



"Accountability"  
The Government Watchdog

**If you're  
not outraged  
you're not  
paying  
attention**

# Vanguard

Los Angeles CA Vol VI  
Week of December 19, 2010  
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**INVESTIGATE ANALYZE EXPOSE PUBLICIZE -- BRIBERY CORRUPTION FRAUD GRAFT**

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

**Your tax deductible contributions support the work we do. Please help!**

**The end of the tax year is upon us. Take advantage of your donation to Vanguardians to sustain our work for accountability. There are special plans available for high wealth non-traditional families.**

"I predict future happiness for Americans if they can prevent the government from wasting the labors of the people under the pretense of taking care of them." – Thomas Jefferson.

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A warm and sincere THANK YOU to all the hardworking volunteers that have made Vanguardians even more successful this year as we have expanded to other communities to bring a ray of sunshine to their beleaguered public. A thanks of course to the Vanguard writers and logistics team. A thank you to the Board Members and Advisory Groups and certainly there are the Insiders that work for clean, open and transparent local governments.

Not to be forgotten are those who have made monetary and non-monetary contributions to support the work we do Barry



**Glendale CA** – Frequent speaker at City Council, Mike Mohill, brought a warning to Council members from Mr. K, a former employee of Advanced Development and Investment who visited the affordable housing scandal on the taxpayers, that there would be no more Christmas presents from him to them. According to Mohill he met Mr. K., Kachik Zargarian, at the Montrose Harvest Festival when Mr. K was looking for Council member Drayman at their usual rendezvous.

**Sacramento** -- Governor-elect Jerry Brown will be calling for a Salary Commission to deal with local salary issues like Bell. [Click here to see for yourself.](#)

**Hercules CA** -- On an evening high on drama, Hercules Assistant City Manager Lisa Hammon stunned a packed City Council gallery Tuesday, announcing her resignation after blasting the city's financial practices and treatment of some of its employees, some of whom, she said, had "sold their souls."

"I hope to keep my integrity intact, regain my self-confidence, and salvage what remains of my professional reputation," Hammon said, moments before she tossed a manila envelope with what she said was her letter of resignation, credit card and other official items onto the dais in front of City Manager Nelson Oliva, and walked briskly out of the meeting.

Hammon, who had been in her post since May 2008, predicted a bleak future for a planned intermodal transit center and the stalled Hercules Bayfront Development. She said federal and state support for the intermodal project would vanish as officials read news reports about Hercules' financial practices.

Earlier in the meeting, resident Bill Kelly urged Oliva to hand in his resignation for the good of the city. Other residents urged the council to ask former interim City Manager Charlie Long to come back and not to accept Hammon's resignation. And resident Anton Jungherr handed the city clerk a notice of intention to circulate a petition to recall council members Ed Balico, Donald Kuehne and Joanne Ward. [More.](#)



[Former IRS Agent Sentenced for Soliciting a Bribe](#) A tax revenue agent with the IRS was sentenced for soliciting and receiving a \$9,700 bribe. United States District Court Judge Paul A. Magnuson sentenced Roger Anthony Coombs, age 41, of Circle Pines, to 33 months in federal prison on one count of soliciting and agreeing to receive a bribe.

**Rancho Cucamonga** -- A former Rancho Cucamonga city councilman convicted of grand theft and corruption related to his job at the San Bernardino County assessor's office was sentenced Wednesday to two years and eight months in prison. Rex Gutierrez was forced to resign from the City Council after a jury in October convicted him of two counts of grand theft, one count of filing a false claim with the county and one count of conspiracy to commit a crime, authorities said. [More](#)

**Voter Confusion** [VOTER CONFUSION AND THE SINGLE-SUBJECT RULE: PROP. 26 AS A TEST-CASE-IN-WAITING](#) U.C.Davis law professor Chris Elmendorf comments on why Prop. 26 may be invalid. As Elmendorf explains, under California's Constitution, constitutional amendments that are effected via ballot initiative must comply with a single-subject rule -- that is, they must address only one subject, in order to avoid voter confusion.

**Bell CA** -- Bell is hovering on the brink of insolvency and faces drastic cuts in city services -- including possibly disbanding its Police Department -- to balance its budget, an audit shows. The red ink is largely the result of hefty city hall salaries. The city had been dipping into bond money to make ends meet. [More](#) [ED – The article is required reading for everyone as it deals with the misappropriation of Bond money.]

**Glendale CA** – The Comprehensive Annual Financial Report for FYE 6-30-2010 is online [http://www.ci.glendale.ca.us/admin-svcs/cafr\\_2010.asp](http://www.ci.glendale.ca.us/admin-svcs/cafr_2010.asp)

**SAMUEL ADAMS: It does not require a majority to prevail, but rather an irate, tireless minority keen to set brush fires in people's minds.**

Vanguardians Sponsor

Happy Holiday Specials at Adrian's Auto Works – Keyless entry \$99 most cars; Heated seats – cloth or leather – Front 2 only \$399. Discount on installation. Call BRAD ...818 745 8524 for information – Dealer inquiries welcome. [www.adriansautoworks.com](http://www.adriansautoworks.com)



**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.

# 1 COMMENTARY

## From the Publisher... SITTING IN THE CAT BIRD SEAT



There are problems in the third largest city in Los Angeles County that the City officials are in denial about.

A police department that is running amuck not having learned anything from the costly lawsuit by several female officers. Interesting to note that one of the defendants had a porn site that he worked while on over-time duty.

The Ovasapyan lawsuit that was the result of the excitement to close a case before the real defendant was caught and the City Council has decided that they want to pursue the possibility of another costly appeal. The cost to the taxpayers will be in the \$3,000,000 range. Plaintiffs' attorney Mark Geragos said that the City of Bell is pristine compared to the City of Glendale.

The case of the 5 police officers against the City along with 5 individual cases and now we hear about the addition of two others to the case, one being a city attorney.

A new civil rights case has been filed against the GPD with an allegation of a police officer sleeping with the plaintiff's wife. Geragos is representing the victim, attorney Robert Yousefian not to be confused with former City Council member Bob Yousefian.

While I am no 'Puritan' I do have a problem with people that don't understand the word, 'NO', especially as an elected official who hits on another official's wife; or a supervisor that offers a promotion for a little dalliance. These are other issues where the Council has not connected the dots.

The City lost a lawsuit that cost the taxpayers at least \$10,000,000 for the result of a shoddily-engineered fire road.

Several former council members said that the City Attorney or the retained outside counsel meets with them in closed session to hear the city's side of the lawsuit. I shared with those council members the transcript of the judges decision in Hopp vs CoG. Those former members were flabbergasted because what the judge declared was not what the City Attorney told them. This particular case could have been settled for less than \$20 yet cost the taxpayers \$18,000. [ED – You may request a copy of the transcript by emailing *Vanguardians* with 'Transcript' in the subject line.] A commentary on the competence in the CA's office.



The Council is in denial of the issues brought out previously and presently in the New Horizons demise. Issues had been reported to the GPD but former Chief Adams kiboshed them. Several years ago Rochart was involved in a financial situation involving former Assembly member Dario Frommer. [Read about it here.](#) More recently her organization was using the name of a deceased physician to scam Medi-Cal.

Then there is the ADI scandal that has only had the surface scratched. In fact the City has decided not to honor our public records request.

In any other City the residents and taxpayers would be picketing City Hall and demanding accountability from the top down. In April those that are afraid to speak out will have the opportunity of a secret ballot to get rid of two blemishes on the infrastructure of Glendale.

**BARRY ALLEN**

**NEXT WEEK: MORE ON THE REASONS AND RESPONSIBILITY FOR THE CONTINUING FINANCIAL DEFICIT  
WHAT WE SHOULD BE ASKING CANDIDATES FOR CITY COUNCIL – TRANSPARENCY STARTS WITH THEM**

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The penalty good men and women pay for indifference to public affairs is to be ruled by evil men. PLATO

*Most people want the benefits of an accountable government but are afraid to work for accountability or to support those that do often because they fear retaliation or are the beneficiaries of the largesse or corruption of government*

## FEEDING THE SHARKS

### THE COSTLY LEGACY OF RANDY ADAMS – THE OVASAPYAN CASE



Last Wednesday the Glendale News-Press reported the results of the appeal of the \$1.3 million jury award to a man who was wrongfully put in jail by the GPD for eight months. What we have yet to find out is how much money the city has sunk into attorney fees and what the GPD has done since this case began to train its detectives on the weakness of eyewitness testimony.

The legacy of the city for the past ten years on its expenditures for outside attorneys is a subject that has had little scrutiny. It is also a cost to the city that is not evident to anyone reading the annual financial reports. The millions of dollars funneled to outside attorneys is a cause of huge concern as those costs and possibly aggressive billing does not appear to get audited. In the four or five years that I've attended the Audit Committee meetings, these expenses have not had the scrutiny they deserve.

The city continues to protect its own management staff for inherent weaknesses in training and policy development. We have found repeated lawsuits by police employees on sexual harassment, issues on ethnic insensitivity, diversity and promotions, and now basic investigative protocol. The cost to the city's taxpayer is huge. But despite the errors, the city management continues to sink millions into attorney fees, then pays performance bonuses to its top brass, as it did with [Randy Adams](#) to which all these cases can be attributed. It is as if these managers get their big bonus for getting the city into lawsuits.

The Ovasapyan case is almost a classic case of the problems inherent with eyewitness testimony, except that it is worse. A year ago in July, on the television program [60 Minutes](#), Lesley Stahl presented memory and psychology experts who exposed the inherent weaknesses in people's recollection of faces, made even worse when they are under stress. In the Ovasapyan case, the key eyewitness expressed doubts about her recollection at the start of the investigation.

Even in our day-to-day lives, we find the error as a normal and often funny situation. "Haven't we met before?" is often asked in earnest (When it's not a pick up line) or the one I get very often, "You look Armenian to me, didn't I meet you...") But now with the strength of DNA evidence the large number of wrongfully convicted people that have been exonerated should have given plenty of warning to the senior brass of the GPD.



Of all the practices that have become standard fare in television cop shows, nothing stands out as a common tension building melodrama as the process of identifying the perpetrator at a police line-up. "That's him! Detective. That's him, I tell you." The victim tells the detective excitedly. And the viewing audience takes it all in as part of their cultural heritage. Someday, they too will look behind the one-way mirror and spot the criminal, the one wearing the three-day beard, baggy pants, t-shirt and the ragged shoes. "That's the one, officer. I swear."



Many controlled studies by psychologists have shown how memories can be manipulated just by selecting the way in which pictures of suspects are presented to the eyewitness and the reinforcing comments by the detective. All the elements for a weekly cop show are there. The script might go like this:

Eyewitness speaking tentatively while pointing at a picture, "That kind of looks like him." The detective replies in exultation: "Bingo! You've done well" then pats the eyewitness on the back. Smiling, the detective continues. "Let me take you to lunch. We need a beer to celebrate. Oops! I can't drink while on duty." He adds chuckling. A few minutes later the senior brass calls the mayor.

At a room inside city hall, a concerned staffer tells a councilman, "Shouldn't we wait

before we make the public announcement? Aren't we rushing a bit too fast here? What if the eyewitness is wrong?" The councilman replies smiling, "Hey, not to worry, if we are wrong, my friends at Dewey, Cheetham, and Howe will love to take this case."

Add a little bias, prejudice, poor eyesight, poor lighting, and loads of stress and you have a potent cocktail that will put an innocent man in jail, and if convicted, prison. "But your honor, he looked Armenian."

Add to this cocktail a police chief insensitive to ethnic issues, and as we learned this year, dishonest to the core, and you have all the elements needed to pour millions of dollars into a needless defense of a case that was weak from the beginning.

The winners in this whole scenario are the city's friendly sharks who circle city hall looking for their annual chum. I can now imagine Bobby Darin singing along with the mayor and snapping their fingers to their signature tune:

♪ Oh the shark has pretty teeth dear,  
And he shows them pearly white  
Just a jack-knife has Macheath dear  
And he keeps it out of sight.  
There are some who are in darkness  
And the others are in light  
And you see the ones in brightness  
Those in darkness drop from sight ♪



**HERBERT MOLANO** Click here [Glendale Today](#)

## CHAPJIAN BY THE BEACH

### HOW ONE CITY'S LOSS IS ANOTHER CITY'S GAIN

The recent announcement that George Chapjian, director of Recreation and Parks, is leaving Glendale is a letdown for Glendale Residents and a big boost for the city of Long Beach. But a man of Mr. Chapjian's leadership and finesse deserves a city government where his skills can thrive augmenting the residents' city experience.

In the past ten years, I've watched and observed as nearly all city directors have retired or moved on to other positions, but I've never felt the need to chime in with any expression of condolences for the loss, or an expression of a job well done.

I could not have given this accolade before to a key city official. It would have tainted him, and perhaps a compliment from me would have been suspect in the eyes of other city leaders that I criticize so often. Heading a city department requires leadership with the acumen of directing multiple projects that are often at the mercy or whim of three council members. What the general public does not yet realize is the extent to which city contracts are massaged or influenced by the entrenched city councilmen. My study of many city development contracts at various departments points to numerous questionable practices. I've seen no-bid contracts, with urgency as the justification, not get started for over a year. I've seen the preferred city contractor get the choice deals year after year. I've seen projects that should be at half the cost had they been performed independently in the private sector.

A department director who has any integrity would have to contend with that interference and still be effective as city councilmen want to place their preferred vendor or developer to the head of the line. The arduous task for a city department head is to persuade not only the city manager but the councilman on the direction of the major objectives, but also be effective in maximizing the dollars his department gets to improve the lives of the city's residents.

In all of my meetings with George Chapjian, I found him to be exceptionally concerned, well-prepared and tactful, yet I know he is not averse to holding people within city government accountable. He has all the elements of a potential, superb city manager and should be a leading candidate for any mid-sized city seeking strong, steady and diplomatic city leadership.



The burdens of a department head are especially trying. When they are given the option to create their own leadership team, they can find the top competent talent they need to take complex projects successfully on budget and on time.

When they have to accept less than the ideal talent due to internal political machinations and favors, their burden increases many times over.

In the past ten years, I've had many opportunities to meet and discuss policy and objectives with nearly all of Glendale's department heads. It is not often that I am impressed with the talent as many who have been promoted seem to have had their independence and integrity pounded out of them. I can tell easily. Toeing the official line is to be expected, justifying illogical policy with absurd justifications is what you often find with those who've been promoted for being loyal "yes" men.

With George Chapjian, you can find directness and candor neatly phrased in diplomatic language. You get the sense of the integrity of the man and an appreciation of constraints under which a city department functions. That is a rare skill to perform effectively.

In the past ten years, the parks department and the libraries have been subjected to the least budgetary growth. As the Police and Fire departments squander a greater and greater percentage of the city's general fund, these city departments have had to face a growing demand for their services while the city council unloads hefty pay and pension benefits to their key political endorsers at the GFD and the GPD. Hopefully Mr. Chapjian will find a more level playing field in Long Beach, and much more enjoyable taking his vision to fruition at his new position.



The city of Long Beach is getting one excellent administrator, and for anyone who's ever enjoyed Long Beach's Ocean Walk, you know that he is walking into a city truly focused on their residents' quality of life. What a perfect match! My best wishes for smooth sailing for Mr. Chapjian.

**HERBERT MOLANO** [Click here Glendale Today](#)

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### **LISTEN TO WHAT WE SAY, BUT PLEASE IGNORE WHAT WE DO**



While Mayor Najarian was officiating at the Fire Department Awards Luncheon on October 13, he made the following opening remarks, "They (Glendale firefighters) are as committed and dedicated towards the most valuable and highest ethic that anyone can have, and that is protecting lives and saving lives, we all sleep better at night with you on the job".

While this statement has a reassuring tone, upon further examination, the words lack substance. The public relies upon the fastest response possible when it comes to saving lives. That means that all fire department resources available should be in a maximum state of readiness, removing obstacles that would degrade rapid response. It becomes more difficult for first responders to get to the scene of emergencies when they are, for example, behind a BBQ grill in the mayor's backyard while assisting the mayor in his private fund-raising event. During this fundraiser there were a total of nine on-duty first responders in attendance. One of them, a paramedic, whose duties were moving tables and chairs all day in preparation for the BBQ, was taken out of service for eight hours.

The mayor's rhetoric is intended to assure citizens they are getting the best services possible. The mayor's actions in allowing these first responders to be taken out of service causes delayed responses to critical events that are time-sensitive such as major injury traffic accidents and life-threatening medical events.

If this was a one-time occurrence, it would be bad enough. But the mayor's reassuring comments at the awards luncheon were further impugned by the fact that half of the fire department's first response capability was removed from service so that on-duty firefighters could attend the two and a half hour luncheon. In addition, another firefighter was taken out of service for over three hours in order to assist with the preparation.

During the two and a half hour luncheon, central city Engine Company 21 moved to Fire Station 28, located in the extreme north/west part of Montrose, abandoning the public that motors and works in the central part of the city. It stayed there through the entire luncheon because that area's engine company attended the event that was held at the Hilton, Glen Oaks and Brand. Engine Company 29 was also taken out of service so some of its members could fill in for other assignments on other engine and truck companies, releasing their members for the luncheon. Engine Company 26 was also closed down so its members could attend the luncheon. With stations 21 and 26 closed, tens of thousands of citizens, many elderly, were unprotected. In all, four engine companies, one truck company and one rescue ambulance were unavailable



for hours and during a time of day with a high volume of emergency calls. At least fifteen fire emergency response assignments were disrupted in order for on-duty employees who cost Glendale taxpayers \$250,000 each per year can pat themselves on the back for jobs well done.

Is there a need to change this policy that slows and disrupts emergency services? No one, including the city manager, fire chief, fire union president or city council cares enough about the public safety to put a halt to this type of activity. This is another example of where emotions trump sound policy. We will never know how much of a toll this takes on individuals who were compromised due to a slower than necessary response.

The city and its fire department could live up to its public relations rhetoric by making a minor adjustment in this policy. Have off-duty firefighters staff the positions of the on-duty personnel who have been selected for recognition. It would receive far more respect from the general public because the firefighters who volunteer to staff the vacant positions are doing so to honor the ones who have been identified for their outstanding work. It would also provide for non-interrupted rapid response to medical and fire emergencies. Sorry mayor, this policy is not the "highest ethic in protecting and saving lives" the fire department is capable of.

**Bruce Philpott**

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

### 2Shout 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.



- Quote from the last weeks Vanguard: "The latest wrinkle: A bill introduced last week by three prominent House Republicans to deny states and localities the ability to sell tax-exempt bonds—the lifeblood for many governments—unless they report their pension-fund liabilities to the Treasury Department. The federal tax-free status of interest on municipal bonds helps generate demand for the bonds and lowers government borrowing costs."

I agree that the states must report their pension-fund liabilities – why should the government be bailing out or give privileges to the states in any way with deep financial problems. States are supposed to take care of their own problems, The legislature in California is totally responsible for this unfunded liability and this state should handle the union situation regard the pensions – if there is no money then so be it.

Denying the selling of tax free bonds to states with the liabilities that California has is unconscionable.

For too long many states have used whatever means available to assist in their various financial problems that were caused by state legislatures.

"The chickens have come home to roost". The Republicans are right in their request for reporting and so be it!

If the state pension funds make a bad investment or any investment betting on the "come" and lose, then the pensioners should lose, period. I won't cry for the loss of tax-free status for our bonds – California doesn't deserve any assistance until they get their act together – hopefully, not on the taxpayers dime. Marlene Walker

- The comments about the fire department re-establishing a deputy fire chief position that appeared in this week's Vanguard does indeed cause concern.

As an HR executive I think I have a good grasp on employment practices and what are and are not worthwhile benefit packages. While not in the public sector, I do believe the employment "satisfiers" and "motivators" necessary to attract and retain good personnel are somewhat generic across the board. Giving manager overtime and then giving that same manager management leave flies in the face of reason. Management leave is designed to compensate a manager for "substantial" non-paid hours, not as a corporate (or city) "gimme". I also do not subscribe to the practice of providing a manager, especially an executive level manager, with overtime in the first place. It is simply not justifiable. Once a professional has risen to these higher ranks, it is time for someone beneath them to engage these additional responsibilities that require overtime, not to pay exorbitant overtime sums to executives. This is simply an over indulgence and an abuse of the system. No wonder there is such a thriving \$200k club in that department.

Furthermore, the amount of vacation time accrued and the payment of a shift differential to managers working typical office hours is simply unconscionable. I will leave it at that. DN

- I haven't heard or read anything on TV or in the papers about corruption in Glendale. Can you give me an update? DJ [ED – We would be happy to share the information we developed but have chosen to wait as to not cause flight from fright.]
- I believe that the personal finances of Mayor Ara Najarian must be in real dire straits if he has to go as far as he did on Tuesday night with a free television commercial. During oral communicates, Mayor Najarian issued a public plea to the homeowners that live around the Disney construction zone and advised them to contact him for

attorney referrals and cash in on any potential settlements. Najarian advised that homeowners are more likely to get results when using the big guys rather than taking on Disney alone. Unless the general public is stupid, everyone knows that attorney's pay each other referral fees for cases they bounce between each other. I guess Najarian is hoping to cash in on those referrals and fill his wallet even further with some EZ referral money and extra spending cash. Maybe Najarian needs some extra gas money to fill his Rolls Royce to "full" rather than only filling half a tank. **KLM**



- During the last council meeting, Laura Friedman yammered on and on about the closing of the local Glendale DMV branch. She was wondering why the DMV doesn't reopen the Glendale branch and hire more staff so that DMV customers can "pay on time" as everyone who walks in is "expecting to pay". This line of thinking only proves what many have said for months, that she has no grasp of government finance.  
Many Glendale residents pay their car registration "ON TIME" via the web or they simply visit the nearest AAA office. Smart Glendale residents AVOID the DMV offices completely and pay online. We need fewer DMV offices and LESS DMV staff. **SJ**

### 3



### Public Information



"Just the facts"

**City uses Stimulus funds to pay General Fund expenses and has not caused the hiring of any private sector employees through the use of ARRA funds contrary to their purpose, according to documents obtained under the Public Records Act,**

**Vanguardians is still waiting for the following records that are way overdue:**

Provide documents relating to Advanced Development and Investment Inc., and related companies, developer of affordable housing projects on South Brand and on San Fernando Road at Glendale, (Vassar) specifically:

1. Invoices submitted to City
2. Sub contractor agreements
3. Proof of insurance
4. Correspondence from City employees and consultants and to David Pasternak the Court Appointed Receiver
5. Reports from and to David Pasternak the Court Appointed Receiver
6. The report from the Receiver to the Court as provided to the City
7. Construction photographs sent to Chris in the Inspection Department or in another department during October 2010 Submitted: 110110 due 111110

Provide documents showing the tow contract cost recovery fees and all other fees turned over to the city since April 1, 2010 through and including October 2010. Submitted: 112210 due 120210

"All truths are easy to understand once they have been discovered; the point is to discover them." - Galileo Galilei.

#### Agendas for the City of Glendale CA



Click to view the agenda [City Council](#) [Housing Authority](#) [Redevelopment Agency](#)  
**Meetings at City Hall (CH) are in the Council Chambers, 2<sup>nd</sup> 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**

All City meetings during the weeks of December 20<sup>th</sup> and December 27<sup>th</sup> have been cancelled.

All City offices and library branches will be closed on Friday, December 24 and re-open for business at their usual times on Monday, December 27.

All City offices and library branches will be closed on Friday, December 31 and re-open for business at their usual times on January 3.

**TRASH COLLECTION: Christmas Day, December 25 and New Year's Day, January 1, 2011, both fall on a Saturday. Therefore, there will be no change in the refuse collection schedule during this holiday season.**

**HOLIDAY TREE RECYCLING: Begins Monday, December 27 and runs through Friday, January 14. For questions about restrictions, or days of collection, call (818) 548-3916.**

# 4 *Vanguardians*

## A SPECIAL MESSAGE....

We're watching, and we need you to watch with us. We have to be more than political spectators when it comes to changing the corrupt culture of government across our cities. *Vanguardians* is committed to supporting and empowering you and thousands of other conscientious citizens with the tools and information necessary to responsibly demand better government.

I am writing to ask for your support through a year-end financial gift to help us move forward with a robust agenda for 2011 to:

- Restore the long-term financial health of our cities in a fair and honest way;
- Protect taxpayers from unwarranted financial burdens;
- Highlight the impact on individual lives when government works for politicians and not the people; and
- Provide residents with basic and crucial government-backed services in an efficient, transparent and affordable manner.
- Provide voter education materials and programs.

### Asking the Hard Questions

Through deep journalistic investigations *Vanguardians* will ask provocative questions, investigate the quality of government services and the people who deliver them, and report on the good and bad practices of government.

### Engaging Stakeholders

*Vanguardians* teaches the basics of watching government. From learning how to read government budgets to filing a Public Records request, our Watchdog Program empowers people to be informed, to oversee how their civic leaders identify and meet community needs, and to demand high performance in strengthening government policy and management.

### Getting Results

Building on its investigations, *Vanguardians* proposes and advocates for responsible change, new laws, and greater oversight practices. We share our findings – good and bad – using various communication and media tools – and engage the public in calls-to-action and other informed civic activities.

We need your help, especially in the coming election year....Sincerely, Barry Allen, Director

Vanguard archives are available by clicking – [Home Page of Open Government \(???\) in Glendale California](#)

People from all over LA County are asking for Vanguard and *Vanguardians* training. We are expanding our coverage of LA County activities to accommodate the needs of the community.

Vanguard opens its 'Shout Box' to Glendale News Press (GNP) letter writers whose letters regarding City Government issues, questions and criticisms are not being published by the GNP. Vanguard Editor Pauline Field received approval from the editorial advisory board to make this opportunity available to all stakeholders.

Your employee Association doesn't support you, DON'T support them. Instead, send your union dues to *Vanguardians* as allowed by the [Meyers-Milias-Brown Act](#) for LOCAL PUBLIC EMPLOYEE ORGANIZATIONS

Vanguard is following these lawsuits: the 5 GPD officers; Rodriguez; Gillespie; Hayn; Hunter; Mendoza.

The 9<sup>th</sup> Federal Appeals Court upheld the trial court ruling in favor of Ovasapyan. The cost to the taxpayers, including outside attorney fees should be about \$3M.

The cases cited are from the Randy Adams regime and continue under Chief DePompa.

## *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



- The [Ralph M Brown Act](#) mandates legislative bodies to provide each person an opportunity to speak and requires that agendas are posted and meetings are open.
- The [California Public Records Act](#) (PRA) is the tool to get information about the operations of government.
- The [Political Reform Act of 1974](#) allows public access to the financial reports of public officials.
- [www.maplight.org](http://www.maplight.org) to follow the money trail from special interests to the policy maker

To become more involved in your community, to learn how to use these important tools, you can call 818 243 1502

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**5**  **the Insider** is written by 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.



**Fire!** I read your piece on the fire department's new deputy chief position. A question that needs to be asked is, "who is qualified to take the test?" Currently they only have one internal candidate, Bob Doyle. The question is, is it ethical to obtain educational requirements for promotion while on duty? This is not a new practice. Many have gone to school while assigned to administrative assignments and obtained their BA or Masters Degree. He will cover and lie to say he took time off. Check the staffing records against his college classes. It is not right that he is the only one able to take the promotional exam, when he has had his hand in on establishing the promotional requirements for most of the fire department job positions.

Doyle is the master salesman. If you know him long enough, you see a person that is always selling the idea that he is the only one that runs the fire department. He tries to BS all who will listen including other city departments and city hall. We don't buy it. The fire department staffing program is called Telestaff. It should show the days that he took off to attend the classes. He is dishonest and would not use his leave time to attend the classes. Sad that they will hand him the number two spot without a challenge to his honesty and integrity. We don't agree he has the ability to manage the department. He is not liked by anyone in the union either. He only made \$250,000 last year with help from overtime.

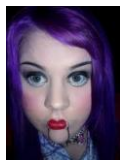
**Trouble in the cop shop.** City officials passed over the #1 candidate for promotion to Lieutenant, Sgt. Mardikian. Mardikian is already suing the City and may request the Court to name Chief DePompa as an individual. Some cops are questioning the wisdom of keeping the Nazi like structure and advancing personnel that fit that mold. Meanwhile on the Ovasapyan case they question the continuing cost of the case that with judgment, interest, plaintiff attorney and defense outside counsel is at a taxpayer expense of \$3,000,000. The two GPD investigators Grimes and Frank will be added to the Brady List, a list of police personnel that have either lied on the stand or violated the civil rights of another. Defendants that have been convicted through investigation and testimony of Grimes and Frank may have their cases reopened and dismissed at further cost to the taxpayers.



**Your employee Association doesn't support you, DON'T support them. Instead, send your union dues to Vanguardians as allowed by the [Meyers-Milias-Brown Act](#) for LOCAL PUBLIC EMPLOYEE ORGANIZATIONS**

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## 6 THE DENIZENS ON THE DAIS



Kudos to Council member Laura Friedman who actually admitted during the staff report on the DMV that she knows little about finances as her husband takes care of that. Friedman is one of five policy makers that are in charge of an \$800,000,000 annual budget who acknowledges her lack of financial acumen. Is there any wonder why the ship of state will go down under the weight of financial mismanagement?



"Grandpa, please tell the City Council that they can raise revenue by taxing the profits of the tooth fairy", said my 6 year old grand-daughter Tatiana.



*"You can't win an argument with a Moron, an Idiot, or a Political Bigot" Kraft*

The Lie-O-Meter moves from week to week showing the official telling the most outrageous lies.

When did it begin?

Weaver*	Quintero	Najarian	Drayman*	Friedman
1997	2001	2005	2007	2009

\* Drayman and Weaver terms end in April 2011



## 7 DAVIS VIEW OF THE WEEK

There were several big stories we followed both in our Court Watch Project and in the Davis Vanguard.



The city mishandled a Zipcar Contract and is basically lying to the Davis public about the contents of the contract. "On November 9, after defending the [Zipcar](#) program several times, the Vanguard learned that the staff knowingly put out a Fact Sheet that was at odds with the [Zipcar](#) Contract. The city staff allowed council to pass a contract when they knew there were problems with some of the language."

[Council Will Finally Close Loopholes in Zipcar Contract - Nearly Five Months after Approving Program](#)

Union Pacific wants to build a wall around a three-quarter stretch of track in Davis, the residents don't want it. The council is apparently powerless to stop it. Councilmember Sue Greenwald, the Council's representative to the Capital Corridor Joint Power Authority, talked about the lengthy JPA meeting last week. She said that the JPA has no authority in terms of the fence, and that they can only decide whether or not to finance it for Union Pacific who owns the tracks and the right of way. She told the Council and public, "No, whether or not we participated or whether the JPA would give funds, the railroad was going to do it. The question is just how much control we would have and how much cooperation in making it somewhat nicer." [Union Pacific Will Build Wall One Way or Another](#)

Water is a huge deal. The city is undergoing a \$325 million joint project with the neighboring city of Woodland that will more than double water rates. Now we find out there is a huge boondoggle of a deal with Tsakopoulos who is in the process of purchasing the property with the water rights the city is purchasing. [Historic Water Deal or Rate Jacking of Davis Residents?](#) [Troubling Tsakopoulos-Conaway Deal with County](#)

### Yolo Judicial Watch

There were two big stories; the first was our look into Yolo County cases covered in the Innocent Project's report on Prosecutorial Misconduct.

On October 5, 2010, the Northern California Innocence Project came out with a report, "Preventable Error: A Report on [Prosecutorial Misconduct](#) in California 1997-2009," that uncovered over 700 cases in which courts had found prosecutorial misconduct during an 11 year period. Of all of those cases, only six prosecutors were disciplined. The Vanguard has found four cases in [Yolo County](#): Racimo, Lindeman, Massey, and Morales. However a source indicates a fifth case might be added, which would be the case of Lawrence James Miranda was overturned because the prosecutor, then Deputy DA Jeff Reisig failed to disclose exculpatory evidence.

- [The Innocence Project Report on Prosecutorial Misconduct Flags At Least Four Yolo County Cases - Part One](#)
- [A Look at Prosecutorial Misconduct in Yolo County - Part Two](#)

Then there was the Galvan Trial, where officers beat two individuals, one of them nearly to death. One of whom is severely brain damaged and walking around with a 17 mm dent in his forehead. For their troubles, they have faced three trials for resisting arrest. All but one hung, that was the most recent case where one of the brothers was acquitted on one charge with the other charge against him hanging 11-1 in his favor. The other brother, each of the four charges hung 7-5 in his favor.

Nevertheless, the DA is trying it a fourth time, much to the anger of the defense attorneys.

- [DA Will Attempt to Try Galvan Case yet another Time](#)

Here we talk to McGeorge Law Professor Michael Vitiello about the case:

- [Fourth Trial May Be Unprecedented and Raises Troubling Concerns](#)

David M. Greenwald, Executive Director, [The People's Vanguard of Davis](#)

## **8** Bell Ringer

The LA times reported a grim look into the finances of the small town southeast of Los Angeles. The heavy load of a legacy that is called Robert Rizzo and his court of irresponsible council members that shined on the people and ignored their fundamental obligation: to protect the city. Intensely notable in the Times report is the budget load by the Police Department. The police department took down and harmed the very people it was sworn to protect. On paper it has proven that it will take down the entire city.

That's why the Bell POA went ahead and crafted BASTA, a Astor-Trust movement, through their paid consultants, Leo Briones of Centaur Communications, and Bell Gardens, disgraced from academia Cristina Garcia. So hungry is the police department to save itself, the POA membership doubled its fees this month to feed its lobby-gorilla and the big fat, white elephant in the community. The POA rallied to pressure the corrupt council members for a contract and when that did not work, forced innocent residents to believe that a recall was the solution. In fact, the recall was good to recall just one of the council members. Further, to gain the upper hand in the upcoming elections, the POA through their gorilla in the community, BASTA, allowed other potential candidates to enter the race. And here is how: first, be the proponents of the recall. Second, agree with the interim city manager, Pedro Carrillo, to consolidate the elections and ignore the city's charter prohibiting one not registered to vote 60 days prior to the approval by council. So sinister is the plan, that one can suspect that council delayed the vote just enough to get their outside candidates to run.

With all this mess and potentially no money to run the city, who would want to be on council? At today's count, it's 34 candidates for a potential five seats. This is unprecedented.

Here is the breakdown occurs on March 8<sup>th</sup> 2011. There will be three elections: a general election for three seats, a special election for the lone council member that resigned to save his church and the unfaithful, and a special recall election for the stubborn and short tempered Teresa Jacobo. An informant indicates that the LA Times is working on a story that will uncover the fraudulent cancer walk Teresa Jacobo and the City of Bell would sponsor.

The deadline for the general election passed on the 10<sup>th</sup>. The city clerk, herself receiving illegal loans, reports that 10 candidates have been certified by the county as official candidates. The round down of those names can best be categorized as candidates for the community, for the POA (BASTA), outsiders (carpetbaggers), unknowns and the incumbent, Lorenzo Velez. Velez was voting along the same lines with his council friends until his friends were caught with their hands in the "money jar". In this town, its theme was "cookies for the residents and money for us".

The [LA Times](#) reports that the POA has no contract and that the City has been making overtures to the LA County Sheriff to take over policing at a significant savings.

December 22 will reveal the rest of the candidate for the remaining two seats. This is the deadline to submit nomination papers. So far (there is still time for those brave ones), there are 24 potential candidates for the two seats.

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