council.

In addition, the ordinance establishes record-keeping requirements for monetary and non-monetary gifts. With respect to non-monetary gifts in the possession of Neighborhood Councils, the ordinance exempts those gifts valued below \$5,000 from being tracked under the City-wide Inventory System. All gifts in the possession of the Department will be registered with the City-wide Inventory System. Non-monetary gifts in the possession of Neighborhood Councils valued above \$5,000 will be required to be registered with the City-wide Inventory System. If a Neighborhood Council has possession of an item valued above \$5,000, the Department; will provide an inventory number and tag to the Neighborhood Council for tracking. The Department will record all monetary gifts into the City's Financial Management Information System. ■

Think About It

(In view of the recent CityWatch discussion of Campaign Finance Reform, we offer this brief report from the LA Times.)

Billionaire Mayor Michael Bloomberg spent more than \$77-million to get reelected in New York, breaking the \$74-million record he set in 2001, according to campaign finance reports.

The spending amounts to more than \$103 per vote. ■



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Animal Rights**The Terrorists Will Never Be Satisfied**

(Complete text of Animal Services employee's letter to the Mayor.)

December 15, 2005

Office of the Mayor
Antonio R. Villaraigosa
200 North Spring Street, Room 303
Los Angeles, CA 90012

Mr. Villaraigosa:

This letter is concerning the termination and/or request of resignation of our General Manager, Guerdon Stuckey.

To concede to the terrorists for the ousting of our General Manager, Guerdon Stuckey, has placed a pall over the Department and the City. Continued empowerment of these terrorists will only serve for them to step up their terrorist activities against Department employees.

Mr. Stuckey has focused the Department on its mission of "Saving Animal Lives" in the short time he has been our General Manager. He has brought a consensus for us to be goal oriented by bringing about new programs for increased adoptions and spay and neuter programs which have resulted in a decrease in euthanasia of 16% in one year.

Mr. Mayor, to continue the trend of replacing the General Manager of Animal Services whenever it gets uncomfortable to support the Department will only serve to promote instability of the organization. Everyone knows change is difficult and resisted. Four General Managers in five years is more than any organization should be asked to endure.

When other public safety agencies in the City get bad press or have a perceived problem, they have money thrown at them. However, the Department of Animal Services, a public safety agency, has a new General Manager brought in. We do not need another General Manager. The one we have has stood up to the terrorists, focused the Department, provided leadership and passion for saving animal lives.

The terrorists will never be satisfied. They will never go away. It is time than you stand up to them, support your Department and fellow City employees.

Sincerely,

Department of Animal Services Employees
(149 signatures.)

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