



"Accountability"  
Glendale's Watchdog

## Weaver Confesses!

The four stages of Vanguardians "First they ignore you, then they laugh at you, then they fight you, then you win."  
Mahatma Gandhi describing the stages of establishment resistance to a winning strategy of nonviolent activism

**When WE are complacent THEY win!**

"I don't make jokes. I just watch government and report the facts." Will Rogers

### **BREAKING NEWS**

Sunshine Week: March 16-22, 2008

### [Sunshine Week and Sunshine Campaign Events](#)

This event is not being commemorated in Glendale as the City has chosen not to be hypocritical. The Sunshine Laws are so-called because they let the 'Sun' shine on the governmental process. California Sunshine Laws include the Ralph M Brown Act, the Political Reform Act and the Public Records Act and of course the 1<sup>st</sup> Amendment of the US Constitution which is honored more in its breach. Mayor Najarian was concerned about the definition and the [perception of corruption](#).

### ELIE WIESEL

It may well be that our means are fairly limited and our possibilities restricted when it comes to applying pressure on our government. But is this a reason to do nothing? Despair is not an answer. Neither is resignation. Resignation only leads to indifference, which is not merely a sin but a punishment

### **HEADLINE STORY**

Council member Weaver claimed that the mistakes on his recent filing of his campaign disclosure 460 form were caused by a software error. The correctness of this form requires a signature of the candidate and his treasurer if there is one. Neither Weaver nor Treasurer Small caught the error. Mr. Weaver also did not sign the Statement of Economic Interest he filed with the City Clerk in 2007 blaming them and the Secretary of State for not catching his mistake. Vanguardians Executive Director was directed by Mr. Weaver to check out others on the dais that Weaver accused of making mistakes on their forms. Council member Drayman gave Vanguardians a pre-filing copy of his 460 and an error was pointed out which he corrected. As of this time Vrej Agajanian and Chahe Keuroghelian have not filed their year end 460 forms. Vanguardians is much more concerned with the most recent elected officials, in this case Mr. Weaver was the only incumbent to run.

We have identified another error which, as requested by Mr. Weaver, will be disclosed to the Community during Oral Communications on the 18<sup>th</sup>.

The City Clerk has not posted officeholder 460s on the Internet, a decision that he will no doubt change.

### **NEWS**

**All that is necessary for the triumph of evil is for good women & men to do nothing**

City employee received an anonymous threat and police are investigating.

Investigators are looking for contributors to the Miss Asia pageant believing it is a non-profit which it is not, and the Dreaming of Roses Event --either the Rose Float Association Committee or the Dreaming of Roses Inc. Also investigators will be interviewing people that were 'double-dipped' when their checks were 'lost'.

Winning a Brown Act case....see 7 Jump --- City prepares to buy Rockhaven

Update on Verdugo and Broadview – More completed responses for acute health problems and animal tumors are being filed with Vanguardians. The Environmental Management Center sent the director and senior staff to Ivan Snyder's residence. They brought with them the contractor that was responsible for monitoring soils contamination and did plan a follow-up on taking specimens. They did, according to Mr. Snyder, encourage him to forget about it and enjoy his life. In 2005 the Glendale Fire Department accepted and filed a report for 3600 N Verdugo that included a soils report for 1400 N Verdugo, an error that was caught by Vanguardians. The correct report indicated that there were toxic substances in the soil that cause tumors in animals.

If you have issues with the City and you fear retaliation, bring them to Vanguardians and we'll share them with the appropriate department assuring your anonymity.

## City Council

### Weekly Council Scorecard

Council	3-11-08	Overall	Contact info
Drayman	B	B	<a href="mailto:jdrayman@ci.glendale.ca.us">jdrayman@ci.glendale.ca.us</a> ;
Najarian	B	B	<a href="mailto:anajarian@ci.glendale.ca.us">anajarian@ci.glendale.ca.us</a> ;
Quintero	B	B	<a href="mailto:fquintero@ci.glendale.ca.us">fquintero@ci.glendale.ca.us</a> ;
Weaver	B	C	<a href="mailto:dweaver@ci.glendale.ca.us">dweaver@ci.glendale.ca.us</a> ;
Yousefian	B+	B	<a href="mailto:byousefian@ci.glendale.ca.us">byousefian@ci.glendale.ca.us</a> ;
			<a href="mailto:SHoward@ci.glendale.ca.us">SHoward@ci.glendale.ca.us</a> ;
			<a href="mailto:Starbird@ci.glendale.ca.us">Starbird@ci.glendale.ca.us</a> ;

A rather slow Council meeting. CM Yousefian recused himself as his residence is located in the Glenoaks setback area. Yousefian was one of two speakers on the issue of the Glenoaks setback. When he returned to the dais he spoke to the requirement that 4 homeowners needed to be contacted by staff as their homes would not be included. Members of the audience were surprised that there was such a poor turnout.



Garfield shares the stress of public office

### FLORYNCE KENNEDY

You've got to rattle your cage door. You've got to let them know that you're in there, and that you want out. Make noise. Cause trouble. You may not win right away, but you'll sure have a lot more fun.

### Fire Department

While Vallejo's finances were plunging faster than a roller coaster at the Six Flags amusement park, the city's firefighters were going abalone diving, grilling tri-tip and drinking cocktails on the public's dime, records show.

**Letter:** I saw a fire engine with sirens and lights race up to the curb and four firemen jump out and run over to a woman lying on the sidewalk. They stood there all four of them doing nothing. One may have been on a portable radio. About 2-3 minutes later a red Glendale Fire Department ambulance arrived at the scene. Those two firemen ran to the scene carrying equipment and then assisted the woman. One of them went back to get a chair/stretcher device. They got her onto it and placed her in the ambulance. The other four did nothing. Why? FG

Retired Police Chief Bruce Philpott, a 40+ year Glendale homeowner, takes on the Glendale Fire Department to show the public how to save \$100,000,000 and improve public safety. To schedule a presentation for your group, call him at 818 240 8949 or email him at [logicpoint@aol.com](mailto:logicpoint@aol.com).

### JOHN F. KENNEDY

Without debate, without criticism, no administration and no country can succeed -- and no republic can survive

Vanguard is published independently by Vanguardians, Advocating for Accountability— Our vision is to live in a community 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, through grass roots involvement, engagement and advocacy.

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

*Commentary is available in Spanish*

## 1 Commentary

Why are there only 2 Female Directors... a tribute to top City Management? Madalyn Blake (\$158,000 salary in 2007) of Community Development and Housing and Imelda Bickham Department, Cindy Cleary (\$123,000) of the Libraries Under the leadership of City Manager Starbird gone down. The City Manager makes the with his recommendation to hire. According to Council said, 'no' to the City Manager. Pauline Field who was the catalyst behind the creation of the Glendale Commission on the Status of Women campaigned on pay parity and gender equity, a dangerous position for the City Management. Field is out – her term wasn't renewed by the Council – because she wanted the Commission to do more



(\$153,000) Director of the Information Services is an interim Director. the number of women department heads has decision as to whom he will bring to the Council the City Attorney, not once in 10 years has the the City Attorney, not once in 10 years has the the City Attorney, not once in 10 years has the

than cookie and bake sales to raise its expenses and to give awards to Council wives for their non-existent support because it was politically expedient.

In Burbank Council member to support to the City we have to



and in Pasadena, our neighboring cities, there are two women on each City Council. There is little in the way of pay parity for equal jobs, when you have a council member who declared the City Treasurer didn't need more money because he has no family. What of the single mothers – should they get more pay under that guideline? Add picture above 5 more men: City Manager Starbird, City Attorney Howard, Assistant Manager McFall, DPW Director Zurn and Planning Department head Haghani. Do we wait until Bob McFall is promoted to City Manager before we get more women in top management? The time has come for women leaders to demonstrate their business acumen to the Neanderthals of Glendale City Management. Those who decide who will eat and who will live with the buses. (See Calls)

The highest paid female employee is a 'resource specialist' at \$192,000. However, a male database contractor is being paid \$240,000 per year on a 5 year contract with a five year renewal option. Meanwhile the Beeline bus service contractors have pay parity for their men and women...they all get paid about \$12 bucks an hour with little or no benefits and they are expected to do the job of a \$100,000 per year employee. Our priorities need to change – City Councilmembers need to participate in the selection of the best candidates rather than act as the rubber stamp for management.

The only way to make sure people you agree with can speak is to support the rights of people you don't agree with. [ELEANOR HOLMES NORTON](#)

### TAKE ACTION – GET INVOLVED – BE INFORMED

Moral cowardice that keeps us from speaking our minds is as dangerous to this country as irresponsible talk. The right way is not always the popular and easy way. Standing for right when it is unpopular is a true test of moral character. [Margaret Chase Smith](#)

**SPECIAL ANNOUNCEMENT** International Fieldworks welcomes Glendale's Margaret Shepherd back for "An Evening of Vision Building for Panoramic Success" Tuesday April 8<sup>th</sup> at the Westside Pavilion and Wednesday April 9<sup>th</sup> at Glendale YWCA. [Details](#)

## 2 Potpourri



### WILLIAM O. DOUGLAS

Restriction of free thought and free speech is the most dangerous of all subversions. It is the one un-American act that could most easily defeat us.

### Letters & Email

ED – Letters published do not necessarily express the opinion of Vanguardians, this publication, the organization or Barry Allen. Names are used only when requested. Letters will not be published that aren't signed and/or are hate oriented.

The Glendale News Press calls you a Council critic. I think that is wrong. It lumps you in a category with others that have agendas that are not for the benefit of the greater good. I have watched what you have accomplished in just a few years through advocacy. You have asked questions, sought answers. You have brought to the attention of the Council issues that Management doesn't want to share. I don't think that is critical - I think what you do is necessary and as well you keep the public knowledgeable on important community issues. You offer assistance and guidance to others that want to present issues. The GNP hasn't even told the public about the possible cancer cluster in Montrose; nor did they share with us about the ridiculously high salaries paid to municipal workers. Instead they demean you. Keep up the good work...challenge the City Officials and continue to teach us how to do the same DF

**CALLS:** We get numerous calls – here are some of the questions:

Where do the Beeline buses go at night? *Like the homeless they sleep on the street where they are vulnerable to the ills that can befall them. They also create a fire hazard by lining the streets in the industrialized corridor preventing huge fire apparatus to get to the scene of a fire. The GFD hasn't weighed in on this matter as they may not be aware,*

### Articles

[Montrose merchants feel pressure to change 'old town' face](#)

**LINKS** [Click here for Vanguard Archives by Hal Weber-- Open Government Guide](#) [www.vanguardians.org](http://www.vanguardians.org) [Check Zip Code Demographics](#) [Global Incident Map updated every 5 minutes](#) for a free copy of waste of taxpayer money, read [Piglet Book 2007](#) . -- [ZIPskinny - Get the Skinny on that ZIP](#) [Vanguard in the Daily News](#) [The Glendale California 100K Club](#) See who makes how much in Glendale [Videos by Glendale Citizens](#)

[Read about GREED in Glendale](#)

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

**Tuesday, March 18**

2:30 pm Glendale Housing Authority Glendale Redevelopment Agency  
6:00 pm Glendale City Council -- City Council Chambers, City Hall, 548-4844

**Wednesday, March 19**

Zoning Administrator's Hearing – 9:30 am, Room 105, Municipal Services Building,  
Building and Fire Board of Appeals – 3:00 pm, Room 105, Municipal Services Building,  
Planning Commission – 5:00 pm, Room 105, Municipal Services Building,

**Thursday, March 20**

Persian New Year -- Spring Equinox

## 3 Open Government

City of Glendale wants to prevent discovery by use of 'Attorney Work Product'. They had tried Attorney Client Privilege but realized that the 'Client' (City employee could choose to share with whomever. Today it's a new strategy to keep the public from accessing what the City Management no longer wants to be public information.

From Stan Price:

The definition of "attorney work product" is set out in the Code of Civil Procedure and copied below. It is set out in the context of discovery in civil litigation. That is why when there is a dispute between parties as to whether some document is or is not attorney work product, the judge is authorized to resolve the dispute in an *in camera* hearing. That's a hearing off the record in the judge's chambers.

As you can see, the work product is something prepared by the attorney. Although the statute does not say so, I believe that it includes work produced by non-attorneys at the request of or for the purposes of the attorney. So if I ask my secretary to prepare a memo for me about which court to file a case in, that would be work product. The first section suggests that work product only covers work product related to litigation. I'm not sure that this is the case. In any event, short of litigation, there is no way of getting around the work product claim. But you can ask the city attorney just what actual or potential litigation his work product is related to. And you can tell him the privilege doesn't cover all the attorney's work and it doesn't cover work that has been shown to someone not his client, i.e., a developer. If he shows the work to anyone outside the city gov't, the privilege is waived. Note that work product is different from the attorney-client privilege, which is protected by the Evidence Code.

Cal Code Civil Proc § 2018.020 (2007) § 2018.020. Policy of state

It is the policy of the state to do both of the following:

- (a) Preserve the rights of attorneys to prepare cases for trial with that degree of privacy necessary to encourage them to prepare their cases thoroughly and to investigate not only the favorable but the unfavorable aspects of those cases.
- (b) Prevent attorneys from taking undue advantage of their adversary's industry and efforts.

Cal Code Civil Proc § 2018.030 (2008) § 2018.030. Certain writings not discoverable; When other work product may be subject to discovery

- (a) A writing that reflects an attorney's impressions, conclusions, opinions, or legal research or theories is not discoverable under any circumstances.
- (b) The work product of an attorney, other than a writing described in subdivision (a), is not discoverable unless the court determines that denial of discovery will unfairly prejudice the party seeking discovery in preparing that party's claim or defense or will result in an injustice.

Cal Code Civil Proc § 2018.060 (2007) § 2018.060. Right to request in camera hearing

Nothing in this chapter is intended to limit an attorney's ability to request an in camera hearing as provided for in People v. Superior Court (Laff)(2001) 25 Cal.4th 703.

## 4 Vanguardians

Wanted: Volunteers to translate Vanguard into Armenian and Korean — Wanted: Vanguardians needs a color laser printer with duplexer and meeting space.

## VANGUARDIANS

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

If contributing by Credit Card call 818 243 1502

**Checks are best -- the bank doesn't discount them**

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

You will receive a receipt for income tax purposes

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**5** **the Insider** The insider is a digest of information from several city employees that care about the way the City is run. They are concerned about retaliation. Vanguard provides them the opportunity to have this forum. Their identities are kept confidential. The comments are their own.

Management guru [Ray Thorn](#) appears at all of the executive retreats, and facilitates the indoctrination of all of the new Department Heads. He also works with different departments when they can't seem to get along. The question is, how much is the City paying this guy. You never see contracts for his services go before council. Also, how come the City can't hire leaders that get their departments to cooperate with each other? Could be that the department heads fit into the typical Glendale model of "me first", which costs the tax payer's a lot in the long run.

### HARRY S TRUMAN

Once a government is committed to the principle of silencing the voice of opposition, it has only one way to go, and that is down the path of increasingly repressive measures, until it becomes a source of terror to all its citizens and creates a country where everyone lives in fear.

## 6 Humor



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**Let's bond it...the kids can pay it off...**

# 7 JUMP

## Judge rules Oxnard City Council broke open-meeting law when it discussed a theater project in closed sessions

(Los Angeles Times 6/12/04) Following a decade of investigations and accusations, a Ventura County judge issued a tentative ruling Friday in which he found that the Oxnard City Council repeatedly violated a state open-meeting law during negotiations for a new \$15-million downtown theater development.

Superior Court Judge Vincent J. O'Neill Jr. found that the city and its Community Development Commission failed to post adequate public agendas for closed-door meetings, and as a result officials illegally discussed project details in secret. The theater development, now under construction, was approved by the city in 2002. Last year, retired real estate agent Martin Jones sued the city, seeking to nullify the project and have a judge order the council and commission to tape-record all closed-door sessions pertaining to future downtown development.

While O'Neill found in Jones' favor - and ordered the city to start following the law - he declined to stop the theater project or to order that future closed meetings of the council be taped. Jones' attorney, Richard Tentler, called the ruling a victory. "We are very pleased," Tentler said outside of court Friday. "We hope it's a message to the City Council and also the city attorney that they have to change their ways." Jeffrey H. Speich, who represented the city, declined to comment. But Oxnard City Atty. Gary Gillig, who testified at the trial, said the fight wasn't over. "I'm still optimistic the case will be decided in the city's favor," Gillig said.

Tentler and Speich were ordered by the judge to review the tentative ruling and attempt to jointly agree to a final judgment.

At a hearing scheduled for June 21, the attorneys will have another opportunity to argue for changes in the ruling. After hearing several days of testimony from Oxnard officials, O'Neill found that the public was entitled to know that closed-door meetings in 2002 would include discussions on the construction and financing of the 14-screen theater; that San Carlos Cinemas would operate it; and that a long-term guarantee of lease payments had been reached.

The city also failed to post detailed agendas on closed meetings in 2002 concerning acquisition of a downtown bank building and construction of a new parking structure, according to O'Neill's eight-page ruling. The Ralph M. Brown Act is California's open-meeting law governing public agencies. Under the act, public agencies can meet in closed-door sessions only to discuss pending litigation, personnel matters or real estate transactions.

Jones said outside of court he was pleased with the order because he believed the city "has been running land deals behind closed doors for too long."

City officials and their meeting practices have been the subject of several inquiries in the past.

In July 1990, the Ventura County Grand Jury issued a report accusing the Oxnard City Council of violating the law by holding budget meetings behind closed doors.

The report found that the council violated the Brown Act by holding five or six private meetings in September and October of 1989.

The grand jury decided not to indict council members because it said there was insufficient evidence to find that the council was aware of the violations. -- By Holly J. Wolcott Copyright 2004, [Los Angeles Times](#)

*A reminder of what perseverance can do. Marty Jones, Chair Vanguardians Oxnard, "I had forgotten how long it had been. I remember vividly the city attorney under oath on the witness admitting to a "technical error". I surmise that is the same thing as being half pregnant. The "technical error" was an admission of violating the Brown Act. This is a friendly reminder to my friends in the day what it means to persevere. And to those newer friends it means never give up."*