



"Accountability"
Glendale's Watchdog

Vanguard

Weekly News Vol II
Week of November 26, 2006
City of Glendale, CA Edition
www.vanguard-usa.org

HEADLINES

Time to Say 'Goodbye' to the Transportation and Parking Commission

To ensure you continue receiving Vanguard, please add our email address – ba@fieldworks.net -- to your address book or Internet Service Provider safe list.

The four stages of Vanguard "First they ignore you, then they laugh at you, then they fight you, then you win."
Mahatma Gandhi

"Get your facts first, and then you can distort them as much as you please." Mark Twain

VANGUARD NEEDS YOUR CONTINUED FINANCIAL SUPPORT TO PROVIDE THE ONLY INVESTIGATIVE REPORTING IN Glendale. See #5

ABOVE THE FOLD

Bus Shelter Advertising: Council in its infinite wisdom agreed to the bus shelter, bench, trashcan and Beeline advertising, a venture that will bring in a projected \$58,000 per year less the consultants 12% share \$7000 or a projected net of \$51,000. Questions the Council didn't ask:

- How much staff time will be involved? More than \$50,000 worth?
- Who has control of the advertising content?
- Will the ad panels contain billboards like the one on Glendale south of Doran advertising a Gentlemen's Club in Van Nuys?
- Will the bus shelters use solar lighting or will the sidewalks be torn up again?

The shelters the City had constructed on San Fernando Road never have had the lights turned on!

There is a need for bus shelters, we agree on that. The City indicates the 70 shelters will cost a \$1.2M investment from the contractor or \$17,000 a shelter. The staff report also indicated there are 40 buses. Responses under the California Public Records Act indicated there were 35 or 36 buses. Will the City suffer a liability when the contractor learns that the Beeline ridership numbers are arbitrary? And will the City lose its transportation subsidy when the MTA and the FDOT learn that the numbers of riders is arbitrary and that there has been NO FARE BOX AUDIT?

Chess Park: A Thanksgiving morning visit to the award winning Chess Park was quite enlightening. There were a number of denizens of the chess park in attendance as well as a young architectural student from San Diego. He was there because he wanted to see an award-winning park. He asked about the restrooms. There are none. He asked about the stained and broken tops to the chess pieces. It was explained that they are very expensive to replace. He was surprised that the concrete was so badly stained. It was apparently because

the water drains to the valley in the center where there are no catch basins instead of to the sides where there are plantings. He asked about the no smoking ordinance in the park and wondered about the ashtrays. He also was unable to understand why the one trash container didn't match the park setting. That was an easy question to answer. Initially there were NO trashcans.

A conversation with the resident denizens indicated that 4 times a week the City cleaned the park including power washing the chess pieces which may have accounted for staining; that the lights went off at 10:30 PM making the park dark and uninviting to those that would use it to walk to the Orange Street garage. We also discussed the built in danger zone where a 'lurker' could prey on unsuspecting victims especially after the lights went out.

The denizens have been hassled by the police for not using the park to play chess. The GPD could better serve Glendale if instead they befriend these denizens and have more eyes and ears on the street. [Ed. As the editor has testified many times as an expert in crime prevention, he speaks from knowledge and experience.]

Asked but Not Answered: Supervisors, managers and others doing management work are exempt from receiving overtime compensation. Glendale Battalion Chiefs are managers, so much so they get adjutants (aka drivers). Yet they are treated as rank and file firemen when it comes to overtime compensation. Council member Yousefian is looking at ways the \$5,000,000 a year GFD overtime budget can be reduced. Have the City Attorney review the reason that managers get OT. Otherwise, every manager in the GMA (Glendale Management Association) will want the same.

Instant Replay: If you ever miss the hi-jinks at a Council meeting, go to the City website and check the archives. Keep a handkerchief or Kleenex to wipe away the tears of laughter.

Published independently by [Vanguard](#) – Our [vision](#) is to live in a City where all people, regardless of geography, background or economic status, can enjoy accountability, integrity, effectiveness and responsiveness from our elected officials and each of the city's departments

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BELOW THE FOLD

1 **Council – November 28, 2006 See Calendar -- #4 Below**
Click on the underlined to view the agenda
[City Council](#) - [Housing Authority](#) -- [Redevelopment Agency](#)

2 **Commentary**
You may agree or disagree with the views below. Feel free to comment on them.

By Barry Allen:

“Mayor Weaver, where were you last Tuesday evening during Oral Communications?” A large number of people spoke before the City Council on an issues not within the jurisdiction of the Glendale CA legislative body. The people spoke regarding a person convicted of crimes against the country of Armenia. The majority spoke in Armenian, a language that taxed City Clerk Ardy Kassakhian’s skill as a translator. The Constitution and laws of the United States of American do not apply to Armenians in Armenia. As I listened I realized that the issue involved other than Free Speech. The issue was that Babajanian forged papers to exempt himself from conscription (serving in the military). Those speaking did not disclose that, “The 30-year-old editor looked resigned to going to prison as he delivered his final court remarks two hours before the announcement of the ruling. “Whether I will be in jail or at large, my homeland Armenia will remain my dearest place,” liberty in order to win back my right to again live in the homeland. If this is so, I will pay the price and duly accept any prison sentence set by the court. Babajanian added that he resorted to fraud after failing to extend the deferment of his military service and study in a U.S. university. He claimed that military authorities repeatedly rejected medical documents testifying to his poor health. [Read the full article. Opinion on Free Speech.](#)

Council member Quintero asked for a staff report on the matter.

Where were these same people when Patrick Masihi and Lenore Solis were kicked off their commissions? Where were they when Judith Miller of the New York Times was jailed for refusing to divulge her sources? Where are these people in protesting against the genocide in Darfur?

Looking about the Council Chambers I spotted a quietly declared candidate for City Council who has the manipulative skill to politicize a non-issue to convince Armenian ex-pats that he will support issues in Armenia when he is elected to the Glendale City Council.

This group of people is asking the Glendale City Council to pass a resolution that would support an Armenian citizen that was convicted of breaking the law (in the USA before the all volunteer military, Babajanian would be called a draft dodger) to mitigate his sentence.

I urge you to watch Oral Communications and make your own decision. It is my belief that this issue is being politicized for the next Council election in April. CM Najarian seems to have the best grasp. CM Quintero is holding out for major action by the Council in an arena that is not theirs. Maybe a start would be to withhold Glendale’s sister city support to Armenia.

ACCOUNTABILITY is the issue!

The Glendale Municipal Code, 2.83.070 on the improper use of city position or prospective position.

“No official of the city...shall use his/her position, or the power or authority of his/her office or position, in any manner intended to induce or coerce any person to provide, directly or indirectly, anything of value which shall accrue to the private advantage, benefit or economic gain of the official, or of any other person. (Ord. 5219 (part), 1999)”

**When WE are complacent THEY win!
When WE are vigilant THEY are accountable!**

Story Behind Headlines

TPC Cancelled 4 out of 5 of their monthly meetings since May and with the December meeting usually cancelled it will be 5 out of 6. The Charter indicates that commissioners missing 4 meetings should be dropped. Last week Vanguard posted a letter that indicated TPC staff is non-responsive to community requests. Vanguard has addressed the TPC in the past but all indicators point to a staff that doesn’t play by the rules. What would happen if the Council just did away with this Commission?

Integrity starts with the individual

3 Quotes, Comments, Reports, Calls and Letters:

Very disturbing action by a police department. Check out the link. Question for Dr. Espiritu to ask...Has our GPD taken part in the training mentioned in this article and if not when? I think the lawsuit will be interesting.

A Michigan man with epilepsy, who, when experiencing a seizure, apparently was unjustifiably tasered, clubbed, arrested, jailed and committed to a psychiatric facility for violent offenders -- all based on non-threatening behaviors caused by a seizure. [Read about it by clicking here.](#) MD

In response to a letter last week about a water machine sitting on the sidewalk:

Hello, my name is Gevorg and I am the representative in the area of 310 E. California. I went out to the location on the 17th of November and observed the vending machine on the sidewalk. I spoke with the employee and am sending a letter out to the business and property owner to remove the vending machine from the sidewalk.

Please let me know if I can be of any other help and thank you for bringing this problem to our attention. Have a wonderful week and Happy Thanksgiving.

Gevorg Grigoryan Neighborhood Services Field Representative

Our thanks to Sam Engle for being responsive to the needs of the community

Response to last week's poll:

Traffic Mitigation Is a Major Dilemma x (100% of the responses agreed)

I ride the Beeline weekly x if you cannot drive; noisy buses & the Beeline are necessary and better than nothing
SV

4 Announcements -- Calendar -- Links

Armenian Freedom Academy Developing Tomorrow's Armenian Leaders

What can twelve young, energetic, dynamic, well-trained leaders accomplish?

Fifty-Fifty Leadership, a non-profit organization promoting women's equal leadership, will bring twelve young women to Los Angeles from Armenia for one year. During that year, we will fast track them in their leadership skills so that they can immediately make a difference when they return home.

The Armenian **Ministry of Foreign Affairs** says Armenia lacks women leaders!

As of March, 2006 on Armenia:

Out of 131 members of parliament only 7, or less than 5% are women. We have a target of at least 25% by 2015.

There are presently only 4 women deputy-ministers, 17 out of 926 community heads (less than 2%), and none of the 47 cities has had a woman mayor elected. 20% of judges are women and 36% of lawyers

This exciting program is set to begin in 2007 in the Glendale / Pasadena / Burbank area. To hear out about this exciting program and to find out how you can be a part of helping to make this breakthrough-program happen, call 818-243-2322 or email pfield@fifty-fifty.us

*"How wonderful it is that nobody need wait a single moment before starting to improve the world."
Anne Frank*

City Calendar

Tuesday, November 28

Glendale Housing Authority -- 2:30 pm, City Council Chambers, 548-2060

Glendale Redevelopment Agency -- 2:30 pm, City Council Chambers, 548-2005

Glendale City Council -- 6:00 pm, City Council Chambers, 548-4844

Wednesday, November 29

Zoning Administrator's Hearing -- 9:30 am, Municipal Services Building, Room 105, 548-2140

Thursday, November 30

Glendale Design Review Board # 2 -- 1:00 pm, Municipal Services Building, Room 105, 548-2140

Thursday December 14 at 7 PM John Robinson & Ed Begley Jr. at the Central Library

www.friendsofglendalepubliclibrary.org for more information or call 548 2042

LINKS

[Downtown Specific Plan](#) -- [FPPC Agenda](#) — [Will Rogers Content](#) -- [Everything you want to know about municipal finance](#)
--[Read about Statement of Economic Interest](#) --[Free Adobe Acrobat Reader](#) --[Free PowerPoint Reader](#) -- [Brown Act](#)—
[Email Cong Schiff](#). [2006 California Piglet Book about government waste](#). [Political Reform Act](#). --
[Donations Deductible? Find out here](#) -- [LAFCO MSR Report](#) ---[calaware](#) --- [California First Amendment Coalition](#)

[Tax Tips on Pensions and Charitable deductions](#) [New Requirements for Charitable Contributions](#)
[Social Security - Retiring Early](#) -- [Pension Reform](#) -- [Medical Travel](#)

5 Your Benefits from Vanguard

No other news media in Glendale does investigative reporting and tells the whole story!!

You receive reports on the activities of elected officials and management as they affect you.

You receive analysis of the activities of government through the use of public documents

You have a place to share your ideas and opinions

You are in the loop as the City develops

Your opinions are shared with your representative at City Hall

SPEAKING ON THE ISSUES: Barry Allen, spokesperson for Vanguard, is available to speak to your group or organization about the issues of accountability in Glendale and to hear your issues and insights. No holds barred, no pulled punches, the truth supported by the facts obtained through the California Public Records Act, legislation that is so important that it is included in the California Constitution.

Glendale Businesses distribute hardcopy of Vanguard Weekly News. Each week numerous people call Vanguard asking where they can get a copy of Vanguard News now that it is banned from City Hall. The Public can come to your business and pick up a copy. Call Vanguard for information about this program at 818 243 1502. Soon Vanguard will be available at the City Clerk's office.

Vanguard Available by Mail: Although Vanguard Weekly is designed to be transmitted by email, we have made provisions to First Class mail Vanguard News for the annual cost of printing and mailing a copy each week for \$75 a year. The Glendale Edition goes to thousands of people in Glendale including City Officials. Tuesday evening it is available in hardcopy to those attending Council.

April City Election: Vanguard will be an active participant in the City election. A questionnaire will be sent to all candidates and the responses will be included in the Vanguard Weekly News. As soon as the candidate financial disclosures are available they will be posted. Vanguard will host a community candidate forum.

Vanguard wants your input and support!

Thanks to those who have sent their checks.
Send your tax-deductible contribution today!

Vanguard

818.243.1502

[Emailto:ba@fieldworks.net](mailto:ba@fieldworks.net)

Please make checks payable to **Vanguard**

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Contributions are tax deductible – Rev. Proc. 92-85, 1992-42 I.R.B. 32

CREDIT CARD INFORMATION -- PLEASE PRINT CLEARLY

Name on Card: _____

Address on Bill: _____

Card Number: _____ 3 or 4 Digit Code: _____

Expiration Date: _____

Amount: \$ _____ Frequency _____

Signature: _____

Master Card _____ VISA _____ American Express _____ Discover _____

Note: Fifty-Fifty Leadership will show on your credit card statement
You will receive a receipt for income tax purposes

6 **Glendale Fire Department**

Jon Coupal's take on a neighboring fire department [Click here for the \\$2.7M dog food story.](#)

The next time you get a chance to chat with a Glendale Fireman, ask him about his 24-hour workday.

Ask him why his shift is 24-hours. Ask him why the paramedics have 11 times more runs than the fire suppression teams. Find out when was the last time there was a fire in Glendale that created more than \$250,000 of structural damage.

Ask if there is a difference in fighting urban fires than forest fires.

Ask why the department has refused to allow Vanguard to tour stations 26 and 29 and why they need to replace those two facilities at a cost of \$25,000,000.

7 **Public Records Requests**

Requests & Responses:

Please provide documents indicating real property presently owned by the City of Glendale and owned by the Glendale Redevelopment Agency was the request made on October 30

Records responsive to your request will be available for inspection in the office of the City Clerk on Wednesday, November 15 some 7 days over the time required under the law to provide documents

City was only able to produce a list of properties owned by the Redevelopment Agency and a \$3 map purportedly indicating properties owned. It is difficult to believe that there is no document that tells the public just what WE own!

Frederick Towers, Inc. is a contractor holding city contracts. Provide the information the City used to verify corporate status and licensure.

There are no records responsive to your request; however, the information was verified online at www.cslb.ca.gov. **ED The City has no form indicating that this contractor is a corporation or that the license has been verified. This strikes to the issue of accountability.**

Please provide documents that contain Beeline ridership information (number of riders) per month for July 2004 through and including June 2006.

Your request requires that the City search for and collect data from field facilities or other establishments that are separate from the office processing the request. Accordingly, the City exercises its right pursuant to the Government Code Section 6253(c) to extend the time within which to respond by an additional 14 days.

The City allowed the fare box system to become inoperable for 9 months thus there is no accurate fare box information.

Staff report and other documents supporting the planned realignment of Beeline Rte 3 eliminating Honolulu in Montrose.

Please be advised that the records you seek are in draft form and exempt from production pursuant to Government Code section 6254(a). We invite you to submit your request again in late October when we expect to have the report completed.

Please be advised that the records you seek are in draft form and exempt from production pursuant to Government Code section 6254(a). We invite you to submit your request again in late November when we expect to have the report completed.

ED. Note: This will have a serious impact on the seniors and disabled in the Montrose area. The request was resubmitted

Destruction of public records – From Peter Scheer of California Fist Amendment Coalition

Q: Do local police departments have the right to destroy police logs a month (or any time) after their original publication?

A: The California Public Records Act ("PRA") does not prevent state or local agencies (such as local police departments) from destroying public records. In the context of discussing exemption of particular records, the PRA expressly recognizes that agencies do not retain records indefinitely. See Cal. Gov't Code section 6254(a). Please be aware that California Government Code section 34090 requires the retention of city records less than two years old. After that time period (and unless the records are required to be kept by statute), the head of the police department may destroy city records only with the approval of the legislative body and written consent of the city attorney. The full text of Section 34090 provides as follows: Unless otherwise provided by law, with the approval of the legislative body by resolution and the written consent of the city attorney the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required. This section does not authorize the destruction of:

- (a) Records affecting the title to real property or liens thereon.
- (b) Court records.
- (c) Records required to be kept by statute.
- (d) Records less than two years old.
- (e) The minutes, ordinances, or resolutions of the legislative body or of a city board or commission.

This section shall not be construed as limiting or qualifying in any manner the authority provided in [Section 34090.5](#) for the destruction of records, documents, instruments, books and papers in accordance with the procedure therein prescribed. California Government Code section 34090.5 allows for the destruction of records without approval of the legislative body or written consent of the city attorney if copies that satisfy the requirements of Section 34090.5(a)-(d) are complied with (for example, such as the requirement that the copies accurately and legibly reproduce the original, the copies be kept in a safe and separate place, etc.). I was unable to locate any California statutory or case authority governing or discussing the destruction of police logs.

Please note that police departments are required to maintain complaints and reports relating to complaints against peace officers for at least five years. Cal. Penal Code section 832.5(b). With respect to the specific question posed in your submission, unless the requirements of California Government Code 34090 are met, local police departments do not have the right to destroy police logs within a month of their creation.

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