

MOTION ~~PERSONNEL & ANIMAL WELFARE~~

The Office of Public Accountability (OPA) is a Los Angeles City department established by voter-approved Charter Amendment I (adopted March 8, 2011) in order to shed greater light on the Department of Water & Power's (DWP) operations and finances and to serve as an independent watchdog.

The OPA is headed by an Executive Director appointed to a five-year-term by a citizens committee subject to confirmation by the Council and Mayor. The OPA Executive Director is charged with oversight of all the work by the OPA, including the proper administration of its affairs; the appointment, discharge, suspension or transfer of its employees; and of proposing an annual budget covering the anticipated expenditures of the OPA and expending its funds. The Executive Director's duties also include consumer protection and complaint procedures; and other duties as may be established by ordinance.

The current Executive Director of the Office of Public Accountability has been nominated to another 5-year term by the Citizens Advisory Committee without any review of his job performance during his first 6 and 1/2 years on the job in this position and the chair of the Citizens Advisory Committee which nominated him has stated that no such review has taken place nor ever would.

The DWP's Office of Public Accountability should not be above public accountability. Charter Section 683 requires the establishment of provisions for the administration and operation of the OPA, which provisions shall include at a minimum: (1) reporting requirements and schedules and (2) consumer protection and complaint procedures. Yet the City Council and the Mayor have not established such provisions.

The ballot argument in favor of the establishment of the OPA argued that consumer protection would be increased by authorizing the OPA "to investigate legitimate complaints" from customers and "to propose recommendations" to address these issues.

To date, the OPA has not improved DWP transparency or adequately addressed common consumer complaints (including customer service problems which have caused DWP to be ranked at the bottom of customer service satisfaction surveys among major Western utilities by the best known market research company in the field, JD Powers); has endorsed power and water rate hikes of \$1.1 billion between 2012 and 2018; has not analyzed plans to refurbish natural gas power plants for \$2.4 billion by 2025 against City goals to go 100 percent green, including reviewing independent reports showing how this might be done; has rebuffed requests to take into consideration the additional, hidden "true" costs on the environment, the climate and the economy of the procurement and burning of fossil fuels in assessments of programs such as feed-in tariffs for distributed solar installations of rooftop solar systems installed by large-scale commercial and residential developers; has approved supporting the Bay Delta Conservation Project/California Water Fix tunnels which have had constantly-shifting cost estimates and therefore an unknown future impact upon the City's ratepayers; and has failed to defend ratepayers against a major and avoidable billing software meltdown in 2013 that led to \$67.5 million in customer mistaken billing.

I THEREFORE MOVE that the Council direct the CAO and the CLA, with the assistance of the Personnel Department, to obtain the services of an appropriate consultant to conduct a job performance review of the Executive Director of the OPA; and that pending the completion of this job performance review, the Executive Director of the OPA be granted a six-month interim contract instead of a new contract for a five-year term.

I FURTHER MOVE that the performance review include the whether the OPA has concretely improved customer service and instituted customer complaint procedures, ensured the lowest possible rates for safe and efficient provision of utility services, with safety including protection of the environment and the climate.

PRESENTED BY:

Paul Kretz
PAUL KORETZ
Councilmember, 5th District

SECONDED BY:

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ORIGINAL

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