



“Accountability”
Glendale’s Watchdog

Question of the week:
Win a Breakfast with Barry

Answer from last week: Not until my
wallet is empty when it will be too late

Just one more issue...until....

Vanguard
News Service Vol IV
Week of September 20, 2009
www.vanguardians.org
818 243 1502

RINGMASTER WANTS 3RD WHITE ELEPHANT

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 advocacy



Compare the [information](#) that the City of South Pasadena provides its constituents with that of your City.

“The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.” [ED – What famous document contains these words? For the 10th person with the right answer the prize is a Friday Breakfast with Barry.]

Mardikian vs CoG – Pre-trial motions by the City Attorney will keep Council from testifying avoiding a Brown Act potential violation. Other action included jury selection.

DA says Quintero can do what he wants with the speaker cards although the LA DA got the name of the City wrong. They opine that Quintero is the Mayor of Burbank. [09-16-09, Los Angeles County District Attorney Steve Cooley Supports Glendale Mayor Frank Quintero’s Suppression of Public Input](#)

Mayor Quintero wanted Glendale to be just like San Diego and here’s why: [Let’s be San Diego.](#)

Starbird corrects Quintero campaign statement that Glendale has reserves in the amount of \$500,000,000 by telling the GHCC there really is only \$53,000,000 in available reserves.

‘Montrose’ Mayor Drayman is reaching out to all cultural attraction folks with his championing of the Museum of Neon Art (MONA) for 216 S Brand to add some more garish background to Main Street. Even though the MONA director Kim Koga has chosen not to return calls our research has shown that in the past 3 years ending June 2007 they have run a loss of \$90,000. If the City of LA and the County of LA choose to withdraw their funding who will make it up?

The City of Glendale is offering FREE RENT and up to \$1,000,000 in renovations for MONA. Can you imagine that? This group has only averaged \$150K in revenue for the past three years. Read their financials. Remember they lost a total of \$90,000 during those same years.



As a promoter of the Arts, Drayman let the Noise Within flee to Pasadena and now has an excellent opportunity to help the survival of Luna Playhouse, located on San Fernando Road in the proposed Arts Center. Stepanian, the owner, only needs \$30,000 a year to keep his theater open and pay the rent. The City needs to support the Arts Within not bring in this ‘niche’ museum.

Ringmaster Drayman will be asking the City for White Elephant trainers next. For the \$500,000 subsidized Alex Theater and the ongoing costs of the Rockhaven Sanitarium a place with such a hidden purpose that a consultant was retained to figure out what is the best use of the property.

There are many Glendalians that would consider the Chess Park to be a fourth White Elephant.

While Drayman was figuring out how to spend more of OPM (other people’s money), Margaret Hammond was demanding that the Police Department be kept whole and even expanded while other departments are cut as she was demanding that there be no more development – especially in her neighborhood. There was no attempt to suggest where all the money will come from to pay for the wild ride this Council and their Manager are taking us on.

While the City Council was spending our money there was a meeting of about 100 influential people in a “shack” in Beverly Hills. The discussion was centered on what one small nation, that has the second highest number of companies on NASDAQ, was doing to benefit the world.

- Scholarships for young engineers
- Light weight motors combined with generators to ‘green’ power new buildings
- Solar panels with 75% efficiency
- Wind turbines that triple the wind power and use biofuels when the wind dies
- New light-weight, short-time-to-charge batteries
- Higher efficiency desalination plants
- Wave action and bottom motion ocean energy generators
- Vehicle shock absorber energy generators (perfect for Glendale motorists)
- Energy from biofuels. In America we are stripping the land of corn to make ethanol which deprives the US of corn as an export and perpetuates the hunger in other nations. The use of corn creates 75 gallons of biofuel an acre. This small country has redesigned sugar beets to germinate 3 times a year and that will provide 20,000 gallons of biofuel per acre per year. Something to allow emerging nations to have as a fuel source and a food source. They are presently working on algae as another fuel source.

To have a presentation at your company, university or political entity of this fantastic opportunity to see the future, contact Barry Allen at 818 243 1502

I am a legislator. I write the laws therefore I can wrong them. Throckmorton P. Aardvark III

Vanguardians is planning a 250,000 opt-in email campaign for California residents to encourage them to become informed, involved and interested in accountable government. The email will direct them to www.vanguardians.org where your advertisement will be seen. Call Barry Allen if you want to have your business seen by ½ million eyeballs. Get a jump start today by calling now. This is a limited offer.

Sacred cows make the best hamburgers. Abbie Hoffman, political activist

September 25 FRIDAY BUSINESS BREAKFAST See you at Foxy’s at 7AM

Advertisement

Vanguard is published independently by Vanguardians, Inc. 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 government department, through grass roots involvement, engagement and advocacy.

GUILTY UNTIL PROVEN INNOCENT



Next week the Dais will decide if they want to adopt a temporary moratorium in order to give themselves more research and discussion time regarding the possibility of medical marijuana dispensaries existing in Glendale. This week was merely a move to agendize the item, but it still leaves plenty of time to predict where the conversation will go.

The topic of marijuana use can often be a hard one to discuss because elements of both hypocrisy and illegitimacy hang in the air. When the first and third leading causes of death in the US come from legalized substances (tobacco and alcohol, respectively) and the culprit in question is dead last, it’s hard to understand why there is contention over the use of marijuana at all. While the debate over the merits or evils of marijuana might now be fated to the private sector a debate about the operations and legitimacy of the dispensaries has gone fully public.

The reaction to California’s 1996 legislation that legalized the distribution and use of medical marijuana has been answered with both a bevy of clinic openings as well as investigations and consequential crack downs on those clinics found guilty of operating outside the new, more specific law. Furthermore, because the law states that legitimate medical marijuana patients have the right to “obtain and use marijuana for medical purposes” but never outlined specifics about the distribution of the drug, dispensaries exist in a gray area.

Since 2005, Los Angeles has been entangled in a regulation battle as hundreds of dispensaries have popped up all over the city, finding clever ways to stay open, even under a city ordained moratorium. Though the debate on marijuana use has shifted focus from the alleged dangers of the drug to a discussion on the quantity and legitimacy of clinics as medical dispensaries and not merely drug dealerships, a subtext in the argument must not be missed – Debating the existence of dispensaries is really a discussion on how people feel about pot itself and those who use it. After all, if pot has been proven less harmful than alcohol, why do liquor stores continue to flourish without protest?



Council member Ara Najarian took an early stab at the matter, rattling off his biggest fears regarding the proliferation of clinics in his city, which come from newspaper articles and “second hand sources”. It was hard not

to extract a certain xenophobic anxiety from his questions related to the kind of person a dispensary might bring in; like a drug dealer poised to peddle to the children of Glendale. Najarian is hoping for the police to shed some light on the negative effects dispensaries can have on a city, though one has to wonder why an organization that has fought the use and sale of marijuana since the 30's would be the most unbiased source on the issue?

After one Glendale resident (who went unnamed) made a suggestion for the Dias to simply comply with California law and actively monitor the dispensaries so people could get their due medical treatment, Mayor Pro Tempore Laura Friedman reined in the discussion by reminding everyone that this was just a meeting to put the moratorium option on the agenda.

Ultimately, medical marijuana dispensaries are legal in the state of California as long as they comply with the law and if there is a demand, eventually they will open for business. In the coming weeks, the residents of Glendale will see how the Dias and their neighbors really feel on the matter. **LAUREL MILLER**

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

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Public Officials are manufacturers - many make excuses - some make trouble - only a handful make things happen www.betterpublicoofficials.com

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

From the Publisher... PUBLIC RECORDS



Of late we have been getting complaints from people seeking public records from the City of Glendale that the records have not been completely produced. For instance a report missing 3 pages with no explanation; a contract that had no exhibits attached; purchase agreements that only contained the grant deed. The City is playing fast and loose with access to the complete record by not providing 'all writings evidencing' the issue.

According to a Vanguard Weekly Breakfast attendee, city managers are complaining about requests for information. As we all know, access to Public Records is guaranteed by the State Constitution.

It appears that, by not providing the writings requested, the City is hiding information from its constituents.

Do you think we should know how many more people have been transferred to the GWP payroll to relieve the General Fund of a payroll burden that is still borne on the shoulders of the taxpayers? Here is a scenario: As there is an issue about whether the City needs to repay water funds that were transferred from the GWP to the General Fund (Los Angeles vs Los Angeles), the City will continue to transfer the burden directly to the GWP, whose rates are among the highest in Southern California until there will be less money to transfer which will mean 1) an increase in rates and 2) another bond issue.

What the City is doing is robbing Peter to pay Paul while not addressing the issue of **CUTTING EXPENSES!**

How do we know this? Simple, by obtaining public records.

In one city they decided they could pre-empt the Public Records Act (GCS 6250-6270) by charging considerably more than the cost of duplication. Vanguardians addressed that by paying the fee, filing a claim against that city, getting a "Sue us Letter" and speaking before their City Council advising we were going to sue in a Court of Record as a matter of public interest as a private attorney general. The outcome was that Council directed their City Manager to meet with us to work out a resolution. As of this writing they are reviewing the cost of duplication while we watch the clock of the Statute of Limitations.

As we work our way around the State on the Public Records issues, we have found a wide range of work-arounds that will be addressed by working with various State Legislators to create a definitive method of managing the Public Record mandate. [Even as this is being written, public agencies are attempting to prevent access to public records.](#)

Are we getting our money's worth from the City Council? In other cities Council members report on their activities while serving on various boards, commissions and groups. Glendaleans don't hear reports from the Airport Commissioners, the MTA and others. In fact there is never an open discussion as to how our representatives should vote on important issues before the California League of Cities, eg. like

the stand on opposing municipal unions on the opt-out from city bankruptcies (AB 155 and SB 88). These issues should be shared with the public.

City Manager Starbird spoke to the Glendale Homeowners Coordinating Council about the budget. Typical of City Officials he compared Glendale with the percentages of sales tax revenue of other Cities without talking about real dollars. As an example, if you have a penny in your pocket today and tomorrow you have 2 pennies there is a 100% growth...but you still have two cents. As you oo and ahhh about the fact that the Head of the City spoke to your group, you need to look at his agenda. **L'shana tova tikasavu** **BARRY ALLEN**

"If you can't drink a lobbyist's whiskey, take his money, sleep with his women and still vote against him in the morning, you don't belong in politics." And, "Money is the mothers' milk of politics." Jesse Unruh

"The American Republic will endure until the day Congress discovers that it can bribe the public with the public's money" - [Alexis de Tocqueville](#)

Insanity: doing the same thing over and over again and expecting different results. [Albert Einstein](#)

GUEST COMMENTARY:



Watch for commentaries blending the state and local government issues here, by Justin Smiths

Commentary: A BRIEF HISTORY OF FRANK



Let's be frank about Frank the city's mayor. To many people, Frank Quintero is an affable politician with the right words of recognition at the right time for the right people. But, to me, the sheen of his personality has long lost its luster.

There was a time when I thought I knew Frank Quintero as a concerned people's man. Back in 2001, as a newly minted councilman, he was promoting two very popular objectives. First he helped move the city council sessions to the current 6:00 PM evening time slot so that more members of the public could watch and participate, and he cajoled city staff to come to work on Fridays. To me, Quintero was a politician who could walk the walk. He delivered on his promises.

During that same year, as the issue of multi-family housing issues took center stage, Quintero walked a fine balance between looking out for the needs of renters and finding alternative ways to consider the needs of landlords. He supported an elegant compromise with practical political dexterity.

The following year, in 2002, he pushed to reform of the city's charter and was eager to help select a new police chief. Unfortunately, The city manager out-maneuvered Quintero on both counts. The charter only had cosmetic changes. We got no elected mayor, no representation by districts, no term limits, very little publicity and scant participation by the public. The new city police chief became politically accountable to the city manager alone. Here, we discovered the city's real master politician - Jim Starbird.

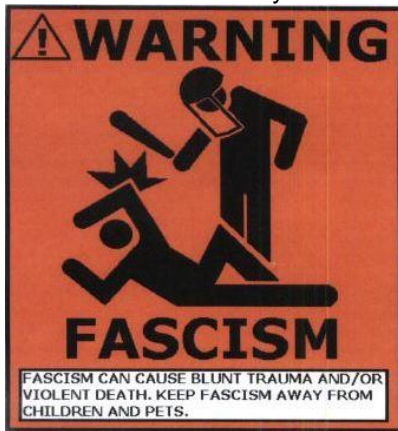
For a good four years, I believed in Quintero. He gave a dynamic opposition to the subsidy the city gave to Caruso Affiliated Holdings for the Americana. Quintero appeared to be fiscally prudent with the city's treasury. He was empathic toward the public's needs. I served with him as a board member of the Educational Centers for Excellence - a non-profit with a mission to instill a college-bound ethos to children from at-risk families. He was also overseer of city employee's performance. From my perspective Quintero was the public face on the dais.



That is a far cry from the Quintero of today. He is a staunch supporter of everything the city unions throw

his way. He now seems to march to the beck and call of the city manager, spends the city's treasury as if there were no tomorrow and now limits public criticism during the city council sessions. Did he change or did I miss something all those years?

Back in 2001, he approved one of largest pension increases in the city's history. But I doubt if he appreciated the magnitude of the financial time-bomb he approved. He and other councilmen believed the city manager's contention that the "3% at 50" plan would cost the city nothing. That is the plan that allows police and fire personnel retire at age fifty with up to 90% of their last yearly gross pay. That is the plan change that increased the cost to the city from 5.5 million annually to what is now in excess of 18 million annually and about to balloon even higher in future years. That is the plan that has allowed a recent fire dept retiree to rake in over \$180,000 per year for the next 30 years or more of his remaining life. That is the kind of reckless policy that is helping to



bankrupt other cities today.

Quintero's desire for higher political office helped take the city's budget from around \$577 million to over \$800 million per year. The cost of his political endorsement by the police officers association and the fire fighters association can now be calculated. But the pension obligation to which he signed on through his naïve trust of the City Manager's promises will surely sink the city budget further.

Quintero compounded that fiscal mistake in 2004 when he acquiesced to the request by police chief Adams to increase the police department by 100 officers. That gradual augmentation plan was approved despite a significant reduction in crime that had already taken place since 1994 - A 50% decrease with few additional officers. This augmentation plan did not have any goals for any further crime reduction objectives. While many of us informed the city council that each additional police officer would cost the city at least 3.5 million dollars in salaries and pensions, our pleas for prudence in this regard were ignored.

Quintero was on a set course to please any union on his political quest. No request for salary or benefit increases could be denied. Multi-year agreements became the norm often with 6% annual increases. The salaries of key department honchos ballooned to the stratosphere, and now managers could count on comparative salary increases without being held accountable to performance outcomes. More managers were hired and they became another institutionalized negotiating entity.

Quintero didn't do the fiscal damage alone, of course. But now that 20,000 families can barely afford one of the highest electrical rates in California, now that the school district needs to cut teachers so it can bear one the highest electrical rates in the state, we recognize the real costs of political endorsements and campaign contributions. Those high utility fees that help avoid deficits and keep the general fund solvent are now borne by the weak, the poor, the jobless, the disadvantaged, teachers and students.

Frankly speaking, that is a sorry legacy for a registered Democrat who came to office with such high promise. Residents and stakeholders please bow down to the city's untouchable political elites and open your wallets - The city employee unions demand it. HERBERT MOLANO



CHRISTIAN ARBID is a Real Estate Broker and Loss Mitigator. If you have questions about Foreclosures, Short Sales, Saving Your Home, Loan Modifications, email him at christianarbid@gmail.com and your question may be answered in the next issue of Vanguard.

Total Number of Current and Active Glendale Foreclosures as of Sept. 17, 09 are: **920**

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 – SHARE VANGUARD – VOLUNTEER

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](#)

2 Shout Box

ED – Letters published do not necessarily express the opinion of Vanguardians, this publication, 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.



CCM Dave Weaver said that if anyone spoke against the firemen he would walk off the dais. Since when did he need a reason?

I read Herbert Molano's piece and I understand what he is talking about. As I get older I find I don't lift my feet as high when I walk and that would make me more cognizant of the broken sidewalks. Maybe we should spend less on staff and more on quality of life. NP

Was Drayman smoking some of that pot he wants to ban when he begged for MONA? Maybe it was LSD and watching those psychedelic disco lamps. QS

3



Public Information



"Just the facts"

City has been unable to provide the policies, procedures and practices in handling claims against the City.

[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, September 21

Historical Preservation Commission -- 2:00 pm, MSB 548-2140
 North Glendale Community Plan Advisory Committee RE: Parks, Recreation and Open Space --
 5:30 pm, Sparr Heights Community Center, 1613 Glencoe Way, Glendale. 548-2140
 Glendale Police Advisory Council – 6:00 pm, CH 548-3140

6:00 pm City Council 548-4844

Wednesday, September 23

Zoning Administrator's Hearing -- 9:30 am, MSB 548-2140
 Civil Service Commission -- 5:00 pm, CH 548-2110

Thursday, September 24

Design Review Board #2 -- 5:00 pm, MSB 548-2140

Saturday, September 26

Community Meeting – Winter Weather Preparations – 10:00 am, Center for Spiritual Living, 4845 Dunsmore Ave., La Crescenta. 548-4844

Tuesday, September 22

2:30 pm, CH Housing Authority 548-2060-- Redevelopment Agency 548-2005 **Joint Meeting** – RE: Adult Recreation Center and Proposed Water Playground Projects 548-4844

4 *Vanguardians*

- **Vanguardians made a \$500 contribution in support of the public interest in the SLAPP suit targeting Sharon and Robert Thompson.**
- **At the Vanguardians Friday Breakfast at Foxy's we discussed the white elephants; the complaint filed against a City Official and the Mardikian lawsuit. We welcomed a former City Council member and a recent candidate for public office. 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.**
- **All issues of Vanguard are archived at www.vanguardians.org**
- **Get breaking Glendale News by signing up for an RSS feed at www.vanguardians.org**
- **Great opportunity for you to place your ad or link on www.vanguardians.org**
- **Vanguardians needs a donated car or van in running condition. Blue Book donation value**

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

5



the Insider is a digest of information 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.



As stated before, look for a big amendment to the ESI computer program contract, \$640,000, to go to council. The total change orders adding a whopping 72% to the initial contract and pushing out completion another 18 months. McFall's personal oversight for this project really seemed to work out well! Just a typical COG project. Can't wait to see how the GWP meter reading software comes out.

Expect the Civil Service Commission to rubber stamp Mr. Doyle's plans to have more control over employees, at the 9/23 meeting, through new Civil Service procedures. Expect the right of employees to have open hearings to be a thing of the past. Nobody wants open records of rigged hearings. Don't look for the associations to speak up with next year's contract talks already under way.

6 Stories taken from Claims against the City



Let's welcome Dona Boehm our latest Volunteer Writer. Her topic will be the claims that are filed each week. Some tragic, some funny but everyone informational

7

News Briefs from the neighborhood

Pension update from Public CEO: *Public Employee pensions have become an increasingly hot topic throughout the state at the local government level. This roundup is dedicated to recent headlines surrounding public employee pensions.*

- The Los Angeles City Council debated on Tuesday, but ultimately put off a decision on a controversial worker retirement plan. The [Los Angeles Times](#) reports that the Council decided to work with employee unions to find cost-cutting measures to close a \$405-million budget gap.
- A [Los Angeles Times](#) editorial, "L.A.'s Fiscal Black Hole." The piece says revenues are worse than expected, putting an early retirement plan in danger, noting it's time to consider layoffs and other drastic actions.
- Sacramento County releases the amounts of highest paid pensions but has not released who gets the pension or what positions have earned it, according to [The Sacramento Bee](#).
- An editorial by the [San Francisco Chronicle](#) discusses SB 88 as a "is a sop to public employee unions in the guise of state 'concern' about local governments' broken finances."
- A letter written to the [San Bernardino Sun](#) discusses that the city of Colton finally admits it's broke.
- The Ventura County Grand Jury wants retirement reform, but it's not an easy fix, according to a [PublicCEO.com](#). Its June 10 report, Ventura County Pension: An Uncontrollable Cost, is a microcosm of California county pension woes: almost \$1 billion lost in fund assets in calendar year 2008, projected increases of over \$100 million in costs by 2013, portfolio returns way below the 8 percent actuarial assumed earnings rate.

Gotta watch Hizzoner: The mayor of Hartford, Conn. is accused to trying to extort \$250,000 from a real estate developer who wanted to purchase city-owned property. Mayor Eddie Perez pleaded not guilty to the allegations of attempted extortion and conspiracy, according to an [Associated Press report](#). Perez also faced corruption charges from January, when he was charged with accepting a bribe from a city contractor. Prosecutors are hoping to combine both cases. Perez plans to complete his term as mayor.

[Plunging Pensions Are Trouble for Taxpayers by Kurt Brouwer](#)

[There is] another huge problem, the underfunding of public pension plans: [Public Pensions Cook the Books](#) (Wall Street Journal, July 6, 2009, Andrew C. Biggs)

Public employee pension plans are plagued by overgenerous benefits, chronic underfunding, and now trillion dollar stock-market losses. **Based on their preferred accounting methods — which discount future liabilities based on high but uncertain returns projected for investments — these plans are underfunded nationally by around \$310 billion.**

The numbers are worse using market valuation methods (the methods private-sector plans must use), which discount benefit liabilities at lower interest rates to reflect the chance that the expected returns won't be realized. **Using that method, University of Chicago economists Robert Novy-Marx and Joshua Rauh calculate that, even prior to the market collapse, public pensions were actually short by nearly \$2 trillion.** That's nearly \$87,000 per plan participant. With employee benefits guaranteed by law and sometimes even by state constitutions, it's likely these gargantuan shortfalls will have to be borne by unsuspecting taxpayers...

Public pension plans have been quietly accumulating huge long-term liabilities with very little public notice. But, a few factors have brought this issue to the public's attention. First, the bankruptcy of Vallejo, CA and other cities, with pension liabilities a significant part of the bankruptcy filing. Second, the huge pension payouts being received by public employees.

Budget Busting Pension Plans

On a daily basis, we are seeing alarming news about the pension crisis in towns and cities across the state of California and the nation. What the heck is going on? In a nutshell, while you were out living your life, your local and state politicians were making pension promises that extend many years into the future. And, in many cases, the required funding simply is not in place. To make things worse, these promises were made to our firefighters, police and other employees of the government. These are the people who make everything in a given town work. **ED – Pick up the phone today and ask how much local residents and taxpayers are on the hook for in pensions.**

Email info@vanguardians.org to subscribe to the Weekly News on issues that impact Glendale. **The media with a voice; the organization that gets results you want; we encourage and support advocacy, involvement and engagement with government. Vanguard is intended for personal use by recipient and forwarding without change to recipient's personal email list. Vanguardians is a 501C3 charitable non-profit corporation Contributions are tax deductible.** Vanguardians does not use commercial fundraisers. **To ensure you receive Vanguard,** please add our email addresses info@vanguardians.org, vanguardweekly@gmail.com and ba@fieldworks.net - to your address book or Internet Service Provider safe list. **Annual subscription for email \$50, by US Mail \$75, Newsstand \$2 per issue** Copyrighted materials used with permission. ©2009