



COUNTY OF LOS ANGELES

**REGISTRAR-RECORDER/COUNTY CLERK**

12400 IMPERIAL HWY. – P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024/(562) 462-2716

**CONNOR B. McCORMACK**  
REGISTRAR-RECORDER/COUNTY CLERK

April 23, 2002

**TO:** EACH SUPERVISOR

**FROM:** Conny B. McCormack, Registrar-Recorder/County Clerk

**POSSIBLE RECALL ELECTION IN THE CITY OF SOUTH GATE AND  
THE ROLE OF THE BOARD OF SUPERVISORS AND RR/CC**

It is likely that the State legislature will request your approval for temporarily transferring election administration authority from the City of South Gate to the Registrar-Recorder/County Clerk (RR/CC) for the purpose of conducting potential recall elections in the city. This unprecedented legislation is being drafted at the request of the Secretary of State in response to concerns regarding election fraud if the City were to conduct these elections. Legislation is required because there is no provision in State law for overriding city authority over elections.

All but a handful of the cities in Los Angeles County conduct their own municipal elections. A few City Councils have chosen to consolidate their election dates with regularly scheduled County elections (such as Alhambra, Downey and Santa Monica for the upcoming November 5, 2002 General Election). In those instances, in accordance with State election law,<sup>1</sup> the City Council requests Board approval for election services. The same law provides that the City shall pay for those election services.<sup>2</sup> All requests for consolidation are submitted to you for approval, and the RR/CC has asked the Secretary of State to include this decision-making authority in the legislation currently being drafted, so that it is consistent with existing State law. The RR/CC does not make decisions about which jurisdictions consolidate; this authority to accept or reject such requests has always rested with the Board.

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<sup>1</sup> Elections Code Section 10002: "The governing body of any city of district may by resolution request the board of supervisors of the county to permit the county elections official to render specified election services to the city or district relating to the conduct of an election. Subject to the approval of the board of supervisors, these services shall be performed by the county elections official."

<sup>2</sup> EC § 10002: "Unless other arrangements satisfactory to the county have been made, the city or district shall reimburse the county in full for the services performed upon presentation of a bill to the city or district."

As is evident from a barrage of recent media coverage, there are serious issues regarding potential recall elections of four Councilmembers and the City Clerk in South Gate. The California Secretary of State has been working for some months to move the responsibility for conducting these elections to the RR/CC because of the fraud concerns cited above and documented in a number of the attachments to this memo.

The RR/CC takes no position on the issue of whether the City should be forced to cede election administration authority to the County. Due to Superior Court involvement in these matters, the current status of all recall petitions is "on hold". Court action in early April essentially delays any action on these petitions to mid-May at the earliest.

If election responsibility is transferred to the RR/CC, either through judicial or legislative action, our Department has the capability to provide services to the voters of South Gate. Our chief concern is the potential financial burden of providing services against the will of the elected officials of the City. It is important that a clear mechanism be in place for compensating the County for any election work performed. A related financial concern is that the tensions and accusations in South Gate (amply demonstrated in attached media coverage) dictate that City elections will require extraordinary measures on the part of RR/CC to insure not only the integrity of the process but also the physical safety of staff members and pollworkers.

Following is a brief summary of recent events regarding the City of South Gate. Items for which documents are attached are starred (\*).

### **Background/Event Chronology**

\* **12/3/01** – Elected City Clerk Carmen Avalos wrote to RR/CC requesting our assistance in overseeing elections in South Gate or conducting them. Ms. Avalos also wrote to the Secretary of State, District Attorney, State Senator Martha Escutia and Assembly Member Marco Firebaugh.

\* **12/19/01** – RR/CC responded to Ms. Avalos explaining that the RR/CC does not normally conduct municipal elections unless the City Council requests consolidation with a regularly-scheduled County election.

**January 2002** – South Gate City Council barred City Clerk Carmen Avalos from performing election administration duties and appointed attorney Julia Sylva to post of "Elections Official" for the City.

\* **1/17/02** – The Secretary of State held a press conference in South Gate, stating that he will monitor the electoral process in the City and will force the City to hand over election duties to RR/CC if problems are not corrected.

\* **1/17/02** – Secretary of State Bill Jones wrote to Julia Sylva directing her to report weekly to his office detailing her processing of recall petitions.

\* **1/23/02** – LA County District Attorney's Office conducted a raid of homes of South Gate Treasurer Albert Robles and Councilmember Maria Benevides.

- \* **2/11/02** – South Gate City Council considered and rejected a motion to reinstate the elected City Clerk to act as the City's election official.
- 2/20/02** – RR/CC received three Declarations of Intent to Recall petitions for processing from Alli Hunter, City of South Gate.
- \* **2/21/02** – RR/CC wrote to South Gate Elections Consultant Julia Sylva clarifying the Department's position with respect to acting as the elections administrator for City special elections and outlining the legal and financial conditions under which the RR/CC would conduct such elections.
- \* **2/28/02** – Secretary of State issued an order to the City of South Gate to either restore election duties to elected City Clerk or to contract with RR/CC for election administration.
- 3/18/02** – SOS filed declaration with Los Angeles Superior Court (re: Ruiz v. Avalos et al) reiterating their position that RR/CC should conduct elections for the City.
- 3/18/02** – Superior Court ordered City of South Gate to bring all petitions seeking a recall election to the RR/CC for safekeeping during processing.
- 3/21/02** – Recall petitions received by RR/CC for Raul Moriel, Mayor, Albert Robles, City Treasurer and Maria Benavides, Council Member. Petitions were placed in a locked room. No petition verification process has begun.
- 3/25/02** – City Council rejected SOS demand for RR/CC to conduct City elections.
- 3/25/02** – Recall petition received by RR/CC for Xochilt Ruvalcaba, Vice Mayor.
- 3/29/02** – Court of Appeals agreed to review South Gate election litigation.
- \* **4/5/02** – South Gate Treasurer Albert Robles was arrested for allegedly "making murderous threats" against Assemblyman Marco Firebaugh, State Senator Martha Escutia, and a South Gate police officer.
- \* **4/5/02** – SOS repeated order for South Gate to transfer election authority to County.
- \* **4/11/02** – Robles was released on \$500,000 bond. The FBI revealed that it has opened a political corruption investigation in South Gate.
- 4/18/02** – SOS Chief Counsel reported to RR/CC that SOS is working with several state legislators to draft legislation to require South Gate to have County's RR/CC conduct South Gate recall elections that may be held in 2002/03.

### **Financial Considerations**

As mentioned above, in a "normal" or routine situation, a City Council that wishes to contract with the County to provide election services submits a request in the form of a resolution to the Board of Supervisors. Contained in these routine resolutions is a commitment on the part of the City Council to pay for such services, whether support for a City-conducted election or the consolidation of a City election with a regularly scheduled County election. The Board then has the legal right to accept or decline the City's request.

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In a February 21, 2002 letter to South Gate Elections Consultant Julia Sylva, the RR/CC outlined the legal and financial conditions<sup>3</sup> under which the RR/CC would conduct any special recall elections in the City. To date, this letter has received neither an acknowledgement nor a response.

The City of South Gate presents a unique challenge because a majority of its current elected Councilmembers has clearly and repeatedly indicated that they do not wish to cede election authority to the County. If the SOS is successful in its drive to force the issue, it is likely that the same City Council majority will balk at paying for services they did not wish to receive in the first place. For this reason, it is our understanding that the legislation currently being crafted in the State legislature will include some type of provision enabling the County to apply for reimbursement of costs incurred in the conduct of these legislatively mandated elections. No specific language has yet been drafted and the SOS is still in the process of internal discussion on this issue.

### **Current Status**

The exact form of the proposed legislation is unknown. It is unclear in what role the legislation would cast the Board of Supervisors, nor do we know at this time how the issue of compensation for election services will be addressed.

We will keep you informed as events unfold.

c: County Counsel  
CAO

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<sup>3</sup> Financial conditions included the RR/CC receiving partial payment in advance for the estimated cost of the special elections and the inclusion of a provision in either a City resolution or SOS legal order a provision assuring that the RR/CC costs for conducting these special elections will be fully reimbursed to the County.



CARMEN AVALOS  
CITY CLERK

# City of South Gate

8650 CALIFORNIA AVENUE • SOUTH GATE, CA 90280-3075 • (323) 563-9510  
FAX (323) 563-5411

Honorable Connie Mc Cormick  
LA County Registrar Recorder/County Clerk  
12400 Imperial Hwy  
Norwalk, CA 90650

December 3, 2001

**RE: Support**

Dear Mrs. Connie McCormick,

I am writing to you to please assist our city in the upcoming Special Elections. I am coming to you because as the elections official in the County of Los Angeles, I feel our city would be best served by the services the county can render to the citizens of South Gate.

Our city has been plagued with more than it's share of ugly political campaigns and many irregularities in the past recent elections. Unfortunately, I have been a target of some of these incidents in our city. Currently I have been served with a Notice of Intention to Recall me. As the elections official in my city I will not be able to conduct the upcoming Special Election. I know that the community would like to see someone who is fair and neutral to come in and oversee or conduct the election.

I am requesting that you perhaps assist us in overseeing the elections in our city or even conducting them. If it is not possible due to the work load your office already has then I would ask that you please assist me in writing a letter of support from you and your office on behalf of the citizens of the city of South Gate. I have asked the Secretary of State to assist our city in restoring fair and equitable elections and to oversee the process in the upcoming Special Elections in South Gate. Our city has unfortunately experienced many problems in the past and continues to have much political turmoil.

I have included a copy of the letter that I sent to our Secretary of State Bill Jones, making a plea for his assistance and that of his office. As a public servant I find myself in a difficult position. As a result of trying to work in the best interest of my community, I am now a target for a recall.



# City of South Gate

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FAX (323) 563-5411

CARMEN AVALOS  
CITY CLERK

I took an oath to serve the people of this community and I owe the people of my city to work for them and they are the reason I am writing this letter. We need your help in showing your support to assist me in getting the attention of our Secretary of State to truly listen to the concern of the South Gate community. I would urge you to please consider writing a letter in show of your support for the citizens of South Gate to have the Secretary of State's intervention in this matter.

If you feel that there are other ways you or your office might help please call me and let me know. Thank you very much for your time and cooperation in helping the people I love and work for.

Sincerely,

Carmen Avalos  
City Clerk

cc: Senator Martha Escutia  
District Attorney's Office  
Assembly Member Marco Firebaugh



# City of South Gate

8650 CALIFORNIA AVENUE · SOUTH GATE, CA 90230-3075 · (323) 563-9510  
FAX (323) 563-5411

CARMEN AVALOS  
CITY CLERK

December 3, 2001

Honorable Bill Jones,  
Secretary of State  
1500 11<sup>th</sup> St  
3<sup>rd</sup> Floor  
Sacramento, CA 95814

Dear Honorable Secretary of State Bill Jones,

I am writing to you because I am very concerned about some of the problems we have had in local election here in my city of South Gate. I am requesting that your office come into our city to oversee that the right of the people as voters is respected. Our community has lost trust in the democracy that this great country represents, as a result of the dirty politics that have plagued our community.

I spoke to you about this issue at the June 2001, NALEO conference that I had the privilege of meeting you. I received a call from your chief counsel Mr. Bill Wood, in July to discuss some of these issues.

Please consider my distress and help alleviate some of my worries for my city, my home, and my South Gate people. As a concerned mother, teacher, and now elected city clerk, I ask you to help. See how many acts have occurred in my city within the last year and most recently. I have included some of the newspaper articles that have appeared in the LA Times and other local papers, to give you a scope of what is happening in our city.

Please help the public I serve in this city have some faith in the system that we so tenaciously try to protect. As an example as to why I ask for your assistance please consider these incidents that I find extremely disturbing. In 1999 our then Mayor Henry Gonzalez, was shot under suspicious circumstances after a council meeting, and most recently a former council candidate was found guilty on seven counts of election fraud. In addition recent candidate for the office of City Treasure had his business fire bombed this past month. The community views these acts as a threat to their civil rights.

Once again I ask for you assistance. I know how extremely busy you are with your upcoming elections, however my community needs you too. As the highest ranking official in the position to oversee elections, I ask you to assist our city and rescue our citizens from what may be another politically ugly recall election.



# City of South Gate

8650 CALIFORNIA AVENUE • SOUTH GATE, CA 90280-3075 • (323) 563-9510  
FAX (323) 563-5411

CARMEN AVALOS  
CITY CLERK

Bill, I come to you for safety because I am serving in the best interest of my South Gate community. I have put my trust in you and know that you will not turn your back on the same people whom you took an oath to serve.

I am but one person trying to make a difference for the hard working families in this community and I will continue to lobby on their behalf, because they have put their trust in me to serve them. Our city is in crisis and I want you to listen.

Again, I make my plea to you, and ask that you please have your office oversee the election process to make certain that the irregularities that have happened in past elections do not continue to occur.

Lastly, I'd like to say that letter is not typically the sort your office receives but it is certainly one written with a lot of love for the people I serve and represent. Thank you for your time and consideration. I look forward to hearing from you.

Sincerely,

Carmen Avalos  
City Clerk

cc: Bill Wood- Chief Counsel  
Governor Gray Davis  
Lt Gov. Cruz Bustamante  
Bill Lockyer-Attorney General  
Steve Cooley -LA District Attorney's Office  
Connie McCormick- LA County Registrar Recorder  
Senator Martha M. Escutia  
Marco Firebaugh- Assembly Member

SECTION

B

## CALIFORNIA

Los Angeles Times

## Candidate's Next Real Address May Be Jail

**Election law:** A former South Gate City Council hopeful is found guilty of lying about his residence, in a victory for D.A.'s new public integrity unit.

By RICHARD MAROSI  
TIMES STAFF WRITER

A former candidate for the South Gate City Council was found guilty Tuesday of lying about where he lived in order to qualify for the ballot.

The conviction of Richard Mayer on seven felony counts, including three of perjury, marks the first court victory for Dist. Atty. Steve Cooley's public integrity squad. Prosecutors viewed it as a strong indicator of the public's willingness to convict officials—or would-be officials—charged with wrongdoing.

"We were concerned that although the district attorney has made [pursuing political] corruption a priority, we weren't sure how jurors would feel," said David Demerjian, the unit's chief prosecutor.

Mayer, who faces a possible seven-year prison term, was ordered to return to court for his sentencing in January. His attorney, Harland Braun, said he would appeal.

Mayer admitted he didn't live at the South Gate address he provided on election forms, but argued that he didn't knowingly lie because he believed he had the right to a "political address."

That argument was dismissed as preposterous by many in the working-class community in Southeast

Please see LIE, B8

# LIE: Candidate Guilty of Using False Address

Continued from B1

Los Angeles County, where Mayer's true residence in Boyle Heights was a long-known open secret.

"The system does work," said Joseph Ruiz, a resident and former council candidate. "It works slowly, but it does work, and it gives the residents of South Gate hope."

Word of Mayer's conviction spread rapidly through South Gate, but the reading of the verdict Tuesday afternoon took place in an almost empty courtroom and with little drama. Mayer betrayed no emotion when the court clerk read the verdict, and the whole session was over in about 10 minutes.

Mayer was arrested earlier this year after a South Gate police probe determined that he had given a false home address to qualify for the city election in November 2000. He came in third in a field of four candidates.

Mayer, 49, who has described himself as a health care consultant, admitted that he claimed a three-bedroom apartment on Southern Avenue as his home address. The home's occupant, Willebaldo Morales Arroyo, testified that Mayer told him he would never have to worry about work if he let Mayer list the home as his residence.

Arroyo, who was not charged in the case, also testified that Mayer had never slept at the apartment.

Braun, in his defense of Mayer, referred to national politicians who didn't live full time in the states where they later ran for office. One of his examples was Democratic Sen. Hillary Rodham Clinton, who was accused of being a carpet-bagger when she ran for office in New York.

Braun also tried to argue that a

law allowing state and congressional leaders to list their voter registration addresses as their main place of residence should apply in Mayer's case.

But prosecutors dismissed that argument, saying the law is needed for state and congressional politicians because they maintain residences in Sacramento or Washington.

Besides, prosecutors said, Mayer never tried to establish any residence in the city.

"What does it say to the citizens of South Gate if he didn't even want to live there?" said Deputy Dist. Atty. Marcia Daniel, the lead prosecutor on the case.

The Mayer case was one of the first brought by the public integrity division, formed this year. Since then, prosecutors have alleged that Huntington Park Councilwoman Linda Luz Guevara lied about her place of residence.

Guevara surrendered to authorities in September after being charged with perjury for signing council nomination papers stating she lived in Huntington Park when, authorities say, she lived in Downey.

Guevara, a two-time councilwoman, has denied the allegations.

Prosecutors have launched a similar probe against West Covina school board member Peter Sabatino Jr., whose home and truck were searched last month by investigators.

Sabatino Jr. has denied allegations that he lives at the Downey house he bought in 1996. Sabatino, a 13-year school board member re-elected this month, said he lives in a home owned by his mother in the West Covina school district.

## South Gate City Council Foe Says He Is Target of Political Arson Fire

By RICHARD MAROSI  
TIMES STAFF WRITER

Molotov cocktails were thrown early Monday at the business of a South Gate political activist involved in a fiercely contested voter recall effort.

The fire destroyed one van and damaged another at the plumbing business owned by Joseph Ruiz. A second firebomb failed to ignite after being thrown at the front door of the building.

"It's definitely arson," South Gate police Lt. Vincent Avila said.

City police are investigating with assistance from the Los Angeles County Fire Department's arson squad. The building was empty when the bombs were thrown about 3 a.m.

If the fire is deemed to be politically motivated, it would mark a dramatic escalation in the vicious struggle for power in the working-class city.

Ruiz said he didn't know who was behind the attack, but said his outspoken views had earned him many political foes. "The only people who could want to do this against me are my political enemies," he said.

Ruiz is an opponent of the three-member City Council majority and City Treasurer Albert Robles. At a recent public meeting, he served the council majority with voter recall papers.

Robles and Mayor Raul Moriel were not available for comment.

Monday's arson fire took place as organizers prepare to gather signatures to force a recall election.

Police say two Molotov cocktails

were tossed at the business on Otis Street.

Police found two other Molotov cocktails and rubber gloves at a nearby building.

Ruiz, a longtime activist who has run unsuccessfully for public office three times, is no stranger to the city's rough brand of politicking. During recent elections, he has been falsely accused in campaign fliers of being a child molester.

Ruiz wouldn't be the first political figure in South Gate to be the target of violence. In 1999, then-Mayor Henry Gonzalez was shot in the head by an assailant in a crime that has not been solved.

Gonzalez, who suffered only a superficial wound after the bullet grazed his head, is now one of two council members who opposes the three-member majority.

"I just hope it's not tied to the recall campaign," Gonzalez said. "Joe presents the recall papers. All of a sudden—boom, boom, boom."

A4 WEDNESDAY, NOVEMBER 14, 2001

## Ex-candidate convicted

**South Gate: Jury finds Richard F. Mayer guilty of lying about residence.**

LOS ANGELES — A former South Gate City Council candidate was convicted Tuesday of seven criminal charges for lying about where he lived during the election campaign.

A Los Angeles Superior Court jury spent two days deliberating before finding Richard F. Mayer guilty of three counts each of making a false declaration of candidacy and perjury by declara-

tion and one count of subornation of perjury by declaration.

Mayer, 49, of Los Angeles, faces a possible maximum term of seven years in state prison when he is sentenced Jan. 11.

Mayer ran for the South Gate City Council in March 1999, March 2000 and November 2000.

Evidence presented during his trial showed that Mayer did not live in South Gate when he was running for the council, even though papers he filled out and signed said he lived in an apartment in that city, according to

prosecutors.

"Mayer's only nexus to that location was his occasional visits to pick up mail sent from the South Gate (city) clerk's office because he claimed that address as his residence on his nomination papers," said Deputy District Attorney Marcia Daniel.

Mayer was the first person charged by District Attorney Steve Cooley's new Public Integrity Division in February and was indicted on the same charges two months later.

— City News Service

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Thursday, November 15, 2001

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## Mayer convicted of perjury

*From Staff and Wire Reports*

**SOUTH GATE** — Twice Richard Mayer ran for City Council here and lost.

Tuesday he lost again, this time in a court of law, when he was convicted of seven criminal charges for lying about where he lived during those election campaigns.

A Los Angeles Superior Court jury

spent two days deliberating before finding Mayer guilty of three counts each of making a false declaration of candidacy and perjury by declaration and one count of subornation of perjury by declaration.

Mayer, 49, whose real address is in Boyle Heights, faces a possible maximum term of seven years in state prison when he is sentenced Jan. 11.

Mayer ran for the City Council in

March 1999 and November 2000.

Evidence presented during the trial showed that Mayer did not live in the city when he was running for the council, even though papers he filled out and signed claimed he lived in an apartment in that city, according to prosecutors.

Evidence also showed that Mayer

**Please see MAYER on A-2**

## MAYER: Convicted of perjury

**MAYER from A-1**

got permission from the apartment manager to use the address for "political purposes."

"Mayer's only nexus to that location was his occasional visits to pick up mail sent from the South Gate (city) clerk's office because he claimed that address as his residence on his nomination papers," said Deputy District Attorney Marcia Daniel.

His lawyer, Harland Braun, said he would appeal the conviction.

Braun argued during the trial that Mayer had the right to a

"political address," much like Hillary Rodham Clinton did when she chose to run for the U.S. Senate from New York.

Mayer was the first person charged by District Attorney Steve Cooley's new Public Integrity Division in February and was indicted on the same charges two months later.

Another local official, Huntington Park City Councilwoman Linda Luz Guevara, is facing similar charges.

She was arrested in September for allegedly lying about her place of residence on nomi-

nation forms in that city.

A preliminary hearing in that case was supposed to begin yesterday.

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MAYWOOD, SOUTH GATE AND  
THE CITY OF COMMERCE

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Vol. 72 • No. 45

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Thursday, November 8, 2001

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## Power Plant Bid Dropped

By ARNOLD ADLER  
Staff Writer

**SOUTH GATE** — Developers of the proposed Nueva Azalea Power Plant have formally advised the state Energy Commission that they want to withdraw their application for the controversial project.

The formal request came Tuesday from the firm of Fitzgerald, Abbott and Beardley, Oakland attorneys representing the developers, EM-One Power Station, LLC, based in Vernon.

The surprise announcement comes just a couple of weeks after the commission granted the company's request to continue plans for the project through the month of December. Their previous six-month extension ended in September.

Downey City Manager Gerald Caton, whose city opposed the proposed plant, said Tuesday "we are very happy they have withdrawn the request. We were gearing up to do battle with our public relations consultants.

"Any new effort would require the developers to start from scratch but we can't rule that out. We will remain vigilant," he said.

"We are very happy, in fact we are ecstatic that they finally decided to respect the wishes of the South Gate voters," said Alvaro Huerta, an organizer for Communities for a Better

Environment. He was referring to an advisory vote against the project last March.

His nonprofit organization, based in Huntington Park, joined Downey, South Gate and surrounding cities in opposing the proposed 550-megawatt generating plant because of environmental concerns.

It was not immediately known why the firm dropped its plans, although Energy Commission staff had stated there were a lot of problems facing the project.

Huerta noted that his group had planned to ask South Gate to amend city zoning laws to exclude power plants.

EM-One, an affiliate of Sunlaw Energy Corporation of Vernon, earlier this year said it would drop plans to build a 550-megawatt power generating plant on 13 acres at 5650 Southern Ave., just east of the Long Beach (710) Freeway.

But the firm requested, and received from the Energy Commission last April a six-month suspension (delay) in state review of the plan to find another location.

In September, the firm asked the state to give it another three months before making a decision on the project, saying it planned to sell it to LMI Capital, LLC, which planned to go back to the South Gate location, now owned by a trucking company.



[http://www.latimes.com/news/local/la-000089038nov07\\_story](http://www.latimes.com/news/local/la-000089038nov07_story)

LOS ANGELES

## South Gate Officials Ordered to Testify

### Probe: Council members, treasurer will appear before grand jury in corruption inquiry.

By RICHARD MAROSI  
TIMES STAFF WRITER

November 7 2001

The South Gate City Council and city treasurer have been ordered to testify this week before the Los Angeles County Grand Jury as part of an ongoing political corruption investigation.

Council critics have reacted to the proceedings with glee. At Monday night's City Council meeting, some residents tauntingly waved plastic handcuffs at officials they hope will soon be indicted.

The grand jury testimony from officials across the city's political spectrum marks a crucial stage in the months-long probe by the Los Angeles County district attorney's public integrity unit. The targets are unknown, but some law enforcement and city officials think prosecutors are focusing on possible fraud in the city's recent elections.

The grand jury proceedings threaten to further polarize a city caught in a fierce political power struggle between the council majority and two police unions over who should be the next deputy police chief.

Recent council meetings have degenerated into angry shouting matches and jeering. Police and their community supporters say the selection process is a sham and an example of widespread corruption by Treasurer Albert Robles and his three council allies—Mayor Raul Moriel, Vice Mayor Xochilt Ruvalcaba and Councilwoman Maria Benavides.

"Our belief is that the grand jury will come back with indictments," said Joe Ruiz, a resident and frequent Robles critic.

But Robles dismissed the handcuff-waving and jeering as theatrics.

"I'm not afraid of anything," he said Tuesday. "There is a saying in Spanish: El que nada debe, nada teme. He who owes nothing, has nothing to fear."

At the grand jury proceedings, Councilman Henry Gonzalez said fellow members Hector De La Torre, Ruvalcaba, Benavides and Moriel were scheduled to testify Tuesday. Robles also was scheduled to testify in the secret proceedings, according to Gonzalez.

Gonzalez and De La Torre broke with other city officials in declining to be represented by attorneys at taxpayer expense. Both say they don't need representation, and will cooperate fully with investigators.

"I welcome the opportunity. I have nothing to hide," Gonzalez said. "I'm doing my civic responsibility to respond to any question and respond truthfully."

Most observers believe the probe has to do with possible electoral fraud during recent elections. Investigators asked City Clerk Carmen Avalos to bring boxes of election material to the grand jury, according to Gonzalez.

Meanwhile, the selection process for the next deputy police chief took an unexpected turn this week when officials announced that the three leading candidates had declined the job.

The top candidate, Maywood Police Chief Rick Lopez, didn't return calls seeking comment.

*For information about reprinting this article, go to <http://www.lats.com>*

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## Council Creates New Role That Pays \$1,600-a-Month

By DON WANLASS  
Staff Writer

**SOUTH GATE** — City Council members here will receive an additional stipend of \$1,600 a month for serving as the city's Community Development Commission.

By a 3-2 vote Tuesday night, council approved the compensation they will receive for the newly created commission, which will take on some of the functions of the city's redevelopment agency and perform other roles as well, according to Eduardo Olivo, the city's special legal counsel.

Councilmen Hector De La Torre and Henry Gonzalez opposed the pay package after earlier opposing the creation of the commission and many residents spoke out against the action as well.

No one from the audience spoke in favor of the compensation and the three council members who voted for it — Mayor Raul Moriel, Vice Mayor Xochitl Ruvalcaba and Councilwoman Maria Benavides — did so without comment.

The commission compensation raises the amount council members receive to nearly \$2,400 a month, or more than \$28,000 a year.

De La Torre said that in a city where the median family income

level was less than \$30,000 a year, that kind of pay for council members was "unconscionable."

He said he would turn his money over to a city-sponsored youth scholarship fund.

Gonzalez also said he wouldn't accept the increased pay.

"All my money will be going to Churches in Action and the Boy Scouts," he said. "I had a job and now I have a pension. I don't do this for the money."

"We can't increase our salaries, so they create a phony commission," he added.

"There's a lot of perks you people don't even know about," he told the audience.

"It's just another gimmick. If you're not working, go out and get a job."

One resident asked the three council members who favored the commission pay what they would do with the money, but none of the three responded.

"You don't respond to us. You don't defend yourself. We don't get the respect of an answer," the woman said.

Former Councilman Bill De Witt called the pay "excessive."

Olivo said the commission was set up "pursuant to health and safety codes."

He said the redevelopment agency, which is allowed by state law and may operate as a separate entity from the city, "will still have duties that must be complied with."

The Community Development Commission will meet prior to the City Council at 6 p.m. Those meetings will soon shift from the second and fourth Tuesday each month to the second and fourth Monday, after the council introduced an ordinance changing the meeting dates at the meeting.

That measure, which will be formally adopted at the next council meeting, was approved by the same 3-2 vote.

Interim City Manager Sami Nassar said the meeting change would provide a better flow of paper work and make it easier to get reports prepared in time for the meeting, but residents also complained about that change.

One woman asked if the council was hoping residents would stay home and watch Monday night football instead of attending meetings.

De Witt accused the council of changing meeting days because City Treasurer Albert Robles is taking a class at a police academy on Tuesday nights and can't attend meetings.

*Commentary*

# Arrogance of Power for Everyone to See

By DON WANLASS  
Staff Writer

The arrogance that too often comes with power was displayed for all the nation to see on television last week.

Embattled Rep. Gary Condit, D-Modesto, went on the ABC-TV show "Prime Time," supposedly to talk for the first time about his involvement with Chaundra Levy, the missing intern with whom he allegedly was having an affair.

But Condit, with the smug arrogance of someone who doesn't think he has to answer to anyone, refused to respond to interviewer Connie Chung's questions about his relationship with Levy.

He said it was out of respect for his and Levy's families, but he failed to show any respect for his constituents — or the rest of the public — that wanted to hear him explain his actions.

That kind of arrogance might be expected from a congressman, particularly one who has held elected office for more than 20 years.

Closer to home, similar political arrogance was on display Tuesday night at South Gate City Hall.

The City Council was getting around a state law that prohibits members from raising their own salary by more than five percent a year by creating a new body, in this case the Community Development Commission.

*Continued on A2*

# Commentary: Arrogance of Power

*Continued from A1*

Actually, the council already had created the commission.

On Tuesday night, they were deciding what they would get paid for serving on this new commission.

They settled on a nice round figure, \$1,600 a month. That's \$19,200 a year, added to the \$600 or so a month, they get for being on the City Council, plus a \$150-a-month car allowance.

Factor in stipends for the other roles they take on as elected officials and city councilmembers in South Gate will now be making about \$2,400 a month, or \$28,800 a year.

Councilman Hector De La Torre, who opposed creating the commission, let alone the high pay, pointed out that the median household income in South Gate is less than \$30,000 a family.

So the South Gate City Council is paying itself as much as the average family makes in the city. The difference is that the council is supposed to be a part-time job and everybody on the council knew that when they ran for office.

De La Torre and Councilman Henry Gonzalez opposed the move, as did everyone in the audience who spoke on the matter.

Did Mayor Raul Moriel, Vice Mayor Xochitl Ruvalcaba and Councilwoman Maria Benavides defend their actions?

Not at all. The only time they spoke on the compensation issue was when they cast their vote.

In fact, they never responded to their constituents once in the three-plus hours this reporter was present at the meeting.

Moriel and Ruvalcaba occasionally smirked as they gazed out on the faces of the people they supposedly represent. But that was it.

Even after De La Torre and Gonzalez said they would designate their pay to a youth scholarship fund

and Boy Scouts and church groups, respectively.

But when a member of the audience asked Moriel, Ruvalcaba and Benavides if they would make the same commitment, that resident was ignored.

When the resident kept asking for a response, special legal counsel Eduardo Olivo (that's his designation on the council agenda, but he basically ran the meeting) told Mayor Moriel to thank the woman for her comments and ask her to sit down.

So much for being responsive to your constituents.

Possibly the three council members wouldn't respond to the public because their ventriloquist/puppeteer wasn't at the meeting.

City Treasurer Albert Robles, long accused by many City Hall critics of pulling all the strings, wasn't at the meeting because he is taking classes at a police academy to become a reserve police officer.

Oh, by the way, the citizens of South Gate are picking up the police academy tab for Robles, to the tune of \$3,000.

The council made sure that won't be a problem much longer by changing council meeting dates from Tuesdays to Mondays, so Robles will be able to cast his spell at meetings again.

In 28 years of covering city council meetings, I've seen a lot of arrogant council members. I've seen good people become more and more arrogant the longer they stayed in office.

But I've never seen such a display as I saw Tuesday night. Condit on "Prime Time" wasn't as arrogant as the South Gate council majority.

Commenting on Condit's performance last week, political pundits from both parties said he has hurt his chances of being re-elected next year. Failing to be honest with constituents is not a good attribute for an office holder.

One can only hope the voters of South Gate will feel the same way next time they have the chance.

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## SG recall drive begins

BY DON WANLASS  
STAFF WRITER

**SOUTH GATE** — Recall campaigns against three members of the City Council and City Treasurer Albert Robles have been launched by disgruntled police officers and community residents angry with the constant turmoil at City Hall here.

Adding to that turmoil last week was the council's decision to fire Police Chief Doug Christ, with Capt. Robert Todd being named as interim chief.

At the same time, the council approved the hiring of Calexico Police Chief Tommy Tunson to the controversial position of deputy police chief.

Residents are circulating recall petitions seeking the ouster of Robles, Mayor Raul Moriel, Vice Mayor Xochilt Ruvalcaba and Councilwoman Maria Benavides.

The petitions accuse the elected officials of failing to represent the city "justly and honorably."

Robles is specifically accused of spending public funds to enrich himself, meddling in city affairs that don't affect his role as city treasurer and of exerting undue influence on the council members being recalled and conducting city business through backroom deals.

Moriel is accused of abusing the trust given him by local voters, conducting business behind closed doors and of serving the needs and desires of Robles and

neglecting those of the working families of the community.

Ruvalcaba is accused of seeking personal financial gain instead of public service, protecting and serving criminals and gang members instead of defending honest residents of the community and working to fulfill the goals of Robles while turning her back on the citizens.

Benavides, who was elected by voters a year ago when then-Councilman Bill De Witt was recalled, was accused of abusing the trust of the people while seeking to enrich herself, supporting Robles' "self-serving" agenda and working to destroy the relationship between the Police Department and residents.

Resident Joe Ruiz, who served the recall notices, reported his plumbing business in the city was fire bombed over the weekend and accused Robles and his backers of carrying out the deed.

The fire was quickly extinguished before causing significant damage, according to county Fire Department officials.

Recall supporters have 120 days to circulate petitions and collect signatures of 20 percent of the city's registered voters.

If the proper number of signatures are obtained and verified by the county Registrar of Voters Office, the City Council would then be required to schedule a recall election.

# CALIFORNIA

Los Angeles Times

## Group Alleges Theft of Recall Petitions

By RICHARD MAROSI

Times Staff Writer

The voter recall instructions seem simple enough: Gather at least 10 signatures of registered voters, serve a copy of the notice to the targeted elected official, and give the original to the city clerk.

But even that seemingly straightforward process has ignited controversy in an ongoing political battle in South Gate.

Two days after residents served recall petitions to three City Council members at a meeting, the top election official, Carmen Avalos, still doesn't have the originals and has accused City Atty. Salvador Alva of stealing them.

Police are investigating but now find themselves criticized by those who question how they can do that when they're sponsoring the recall.

Alva's attorney, James E. Blan-

carte, has asked the state attorney general's office to review whether a conflict of interest exists. If so, he wants that office to handle the investigation.

Blancarte said Alva didn't steal the documents. He said the recall organizers mistakenly gave them to Alva during the meeting and that Alva didn't forward them to the clerk because he was "maybe overly cautious" due to the volatile situation.

"When you have so many competing political agendas, he [Alva] has to rise above the fray and see what the obligation is to the city," Blancarte said. "You're never going to please everyone in that political environment."

Blancarte said Alva will return the petitions to the organizers.

Avalos says the city attorney "snatched" the documents from her and then left the building. Ava-

los is responsible for filing the petition with the registrar of voters.

The police unions and their supporters want to oust Treasurer Albert Robles, Mayor Rauf Mordel, Vice Mayor Kochelt Ruvalcaba and Councilwoman Maria Benavides. The officials, they say, have orchestrated a sham selection process to fill the police deputy chief position with a political ally.

Alva, they say, took the documents because he is beholden to those officials and is trying to obstruct the recall process.

"He's interfering with the legal process, with the job of the clerk, who is legally required to have custody of those papers," said Sylvia Kellison, the unions' attorney.

Police Lt. Martin Van Lierop said that if the two investigators assigned to the probe find evidence of wrongdoing, they will forward the case to the district attorney's office.

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Vol. 72 • No. 44

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Thursday, November 1, 2001

wavenewspapers.com

## Police Unions File Lawsuit

*From Staff and Wire Reports*

**SOUTH GATE** — The South Gate Police Officers Association and Police Management Association have taken their fight with the City Council here to court.

The two bargaining units for Police Department employees filed suit last week to bar the city from hiring a new deputy police chief.

Maywood Police Chief Rick Lopez is the person the council wants for the position, but as of Monday, Lopez had not tendered his resignation at Maywood City Hall.

Prior to filing the suit, the two groups requested a grand jury investigation into what they say is misconduct in the selection process for the deputy chief. The groups also are trying to organize a recall campaign targeting Mayor Raul Moriel, Vice Mayor Xochitl Ruvalcaba and Councilwoman Maria Benvides and City treasurer Albert Robles.

The two police groups allege that the deputy chief position was created by the City Council with the express intention of finding a Latino candidate to fill

the job.

They also say the decision to create the job and pursue potential candidates was done in a way to skirt contracts between the city and the police union.

Sylvia Kellison, the attorney for the plaintiffs, said last week that "the creation of the position, as well as the procedures used to select an individual to hold the position, were done in violation of state law, and violate both the California and the United States (constitutions)."

The lawsuit alleges the city's actions, if they are allowed to continue, will "deny (plaintiffs) promotional opportunities to which they are entitled by contract and will change promotional procedures."

The creation of the position also deprives the employee groups "of their lawful statutory rights under their collective bargaining agreement with the city," the suit alleges.

The groups also want the court to issue an order preventing the position of deputy chief from being filled, and they seek attorney fees.

# Officials in South Gate Quarrel Over Measures

By STEPHANIE CHAVEZ  
TIMES STAFF WRITER

In a boisterous escalation of political fighting in South Gate, the City Council enacted measures Thursday that infuriated police, upset the city clerk and prompted some citizens to jeer, boo and heckle.

After two walked out in protest, the remaining three council members voted to reinforce state rules that forbid public employees from political campaigning while on the job and to ask the city's electorate to dramatically reduce the salary of the city clerk.

Adding to the ruckus, Mayor Raul Moriel, Vice Mayor Kochilt Rurvalcaba and Councilwoman Maria Benavides, the majority in attendance, were served with recall petitions at the meeting by leaders of the city's two police unions.

The unions and other are upset over what they describe as the city's "sham" selection process of the next deputy police chief, who they believe will be a political ally of the council majority.

Two council members, Hector De La Torre and Henry C. Gonzalez, refused to stay at the hastily called special meeting. Before walking out, De La Torre declared that there was nothing of urgency on the agenda that couldn't wait until Monday's regular meeting. He said he believed the session violated the state Brown Act's rules on open public meetings because he did not receive official paperwork on time.

Replicating state laws, the remaining three council members approved ordinances preventing city employees, including police, from campaigning for elections on city time or while in uniform.

Critics said that action was meant to intimidate them and squelch their free speech as they launch the recall drive. Lt. Martin Van Lierop, a union leader, said the police are not opposed to the codes, but it is useless to repeat them.

Moriel said the timing is not tied to the recall drive but "has been on our minds for quite some time."

The council also acted to put before the voters a measure to dramatically reduce City Clerk Carmen Avalos' salary from about \$4,000 a month to \$600, which is what council members and the city treasurer earn.

Avalos and her supporters said the vote was a retaliatory action because Avalos defeated the vice mayor's sister in the last election. Moriel denied that, saying that putting the pay reduction before

voters is "a parity issue."

De La Torre said council actions are "fake issues" and a ploy to deflect attention from the recall effort.

Times staff writer Richard Morari contributed to this article.

Los Angeles Times

# B CALIFORNIA

SECTION

FRIDAY, NOVEMBER 2, 2001

LOS ANGELES EDITION

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SECTION

B

## CALIFORNIA

Los Angeles Times

## South Gate Council Meeting Displays Democracy's Volatile Side

By RICHARD MAROSI  
TIMES STAFF WRITER

The South Gate City Council meeting opened with a warm remark from the Turkish consul general. Visiting the southeast Los Angeles County city to receive a proclamation for "Turkey Republic Day," he returned the compliment in accented English.

"It is a great honor," said Aykut Berk, "to see how democracy works in this great democracy."

He didn't stick around, but maybe he should have: Depending on who witnessed it, what ensued during the boisterous four-hour meeting Monday night was either democracy in action or democracy hopelessly broken down.

"I kept waiting for Jerry Springer to come on," said a frustrated Alvaro Huerta, a community activist. He waited four hours to speak but never got a chance.

With hundreds watching two unions serve voter recall petitions against the City Council majority, the meeting degenerated into cat-calls, thunderous ovations and wild jeers. Each time one councilwoman spoke, residents meowed.

Protesters waved signs saying, "Stop the Corruption." One senior citizen, Shirley Bobrick, accused Mayor Raul Moriel of making a face at her: "You make me sick," she said.

p.m. after City Atty. Salvador Alva left the chamber with the recall petition papers. City Clerk Carmen Avalos promptly protested, saying the papers should be left with her, the city's top election official. She filed a police report alleging theft.

Triggering the ruckus was the ongoing feud between the unions—the Police Management Assn. and Police Officers Assn.—and the three-member council majority over who should be the city's next deputy police chief. The unions say City Treasurer Albert Robles and his council allies engineered a sham process aimed at giving the job to Maywood Police Chief Rick Lopez.

But after Monday night, even Lopez is having second thoughts.

"They're self-implosioning," he said of South Gate's government. "That's the feeling I get. I don't know if it's going to be worth the headache."

## Emotions Boil Over at Meeting

South Gate, a working-class, overwhelmingly Latino city, has always been home to volatile politicking. It is a place where campaign mailers falsely accuse candidates of being child molesters or drunks, and where council members have been escorted to their cars after meetings.

Monday's meeting rocketed off the charts.

Joined by hundreds of others voicing an assortment of gripes, police and their supporters waved signs saying, "Albert Robles. The party is over," and grumbled when the mayor ordered the aisles cleared in the 140-person-capacity, wood-paneled chamber.

Obviously aware of South Gate's reputation for unruliness, Moriel warned residents not to disrupt the proceedings and ordered Police Chief Douglas Christ to make incident reports when necessary. Only minutes into the meeting, Moriel announced that his son, an attorney, had been named to the city's Police Commission, setting off the hecklers.

With a smash of the gavel, Moriel ordered a 15-minute recess.

When the council returned, the residents turned on Councilwoman Maria Benavides, who rarely speaks at meetings aside from saying "yes" or "no" in a quiet voice. After an almost inaudible "no," from Benavides, the laughter and mimicking began: "Meow . . . meow . . ."

Another gavel smash. Another 15-minute recess.

Then the main event. The police union's attorney, Sylvia Kellison, took the microphone and gave an emotional speech alleging corruption in the deputy chief selection process. The unions had evidence,

prompting a round of "oohhs" from the crowd. When she finished, the place exploded with applause. Even uniformed police officers guarding the dais clapped.

"Fifteen-minute recess," the mayor ordered.

## Whereabouts of Petition Papers

In all, Moriel ordered six 15-minute recesses, enraging residents, many of them senior citizens worried about getting taxi rides home.

"Sit in your seats . . . listen to them [residents] and earn your pay," said Mildred Ward when she took her turn at the lectern.

Then resident Araceli Dominguez took the microphone and started pressing officials about the whereabouts of the petition papers. They were supposed to be filed with the clerk, she said, and demanded to know why the city attorney had taken them.

"Mayor. Do something," she said.

Moriel said he would look into it, triggering more complaints from residents demanding immediate action.

"Now!" they yelled. "Now! Now!"

Moriel ordered the meeting adjourned and, over the objections of City Clerk Avalos, scheduled a special session Friday.

Moriel's critics complained that

critics who were merely expressing their views. "I didn't see anything that was out of the ordinary.

Councilman Hector De La Torre

Moriel said Tuesday that he struggled lately to keep order at meetings. He said that his intent not to deny people their right to speak but that sometimes "dr. steps have to be taken.

"What can I do when I have a crowd that refuses to control themselves in an orderly manner he asked. "They are vociferous. They yell, they scream, they c taunt, insult, embarrass. I'm asking for common courtesy."

# Officials in South Gate Quarrel Over Measures

By STEPHANIE CHAVEZ  
TIMES STAFF WRITER

In a boisterous escalation of political fighting in South Gate, the City Council enacted measures Thursday that infuriated police, upset the city clerk and prompted some citizens to jeer, boo and heckle.

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FRIDAY, NOVEMBER 2, 2001

LOS ANGELES EDITION

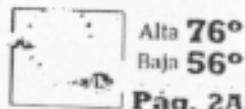
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## Ciudad

# Lanzan bombas caseras a negocio de activista

*Dice que es represalia política; incendio deja 25 mil dólares en daños*

Marilú Meza

Reportera de La Opinión

**S**OUTH GATE. — El negocio de un activista y ex candidato al Concejo Municipal de esta ciudad fue blanco de bombas caseras, por su participación —dijo él— en un movimiento de destitución contra tres concejales que forman la mayoría en el gobierno municipal.

Dos cocteles molotov fueron lanzados la madrugada del lunes en el negocio de plomería de Joseph Ruiz, destruyendo completamente una camioneta van y dañando parcialmente otros dos vehículos, dijo Gregory Pasqua, investigador de la Unidad de Incendios Premeditados del Departamento de Bomberos de Los Angeles.

"Otra bomba que fue aventada a la puerta de la oficina del inmueble explotó, pero

no causó fuego", agregó Pasqua.

El caso está siendo investigado como incendio intencional y, de acuerdo al investigador, se ha considerado a "varios sospechosos", pero no se ha señalado a nadie en específico.

Ruiz, quien ha intentado en tres ocasiones ganar un puesto en el Concejo, afirmó que el atentado que sufrió fue motivado por su participación política en los asuntos de la ciudad.

"Tengo más de 20 años viviendo y trabajando en la ciudad y considero que lo únicos que quieren hacerme daño son mis enemigos políticos", dijo Ruiz.

Hace un mes, Ruiz presentó los documentos que buscan la destitución de los tres concejales que forman la mayoría en el Concejo y de Albert Robles, el tesorero de la ciudad.

"Es una forma de intimidarme porque presenté los papeles de destitución", dijo Ruiz.

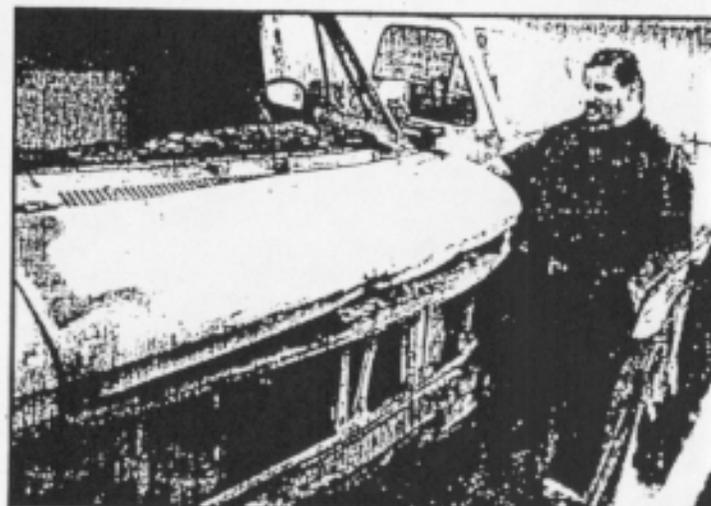
"No quieren que dé información a la comunidad de las cosas que pasan en esta ciudad".

Las autoridades dijeron que el incendio aún está siendo investigado y añadieron que los daños ascienden a 25 mil dólares.

Si los alegatos de Ruiz resultan verídicos, serían suficientes para que explotara otro escándalo político en la ciudad, la cual está siendo investigada por un Gran Jurado por presunta corrupción política.

El atentado contra el negocio de Ruiz no es acto nuevo de violencia en South Gate. En abril de 1999, el concejal Henry González, entonces alcalde de la ciudad, recibió un disparo en la cabeza cuando llegaba a su casa después de una sesión del Concejo.

González, el primer latino electo en South Gate, sobrevivió al ataque, el cual fue hecho a quemarropa, pero hasta la fecha el caso aún no ha sido resuelto.



L. EMILIO FLORES/La Opinión

**Daños.** Joseph Ruiz observa uno de los vehículos que fue dañado durante un "incendio intencional" en su negocio de plomería.

## Buscan destituir a tres concejales

**Grupo de residentes los acusa de abusos e indiferencia; también intentan remover al tesorero de la ciudad**

Marilú Meza  
Reportera de La Opinión

**SOUTH GATE.**— La controversial contratación del subjefe del Departamento de la Policía de South Gate (SGPD) desató un nuevo escándalo en esta ciudad, en donde ahora varios residentes piden la destitución de los tres concejales que forman la mayoría en el Ayuntamiento.

Las personas que encabezan el movimiento dicen estar cansadas de los "abusos y la indiferencia de los concejales, quienes no representan los intereses de la comunidad", y presentaron el lunes —durante la reunión del Concejo— una petición para destituir al alcalde Raúl Moriel y a los concejales Kóchitl Ruvalcaba y María Benavides.

También buscan la destitución del tesorero de la ciudad, Albert Robles.

Estamos cansados de estos concejales que no saben lo que están haciendo", expresó Sam Echols, quien es parte del comité que encabeza el movimiento de destitución.

El enojo de estos residentes aumentó al final de la reunión cuando Salvador Alva, abogado de la ciudad, salió del salón de sesiones llevándose los documentos originales de la petición de destitución de los funcionarios, lo que provocó que la secretaria de la ciudad presentara un reporte policial por robo.

Los documentos originales tienen que ser entregados a nosotros y, durante la junta, el abogado me los arrebató y se fue", dijo Carmen Avalos, secretaria de la ciudad.

James E. Blancarte, representante del abogado de la ciudad, dijo que las personas que presentaron la petición de destitución equivocadamente le dieron los documentos a Alva, pero que les serán devueltos a la persona que se los dio, con copia a la Secretaría de la ciudad.

El actual escándalo que enfrenta South Gate proviene de la contratación del ex jefe de la policía de Maywood, Rick López, como el nuevo subjefe del SGPD.

Los sindicatos que representan a los policías de esta ciudad alegan que la contratación de López estaba premeditada antes de abrir el puesto. Por ello solicitaron que un Gran Jurado investigue a varios concejales por supuesta violación del proceso de selección y, además, pidieron ayer a un magistrado la suspensión de la contratación de López.

El juez negó la petición de los sindicatos, pero les otorgó una audiencia en noviembre, dijo el teniente Vincent Avila, del SGPD.

"Los concejales no quieren dejar las promociones dentro del mismo departamento de policía y quieren darle los trabajos a sus amigos", dijo Araceli Domínguez, una residente de South Gate que también es parte del comité de destitución.

Sin embargo, Moriel dijo que el Concejo no tuvo nada que ver en la contratación del subjefe ya que "ésa es tarea del administrador de la ciudad".

Ruvalcaba y Benavides no regresaron las llamadas hechas por La Opinión a sus oficinas.

El grupo de residentes pide la destitución de los concejales mencionados porque, supuestamente, faltaron a la confianza del pueblo cuando se aumentaron 1,600 dólares a su salario, porque dicen que no prestan atención a las peticiones de la comunidad y porque, presuntamente, se han dejado manipular por el tesorero de la ciudad.

Algunos policías afirman que la contratación del nuevo subjefe es por influencia de Robles, quien pretende en un futuro obtener un puesto en dicho departamento y que con ese objetivo ingresó a la Academia de Policía.

Por su parte, Robles dijo que su interés en la academia es porque quiere ser un policía en reserva para prestar su servicio gratuitamente.

"Si se contrató a alguien de afuera es porque hay un historial en ese departamento, no hay jefes que representen a la comunidad y que vivan en la ciudad", dijo Robles.

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## Recall, probes in South Gate

**Council: Police official's hiring is focus of lawsuit.**

The South Gate City Council majority has made a series of highly questionable decisions in recent months, in lock-step, while offering little or no public comment or explanation. Requests for clarification, both from residents of the 88,000 population city and the press, have been routinely evaded.

Those officials — Mayor Raul Moriel, Vice Mayor Xochilt Ruvalcaba and Councilwoman Maria Benavides — along with City Treasurer Albert Robles, will now have to answer for those decisions. One way or another.

A recall effort against the four elected officials was initiated this week, as the city's two police unions filed a lawsuit to block a recent action and requested a grand jury investigation into alleged corruption, fraud, misuse of city funds, and violations of state and federal law.

A backlash against the council majority — and Robles, a former mayor who is widely seen as influencing their decisions — has been brewing for some time.

It began in February with what appeared to be a politically motivated (and successful) coup to oust the former city manager and city attorney. Dissatisfaction grew significantly last summer as the council majority voted to triple council salaries in a dubious plan that seemed to flout state law.

The four officials went too far, apparently, with a decision to hire a deputy police chief after a hiring process critics have blasted as corrupt.

According to the city's police unions, the council majority and Robles violated proper procedures, union contract rules and state and federal laws by hiring Maywood Police Chief Rick Lopez as South Gate's deputy chief. At no other time in the department's history has an outsider been hired, or even considered, for a top police job.

The unions further allege that Lopez' hiring is part of a scheme to install Robles as a police officer, and eventually, to a high-ranking position in the department. Robles is attending the Fullerton Police Academy on a grant from the city of South Gate.

Like we said, questionable decisions — made, like the others, with few public words. Numerous phone calls from this office seeking comment, on this and other issues mentioned, have not been returned.

The unions on Monday asked the Los Angeles County grand jury for an investigation into Lopez' hiring and other alleged corruption. A recall effort, led by several union members and residents, was begun. On Wednesday, the unions filed a lawsuit attempting to block Lopez' hiring.

These four officials apparently haven't felt a need to answer to their constituents. If they do not provide those answers, they may soon find themselves without any constituents.

# EDITORIAL

# CALIFORNIA

Los Angeles Times

## South Gate Police Seek Recall of Officials

By RICHARD MAROSI  
TIMES STAFF WRITER

South Gate's police unions launched a voter recall campaign Monday against the City Council majority in a battle over the next deputy chief.

The long-brewing issue escalated at the council meeting, where hundreds crowded the chambers as Mayor Raul Moriel, Vice Mayor Xochilt Ruvalcaba and council member Maria Benavides were presented with recall papers. Union officials said they also will serve city Treasurer Albert Robles, who wasn't at the meeting, with a recall notice.

The unions must now collect signatures on petitions before a recall vote would be held.

Historically, the police chief has chosen his deputy from within the police ranks. This time, however, officials hired two executive search firms to consider candidates from outside the department.

On Monday night, the council named Rick Lopez, police chief of Maywood, to the post.

The South Gate police unions claim that the council majority engineered a "sham" selection process aimed at giving what they call an unqualified candidate the position. They fear the new deputy chief will help Robles become a police officer and eventually attain a high-ranking position, possibly chief.

"He wants to become a policeman, and he needs somebody on the inside to bring him in," said Al Lopez, president of the Police Officers Assn.

Robles, a former mayor of the working-class city in southeast Los Angeles County, is taking classes at a police academy. But earlier Monday he denied playing any role in the hiring process.

The unions on Monday asked the Los Angeles County Grand Jury to investigate the selection process.

"How can a corrupt process ever come up with anything but a corrupt candidate?" asked Sylvia Kellison, the attorney for the Police Officers Assn. and the Police Management Assn.

No outsider has ever been selected to the top ranks of the 97-member police force.

He said in a telephone interview that he is qualified for the South Gate job and would not be beholden to the council.

# B CALIFORNIA

Los Angeles Times

## Council Meetings Turn Into Frenzied Affairs

**South Gate:** Officials call it chaos; their vocal foes cite free speech. Police dispute was the spark.

By RICHARD MAROSI  
TIMES STAFF WRITER

When audience members at a recent South Gate City Council meeting were ordered to stop meowing every time a councilwoman spoke, they changed tactics.

At the next meeting, they sat silently but waved placards reading, "Meow-Meow-Meow."

City officials are now barking back.

Saying unruly behavior at council meetings disrupts civic affairs and borders at times on riot conditions, the officials launched a campaign to stop it.

First, they stationed private security guards at Monday's meeting to maintain order and directed off-duty police officers in attendance not to carry their weapons into the council chambers.

Then Police Chief Douglas Christ was fired for allegedly failing to control "renegade" off-duty officers attending the meetings.

Council meetings in South Gate have long been the political equivalent of full-contact football, but the sessions in the working-class city of 96,000 have exploded in intensity since the two police unions helped launch a recall drive last month against three council members and the city treasurer.

From the wood benches in the jammed chamber, scores of spectators jeer, stomp their feet and twirl handcuffs at officials they hope will soon be indicted. Others, believing that City Treasurer Albert Robles pulls the strings at City Hall, taunt members by dangling dancing marionettes.

Police and their supporters call the audience conduct free speech aimed at a council majority bent on destroying the police force.

But city officials call it chaos.

"The orderly conduct of the city's business has fallen victim to the renegade behavior of a few rogue police officers who have behaved in an exceedingly unprofessional manner," said former City Manager Sam Nassar in a prepared statement.

Council critics counter that officials exaggerate the impact of the meowing, cheering and puppets. They also say meetings are regularly cut short by the mayor to stifle legitimate dissent.

"It's a sham; that's all it is," said Henry Gonzalez, a pro-police coun-

Please see COUNCIL, B12

# COUNCIL: Meetings Called Both Chaotic, Exercise of Free Speech

Continued from B1

cilman. "To me, it's a form of intimidation to keep people from expressing their opinion under the law."

Last week, City Hall seemed to be in meltdown mode. Firing the police chief turned out to be one of Nassar's final acts as manager. He resigned Monday. Development Services Director Margo Wheeler also resigned.

Both said through a city spokeswoman that their decisions had nothing to do with the current power struggle. But many people believe the two were fed up with the tumult at City Hall.

## Police Unions Object to Council's Hiring Policy

The controversy was triggered by a seemingly innocuous issue: the selection of the next deputy police chief. The council majority wanted to break with tradition and hire someone from outside the 97-member force. The two police unions objected, alleging political cronyism.

What started as a police revolt, however, has attracted people communitywide who say the selection process is just the latest example of corruption by Robles and his council allies: Mayor Raul Moriel, Vice Mayor Kochilt Ruvalcaba and Councilwoman Maria Benavides.

The stakes are high: After the unions helped launch the recall campaign, Nassar suggested that the city might disband the police force and contract with the Los Angeles County Sheriff's Department.

With tension escalating by the day, the 140-person-capacity council chamber fills to bursting at every meeting. Bury off-duty officers sit shoulder to shoulder with senior citizens. In the hallways, spillover crowds listen to speakers. Many Latino residents wear headphones to hear Spanish translations of the often-raucous proceedings.

Councilmen Gonzalez and Hector De La Torre often mingle with audience members, the vast majority of whom are pro-police. The council majority members, however, rarely step beyond the dais.

Treasurer Robles, the target of much of the protests, hasn't been seen at a meeting in weeks. He was not available for comment.

Like most cities, South Gate has strict rules of decorum for meetings, but Mayor Moriel and Christ, the former police chief, often differed over how to enforce them.

Moriel has the right to remove people from meetings, but his powers are effective only if his sergeant-at-arms, the chief, follows his directions.

The rules state that audience members cannot use obscene or abusive language, and cannot dis-

rupt the proceedings. But what constitutes a disruption?

When spectators started meowing at Councilwoman Benavides, who speaks in a quiet, cat-like voice, the mayor silenced them.

They responded by bringing the "meow" signs the next week. Now Moriel is considering banning signs, saying the placards block the views of audience members.

Christ once required that sticks be removed from signs after audience members used them as floor-banging noisemakers.

He also cleared people from the narrow aisles lining the chamber.

But often Christ didn't follow Moriel's requests to remove people yelling or making faces, noting that the rules require the mayor to first give warnings.

## Security Guards Search Spectators at Meeting

In fact, Moriel often didn't give warnings. But the mayor said it was because in many cases he couldn't pinpoint the culprits. During one meeting that degenerated into a wild shouting match, he practically pleaded with Christ.

"You have to stay on top of this, chief," he said shortly before abruptly ending the meeting with a smash of his gavel.

The issue came to a head Monday when the six security guards,

dressed in dark suits, searched visitors to the council chamber with hand-held metal detectors.

According to Moriel, the security team was brought in by then-City Manager Nassar. He asked Christ to cooperate with the guards, Moriel said, but Christ declined and walked out with five officers. The next day, Nassar fired the chief.

And the council meeting? It never happened. Sensing that people were on edge, Moriel called it off before it even started.

"I really think the crowd was exceptionally volatile," he said. "I could see there was a lot of ill will, a lot of anger in the crowd. I was fearful, really fearful for a riot."

Moriel said he expects the situation to calm down now that Christ has been replaced by a department veteran, Robert Todd.

He said the new deputy chief, former Calexico Police Chief Tommy Tunson, will also help soothe tensions.

But police and their supporters doubt that. They predict more rowdy turnouts until the council majority is ousted. And if guards show up again, the crowd reaction could be wilder than ever.

"I imagine they're going to have to escort people out if they bring in those goons," said longtime resident Marilyn Echols. "People are fed up. They don't want these people on the council anymore."

# Secretary of State Bill Jones



## Legal Affairs Unit

William P. Wood, Chief Counsel

**To:** Kris Heffron **From:** William Wood

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**Fax:** 562-929-4790 **Pages:** 10

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**Phone:** **Date:** February 20, 2002

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**Re:** SOUTH GATE COUNCIL TS **CC:** [Click here and type name]

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● **Comments:**

Kris:

This is the draft of the transcript of the South Gate City Council meeting on February 11. Item 16 was to consider reinstating the elected City Clerk to act as the city's election official. The motion to do so failed.

Note the discussion at the end of page 6 by Councilmember De La Torre and the response on page 7 of the City Attorney Mr. Alva regarding the conversations he had with Julia Sylvia about her contacts with your office, Conny apparently.

Please call me at 916-653-7635 if you have any comments. Your initial ones were on the mark.

Regards,

William P. Wood

Chief Counsel

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**Confidential Attorney-Client  
Communication**

DRAFT

ITEM # 16

THE CITY COUNCIL CONSIDER THE REINSTATEMENT OF THE CITY CLERK'S ELECTIONS DUTIES

MAYOR: STAFF REPORT

UNKNOWN: AS COMPLETE AS PRESENTED

MAYOR: ALL RIGHT THERE WERE NO SLIPS ADMITTED FOR THIS ITEM.

DE LA TORRES: (UNTELLIGIBLE) ADDRESS THAT BRIEFLY UH, THE MATTER WAS PUT ON THE AGENDA IN ORDER TO REVISIT THE STATUS OF THE CITY CLERK PURSUANT TO THE ACTION THAT WAS TAKEN BY THE CITY COUNCIL UNDER THE ELECTION CODE 11201. AT THE TIME THE CITY COUNCIL TOOK THAT ACTION... ACTUALLY LET ME BACK THE STATUTE PROVIDES THAT IF THE CITY CLERK IS SUBJECT TO A RECALL THEN HER ELECTION DUTIES MAY BE REMOVED BY THE CITY COUNCIL IN CONNECTION WITH THAT RECALL. THAT WAS DONE PREVIOUSLY AND THE MATTER WAS PUT BACK ON THE AGENDA TO UH, VISIT THE STATUS OF THE CITY CLERKS OR THE YOU KNOW RECALL AGAINST THE CITY CLERK. MY UNDERSTANDING AT THAT TIME I WAS ADVISED THAT THE NOTICE OF INTENT THAT WAS BEING CIRCULATED AGAINST THE ... ACTUALLY THE NOTICE OF INTENT HAD BEEN INVALIDATED BY THE CITY ELECTIONS OFFICIAL AT THIS TIME SO THE MATTER WAS PUT ON THE AGENDA THERE WAS NO SUCH RECALL AGAINST THE CITY CLERK SO THAT ELECTION CODE SECTION WOULD NOT THEREFORE BE APPLICABLE. I WILL JUST FOR THE RECORD PUT OUT THAT THERE IS AN ORDINANCE THAT HAS HAD A SECOND READING AND UNDER THAT ORDINANCE THE CITY IS AMENDING MUNICIPAL CODE AND THE ELECTIONS CODE DUTIES ARE OR ELECTIONS OFFICIAL DUTIES ARE BEING DELEGATED TO AN INTERIM CITY CLERK/ELECTIONS OFFICIAL, BUT THAT DOES NOT TAKE EFFECT UNTIL FEBRUARY 21, 2002, SO THAT'S THE GENERAL BACKGROUND OF THIS. I HAVE BEEN ADVISED TODAY THAT AND SOMEONE CAN CORRECT ME IF I'M WRONG THAT THERE WAS A NOTICE OF INTENT FILED AGAINST THE CITY CLERK BUT I'M NOT CERTAIN OF THAT.

MAYOR: CITY CLERK?

DE LA TORRES: THAT'S CORRECT.

MAYOR: CITY CLERK IS NODDING YES.

CITY CLERK: YES, THAT'S CORRECT I THINK IT WAS FILED AROUND, NEAR 5:00 THIS AFTERNOON, IN ADDITION TO BOTH COUNCILMEMBER HECTOR DE LA TORRE AND COUNCILMEMBER GONZALES AND IF I MAY CORRECT THE RECORD, I FIND IT VERY INTERESTING THAT AN INTERIM/ELECTION OFFICIAL WOULD REJECT INTENTION OR NOTICE OF INTENTION TO RECALL. TECHNICALLY SPEAKING IT WAS NULL AND VOID BACK IN JANUARY, EARLY JANUARY. SO I WOULD FIND IT INTERESTING THAT FOR SOME REASON NEITHER ONE OF THE ATTORNEYS HERE SEEM TO HAVE CAUGHT THAT.

MAYOR: THANK YOU. CITY ATTORNEY, CITY ATTORNEY.

CITY ATTORNEY: WELL THE BOTTOM LINE IS UH, IF THAT IS CORRECT THEN WE ARE IN THE SAME PLACE WE WERE WHEN THIS MATTER WAS UH... OR BEFORE THIS MATTER WAS PUT ON THE AGENDA.

DE LA TORES: MR. MAYOR

MAYOR: YES.

①

DE LA TORRES: REQUESTED THAT THIS ITEM BE PUT ON THE AGENDA AND IT'S INTERESTING THIS AGENDA BILL DOESN'T REFLECT THAT AT ALL. I TOLD THE CITY MANAGER, I TOLD MR. OLIVO AND I TALKED TO VERONICA ABOUT THIS, AND IT'S INTERESTING IT DOESN'T REFLECT MY NAME ON IT AT ALL. WHEN THE VICE MAYOR AND YOURSELF ASKS FOR SOMETHING IT'S IN BIG BOLD LETTERS, YOU KNOW OF EVERYONE TO SEE, YOU GUYS ARE EVEN LISTED AS DEPARTMENT HEADS, OCCASSIONALLY. UH, BUT WHEN I ASK FOR SOMETHING IT MYSTERIOUSLY DOESN'T MAKE THE AGENDA BILL. UM, I PUT THIS ON THE AGENDA AT THE REQUEST OF THE SECRETARY OF STATE'S OFFICE. I SPOKE TO THEM LAST WEEK THEY RECEIVED THE LETTER FROM MS. SILVA TELLING THEM THAT THE RECALL AGAINST THE CITY CLERK UH, AND MYSELF AND HENRY, BUT WE DON'T MATTER, IT'S THE CITY CLERK THAT MATTERS. UH, HAD HAPPENED AND THAT UH, UH, THEY SAID WELL, IF SHE'S NOT BEING RECALL THEN SHE SHOULD BE ABLE TO PERFORM HER DUTIES BECAUSE THE ONLY CODE SECTION PERTAINING TO THIS TO TAKE THE POWERS AWAY FROM THE CITY CLERK IS IN REGARDS TO A RECALL. SO I REQUESTED THAT IT BE PUT ON A LOW AND BEHOLD TODAY AT 5:00 ALL THREE OF US GET SERVED WITH RECALL PAPERS AGAIN, IT'S AMAZING COINCIDENCE ISN'T. I WANT TO TAKE A STEP FURTHER THOUGH, BECAUSE I THINK IT IS STILL BEYOND THE PALE THAT THIS COUNCIL WOULD TAKE THE AUTHORITY OF THE CITY CLERK AWAY FROM HER ON ALL OF THE RECALLS THAT ARE TAKING PLACE. I CAN UNDERSTAND SAYING SOMEBODY ELSE NEEDS TO OVERSEE THE RECALL AGAINST HER, BUT THERE'S NOTHING THAT WOULD PREVENT HER FROM EXERCISING HER AUTHORITY PROPERLY IN THE RECALLS OF THE FIVE OF US AND MR. ROBLES. THERE'S NOTHING THAT SHOULD PREVENT HER FROM PERFORMING HER FUNCTIONS AND THAT WAY. UH, SO I THINK IT STILL VERY APPROPRIATE WITH A SLIGHT AMENDMENT TO GIVE THE CITY CLERK HER AUTHORITY BACK BECAUSE AFTER ALL SHE IS BEING RECALLED, BUT THERE'S WHOLE BUNCH OF OTHER PEOPLE BEING RECALLED TO AND SHE SHOULD BE ABLE TO PERFORM HER FUNCTIONS AS LAID OUT IN STATE LAW. UH, AS LONG AS SHE CAN DO THAT AND UH, SO I WOULD MAKE A MOTION TO REINSTATE THE CITY CLERK'S BLBCTION OFFICIAL DUTIES IN EVERY ELECTION, IN EVERY RECALL EXCEPT HER OWN.

MAYOR: ROLL CALL.

GONZALES: YEAH, AS STATED HEREOF AND LET ME JUST SAY THAT UH, THAT JULIA SILVA WHO IS THE INTERIM CITY CLERK AS WHO IS KIND OF MY RECALL OR MY ATTEMPT TO RECALL AND UH, I RECEIVED A LETTER FROM HER UH, SAYING THAT UH, INFORMING ME OF THAT IN HER OPINION THE RECALL AGAINST ME WAS VOID. SHE WAS NOTIFYING THE (UNINTELLIGIBLE) BUT THAT I HAD TO COMPLY WITH THE REQUIREMENTS WITH THE CALIFORNIA ELECTION CODE. I REDUCE TO WRITING AND UH, SHE HAD CALLED ME AND I ALSO LEFT A MESSAGE WITH HER BECAUSE SHE WASN'T IN HER OFFICE AND UH, SHE SAID THAT HAD FILED ON JANUARY THE 2<sup>ND</sup> AND I INFORMED HER I SAID THAT UH, THAT I WAS PRESENTED WITH PAPERS ON THE 17<sup>TH</sup> BY MR. ERNESTOR FROM THE ROBLES ATTORNEY SERVICES ON THE 17<sup>TH</sup>. THEY IN TURNED FILED ON DECEMBER THR 20<sup>TH</sup>, DECEMBER THE 17<sup>TH</sup> IS WHEN THEY SERVED ME AND ON DECEMBER THE 20<sup>TH</sup> THEY FILED, WHICH WAS A FRIDAY AND I HAD CHECKED THAT DAY AND THEY HADN'T FILED SO I SAID WELL, WHAT THEY'LL DO IS THAT THEY WILL FILE RIGHT AT ...BEFORE THE DEADLINE AND THEY THINK I'LL FORGET AND THEY GO TO SEVEN DAY LAPSE BECAUSE THE CITY HALL IS CLOSED AND THEY'LL GET ME. WELL I CALLED LATER ON RIGHT BEFORE 5:00 AND SURE ENOUGH RIGHT BEFORE THE DEADLINE THEY HAD FILED SO WHAT I DID I WENT DOWN TO THE POST OFFICE THE NEXT DAY AND FILED A LETTER ON REGISTER MAIL RETURN RECEIPT REQUESTED IN COMPLIANCE WITH THE CALIFORNIA ELECTION CODE. IT SAYS THAT YOU HAVE TO REPLY IN SEVEN DAYS IN PERSON OR BY CERTIFIED MAIL AND I DID IT ON THE 21<sup>ST</sup> I MAILED IT TO THE PROPONENTS ON THE SILENA LEYVA SHE RECEIVED THAT ON THE 24<sup>TH</sup> OF DECEMBER AND SIGNED FOR IT AND RETURNED THE CARD TO ME. THE CITY CLERK'S OFFICE WAS CLOSED. THEY PICKED IT UP ON JANUARY 2<sup>ND</sup> SO I HAD TO INCLUDE IN IT ALL KINDS OF

EXHIBITS COPY OF CERTIFIED NUMBERS THE FEE I PAID THE US POSTAL NUMBER ON IT THE DATE AND I HAD ABOUT SIX EXHIBITS ON IT JUST LIKE WRITING A BRIEF AND SHE CALLS ME AND SHE SAYS OH, I WAS UNAWARE THAT CITY HALL WAS CLOSED. I SAID "YOU KNOW MS. SILVA YOU ARE SUPPOSE TO BE AN ELECTED OFFICIAL AND YOU SHOULD KNOW THINGS LIKE THIS BECAUSE YOU COULD REALLY BE MAKING A DECISION AND IT WOULD BE ERRONEOUS LIKE IT IS IN THIS ONE AND COULD REALLY CAUSE ALOT OF PROBLEMS DOWN THE ROAD AND YOU OUGHT TO LOOK AT EVERYTHING" AND I SAID "I WANT YOU TO CORRECT THE RECORD AND UH, WRITE ANOTHER LETTER SAYING THAT I DID MEET THE QUALIFICATIONS CAUSE I DID". SHE CALLED ME UH, ON THE PHONE AND I GOT IT THIS MORNING SO I RETURNED THE CALL TO HER AND THEY TOLD ME SHE WAS BUSY AND SHE WAS GOING TO A FUNDRAISER AND I JUST TOLD THEM THAT SHE HAD CALLED ME AND SAID WHETHER OR NOT I HAD SEEN THE LETTER THAT SHE HAD SENT TO THE SECRETARY OF STATE AND SHE WANTED TO KNOW IF I WAS HAPPY WITH THE CORRECTION THAT SHE HAD MADE IN IT AND I HAVEN'T SEEN THE LETTER SO I DON'T KNOW. BUT AGAIN I JUST WANT TO BRING A POINT THAT THE CITY CLERK IS UH, IS UH MAKING DECISIONS AND SHE DOESN'T EVEN KNOW WHAT'S GOING ON IN THAT CASE. AGAIN, UH, I HAD SAID WELL, WHAT THEY'LL DO NOW IS THAT THEY WILL SERVE IT AND GET IT ON THE AGENDA BECAUSE HECTOR HAD PUT IT ON THERE AND WHAT THEY'LL DO IS THAT THEY WILL SERVE ON AT THE MONDAY COUNCIL MEETING WHEN THEY CAN LEGAL AGAIN FOR HER AND SURE ENOUGH I GOT SERVED TODAY BY MIGUEL OR MICHAEL I SHOULD SAY FROM ROBLES ATTORNEY SERVICES AT 4:52 P.M. AND UH, LOOKING AT THE (UNINTELLIGIBLE) WE EVEN HAVE CITY EMPLOYEES SIGNING THAT MS. BONILLA SIGNED IT AND SOME OTHER CITY EMPLOYEES SIGNED IT AND I'VE GOT TO LOOK AT THAT ORDINANCE IF THESE GUYS CAN GET ALL THESE EMPLOYEES GETTING INVOLVED AND THINGS LIKE THAT BECAUSE I THINK THAT MS. BONILLA IS ONE WHO GOT REINSTATED BY THE MAJORITY AFTER SHE HAD BEEN FIRED BY THE DEPARTMENT HEAD AND SHE SIGNED THE PAPERS ALONG WITH HER MOTHER UH, SO I'M GOING TO HAVE TO CALL HER MOTHER BECAUSE HER MOTHER JUST TOLD ME THAT SHE WAS VERY SUPPORTIVE OF ME AND UH, YOU KNOW SHE DIDN'T BELIEVE ALL THIS STUFF THAT WAS GOING ON SO I DON'T KNOW, YOU KNOW. THE FIRST SET OF NOMINATION PAPERS WERE FALSIFIED BY SOME PEOPLE I'VE GOT AFFADIVITS TO THAT EFFECT AND THEY CHANGED THE NEXT ONE AND THE NEXT ONE. SO EVERYTIME THEY FILE AGAINST ME IT'S A DIFFERENT, BUT THE CHARGES ARE STILL THE SAME. AGAIN, I THINK THE CITY CLERK AS STATED BY COUNCILMAN DE LA TORRES IS ENTITLED TO FUNCTION IN THAT CAPACITY AND I THINK THAT IT'S A SELF-SERVING TACTICS BY CERTAIN PEOPLE HERE TO KEEP DOING, TO TRY TO KEEP ANYBODY AND KEEP PEOPLE WHO THEY FEEL MORE COMFORTABLE WITH AND UH, UH, I JUST FEEL COMFORTABLE WITH A PERSON THAT UH, WHO WAS ELECTED BY THE PEOPLE AND UH, AS A MATTER OF FACT HAPPEN THAT I SUPPORTED HER AND DID VOTE FOR HER AND DAMN PROUD OF IT. THANK YOU MR. MAYOR.

CITY MANAGER: MR. MAYOR I WOULD BRIEFLY LIKE TO RESPOND TO THE COMMENT BY COUNCILMEMBER DE LA TORRES. I DID, I RECOGNIZE AND I'M SURE ADMINISTRATION AND STAFF RECOGNIZES THAT COUNCILMEMBER DE LA TORRES ASKED THAT THE MATTER BE PLACED ON THE AGENDA. WHEN I RECEIVED THE NOTIFICATION OF IT I DID DICTATE SOME OF THE LANGUAGE ON THE AGENDA BILL FOR UH, ADMINISTRATION STAFF AND YOU KNOW WE DIDN'T CORRECT IT LATER, BUT I DID NOT NOTICE THAT HIS NAME WAS LEFT OFF THE AGENDA BILL. IT WAS NOTHING, BUT AN OVERSIGHT. SO I DON'T THINK STAFF OR I CERTAINLY DID NOT INTEND TO LEAVE THAT OFF IT, TO ME IT WAS PRETTY STRAIGHTFORWARD ISSUE SO. BUT WE DICTATED GOT IT TOGETHER QUICKLY ON THURSDAY AND WE SHOULD HAVE PUT HIS NAME ON IT.

MAYOR: THANK YOU.

DE LA TORRES: MR. MAYOR.

MAYOR: YES.

ALVA: YES, I WOULD LIKE TO CORRECT A COUPLE OF STATEMENTS MADE. IT IS MY OPINION THAT THE CITY COUNCIL DOES NOT HAVE DESCRIPTION TO TAKE AWAY SOME DUTIES AND LEAVE THE CITY CLERK WITH OTHER DUTIES. I BELIEVE THAT THIS PARTICULAR CODE SECTION AND I LEFT THE ROOM BRIEFLY TO BRING A COPY OF IT, BUT SOMEBODY HAS APPARENTLY HAS TAKEN THE ELECTIONS CODE FROM MY OFFICE CONTAINING THAT PARTICULAR SECTION. IF WE LOOK AT SECTION 11201 THERE'S A FEW WORDS THAT ARE USED IN AND THAT ARE MANDATORY AND ONE THOSE SENTENCES AND NOW I'M PARAPHRASING IT BECAUSE I DON'T HAVE IT IN FRONT OF ME. SAYS THAT "THE CITY CLERK SHALL CEASE TO PERFORM HER DUTIES AND HIS OR HER REPLACEMENT SHALL BE APPOINTED BY THE GOVERNING BOARD". NOW THE GOVERNING BOARD IS DEFINED. UH, ELSEWHERE IN THE ELECTIONS CODE TO INCLUDE THE CITY COUNCIL SO IT IS THE CITY COUNCIL'S RESPONSIBILITY TO APPOINT A REPLACEMENT. IT'S A MANDATORY ACT YOU WOULD BE IN MY OPINION OF (UNINTELLIGIBLE) OF YOUR DUTIES IF YOU FAILED TO APPOINT HER REPLACEMENT. THOSE ARE THE WORDS OF THE CODE SECTION.

RUVALCABA: MR. MAYOR, MR. MAYOR, I THINK YOU ALREADY SPOKE.

DE LA TORRES: I THINK MR. ALVA IS PUTTING HIS QUOTE UNQUOTE EXPERTISE AHEAD OF THAT OF THE SECRETARY OF STATE OFFICE BECAUSE THAT WAS EXACTLY THE CONVERSATION I HAD WITH THE SECRETARY OF STATE'S OFFICE WAS IF SHE WAS BEING RECALLED THAT, THAT APPLIED TO EVERYTHING ELSE AND HE SAID NO. SO SOMEONE WHOSE LIFE WORK IT IS TO DEAL WITH THESE ISSUES I THINK WOULD KNOW A THING OR TWO ABOUT ELECTION LAWS. THANK YOU.

RUVALCABA: MR. MAYOR.

MAYOR: MS. RUBALCAVA.

RUVALCABA: I WOULD LIKE TO CLARIFY SOMETHING THAT COUNCILMEMBER GONZALES SAID ON THE ORDINANCE WE PASSED WAS TO RESTRICT EMPLOYEES FROM POLITICISING DURING WORKING HOURS UM, AND IN FACT THERE WAS A POLICE OFFICER THAT SIGNED MY RECALL PETITION ALSO AND HIS IS UH, OFFICER MENDES, I BELIEVE SIGNED MY RECALL PETITION. SO WHAT'S GOOD FOR THE GOOSE IS GOOD FOR THE GANDER. THEREFORE I CALL, I WOULD LIKE TO REQUEST UH, CALL TO THE QUESTION, PLEASE.

MAYOR: ROLL CALL.

UNKNOWN: LET ME CORRECT YOU ON (UNINTELLIGIBLE) PROCEDURE YOU CAN'T SPEAK ON SOMETHING AND THEN CALL FOR THE QUESTION. YOU CAN CALL FOR IT, BUT YOU CAN'T SPEAK ON IT AND CALL.

MAYOR: ROLL CALL.

DE LA TORRES: HE MADE THE SECOND LET'S DO IT.

UNKNOWN: THERE'S A MOTION TO SECOND TO GIVE THE CITY CLERK BACK THE ELECTIONS OFFICIAL DUTIES.

UNKNOWN: AND IN VIEW OF THE NEW DEVELOPMENTS.

DE LA TORRES: IN EVERY CASE EXCEPT FOR HER OWN.

UNKNOWN: THAT'S CORRECT.

UNKNOWN: THAT'S THE MOTION.

GONZALES: THAT'S THE MOTION THAT'S MY SECOND RULE IT DOWN, BOY.

DE LA TORRES: ARE WE GOING TO DO THE ROLL CALL?

MAYOR: SURE, ROLL CALL.

UNKNOWN: MAYOR MORIEL?

MAYOR: NO.

UNKNOWN: VICE MAYOR RUVALCABA?

RUVALCABA: NO.

UNKNOWN: COUNCILMEMBER BENAVIDES?

BENAVIDES: NO.

UNKNOWN: COUNCILMEMBER GONZALES?

GONZALES: YES.

UNKNOWN: COUNCILMAN DE LA TORRES?

DE LA TORRES: YES.

MAYOR: MOTION FAILS.

UNKNOWN: MR. MAYOR IN MY OPINION CITY ATTORNEY MAY DISAGREE, BUT I'M NOT SURE THAT THE ACTION THAT WAS TAKEN BY THE CITY COUNCIL PREVIOUSLY CONTINUES TO BE IN EFFECT IF THERE IS NO RECALL. IT MAY HOWEVER, IN ORDER TO CLARIFY THAT I THINK YOU SHOULD TAKE SOME AFFIRMATIVE ACTION UM, REGARDING THE APPOINTMENT OF THE CURRENT INTERIM CITY CLERK/ELECTIONS OFFICIAL PURSUANT TO ELECTIONS CODE 11201 BECAUSE OF THE CURRENT RECALL AGAINST THE CITY CLERK. THAT'S JUST THE POINT OF CLARIFICATION.

UNKNOWN: DOES THIS MEAN THAT WE MAKE A MOTION TO REFLECT THAT STATEMENT AT THIS TIME?

UNKNOWN: YES.

MAYOR: THERE'S A MOTION AND A SECOND TO REFLECT THE CITY'S ATTORNEY'S RECOMMENDATION.

GONZALES: MR. MAYOR I WOULD LIKE TO SPEAK ON THAT ONE AGAIN, NOW. WAIT THIS IS A DIFFERNT MOTION, MS RUBALCAVA. TO RHINSTATE HER SERVICE AGAIN I WANT TO GO ON THE RECORD SAYING THAT AS I STATED BEFORE THERE WAS AN ARTICLE THAT APPEARED IN THE NEWSPAPER ON THIS JULIA SILVA REFERENCE IN SAYING THAT UH, SHE WAS THERE NOT REPRESENTING MS. KATRINA JACKSON OR MR. ANGEL GONZALES (UNINTELLIGIBLE) AND I WANT YOU TO KNOW THAT I HAVE IN MY POSSESSION A COPY OF INDIVIDUAL THAT SAID SHE WAS THERE REPRESENTING MR. ANGEL GONZALES AND MS. KATRINA JACKSON. IN FACT, WAS TRYING TO REDUCE, WAS

U K A F I

NEGOTIATING FOR THEM ON SOME CERTAIN THINGS. I DON'T REVEAL AT THIS TIME, BUT AGAIN AS A MATTER OF RECORD AND I THINK SHE SHOULD BE EXCLUDED FROM PARTICIPATING IN THIS RECALL ELECTION SHE IS A PERCEPTION OF A PERSON BEING UH, SHE'S NOT BIASED IN MY OPINION JUST BY GUILTY BY ASSOCIATION BECAUSE SHE'S INVOLVED WITH A COUPLE PEOPLE THAT ARE NOT FRIENDS OF MY COLLEAGUES TO MY LEFT AND AGAIN THAT'S NOT YOU KNOW YOU SHOULDN'T BE ASHAMED OF YOUR FRIENDS SO I THINK WE ALL TALKED ABOUT JUSTICE WILL PREVAIL IN MAYORS CASE AND JUSTICE DID PREVAIL AND AGAIN ANGEL GONZALES AND KATRINA JACKSON ARE FOUND NOT GUILTY THAT'S ANOTHER THING, I'M NOT GOING TO PRE-JUDGE THEM AT THIS POINT. I'M NOT THE JURY AND I'M NOT THE JUDGE, BUT I THINK IT'S THE BEST INTEREST OF THE ELECTION PROCESS ITSELF AND I WILL BE DIRECTING A COPY OF THIS TO THE SECRETARY OF STATE AND I'M GOING TO MAKE A MOTION THAT SHE BE DISQUALIFIED FOR PARTICIPATING IN THIS RECALL AND WE PUT SOMEBODY ELSE. I HOPE MY COLLEAGUES WILL GIVE ME A SECOND ON THIS.

RUVALCABA: MR. MAYOR. THERE'S ALREADY A MOTION ON THE FLOOR.

MAYOR: YES, THERE IS.

RUVALCABA: CALL THAT OUT OF ORDER, PLEASE?

GONZALES: I WANT THAT TO APPEAR IN THE RECORD THAT SHE SHOULD BE DISQUALIFIED.

UNKNOWN: MR. MAYOR

MAYOR: YES.

UNKNOWN: DO YOU WANT TO MAKE (UNINTELLIGIBLE).

UNKNOWN: IT'S ONLY 9:10 WE GOT ALL NIGHT.

RUVALCABA: YEAH, BUT ITS TAKING AWAY FROM YOUR CAMPAIGNING.

DE LA TORRES: I'M KIDDING. I THINK THAT MS. SILVA HAD SHOWN IN THE WAY SHE HANDLED THIS LAST RECALL NOTICE OF INTENT UM, IT ACTUALLY DIED IN EARLY JANUARY. IT DIED TO BE GENEROUS IT DIED ON THE TWELFTH WE DIDN'T GET A LETTER AND PROPONENT DIDN'T GET A LETTER UNTIL THE 31<sup>ST</sup>. AND EVEN THEN SHE GOT SOME MATERIAL FACTS WRONG IN TERMS OF HER DESCRIPTION OF WHAT WENT ON. HENRY ADDRESSED THE ISSUE OF CITY HALL BEING CLOSED I MEAN THAT IS A VERY BASIC FACT THAT ANYBODY SHOULD KNOW. CITY HALL IS CLOSED, OKAY SO IF IT'S CLOSED HOW DO PEOPLE GET THINGS TURNED IN ON TIME THROUGH THE MAIL THROUGH CERTIFIED MAIL. WHICH IS HOW I DID IT, WHICH IS HOW HENRY DID IT, WHICH IS HOW CARMEN DID IT. THAT'S ARE THE WAY THINGS ARE SUPPOSE TO TAKE PLACE AND HERE YOU HAVE A QUOTE UNQUOTE, IF WE ARE GOING TO START ALL OVER AGAIN LET'S WIPE THE SLATE CLEAN AND BRING SOMEBODY ELSE IN. BECAUSE THIS IS NOT WORKING I ALSO WANT TO ASK A STAFF ON A VERY RELATED ISSUE. WE TALKED ABOUT UM, WHEN WE APPROVED THE RESOLUTION OR THE ISSUES WHICH WERE PERTAINING TO THE SECRETARY OF STATE RECOMMENDATION THERE WAS A COMPONENT TO THAT, THAT WE WOULD LOOK INTO THE COUNTY REGISTRAR TAKING OVER OUR ELECTIONS. WEEKS HAVE PASSED BY AND I HAVEN'T HEARD A WORD FROM ANYBODY ON STAFF AS TO WHAT IT TAKES TO GET THE COUNTY REGISTRAR TO STEP IN HERE. I THINK THIS WOULD BE A VERY GOOD TIME TO GO TO THE COUNTY REGISTRAR BECAUSE WE'RE TALKING ABOUT A NEW RECALL ELECTIONS TODAY. IF WE WENT TO THE COUNTY REGISTRAR IN A DAY OR TWO THEY WOULD BE RIGHT ON TOP OF IT. SO IF WE ARE GOING TO DO THIS I REALLY BELIEVE THAT NOW IS THE TIME TO LOOK INTO IT AND WE HAVEN'T HEARD

6

FROM ANYBODY, ANYBODY, NOBODY HAS TOLD US ANYTHING ABOUT THAT PROCEDURE AND WE SENT A LETTER TO THE SECRETARY OF STATE TELLING THEM WE APPROVE THAT RESOLUTION. WHAT'S GOING ON?

ALVA: MAY I ADDRESS THE ISSUE:

DE LA TORRES: YES.

ALVA: THANK YOU VERY MUCH. I SPOKE WITH JULIA SILVA TODAY AND SHE INDICATED TO ME THAT SHE HAD RECEIVED A RESPONSE FROM THE COUNTY ELECTIONS CLERK AND THEY HAD DECLINED. SHE ALSO INDICATED THAT SHE PREPARED A LETTER, WHICH SHE WILL DISTRIBUTE TO THE CITY COUNCIL INDICATING ON WHICH BASIS THE CITY CLERK DECLINED, EXCUSE ME THE COUNTY CLERK'S OFFICE DECLINED TO BECOME INVOLVED. I DIDN'T GET ALL THE DETAILS AND WHEN I WAS GIVEN THE INFORMATION I WAS DRIVING SO I WASN'T ABLE TO TAKE NOTES, SO I APPOLOGIZE FOR THAT.

MAYOR: A LETTER WILL BE FORTHCOMING WITH ALL THE DETAILS, ROLL CALL.

UNKNOWN: MAYOR MORIEL

MAYOR: YES.

UNKNOWN: VICE MAYOR RUBALCAVA

RUVALCABA: YES.

UNKNOWN: COUNCILMEMBER BENAVIDES

BENAVIDES: YES.

UNKNOWN: COUNCILMEMBER DE LA TORRES:

DE LA TORRES: NO.

UNKNOWN: COUNCILMEMBER GONZALES:

GONZALES: NO.

MAYOR: MOTION PASSES, I'M GOING TO DECLARE A FIFTEEN MINUTE BREAK.

- DIVISIONS:
- Archives
- Corporate Filings
- Elections
- Information Technology
- Limited Partnership
- Management Services
- Notary Public
- Political Reform
- Uniform Commercial Code



EXECUTIVE OFFICE  
 (916) 653-7244  
 1500 - 11th STREET  
 SACRAMENTO, CA 95814

**BILL JONES**

Secretary of State  
 State of California

FAX COVER SHEET

DATE: 2/19/02 TIME: 5:00 p.

TO: KRIS HEFFARD

FAX: 562-929-4790 PHONE: \_\_\_\_\_

FROM: BILL WOOD

NO. OF PAGES: 3 (including this page)

If you have not received all pages in this transmission, please contact the Secretary of State's Executive Office at (916) 653-7244.

2/19/02 LETTER TO  
 JULIA SYLVA

**DIVISIONS**

- Archives
- Business Programs
  - Business Filings
  - Notary Public
  - Uniform Commercial Code
- Elections
- Information Technology
- Management Services
- Political Reform



**BILL JONES**  
 Secretary of State  
 State of California

**EXECUTIVE OFFICE**  
 1500 11th Street, 6th Floor  
 Sacramento, CA 95814  
 P.O. Box 944260  
 Sacramento, CA 94244-2600  
 (916) 653-7244  
 (916) 653-4620 FAX  
 Internet address: [www.ss.ca.gov](http://www.ss.ca.gov)

February 19, 2002

BY FACSIMILE TRANSMISSION AND MAIL

Julia Sylva  
 Elections Consultant  
 City of South Gate  
 c/o 515 South Flower Street  
 Suit 3500  
 Los Angeles, California 90071

Dear Ms. Sylva:

Thank you for your report of February 15, 2002 and your summary of election related activities in the City of South Gate. Your voter outreach efforts should be continued and broadened and they are progressing in the right direction.

There are significant questions that you need to address in your report due by the close of business Friday February 22, 2002:

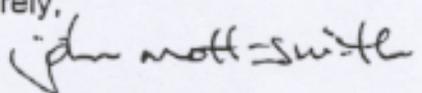
1. Your recital of a conversation with the Los Angeles County Registrar-Recorder was too vague to be useful. Are you engaged in discussions with the Los Angeles County Registrar-Recorder about transferring election administration to Los Angeles County for upcoming elections in the City of South Gate? If not, please describe your reasons for not doing so. You must contact Kristin F. Heffron, Assistant Los Angeles County Registrar of Voters at (562) 462-2883 and conduct such a discussion and report the results of your discussion.
2. In *Ruiz v. Avalos; Moriel, et al, Los Angeles County Superior Court No. BS073807* you are listed as a respondent. The Real Parties In Interest are four members of the City of South Gate administration who are the subject of a recall effort. Specifically describe your relationship to and any contacts commencing in January 2001 with:
  - Raul Moriel
  - Maria Benavides
  - Xochilt Ruvalcaba
  - Albert Robles

Letter to Julia Sylva  
Page Two  
February 19, 2002

3. With specificity describe your role in connection with the criminal investigation of Angel Gonzalez and Katrina Jackson in 2001.

I look forward to your report.

Sincerely,



John Mott-Smith, Chief  
Elections Division

Thursday February 21, 2002, 10:26 am

Telephone call with Julia Sylva, South Gate

1. She wanted to confirm who she should direct her inquiries and correspondence to. I advised her to make all contacts through me and I would direct them to the proper person or unit in the department.
2. She asked what our directives were. I told her we were to assist her, and if requested we had agreed that we would conduct the election for the City of South Gate.
3. She mentioned that she had just yesterday sent in the NOI to Dorothy Scates for processing. I said that was fine, that Dorothy had advised me she had received the documents and was processing them. I also asked that in future she send all documents through me and I would make sure they got to the correct unit.
4. She said she had spoken to Conny and that Conny had said that the County was not in a position to conduct the election – that we were very busy with the many changes and would assist her in the ways that we normally assist cities. She understood Conny to say that the County would not conduct the election for South Gate. She also referenced a luncheon meeting where Conny was a speaker, and Conny explained the difficulties County election officials were facing, and that based on this presentation, Conny could not commit the department to conducting the election for South Gate.
5. She said she was the election official, and would conduct the election for South Gate and would expect the County to provide the assistance and services that we normally provide to cities.
6. I confirmed that we (the County) could not come in and order them to allow us to conduct their election. However, in this case the Secretary of State had requested that we do the election for South Gate, and discussion with staff has confirmed that we would be able to do the election.
7. Julia again stated that she would be conducting the election, and that she would only request our services in the normal course of business, and the normal types of assistance that we provide to cities.

Memo to file:  
2/5/02

#### Timeline of events with regards to City of South Gate

- November 16, 2001 – Martin & Chapman Seminar – Conny met Carmen Avalos, City Clerk of South Gate. Carmen discussed the problems she was having with Conny and requested advice and assistance.
- December 3, 2001 – Carmen Avalos prepared several letters requesting assistance and support in overseeing the elections in South Gate. Conny requested that Deborah and I contact Carmen to give her a list of names of retired City Clerks who might be able to assist with the election, but that we were not able to provide that assistance.
- December 18, 2001 – Kris spoke with Carmen and suggested that she enlist the assistance of other politicians and obtain some legal counsel regarding her difficult position with her council. Also advised her that we would be responding with some suggestions on people she could contact for assistance with her election, but that the County does not regularly conduct elections for cities.
- December 19, 2001 -- Deborah Wright sent a letter to Carmen Avalos recommending Scott Martin and referred her to the City Clerk's Association.
- January 3, 2002 – spoke again with Carmen about the council action that they hired an outside attorney to act as their election administrator. She again requested assistance.
- January 16, 2002 – Conny received call from Bill Wood of the Secretary of State's office and referred him to me for response. She discussed the South Gate matter with Bill and determined that it would be in our best interests to assist South Gate by conducting their election if their weren't insurmountable problems identified by the election manager staff.
- January 16, 2002 – telephone call with Bill Wood of the Secretary of State's office regarding action by the SoS on the South Gate issues. Bill asked if the County could conduct the South Gate election, and what the requirements would be for that to occur. Bill also spoke to Conny about the County conducting this election. Conny requested that I convene staff here to determine what the problems/issues would be on doing such an election. My notes in folder dated January 16 reflect discussion with election managers. Notes were forwarded to Bill Woods.
- January 17, 2002 – SoS held a press conference in South Gate. We did not receive direct notice, but learned of the conference accidentally when we received a call asking for assistance with the set up of a lectern for Bill Jones at the South Gate City Hall.
- January 17, 2002 – attended the press conference with Marcia Ventura and Kathy Tacaway who recorded the session. Notes from conference in folder.



COUNTY OF LOS ANGELES

**REGISTRAR-RECORDER/COUNTY CLERK**

12400 IMPERIAL HWY. - P.O. BOX 1024, NORWALK, CALIFORNIA 90651-1024 / (562) 462-2716

CONNOR B. McCORMACK  
REGISTRAR-RECORDER/COUNTY CLERK

February 21, 2002

Julia Sylva  
Elections Consultant  
City of South Gate  
C/O 515 South Flower Street  
Suite 3500  
Los Angeles, California 90071

Sent via Fax: 213-426-6222  
916-653-4620

Dear Ms. Sylva:

This morning you called me to discuss several issues with regards to the County of Los Angeles providing assistance to the City of South Gate in the conduct of their election. As with other cities, the County of Los Angeles Registrar-Recorder/County Clerk (RR/CC) will always provide support services and functions requested via resolution including such things as voter registration, petition signature checking, roster preparation and other registered voter services. However, this letter is to confirm our understanding with respect to the RR/CC acting as the elections administrator for the City of South Gate, as distinguished from providing only support services.

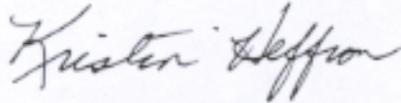
The RR/CC will agree to conduct the specified special elections and act fully in the capacity of elections administrator for the City of South Gate under the following conditions:

1. The RR/CC receives a formal request via Resolution of the City of South Gate to conduct specified special elections in the role of elections administrator; or
2. The RR/CC is directed by the Secretary of State through a legal process to conduct specified special elections for the City of South Gate;  
AND
3. The RR/CC receives partial payment in advance for the estimated cost of the special elections, and there is included in the City's Resolution or Secretary of State legal order a provision assuring that the RR/CC costs for conducting these special elections will be fully reimbursed to the County of Los Angeles.

Many other topics were discussed in this morning's conversation. However, you requested something in writing clarifying the County's position with respect to acting as the elections

administrator for the City of South Gate's special elections. I originally declined to provide such letter. After discussion with Conny McCormack, we agreed that such documentation of our position would be beneficial to all parties. This letter is to provide that clarification..

Sincerely,



Kristin Heffron, Chief Deputy  
Registrar-Recorder/County Clerk  
County of Los Angeles

KFH

cc: Bill Wood, Secretary of State



BILL JONES  
Secretary of State  
State of California

February 28, 2002.

Raul Moriel, Mayor  
Xochilt Ruvalcaba, Vice Mayor  
Maria Benavides, Council Member  
Hector De La Torre, Council Member  
Henry C. Gonzalez, Council Member  
City Hall  
8650 California Avenue  
South Gate, California 90280-3075

To the City Council of the City of South Gate:

As the Chief Elections Officer of California pursuant to Government Code section 12172.5, charged with the responsibility for the efficient conduct of elections and the enforcement of the state's election laws, I make the following findings:

- I. All elections, particularly recall elections, in the City of South Gate must be administered impartially, accurately, and efficiently pursuant to the applicable provisions of the California Elections Code.
- II. The right to recall elected officials is a fundamental reserved right of the people, enumerated in the California Constitution, and must be administered by elections officials without conflicts of interest, the appearance of conflicts of interest, and free from coercion or intimidation.
- III. Criminal conduct, including acts of violence, and the resultant law enforcement actions directed at elected officials and others associated with them in the City of South Gate threatens the people's basic right to vote and undermines their confidence in the elections process by creating the fact and appearance of corruption of the vote.
- IV. The elected City Clerk, by virtue of popular election, is the proper city official to administer all other elections except the City Clerk's own recall election.

Based on these findings, I am ordering that you take one of two actions by March 28, 2002:

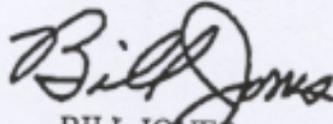
- I. Reinstate the elected City Clerk, Carmen Avalos, fully to her responsibilities as the election official for the City of South Gate for all elections except any recall in which she is sought to be recalled, or;

Order to the City Council of the City of South Gate  
Page Two  
February 28, 2002

- II. Retain the Los Angeles County Registrar-Recorder, and take all steps necessary and proper, for the Los Angeles County Registrar-Recorder to administer for all purposes any recall election process currently underway or initiated in the City of South Gate in the next twelve months.

This order is effective immediately.

It is so ordered.

  
BILL JONES  
Secretary of State

# South Gate Treasurer Arrested

**Politics: Albert Robles is held on \$500,000 bail for allegedly threatening rivals in long-running feud.**

By RICHARD MAROSI  
TIMES STAFF WRITER

Authorities descended on the home of South Gate Treasurer Albert Robles on Friday and arrested the politician for allegedly threatening other public officials.

Among those Robles allegedly made threats against were Assemblyman Marco Antonio Firebaugh, state Sen. Martha Escutia and a South Gate police officer, according to sources close to the investigation.

Some of the threats involved

murder, they said.

Robles was arrested without incident outside his townhouse and taken to the Men's Central Jail in Los Angeles, where he was booked on criminal threat charges and on suspicion of possessing illegal weapons. His bail was set at \$500,000.

The arrest is the latest in a series of cases launched against Robles or his allies that appear aimed at dismantling what critics have called a political machine in the city of 96,000.

Both Escutia and Firebaugh

have been at odds with Robles, the city's perceived political boss. They have backed opposing candidates and asked state officials to intervene in the city's notoriously ugly elections.

Prosecutors would not provide details about the nature of the threats; formal charges won't be filed until Monday. But Dist. Atty. Steve Cooley said Robles' arrest "symbolizes that public corruption will no longer be tolerated in this county."

"We mean business. . . Democracy and good government cannot succeed in an atmosphere of intimidation, threats and violence," said Cooley in a statement.

Robles' attorney, Tom Brown,

accused Cooley of political meddling, and said the district attorney was being used as a tool by Robles' enemies.

"It's politics. For many years Albert has known that he's had some very powerful political enemies, including Firebaugh and Escutia. This is their way at getting back at Albert," he said.

The arrest sent shock waves throughout the working-class city in southeast Los Angeles County, where Robles has long been a controversial and volatile figure.

"I don't think Albert is the kind of person who would make threats on another person's life," said City Atty. Salvador Alva. "He's a person who chooses his words very care-

fully."

But critics were not surprised, saying Robles' threats were long a part of his hardball political style.

"It's a good day," said Councilman Hector De La Torre. "It shows that you can't go around berating people, intimidating people, bullying people. That's what this guy has been doing for several years in this city."

Robles, 37, has long been at odds with Firebaugh and Escutia, Democrats who represent state legislative districts that include South Gate. But tensions heated up in recent years as Robles emerged as a political force in the city.

Perhaps the most public feud

Please see ARREST, B14

C: CMC  
KH  
DB  
DW  
file

# Treasurer Is Accused of Threats

Continued from B1

emerged last year when Escutia and Robles battled over a plan to build a power plant in South Gate. Escutia backed the construction of the plant while Robles led a successful citywide effort to sink the plan.

Robles often used strong language in denouncing Escutia during the months-long standoff, and in one television interview called her a "pig at the trough."

The allegation regarding the police officer is believed to stem from the city's attempts last year to install a new deputy chief. In retaliation, the police unions helped launch a recall drive against Robles, saying he was scheming to gain control of the force.

Several union officials have been outspoken critics of Robles, who has said city police are paid too much for too little service.

His tough talk was in keeping with a brash persona and his willingness to take on the political establishment.

"I haven't been the most tactful person in dealing with powerful politicians that I think are trying to do harm to our community," he said in a recent interview.

But Robles also said that, despite his history of using strong language, he has never crossed the line. Strong language, he said, merely reflects his passion.

"How do I paint a picture with the full palette of colors, so that as many people as possible can see what the problem is?" said Robles.

"If I just paint the picture in gray with a little black, it's an empty picture. But if I put my heart, my soul, my reputation, my career on the line, those are all the different colors that paint a fuller picture."

Robles' arrest comes three months after authorities raided his home in a search for illegal weapons, including a silencer. Numerous weapons were confiscated during the raid, including assault rifles. Brown, Robles' attorney, said Robles has registered all the weapons.

The charges could provide a knockout punch to the political career of one of the county's most controversial politicians. His career peaked in 1998, when he placed second in the Democratic primary for state treasurer.

But since then, allegations of corruption and self-dealing have dogged him. His 10-year career has paralleled the city's descent into political chaos, in which candidates have been viciously attacked in



ROBERT GAUTHIER / Los Angeles Times

South Gate Treasurer Albert Robles is handcuffed outside his home. He is accused of making threats against other officials.

hit-piece mailers and occasional violence has marred campaigns.

Councilman Henry Gonzalez, a Robles opponent, was shot in the head in a 1999 case that has not been solved. Gonzalez suffered minor injuries and remains one of Robles' harshest critics.

Last year, the organizer of the recall drive against Robles saw his business firebombed. That crime has also never been solved.

Robles has denied being behind the hit-piece mailers and the attacks, but many in the city suspect his involvement. Robles has long been known for his hot temper and sometimes disruptive behavior at council meetings.

Former Vice Mayor Maryann Buckles, in a 1997 memo to city officials, described his behavior as "frightening."

"His continual threats, tirades, screaming fits, interruptions and general obnoxious, irrational and improper behavior is creating havoc," she said in the memo. "His behavior is not only frightening to me but also harassing."

Robles was sued for sexual har-

assment by an administrative assistant in a 1999 case that was settled out of court. During a deposition, then-City Manager Andy Pasmant said several women in City Hall had complained of harassment by Robles.

Secretary of State Bill Jones said Robles' arrest would signal authorities' resolve to crack down on corruption in the city.

"Today's arrest should serve as a wake-up call for the remaining city officials in South Gate who have attempted to thwart the voters' access to the recall process," said Jones.

City officials, however, remained defiant. Mayor Xochilt Ruvalcaba, a staunch Robles ally, called Robles' arrest part of a conspiracy to meddle in city politics.

"This is all because Firebaugh and Escutia were not able to construct the power plant in South Gate," she said. "That's what she's sore about. She needs to grow up about it. If it didn't happen, live with it."

Times staff writer Ted Rohrlich contributed to this report.

# South Gate Official's Threats Described

**Crime:** Treasurer allegedly said he wanted to harm two legislators and a police official, prosecutors say. He calls charges a politically motivated attack.

By RICHARD MAROSI  
TIMES STAFF WRITER

Prosecutors on Monday provided details of their case against South Gate Treasurer Albert Robles, alleging that Robles made numerous terrifying threats against public officials, including two state legislators and a police officer.

Robles allegedly said he wanted to "blow the brains out" of one legislator and rape another. He also allegedly expressed a desire to fatally stab state Sen. Richard Polanco (D-Los Angeles),

South Gate Police Lt. Vince Avila. He is also charged with possessing two illegal assault weapons, including a semiautomatic rifle.

If he is found guilty, Robles faces a potential eight-year prison term. At his arraignment scheduled for this afternoon, prosecutors will request that bail be set at \$500,000.

"The potential harm the defendant may cause to victims, witnesses ... who have come forward and described their terrifying encounters with the defendant, requires ... a bail which reflects the defendant's dangerousness," according to the document filed by the district attorney's public integrity unit.

Robles, through his attorneys, has denied the charges, saying that

the case is a politically motivated attempt to get back at him for standing up to powerful politicians in southeast Los Angeles County.

Robles has admitted using strong language against his political opponents, but said such language merely reflects his passionately felt beliefs.

"The charges are ridiculous and utterly groundless," a city attorney, George E. Newhouse Jr., said in a statement released upon Robles' arrest Friday. "They amount to a media stunt and a violation of Mr. Robles' basic constitutional rights."

Prosecutors paint a disturbing picture of Robles in the 16-page court document in support of the bail amount. The legal motion includes accounts from numerous witnesses, some of them other city officials.

A sampling:

• At a March 2001 luncheon, Robles told two witnesses, one of them a Lynwood official, that he wanted to harm Escutia and her husband. "If I could get away with it, I'd have [Briones] killed and rape [Escutia]," Briones said. Robles once allegedly told him: "I'm not afraid of you. I'm a ... loco. I'm crazy."

• In June 2001, Robles allegedly told a witness that he wanted to take Fyrebough to Tijuana, where he would "put him in the trunk of a car and blow his ... brains out."

• In 1999, Robles allegedly wanted one witness to relay a message to Avila, the police officer. "Tell your friend Lt. Avila that he's a loser, and you know what, when someone gets killed, what they should do is shoot them in the eyes, both eyes to make sure that they're dead."

Prosecutors also included evidence of other alleged threats not included in the charges, but used to demonstrate that Robles poses a danger to others.

Robles allegedly told a South Gate official at a lunch meeting last year that he wanted to harm Polanco. "If Polanco was sitting next to me, I swear to God, I'd stab him to death and plead insanity when I went to trial," prosecutors quoted him as saying.

No charges were filed in that case because, according to prosecutors, the alleged threat never reached Polanco.

In 1992, prosecutors allege, he wouldn't let Hahn get into her car and made threatening remarks. He once allegedly banged on her front door, yelling for her to come out, forcing Hahn to flee through a back door.

In an interview Monday, Hahn said Robles was angry after he was kicked off her campaign for being too controlling.

Though she reported the incidents to police, she did not press charges, Robles, Hahn said, stopped bothering her after police warned him about her concerns. Robles, she said, apparently didn't learn his lesson in regard to other officials.

"As you can tell, he has this history of wanting power and wanting to control, and when that gets taken away from him, his behavior is really inappropriate," she said.

Under state law, a person can be convicted of making a threat even if there is no intent of carrying it out. A threat can be made verbally, in writing, or by means of an electronic device.

Times staff writer Tina Deunt contributed to this report.



Los Angeles Times  
An officer handcuffs Albert Robles outside his home on Friday.

C: GWC  
KH  
DB  
DW  
fuu

# NEWS



# RELEASE

17th  
Elec APP  
Elec Div mgmt  
Dw

## California Secretary of State Bill Jones

BJ02:048

REGISTRAR-RECORDS

FOR IMMEDIATE RELEASE  
Friday, April 5, 2002

Contact: Alfie Charles  
Shad Balch  
916/653-6575

### **After Arrest of Local Elected Official, Jones Repeats Order for South Gate to Transfer Election Authority to Los Angeles County**

*Arrest of City Treasurer Albert Robles Provides Additional Evidence of the Need to Transfer the Administration of the City's Elections to the County of Los Angeles*  
*Jones Applauds District Attorney Cooley's Continued Oversight of Affairs in City of South Gate*

SACRAMENTO --- Today's arrest of the Treasurer of the City of South Gate provides further evidence of the need for outside supervision of the elections process in South Gate said Secretary of State Bill Jones. The conduct of an upcoming recall election in the City of South Gate has been questioned repeatedly and strictly scrutinized by the Secretary of State since January. Treasurer Albert Robles was arrested under suspicion of making terrorist threats, including the threatened murder of two local state legislators.

"Today's arrest should serve as a wake-up call for the remaining city officials in South Gate who have attempted to thwart the voters' access to the recall process. Their actions will not go unnoticed and will not be tolerated," said Jones. "I applaud District Attorney Cooley for his vigilance and for taking action to resolve the unique situation facing the citizens of South Gate."

"Albert Robles and other officeholders politically aligned with him have attempted to thwart the will of the voters in South Gate by routinely interfering with the official conduct of an ongoing recall campaign in the City," said Jones.

"The people of South Gate deserve to have access to and confidence in the recall process," said Jones. "They need assurances that they will have a fair election, free from the intimidation, threats and influence of the local political machine."

Earlier this year, members of the City Council who, along with Mr. Robles, are facing a recall by the voters of South Gate, voted to strip the elected city clerk of her powers and transfer authority to an appointed attorney who has long-standing ties to the officeholders facing the recall.

On January 17, 2002, Jones announced he would supervise the elections process in South Gate.

On February 28, 2002, Jones ordered South Gate to either transfer election authority back to the elected City Clerk or to the County of Los Angeles within 30 days.

On March 26, 2002, the majority on the South Gate City Council announced their intention to ignore the Secretary's order. The Secretary announced that the state will pursue civil and criminal action to protect the integrity of the elections process.

# South Gate Official Posts \$500,000 Bond, Is Released

**Court: City Treasurer Albert Robles denies murderous threats against public officials.**

By RICHARD MAROSI  
TIMES STAFF WRITER

The same day that a judge called him a serious threat to the community, South Gate Treasurer Albert Robles posted an unusually high \$500,000 bail Thursday and returned to his tense city.

Robles was charged with making murderous threats against public officials, and ordered to keep at least 100 feet away from witnesses or victims. He has pleaded not guilty to the charges.

In a stern warning, Superior Court Judge Dennis A. Aichroth ordered Robles to depart immediately if chance brings him together with anyone involved in the case, including two state legislators. "If the defendant has half a brain, and I'm sure he does, he'll leave," Aichroth said.

Then, focusing on Robles, he added, "Because otherwise someone is going to make an accusation, sir, that you have harassed them and the next thing you know, you will be in here and the bail will be \$1.5 million."

While preparing for the return of the volatile politician, the city learned Thursday, in a separate development, that the FBI has opened a political corruption investigation in South Gate.

Subpoenaed late Wednesday, the city clerk was ordered to turn over all documents involving professional service contracts, which include attorney and consultant agreements.

It is not clear if the FBI probe is related to Robles. But news of the investigation, combined with the Robles case, seemed to push tensions to the boiling point. After a City Council meeting Wednesday, two councilmen had to be separated by police after a heated shouting match.

"I think there's a tremendous desire to move the city in a positive direction, but it can't as long as this stuff is going on," said the Rev. Charles N. Brady, who has held weekly prayer vigils outside City Hall.

Robles' release came after a



Dozens of South Gate residents turn out Thursday for Robles' arraignment. The volatile city treasurer largely remained silent.

contentious hearing in which a judge sided with a prosecutor's unusual request that bail be set at \$500,000—double the usual amount for such cases.

Susan Chasworth, assistant head deputy of the district attorney's public integrity unit, argued that people "are in fear, and continue to be in fear."

When it appeared that Robles would raise the bail—family members offered to help—Chasworth asked the judge to determine if the funds came from legitimate sources.

Prosecutors alleged that Robles might possibly divert money from the city treasury or his political action committees to raise bail money. The judge concluded that the bond came from a reputable bail bond agency and ordered Robles' release.

When Robles explained that he recently had been at a fundraiser also attended by one of his alleged victims, state Sen. Martha Escutia (D-Whittier), Aichroth warned him to avoid such functions and leave promptly if he encountered someone involved in the case.

South Gate police would not comment on whether special security precautions would be taken. But authorities in similar situations typically increase patrols around witnesses' homes.

Robles has been charged with threatening four people, including Escutia, Assemblyman Marco Antonio Firebaugh (D-Los Angeles) and a police officer. He also is charged with possessing two illegal weapons.

Prosecutors allege that Robles threatened to rape Escutia and kill her husband, Leo Briones. They also allege that Robles threatened to "blow the brains out" of Firebaugh.

If convicted on the nine counts, Robles faces a potential eight-year prison term.

During the hearing, Robles—attired in a black business suit, his hands handcuffed behind him—largely kept silent, except to answer questions.

Released late Thursday, he was not available for comment, but his attorney, Tom Brown, denied that he posed a danger. He said Robles would resume his normal duties as treasurer.

"If Albert was a serious threat, then the [district attorney's office] two years ago would have arrested him, when the alleged threats were actually made," Brown said.

Robles' release generated mixed reactions in the courtroom, packed mostly with Robles' enemies, but also some of his family members. Robles' opponents were dejected when he was able to post bail. "He is a threat to the community ... Albert has been threatening people for the last five or six years," said Joe Ruiz, a harsh critic.

Robles says he is the victim of a politically motivated case in retaliation for standing up to his political enemies. Over the years, Robles has been at odds with Escutia and Firebaugh on numerous issues. He admits using harsh language, but said it merely reflects strongly held views.

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Photos by ROBERT GAUTHIER / Los Angeles Times

Sheriff's Deputy L. Rodriguez places a restraining order in South Gate Treasurer Albert Robles' jacket after his arraignment. Robles was barred from contacting victims or witnesses in his case.