



"Accountability"
The Government Watchdog

Information for the Thinking Person

Vanguard
News Service Vol V
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SPECIAL EDITION – ENTITLEMENTS

Vanguardians Purpose: To Inform, Educate, & Motivate for Involvement, Engagement & Advocacy



Glendale CA – In 2003 the City over-collected \$19,602,506 in fuel adjustment charges. The question is, "what ever happened to that money?"

Sacramento CA – California Municipal Utilities [CMUA] have banded together, along with bonding agencies to further drain the treasuries of municipalities. Municipal Utilities are not regulated by the Public Utilities Commission which means there is no oversight as to rates for power and water; there is no agency such as County Weights and Measures that can verify the Accuracy of water and electric meters. [See for yourself by clicking here.](#) Your tax dollars pay for membership. Unless you are a member you have no access to their programs.

- **CMUA Capitol Day 2010** Tentative Date - Monday, January 25, 2010 (*info available only to members once they log-in*)
- **CMUA 78th Annual Conference** Join us March 22-26, 2010 at the Monterey Plaza Hotel & Spa in Monterey, California. (*info available only to members once they log-in*)

CMUA is supporting legislation to expand their operations into uncharted territory. Some of that expansion could lead to floating more bonds while investor owned public utilities are fighting to force rate increases and expansion to a 2/3 popular vote to support the consumer under ballot proposition 16. [For more, click here.](#)

Glendale CA – Beeline gets set to go back to cash collection instead of using transfers and passes. In 2005 Vanguard reported that there were deficiencies in the cash collections. Observers noted that people involved in fare box collections had extra cash, mostly quarters. BeeLine gets Federal money. If someone steals from the fare box revenue, is it a federal crime? As CCM Weaver would say, "the council is not into micromangement except for homeowner/voter issues."

MORE BEELINE: Injured and hospitalized BeeLine passenger is denied claim to City for damages, told instead to contact MV Transportation the bus line operator. City is culpable in that the issue was bus maintenance and city transportation department failed to demand maintenance compliance by MVT. The driver also suffered injuries and the workers comp claim was at first denied and the driver was being retaliated against.

Glendale CA – Top paycheck went to City Manager Jim Starbird at \$251,196.00

[CHP Traffic Incident Information Page](#) Whenever you are traveling in CA check this site for traffic issues.

Bell CA – Police Chief Randy Adams did a lateral transfer from Glendale CA as Chief to Bell CA as Chief. However the CA Dept of Justice says he has not been qualified and questions whether they can accept requests from him to investigate his police department.

Glendale CA – Vanguardians will be assisting Jerry Ori of the City of Norwalk in his Federal lawsuit protesting the denial of his 1st Amendment rights. The City Council turns off the sound on the cablecast during Oral Communications. [Click here for the full story.](#)

WOW



What do a holocaust-survivor/ social scientist/ author, a global AIDS physician and a musician have in common?

Dr. Riane Eisler, Dr. Shilpa Sayana and Whitney Kroenke Burditt (pictured above, left to right) are outstanding women who are being honored at the **2nd Annual Women of the World Awards on Saturday, March 13th from 3:00 – 6:00 p.m.**

Experience an extraordinary afternoon with the opportunity to mingle, talk with and listen to these adventurous, committed, difference-making women while also meeting other people committed to making a difference and enjoying refreshments.

Imagine how your life could be impacted by these women as they tell their stories and speak of the fulfillment of the hope to so many.

Fifty/Fifty Leadership and UNA Pasadena/Foothills Chapter cordially invite you to celebrate the 2nd Annual Women of the World (WOW) Awards on Saturday, March 13th from 3PM to 6PM. The event will be held at Mijares Mexican Restaurant, 145 Palmetto Drive, Pasadena, CA 91105. Tickets are now available for purchase at www.5050Leadership.org.

Vanguard is following the Charter Cable Lawsuit (2); the 5 GPD officers; Ovasapyan; Foothill Lumber; AIG (Gladys); Montrose Collection and other actions. They can be found at www.vanguardians.org

Wanted a Vanguardians Volunteer who is an [Accountant - Forensic Vanguardians](#) is a local government accountability organization. We sometimes find it necessary to review public documents such as budgets and CAFRs and want a chartered professional to prepare our report.

Vanguardians is looking for a volunteer construction project manager.



Welcome to our newest and youngest volunteer, Gabriel Lynn Green from Toledo Ohio. In Vanguardians outreach to involve young people in the political and governmental process; to engage themselves in what their legacy is being spent on; Vanguardians decided that they should learn why they are being stuck with the bill that they will have to pay. "Taxation without representation," has been invoked in the United States since the 1750's and today's children are those who are being taxed. We protect them in the womb and then tax their futures to financial demise.

This issue is dedicated to our children, grandchildren and great grandchildren to remind our present and future elected officials that they shouldn't stick our progeny with the bill.

Gabriel is the 3 month old son of Jeffrey and Tamara Green.

FRIDAY Advocates BREAKFAST
A discussion on the Glendale \$100K Club
View the list....

Join us on March 5th 7AM at Foxy's
We empower people to engage with their local government and give them hope
and some good humor. It is an excellent way to start the weekend.

Vanguard is published independently by *Vanguardians, Inc.* Advocating for Accountability– Our vision is to live in a community where all people can enjoy accountability, integrity, effectiveness and responsiveness from our government.

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1 COMMENTARY

You may agree or disagree with the views below. Feel free to comment on them. The commentaries do not necessarily reflect the position of Vanguardians

From the Publisher...COUNCIL AWARDS ENTITLEMENTS TO....



“That whenever any form of government becomes destructive to these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. ...But when a long train of abuses and usurpations, pursuing invariably the same object evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.” The

foregoing should need no introduction. We recognize those words from the Declaration of Independence.

As we listen to our legislators, local, county, state and Congress, we hear the term, ‘ENTITLEMENT’, as a bad thing that needs to be taken away from the public. Entitlement to education, welfare, healthcare even Social Security. Entitlements like roads, bridges, tunnels and rail systems for transportation. Entitlements such as the guarantees of the Constitution and its amendments.

Entitlements that won’t be taken away are aimed at the 21,000,000 government employees who are paid more than their private sector counterparts; that get pensions of 90% of their highest year of wages; that get post retirement and working healthcare...only the best; that get full pay for sleeping on the job and, in fact, even get to choose the color and wallpaper for their bedroom. I almost forgot, new cars assigned for their personal use.

YOU PAY FOR ALL THIS!

One of the ways you pay for this is from the property taxes, sales taxes, user taxes on utilities, such as phones, cable, electricity, water, trash, ambulance, hazardous waste, inflated fees for services; rates for utilities and soon, parcel taxes and special assessment districts. Then there are bonds, some of which are on your property tax bill and others, over \$400 million dollars worth are paid by the City taking money away from your entitlements.

The City Manager said he would borrow all he can because we could use the money today and pay later. Well, we have used that money and, WE, THE PEOPLE, have seen no benefit from that largesse. Another reminder is that the City is faced with long-term debt of \$430,330,000 as of June 30, 2009.

In the current Comprehensive Annual Financial Report it is acknowledged that there were numerous errors in the past CAFRs, many of which were reported by Vanguardians and missed by elected officials and top management. Basically this forces the question of who can you believe.

Mayor Quintero spoke of the need to start the budget study sessions early so he won’t feel rushed. Maybe if he showed up on time the sessions could start earlier. It is a given that he will approve anything that public safety wants because they are big contributors to his campaign.

MAINTAIN THEIR ENTITLEMENTS

Last week Mike Gatto a candidate for the 43rd Assembly District seat most recently held by LA City Council member Paul Krekorian, called me to tell me that John Drayman and Frank Quintero were endorsing and supporting him. This tells me that Gatto can expect a cash infusion from firemen that want to continue to get their special legislation passed by the California Legislature to maintain their entitlements. That means more money siphoned from (y)our pockets.

Back to the issue at hand, a legislative body that has proven to be ignorant of basic economic principles save Najarian who asked legitimate albeit not enough questions and Friedman who apparently goes along so long as she gets her bicycle rack in her parking space.

Let's look at some real numbers in the recent staff report on the first six months of the budget year. It spoke ONLY of the General Fund and often only used percentages that are meaningless unless you know the real numbers; just another shell game perpetrated by the City Manager, the only person Council is afraid of. For instance 98.6% of the capital outlay was used in the first six months leaving only 1.4% to be spent during the balance of the year. How much is left? One thousand seven hundred and eighty six dollars. Was this brought up by Council or questioned? Then the General Fund Revenue showed transfers from other City Funds of 44 million dollars – just the old shell game of moving money and counting it each time you move it. Leaving that money in business activities and CIP would have left the General fund with a deficit in the first half year of almost \$26 million dollars. Here is the real revenue for the first 6 months:

Property Tax	\$ 8,149,975	Licenses & Permits	1,975,697
Sales Tax	9,316,106	Charges for Services	1,469,328
Utility Users Tax	13,090,616	Fines & Foprfeitures	495,096
Occupancy & Other	1,971,482	Interest	1,004,474

The public safety employees pay 9% of their salary into CalPERS while the taxpayers pay 25% for their contribution rate. A \$100,000 salary will cost the employee \$9,000 a year and the taxpayer \$25,000 a year per employee. There are about 700 employees in the \$100K Club and 20 in the \$200K Club (2008 CY), a cost of \$18 million dollars for the employers' portion of the pension payment. An amount that does not include the other 1700 employees. Social Security requires an equal contribution by the employer and the employee. The voter can thank those on the City Council for voting for this inequity. The unfunded post retirement benefits as of June 30, 2007 total almost \$28 million, which amount, as of June 30, 2010, will be three years behind

21 million government employees get low cost participation for healthcare insurance, 2500 of those employees are in Glendale.

A quick reminder is that the outside auditor, McGladrey & Pullen, only audits the records provided to it by the finance director. They do not do forensic accounting such as verifying payables or receivables.

At some point the electorate will wake up and see who is dipping into their pockets to continue to transfer the wealth. Dave Weaver is one of those people who will work to drain your pocket as well. Just look at his voting record. And for the record, look at how many wage and benefit increases he moved.

MORE NEXT WEEK... See you at the budget hearings.

BARRY ALLEN

"THE WORLD OF POLITICS IS ALWAYS TWENTY YEARS BEHIND THE WORLD OF THOUGHT." - JOHN JAY CHAPMAN

NEXT WEEK: SOLUTIONS

Coming Weeks – Glendale the business, homeowner friendly city; The new upper class created by City Councils



COMMENTARY: LAUREL MILLER IS ON ASSIGNMENT

COMMENTARY: CALIFORNICATION - THE GLENDALE WAY
Why the time bomb salaries and pension obligations will explode in Glendale



When the dust settles on California's fiscal crisis, we'll be leading the nation again. This time though, it will be in bankruptcy. All the attempts at reforming state governance through the initiative process, term limits, or a constitutional reform have pretty much left us worse off. But, what about the cities?

Don't expect the public employee unions to back off and let go of their ill gotten gains easily. Back in 2001, two councilmen who hardly knew their way around city finances, let alone pensions, were joined by two other novice politicians. In April, just after the elections, Glendale taxpayers got hammered.

Wielding the big lie that hammered these new councilmen into stupidity was Jim Starbird, the Glendale city manager. The lie consisted of telling these wet-behind-the-ears councilmen that a change from 2.5% pension to 3% calculation was going to cost the city nothing. That's right. zero, zip, zilch. It was a lie that he would repeat often enough behind the dais or at the Home Owners Coordinating Council. But eventually he would be found out.

But Starbird didn't do it all alone. It took some pleading or cajoling from the Fire Fighter's Union representatives and those of the Glendale Police Officers Association. Their logic was that if California could do that for their prison guards and patrol officers, so could Glendale. It was called the "3% at 50", and the National Police Chief's Association is getting its members to fight to keep it even if it means that states and cities go bankrupt.

The notorious "3% at 50" means that for each year of service 3% of the employee's last pay will be added up to get at their yearly pension percentage. 3% times 30 years becomes 90% of their last annual salary. They could then retire as early as age 50.

If the top grossing fire captain - W. Lynch were to retire given last year's salary of 211,000 dollars, he would get paid in retirement \$189,000 every year of his remaining life before adjustments for inflation. If he lives thirty years, that will be a pension of **\$5,670,000**

Now someone might say that it is CalPERS – the retirement system that will pay that amount not the city of Glendale. The problem is that the city of Glendale has guaranteed for the contributions to return 7.75% return per year. If CalPERS investments fail, you and every stakeholder in the city will be on the hook for the difference.

What if CalPERS has a bunch of mediocre talent or insiders who are reckless with the investments? Taxpayers are on the hook. And that is precisely what has happened to CalPERS in the last few years. Just last year they wrote off one billion dollars they put for a housing development. The lack of proper oversight at this state agency has enticed big firms to defraud the agency to the tune of tens of millions.

Why are Glendale taxpayers guaranteeing the performance of a Pension entity that has been reckless and incompetent? What is the logic in all this?

Glendale's yearly employer pension obligations used to be around five million per year, now it is four hundred percent higher and about to climb to the stratosphere.

By now you'd imagine that the city's councilmen would be experienced enough or savvy enough to understand the boondoggle they approved in 2001 and the other they approved in 2005 for city managers. What were they thinking?

Well, that's the problem in a democracy. It allows anyone, even one with the thinnest résumé, to run for city council. If a loud, ignorant, fool, evading reality (LIFER) is able to play on Glendale's ethnic prejudices, get a few thousand dollars from developers and manage to get elected; he'll become mince meat at the hands of an experienced city manager and his political allies aka – the city employee unions.

If the pension arrangement was made retroactive to the first years these employees were hired, as it appears to be the case, we haven't seen the financial time-bomb we are in as these beneficiaries start retiring.

The point here is that if you think California's answer is in bankruptcy court, so is Glendale's. There are few viable alternatives. But here are a just a few.

- Immediately. Return to the private paramedic service. It will save the city more than four million dollars plus reduce the pension obligation.
- Shut down the city's Fire Department and contract it out with the County. They can use the city's facilities and they are much more resourceful in the use of personnel. There are not that many fires in the city and hillside fires can be handled as a joint operation.
- Contract out with the Sheriff for service to Montrose and La Crescenta and farm out all fee-for-service type enterprises (Inspections, for example). Extra employees can be laid off.
- Cut management staff by 40% - That was the increase in management personnel since 1998 when the city manager Jim Starbird was hired.
- For those remaining, re-negotiate management pensions back to the 2004 levels. Anyone not willing to compromise can go work for another government agency. I'd suggest the state of California or the city of L.A.
- Change the retirement age for all city employees to age 60. Those with social security pensions are now encouraged to work until age 70, so that should be more than fair.
- Cancel the pension agreement with CalPERS and put all employees on 401k plans.
- Cut all remaining management pay by at least 15%

- Send the architect of this debacle - Jim Starbird - into his happy retirement immediately.

HERBERT MOLANO

[ED – NUMEROUS ARTICLES IN MAINSTREAM MEDIA ARE BEING PUBLISHED BECAUSE OF CALPERS ISSUES. [CLICK HERE. THE WORST IS OVER.](#) Part of the annual pay may include amounts not used in the pension calculation. We welcome any official clarification by Glendale government officials. CaIPERS is a [unique State Agency.](#)]

866 Glendale foreclosures as of 2/26/10

TAKE ACTION – GET INVOLVED – BE INFORMED – SHARE VANGUARD – VOLUNTEER

2 Shout Box

ED – Letters published do not necessarily express the opinion of Vanguardians, Vanguard News Service, the organization or Barry Allen. Names are used only when requested. Initials are used as there are people, believe it or not, who are concerned with retaliation or have issues before a legislative body. Letters will be published that are signed and are not hate oriented.



Excellent edition. Filled with facts that should make many public officials very nervous. I just hope that enough good people of Glendale get and spread the truth to turn the voice in the wilderness to a groundswell. I'd say, "nicely done," but it isn't done, yet. JS

With all the cuts the city should be making, paying a consultant to "Brand" the city sure seems like a waste of money. Once a theme, logo or brand is delivered to the city, how much MORE will it cost to implement it. How 'bout: "Come to Glendale-where we know how to spend your dollars" or "Glendale - where we can spend your money faster" ACC [\[Click here to read about other cities.\]](#)

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Public



Information

"Just the facts"

Request: Provide all reports, field incidents, complaints, notes, investigations, orders from or directions to staff and or Detective Suttles, Sgt. Rodriguez, Capt. Palmer, Chief DePompa or COPPS unit regarding Vanguard, Vanguardians, any of the officers, directors, volunteers, staff or others so considered since December 1, 2009 to and including February 12, 2010.

Response: [T]o the extent your request seeks "orders from or directions to staff and/or Detective Suttles, Sgt. Rodriguez, Capt. Palmer, Chief DePompa or the COPPS unit regarding Vanguard, its officers, directors, volunteers staff or others so considered from December 1, 2009 to and including February 12, 2010," please be advised no responsive records exist. **Carmen O. Merino General Counsel - Police**

[A report by the Public Employee Post-Employment Benefits Commission](#) see page 294 for 30 ways to spike a pension

[Home Page of Open Government \(???\) in Glendale California](#)



Click to view the agenda [City Council](#) [Housing Authority](#) [Redevelopment Agency](#)

Meetings at City Hall (CH) are in the Council Chambers, 2nd Floor at 613 E Broadway.

Meetings at the Municipal Services Bldg. (MSB) are in room 105 at 633 E Broadway.

Meetings at the Perkins Bldg (PB) are in the Conference Room at 141 N Glendale Ave.

Phone numbers are in area code 818 unless noted otherwise

Monday, March 1

Water & Power Commission – 4:00 pm, CH 548-2107.

Tuesday, March 2

Arbor Day Celebration – 10:00 am, Casa Adobe de San Rafael, 1330 Dorothy Dr., 548-2000

In case of rain, event will be moved to the Civic Auditorium.

2:30 CH Housing Authority –548-2060; Redevelopment Agency -- 548-2005

6:00 pm CH City Council -- 548-4844

Wednesday, March 3

Planning Hearing Officer – 9:30 am, MSB 548-2140

Parks, Recreation & Community Services Commission – 3:00 CH 548-2000

Planning Commission – 5:00 pm, MSB 548-2140

Thursday, March 4

Special Meeting – CBDG 8:00 am—Noon CH 548-2060

4 *Vanguardians*

- At the **Vanguardians Friday Breakfast at Foxy's** we discussed the future of Glendale. Each week we add a few new faces and have returning warriors. Become one. This is an excellent opportunity to share opinions about quality of life issues.
- Get breaking News by signing up for an RSS feed at www.vanguardians.org

VANGUARDIANS needs your Continuing Financial Support

Please make checks payable to "**VANGUARDIANS**" Mail to: POB 11202 Glendale, CA 91226

Your contributions are tax deductible. You will receive a receipt for income tax purposes

You may donate online at www.vanguardians.org

The [Ralph M Brown Act](#) that mandates legislative bodies to provide each of us an opportunity to speak and requires that agendas are posted and meetings open.

The [California Public Records Act](#) (PRA) is the tool we use to get information about the operations of government.

The [Political Reform Act of 1974](#) allows public access to the financial reports of public officials.

To become more involved in your community, to learn how to use these important tools, you can go online to www.vanguardians.org or call 818 243 1502

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the Insider is a report from city employees that care about the way the City is run. As they are concerned about retaliation, their identities are secret. Vanguard provides them the opportunity to have this forum. The comments are their own.



Read [the article on 2-22 in the Wall Street Journal](#) about Utilities and their Smart Meters. After everyone gets their smart meters GWP will design their new rates for different peaks during the day. Wake up Glendalians. They won't have to send out someone to turn the power off for failure to pay on time and your system will be available to hackers.

6

THE ILLUSTRIOUS CITY COUNCIL

Some men are born mediocre, some men achieve mediocrity, and some men have mediocrity thrust upon them. -- Joseph Heller, Catch 22.

Ask your favorite Council member how much the bond debt is and how much will it cost to pay back.



Seems about 5 or 6 months ago a Glendale elected official was stopped by the police for a DUI. Our information is that because of, "officer discretion," the official was "caught and released". Elected legislators are the ones that approve the salary MOUs and the COLA increases given to public safety personnel. A mere patrolman or traffic officer may cut some slack when it comes to the person who approves his paycheck or makes a budget cut. Neither the officer, his supervisors nor the Chief of Police can be discharged as they have Civil Service protection. The time has come for City Management to stop acting as a shield for this elected official. This is not the first time this person was not cited. He was also not disciplined for two bouts of sexual harassment or another involving a 'payoff' to silence a civilian who wanted the police called because of an assault. Or arriving inebriated for a GPD helicopter ride.

Dave Weaver joined the Council in 1997; Frank Quintero in 2001; Ara Najarian in 2005; John Drayman in 2007 and Laura Friedman in 2009. Drayman and Weaver are up for re-election in April 2011

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NEWS BRIEFS FROM THE NEIGHBORHOOD

The City of Norwalk pulled [the plug on Oral Communications](#) preventing speakers from being heard on the cablecast. Will Glendale be next?

Barstow mayor charged with sexual battery Joseph Dennis Gomez Jr. was charged with sexual battery on Monday, two months after a police officer's wife reported that he assaulted her during a holiday party. San Bernardino County sheriff's investigators have been looking into the Dec. 18 incident, which allegedly took place in an unincorporated area of the desert city.

According to the [Tracy Press](#), only 20 of the 480 California Cities charge for fire department ambulance rides. Apparently the other 460 cities provide free rides as part of the public safety expense that cities provide.

[Pitfalls and Potholes of Smart Readers from USA Today](#)

A plan by the Assembly's ranking member on pension and retirement issues would bar boosting a favored worker's pay solely in order to inflate retirement benefits – an action known as "bumping" or "spiking" -- and place local public pension systems under tighter state control.

It would apply to all public pension systems in the state, including the California Public Employees' Retirement System, the State Teachers Retirement System and the pension systems in 20 counties that were setup by a 1937 public retirement law. The latter, which have their own boards and administration, include Los Angeles, Orange, Sacramento, Alameda, Mendocino, San Diego, Ventura and others. The full list of the county retirement systems is [available here](#).

It would limit a worker's final compensation to the average increase of other employees in the same or related work group, a move intended to limit spiking. To limit double-dipping, it would require retirees to wait at least six months before working for any other public entity. Currently, there are cases in which a public employee will retire on a Friday and come back to work Monday as a contract employee or retired annuitant while collecting retirement benefits.

Poizner: Union power needs to be curbed 'once and for all'

GOP gubernatorial candidate **Steve Poizner** spoke at the Yolo County Lincoln Day dinner on Tuesday, promoting "four major reforms" that he says "are the basis of my whole campaign." Three of the four: Fix the [water crisis](#), cut taxes and stop illegal immigration. The other? "What we need to do is curb public employee union power once and for all. Now, the fact is public employee unions, public employee unions are a small percentage of the population and they have the lion's share of the political power. It's a fact.

Bankruptcy Bloodbath May Hit Muni Owners (Bloomberg, Feb. 10, 2010, Joe Mysak)

...The biggest financial crisis since the Great Depression is squeezing municipalities across the country. **Since Vallejo, California, successfully petitioned for bankruptcy protection in May 2008, California's towns, Detroit's schools and Pennsylvania's capital city of Harrisburg have all talked about Chapter 9.**

That should make bondholders nervous because it "questions whether a local government's labor contracts would be surgically undone with bondholders' rights left intact," Fitch said.

Or as John H. Knox, a partner with Orrick, Herrington & Sutcliffe in San Francisco, which is counsel to Vallejo in its bankruptcy, said in an interview: **"Any plan is going to impair all classes of creditors, including bondholders."**

Vallejo, a city of 117,000 on San Francisco Bay, wants to roll back salary and benefits cut services — and **reduce debt payments. "No interest would accrue for four years, and general fund principal and interest payments would be suspended for three years," the city's workout plan states.**

This might save the municipality, or, depending upon your point of view, cost investors, \$13.4 million. **...Stiffing bondholders, even a little bit, would be unusual in the tax-exempt market, said James E. Spiotto, a partner at Chapman & Cutler in Chicago and a municipal bankruptcy specialist.** That's because most municipalities don't go out of business in bankruptcy and need ready access to the credit market in order to borrow money. Reducing interest rates and extending repayment terms to bondholders are the usual strategies...

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