



GREATER GRIFFITH PARK NEIGHBORHOOD COUNCIL
"Your Neighborhood. Your Voice. Your Council"

PO Box 27003
Los Angeles, CA 90027-0003



CERTIFIED COUNCIL #36

November 16, 2010

Councilman Tom LaBonge
Los Angeles City Hall
200 North Spring Street, Room 480
Los Angeles, CA 90012

Dear Councilman LaBonge,

On October 19, 2010, the Greater Griffith Park Neighborhood Council (GGPNC) voted by consensus to strongly endorse the creation of a rate payers advocate position at the DWP as outlined in the "term sheet" (attached) and as supported by the Los Angeles Neighborhood council coalition.

Sincerely,

Ron Ostrow, President GGPNC
Cc: Jessica Kornberg, Secretary
Jack Humphreyville
GGPNC Governing Board

Ratepayers Advocate Term Sheet

Role

The Office of the Ratepayers Advocate (the “Ratepayers Advocate”) will review and analyze the operations, finances, and management, of the Department of Water and Power as well as other matters not explicitly excluded from its role.

Such review and analysis will be done on a timely and continuous basis.

In addition to all matters relating to rates and the reliability and quality of service, the Ratepayers Advocate would have the right to review and analyze, among other matters, DWP’s credit rating; its long term strategy; the Integrated Resources Plan; the Urban Water Management Plan; the Recycled Water Master Plan; the state of its infrastructure and information technology systems; its Customer Relation Management systems; the implementation of the recommendations of the IEA Survey and Independent Fiscal Review; the efficiency of its operations; its procurement, contracting, and inventory policies; its relationship with the City and its departments; and all material contracts, including those with the Metropolitan Water District and its unions.

The Ratepayers Advocate will not set rates or policy, will not select the General Manager or any Commissioner, and will not determine the Transfer to the City, but may review, analyze, and comment on such matters. The Ratepayers Advocate will not make management decisions. The Ratepayers Advocate is not required to review individual customer complaints, but may so at its discretion.

The Ratepayers Advocate will not have the subpoena and prosecutor powers of an Inspector General; provided, however, that DWP provides the Ratepayers Advocate with all requested information on a timely basis.

The Ratepayers Advocate will have a “seat at the table” at any meeting of the Board of Commissioners or any of its committee and at any City Council meeting or any of its committees when the DWP is being discussed. The Ratepayers Advocate will be given equal time.

The DWP will cooperate fully with and assist as necessary the Ratepayers Advocate.

The Ratepayers Advocate will be a source of objective information for Ratepayers, the City Council, the Mayor, and other City officials and stakeholders.

Funding

The DWP will provide funding equal to 0.1% of annual revenues, payable quarterly in advance. Funds not used may be accumulated, but shall not exceed 0.3% of annual revenues.

Additional funds may be required based upon extraordinary requests by DWP or elected officials or their representatives. Such additional funds must be approved in advance by DWP.

Reporting

The Ratepayers Advocate will not report to any elected official or body consisting of elected officials or appointed by elected officials. The Controller, the City Council, the

Mayor and the Mayor's office, the City Administrative Officer, the Chief Legislative Analyst, the DWP Board of Commissioners, and Neighborhood Councils are therefore not eligible.

The Ratepayers Advocate will report to the Ratepayers Advocate Board of Commissioners on a frequent basis.

The Ratepayers Advocate Board of Commissioners will consist of five independent members: two homeowners, two from the business community, and one from the rental community.

Commissioners may not be a city, county, or state employee, consultant, lobbyist, or contractor, or any of their employees or union members; any elected politician (or candidate) who has been in office during the last 10 years; and any officer, past or present, of any political party.

Commissioners will be residents of Los Angeles and DWP customers whose obligations are current.

Commissioners will be chosen by the Mayor from a pool of qualified candidates determined by the Neighborhood Councils, the business community, and the multifamily community, subject to the approval of the City Council. There will be three candidates for each position.

Qualified candidates must demonstrate a level of knowledge and/or experience of large organizations, finance, management, and/or engineering.

The Commissioners will serve five year staggered terms. However, the initial commissioners will serve terms of one, two, three, four and five year terms. Commissioners may not be removed unless the removal is approved by the mayor and at least 11 Council Members.

The Commissioners will approve the selection of the Executive Director of the Ratepayers Advocate.

Commissioners will be consulted on the hiring of staff and any consultants.

The Executive Director may be removed if approved by four of the Commissioners and confirmed by the Mayor and a majority of the City Council

Ratepayers Advocate

The Executive Director of the Ratepayers Advocate will have the necessary expertise and experience to lead an organization charged with fulfilling the role of the Ratepayers Advocate.

The City will retain a qualified executive recruiter to assist the City in finding a qualified candidate.

Outreach

The office of the Ratepayers Advocate will maintain a fully functional website where it will post its findings on a timely basis.

The Ratepayers Advocate will meet at least six times a year with the Neighborhood Councils and other ratepayers in an effort to keep them fully informed about past, current, and future policies of the DWP, especially as it relates to rates and quality and reliability of service.

Location

The location of the Ratepayers Advocate will be determined by the Executive Director in consultation with the Commissioners.

Budget

The Executive Director will prepare an annual budget to be approved by the Board of Commissioners.

The Executive Director will also prepare a multiyear budget.

The compensation of the Executive Director and her/his staff will need to be adequate to attract personnel from the private sector that have the requisite skills.

The Ratepayers Advocate will be required to fund only the normal costs related to pensions and medical benefits.

Charter

The Ratepayers Advocate will part of the City Charter if approved by a majority of the voters in the March 2011 election.

There will be no sunset provisions.

The Ratepayers Advocate will not be subject to the competitive bidding policies of the City.