

**Neighborhood Council  
&  
Los Angeles  
Department of Water and Power**

**Memorandum of Understanding**

CHAIRPERSON  
Karl Fenske

VICE CHAIRPERSON  
Soledad S. Garcia

SECRETARY  
Katy Carlson

COMMUNICATIONS/OUTREACH  
Michael N. Cohen

AT-LARGE MEMBERS  
Lula Bishop  
Ken Draper  
Peter Parrish  
Paul Reznik  
Brady Westwater

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**OVERSIGHT COMMITTEE**  
**An Assembly of Elected Neighborhood Council  
Representatives**

**EXECUTIVE COMMITTEE MEETING**  
**MINUTES**  
**Wednesday, November 16, 2005**  
**5:51pm – 7:00pm**

1. Welcome (Karl Fenske, Executive Committee Chair)
2. Roll call: Present: Karl Fenske, Soledad Garcia, Michael Cohen, Ken Draper, Peter Parrish, Paul Reznik, Brady Westwater. / Excused: Katy Carlson. / Absent: Lula Bishop. / Guest: Paul Wang
3. New Executive Committee Business
  - A. Set date and time for Executive Committee Meetings -  
Karl Fenske suggests the 3<sup>rd</sup> Thursday of the month 5:30PM at DWP. Members discussed the possibility of having the meeting occur via tele-conference. Paul Wang agrees to look into setting that up for the next meeting. Members agree to the 3<sup>rd</sup> Thursday of the month at 6:30PM via telephone
  - B. Michael Cohen – Discussion on how the Executive Committee will measure the success of the memorandum or understanding and the partnership with LADWP.  
Committee Members discussed the previous reservation to USC's involvement with the process related mainly to the measure of public versus private discussions and negotiations. General agreement that it would be ok to have USC involved at this point to observe the process. Discussion of goals. Some members considered the MOU a success already due to the amount of information sharing and notice being provided NC's and the expectation that the NC's should be notified. Mr. Wang noted that the USC folks interviewed him about the progress of the MOU and he shared with them many success stories related to the providing of information and directing NC's reps to the appropriate person within LADWP to answer their inquiries. Also, related a discussion he had with the Real Estate Director at LADWP about notice needing to be provided to NC's prior to changes in LADWP property uses.
  - C. Soledad Garcia – Discuss executive committee members duties related to the following:
    - i. City Council / DWP Commission Meetings Liaison – Ken Draper and Brady Westwater agreed to provide reports to the committee about noteworthy events and information at these meetings. If anyone wants to assist them they are welcome to contact them.
    - ii. Alternative Power Liaison – Peter Parrish agreed to be the point person in the committee for these concerns and to report back to the committee in relation to issues affecting the alternate power policy at LADWP
    - iii. State Legislative Liaison – Brady Westwater agreed to cover this area and provide information to the committee regarding state issues that may have a local effect
  - D. Soledad Garcia – Discuss creation of committees  
Committee members expressed a lack of interest in creating committees to cover the areas noted above. They would rather select people to assist them.
  - E. Karl Fenske – Discuss formulation of Conflict of Interest Policy - Withdrawn

***The Executive Committee will discuss the placement and handling of items for the agenda of the Oversight Committee meeting on November 19, 2005***

#### 4. Old Business

Committee discussed the status of the response to the letters which dealt with items C, D, & E Paul Wang Provided updates that would be contained in the meetings agenda and are noted below – remaining agenda items accepted.

- A. Status of response to letter sent to Mr. Deaton
- B. Status of response to letter sent to the City Council
- C. Status of water rate increase – NC's would be given 90 days to respond to any proposal
- D. Status of independent DWP audit – NC's would get the information as soon as it was available – it is a prerequisite to the rate increase would probably be out in a month.
- E. Status of seven area DWP liaisons to the neighborhood councils – Paul would be interviewing liaison's on 11/17/05 and plans on hiring 3 people. Considers this an appropriate number given the number of NC's involved.
- F. A Reminder (Karl Fenske) – All signatory neighborhood councils must notify the LADWP of items on their agenda related to LADWP and forward any passed motions to Paul Wang (213) 367-1327 - Paul.Wang@ladwp.com
- G. Discussion of SOP with members as it relates to conflict of interests
  - i. Conflict of Interest: Members of the Oversight Committee shall be subject to the conflict of interest principles set forth in Section 200A of the City of Los Angeles Conflicts of Interest Code. Only for purposes of determining how Section 200 applies to their participation in the Oversight Committee, members of the Oversight Committee shall be considered "City officials."
    - 1. A member of the Oversight Committee must disqualify himself or herself from making, participating in making, or attempting to use his or her official position to influence any decision when it is reasonably foreseeable that the decision will have a "material financial effect" (as defined in Section 504 of this Code by the applicable regulations of the Fair Political Practices Commission), on a economic interest. No member of the Oversight Committee shall be required to disqualify himself or herself if the effect on the economic interest is not distinguishable from its effect on the public generally or on a significant segment of the public as defined in the applicable regulations of the Fair Political Practices Commission. No member of the Oversight Committee shall be required to disqualify himself or herself with respect to any matter that could not be legally acted upon or decided without his or her participation.

#### 5. New Business

- A. Motion (Karl Fenske) – Oversight Committee Meetings - In an attempt to allow each neighborhood council to review the actions of its elected representative and allow each neighborhood council a voice on the oversight committee whether they are able to attend the meetings the following motion is submitted:
  - i. That the Oversight Committee number each of its motions based upon date and number on agenda
  - ii. That each meeting of the Oversight Committee may consist of live discussions of a motion and recess discussions online
  - iii. That a vote on each motion will remain open until the moving party calls for a count at which time all votes on motions will be counted – or upon all signatory neighborhood council representatives voting on the item
  - iv. That each member neighborhood council's representative to the oversight committee may submit their vote via fax if they are unable to vote during the live discussion
    - 1. The fax should contain the agenda item number, the neighborhood council the person represents, their vote and the signature of the representative
- B. Motion (Soledad Garcia) - Establish 7 District Area NC Alliances.
- C. Motion (Peter Parrish) Modify MOU
  - i. That LADWP recognize the Solar Program as a "major customer program" with "significant changes" planned for FY2005-06 compared with FY2004-05 and provide notification stipulated in the MOU.
  - ii. That LADWP continue funding the Solar Incentive Program with one-half of the budget allocated to the Small category, and with enough funds to pay for rebate obligations incurred in FY2004-05 as well as \$7.0M to pay for new applications in FY2005-06.
  - iii. That LADWP provide information justifying the inclusion of the LADWP Installed Solar Photovoltaic Projects within the Solar Program as opposed to a "solar carve out" of the \$950M Power Systems Capital Improvement bond measure.
- D. Set date and time for next Oversight Committee meeting

#### 6. Adjourn