Central San Pedro Neighborhood Council  
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Port Community Advisory Committee Report

This final PCAC report is an article by Coastal San Pedro Neighborhood Council’s own Robert Gelfand published in today's issue of CityWatch.

CityWatch

Villaraigosa's Policy Writ Large: Screw the Public’s Voice

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VIEW FROM HERE - On Thursday, May 2, 2013, the Villaraigosa administration carried out one final act of vandalism against the idea of public representation. It came in the form of a vote by the Board of Harbor Commissioners to abolish an organization known to locals as the PCAC. More officially, the now-demolished organization was the Port Community Advisory Committee.

Its function was to allow local residents a chance to communicate with the management of the Port of Los Angeles over issues that affect all of us, including dangerous levels of air pollution, truck traffic, and noise.

Why the PCAC was necessary and why something like it is still necessary is a long story, but let's try to condense it down to a few sentences.

Not many Los Angeles residents understand the role of the Port of Los Angeles in creating air pollution. It's a huge fraction of the regional total, as studies by the port's own environmental group have shown, and as the local air quality management agencies can attest.

The port also has been guilty of the practice of expanding its boundaries in search of more and more acreage, which has had dramatic effects on the surrounding communities. The maritime industry's conversion to diesel powered ships and the introduction of the use of containers, each the size of a semi-truck's cargo pod, led to a huge increase in diesel pollution, the result of more ship calls and the resulting truck trips.

In addition, there has been a massive increase in truck traffic through the adjacent communities. The truck traffic has been an incessant source of noise and vibration to the people of Wilmington.

The creation of the PCAC was the keeping of a campaign promise made by mayoral candidate Jim Hahn. Its function was to allow the local communities to deal with port management in order to achieve some mitigation of the port's impacts on them. In fact, the original working name for the proposed group was the Impact Mitigation Advisory Committee.

When Hahn began his term as mayor, the promise was kept, at least to some extent. The PCAC was formed as a standing committee of the Harbor Commission, which meant -- importantly -- that it was subject to state laws requiring openness and transparency of operation. Each of the local neighborhood councils had the authority to appoint a representative to the PCAC, and all of them did so.
Perhaps unfortunately, the Harbor Commission also invited every other organization that had something to do with the port to join the PCAC, so its ranks were swelled by representatives of shipping companies and freight operators and workers’ organizations. In other words, the politically powerful companies that were the active generators of air pollution and truck traffic were also made voting members of the organization.

In later years, many of these groups figured out an alternative strategy -- they simply boycotted meetings, and due to the arcane rules structure imposed by the Harbor Commission, this behavior resulted in PCAC’s failure to achieve a quorum at many of its meetings. The fact that this failure was due to mischief and to a toxic rules structure was protested by local activists, but the Commission ignored the protests for year after weary year.

The sabotage of the PCAC’s operations by the port administration was not only a misfortune, it was also an attack on a principle established by the voters when they modified the city's Charter back in 1999. The newly created Charter Section 9 created the neighborhood council system. It gave the neighborhood councils the duty of representing the broad public interest to the elected officials and city government agencies. At the neighborhood councils, our right to appoint representatives to the PCAC was considered a matter of importance. To have this right taken away is a blow to our ability to represent the public.

You might wonder why the neighborhood councils didn't protest the upcoming dissolution of the PCAC. The answer is stunning in its simplicity. The Port of Los Angeles waited until barely 72 hours before the Harbor Commission meeting to publish its agenda, which included the item to abolish the PCAC.

Was this suddenness appropriate? The new system established by the 1999 Charter amendments was supposed to provide advance notification to neighborhood councils about anything that would significantly affect us. That 72 hour window was certainly not the "advance notification" that the city is supposed to provide.

In this regard, it's noteworthy that the port sends representatives to local neighborhood council meetings, so the port could have communicated the proposed death of PCAC in plenty of time.

At my council's April meeting, the representative from the Port of Los Angeles attended. He told us of many things, but nothing he said spoke of the plan to abolish the PCAC. Perhaps it slipped his mind. Curiously, it seems to have slipped the mind of every port representative who attended any neighborhood council meeting in the past month.

The Harbor Commission meeting of May 2 was, to borrow the old expression, history repeated as farce. In the old pre-PCAC days, it was common for port activities to become known to the public mainly as rumors, with the understanding that whatever was going to happen was already a "done deal." The fact that this political assassination of the PCAC was a "done deal" became obvious during the Commission meeting.

Numerous local activists, PCAC members, and neighborhood council representatives asked the Commission for a stay of execution. A few folks disagreed, but I for one found their arguments rather thin. For example, there seemed to be a script being followed where those who wanted the PCAC abolished mentioned the failure to achieve quorums.

The clear and obvious refutation was provided again and again, but it was presented to deaf ears on the Commission itself and apparently to closed minds among some of the audience.

Then the Commissioners gave their little speeches, and it was an exercise in circular logic and political handwaving. Let's put it this way. As pundit Michael Kinsley once pointed out, a political gaffe does not occur when a politician is caught lying, but when he accidentally tells the truth. I can testify that no political gaffes were committed by the members of the Board of Harbor Commissioners on that day.
It was particularly disappointing to see and hear Commission Chair Cindy Miscikowski recite a lot of nonsense. Most egregious was her comment to the effect that the original PCAC included all of the interest groups around the harbor, with the implication that this was desirable, and that therefore their failure to attend meetings was a reason to disband the organization.

The fact that the Harbor Commission had supported and abetted the exodus of the billionaire's club from PCAC seemed to be lost on her. It's true that she wasn't around when the PCAC was formed, but she seemed oddly misinformed about the purpose of having such an organization.

**Afterword:** Some of my colleagues argue that PCAC had long since outlived its useful life, and was only continuing on life support. This argument is largely based on the fact that the port has been ignoring PCAC for close to half a decade. The PCAC continued to put out memos and resolutions, and the Harbor Commission routinely ignored them.

When the PCAC was young, the port paid the costs for inviting expert advisers on matters such as the effects of air pollution on children, and on the specifics of diesel pollution. This ultimately amounted to hundreds of thousands of dollars, but in my view, it was money well spent.

Under the Villaraigosa administration, the ports of Los Angeles and Long Beach took the information about air pollution and engaged in a serious effort to reduce it. According to the port, air pollution has been reduced by 50-70 percent, a remarkable achievement if true.

We have to give the Villaraigosa administration credit for this. But we also need to credit the PCAC and neighborhood councils for creating the push that led to the studies on the possible mitigations of the air pollutants, and for creating the political climate that required their adoption.

The port explained at the Harbor Commission meeting that it has developed new ways of getting public input. It holds public information meetings and does outreach to the community. This is fine as far as it goes, but it lacks one essential element. We the people need to be able to set the agenda ourselves, because we are the ones who live in the area that is most affected by port operations.

We need to be able to define the questions which are going to be asked. Most importantly, we need to pick our own representatives. The new model as defined by the port is in essence to appoint lackeys who will say the right things while business goes on as it once did.

The Villaraigosa administration has been a mixed bag in terms of achievements and openness to the public. It has not been entirely negative, as the air quality improvements demonstrate. But when it comes to being open to public input, its record with regard to neighborhood councils has been a distinct negative.

It's only been the past year that we have seen some improvements, most notably in appointments to the Board of Neighborhood Commissioners and of the General Manager of the Department of Neighborhood Empowerment. That leaves a seven year record that ranges from the spectacularly negative (the appointment of Lisa Sarno as acting GM of DONE) to the more recent record of mostly-benign neglect.

The next mayor should hold full and frank discussions not only with the port, but with the surrounding communities, so that we can get public representation back. The port can be allowed to save face through a process that recognizes the function of the PCAC, reorganizes the process -- best served by agreeing to engage with a regional organization created and run by the neighborhood councils -- and perhaps gives the new PCAC a different name.