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A Conversation With . . .

State Senator Alan Lowenthal



Alan Lowenthal, a former Long Beach city councilman, is serving his second term as state senator for the 27th District of the State of California. Lowenthal confirmed that he is exploring running for mayor of Long Beach in 2014, but has yet to make a decision. If he decides to run, Lowenthal would have to be considered the front runner. (Photograph by the Business Journal's Thomas McConville)

If he decides to run for mayor of Long Beach in 2014, Alan Lowenthal would be a formidable candidate and, in fact, would be considered the favorite. "I'm not ruling it out, but I'm not ruling it in either," Lowenthal told Business Journal Publisher George Economides and Staff Writer Tiffany Rider in a December 13 interview covering a wide range of issues from his roots as a community activist to grading Arnold Schwarzenegger's performance as governor.

A retired professor of community psychology from California State University, Long Beach, Lowenthal was elected to the Long Beach City Council in 1992 – defeating a 17-year incumbent. In 1996, he was elected to the California State Assembly and six years later to the 27th State Senate District, where he is today until his term expires in 2012.

Lowenthal, who has a Ph.D. from Ohio State University, has been a catalyst for change in the city and state, and is known for fighting for neighborhoods and for the rights of their residents, while pushing to clean up the environment.

His focus on the environment started during his years on the city council, when he listened to the complaints of constituents about petroleum coke dust particulate in the air and the soot covering their window sills, patio furniture and cars. He helped get the coke dust piles covered.

Lowenthal has also been a leader in cleaning the ports through reducing truck idle time, developing the pier pass program and improving air quality surrounding the ports. He has since, during his years in the state legislature, introduced several environmental protection bills that not only benefit Long Beach but statewide, including the recent graywater reuse bill that would help conserve potable water in a state that continues to face a water shortage.

Lowenthal is married to Dr. Debbie Malumed, a family practice physician. He has two adult sons, Joshua and Daniel, and one grandson, Avinash. The 27th Senate District includes the Los Angeles County communities of Avalon, Long Beach, Signal Hill, Lakewood, Cerritos, Artesia, Bellflower, Downey, South Gate, Lynwood, Paramount, Hawaiian Gardens, Florence-Graham and Willowbrook.

(This interview is also available on Facebook and at www.lbbj.com.)

LBBJ: When did you first run for city council?

Lowenthal: I ran in April of 1992.

LBBJ: That was against Wally Edgerton.

Lowenthal: I had no money. I had no endorsements.

LBBJ: At that time, the election was considered a huge upset, correct?

Lowenthal: Right. He had been a 17-year incumbent. [Term limits for city council seats were enacted in 1992.] I had never planned on running, but I was the president of the Long Beach Area Citizens Involved (LBACI). At that time, LBACI was really an umbrella organization of all of the organizations in town that felt they were not being listened to – whether it was the NAACP, gay and lesbian groups, Latin groups and all the white liberals.

So everybody was kind of in this group because it had preceded the rise of neighborhood associations as a power in the city. It was mostly people who were upset with the city.

LBBJ: Didn't some of it center around concerns about the police department?

Lowenthal: At that time, we had a lot of difficulties in the city with our police department. The city was split. Two years before I ran, they had brought in Larry Binkley from Los Angeles to take over the police department as the chief because there was so much tension between the police department and the POA [Long Beach Police Officers Association]. Because there was such unhappiness with the department, they split the city so that the 5th District [Northeast Long Beach] and the 9th District (North Long Beach] and a little bit of the 8th District [Bixby Knolls] were patrolled by the L.A. Sheriffs. The rest of the city was patrolled by Long Beach PD. So there was the issue of who was in control and which department we were going to go with.

At the time, the communities that I was involved in were concerned about excessive force by police, especially toward Latino and black kids and gay youth. It was the Don Jackson incident [Long Beach police had stopped Jackson, an African American who was known to set up stings to find bad cops; a confrontation occurred with Jackson allegedly being slammed into a plate glass window, all the while, the incident was being filmed by an NBC crew] . . . the incident was an opportunity to coalesce the city around a citizen police complaint commission. As the president of LBACI, I brought people together to set up a steering committee to see whether we could put the commission idea on the ballot. It would be a charter amendment, so it would need either five votes on the council or collecting signatures. It was fresh in the public's mind, so we figured this was the time to do it. I had four votes on the council. I went to my own councilmember, Edgerton, who said, 'I just don't have time to deal with these issues. You'll have to get your vote somewhere else.' I said, 'Fine.' Since we couldn't get his vote, we got someone else's vote and we put it on the ballot. We ran the campaign in 1990 and we won with about 54 percent. The day we won I decided I was going to run against Edgerton. That's when I decided that if he didn't have enough time to [support our effort] . . . And, we had all been Wally supporters.

LBBJ: Long Beach was shifting, politically, because of the recent passage of district elections . . .

Lowenthal: That's right. I worked on that with [the late] Jenny Oropeza in those days.

But that's how I got into running. Wally didn't do anything. He just sat in his office, and by the time of the election, I had walked that district so much that people thought I was the councilmember.

I can tell you another story. He's my new best friend. What happens is, Wally moves out to Menifee and I get this call. It's Wally

Edgerton. I hadn't heard from him in all these years. He says, 'Alan, you're my hero.' I said, 'Why?' He says, 'Well, after that devastating defeat when you beat me and no one ever expected you to beat me, I realized you did it because you walked. So when we formed this new city, I walked and walked and walked when I ran for council I got the most votes and became mayor.' [Established in late 2008 as California's newest city, Edgerton still serves as mayor of Menifee, population 68,000.]

LBBJ: So you were on the council for six years?

Lowenthal: Yes. I was elected in '92. . . . and reelected in '96 without opposition.

LBBJ: So you're on the council for six years. During that time, what do you think was your major accomplishment?

Lowenthal: Well, I think there were two. One, when I first came in, people wanted out of Long Beach. They thought Long Beach was going nowhere, there were shootings, there were rioting and so on. I spent a lot of time trying to bolster and support my district, whether we did community code enforcement, neighborhood nuisance code, community meetings – almost every night I was in that district trying to reestablish a pride in the city.

The other one was, I was there when Disney pulled its project out of the downtown. [Also] early on we were then going through the naval shipyard closing. What I did was to try to push economic development in the downtown. Although I wasn't pleased with the plan – I was the one person who voted against it in closed session because I thought we were buying the Pike properties on the cheap and I wanted the more expensive.

This was also the time I began dealing with another big issue, which was air quality in the ports.

LBBJ: So returning pride through neighborhood improvements, downtown development and air quality . . .

Lowenthal: Right. When I walked the district, people kept telling me – because I had no idea about this before I had run as a neighborhood activist – 'Alan, that's really interesting all this stuff about why you're running, but what's this black soot on my window?' So I said I would form a task force and find out, that it would be my first priority. It had to do with the open petroleum coke piles. There was over one million metric tons of open petroleum coke that was in there . . . That started a 20-year run – which continues today – dealing with air quality.

LBBJ: But you got the coke covered.

Lowenthal: Right, we got it covered.

LBBJ: And a lot of it came from the Port of Los Angeles.

Lowenthal: Right. We got them to put those domes over the coke piles and to clean up their act.

LBBJ: So the council is starting to change a little bit, listening to neighborhood issues more. That's when the police were changing too. . .

Lowenthal: Right. Councilwoman Doris Topsy-Elvord and I were the swing votes to keep the Long Beach Police Department. A new chief was hired, and that was the beginning of some of the healing that took place and the calming down.

LBBJ: So all of a sudden we have this Pike project, and I recall that you really pushed the 'wow' factor. Did you get the 'wow' factor?

Lowenthal: No.

LBBJ: What happened?

Lowenthal: We went through a number of cures and other things and invited outside developers to submit bids. We then got it down to two, and the council had to make a decision. There was OliverMcMillan from San Diego, a group that was just emerging and said, 'There won't be any charge to the city. We just want to use Long Beach;' and the other group from L.A., Ratkovich, but

they wanted to charge us a significant amount of money for the project. They had much more of an urban design down there.

LBBJ: Beverly O'Neill is mayor . . .

Lowenthal: Yes. I felt that if we're going to do this development down here, not only does it need a 'wow' to bring people here but it's got to be linked to Pine Avenue. I said, 'You're not going to get convention folks from the convention center down there to come up Pine Avenue for lunch if you don't create some kind of connection.' It was not enough. I wanted it to be more of a 'wow' and it never was. I wanted us to go for the more expensive project from the established developers, but the council at the time – we were just coming out of economically horrendous times – they just didn't want to spend money.

LBBJ: Do you think we wasted an opportunity?

Lowenthal: Yes. But I'm most concerned about Pine at this moment. We let that flounder because we focused on the Pike. We're closing the theater . . . and the retail is gone. So I am concerned that we are going to desert Pine.

LBBJ: So in general you're not happy with the end result?

Lowenthal: I think we missed an opportunity. Not that it's all bad, but we missed something really unique. There's nothing unique about the Pike.

LBBJ: So in 1998 you're six years in and you decide to run for the assembly.

Lowenthal: I'm still teaching at Cal State Long Beach and I'm figuring these are my last two years [on the city council] and I'm going to go back and be a full-time faculty member. Steve Kuykendall is the Republican assemblymember and a pretty good guy. . . . I figured he's got two years left so I'm not running against Kuykendall. All of the sudden I get a call on the last day to file for election. Kuykendall is running for Congress because Congresswoman Jane Harmon is running for governor against Gray Davis in the Democratic primary. There's an opening. My consultant says, 'There's no Democrat really running [for the assembly seat]. Are you interested?'

LBBJ: So you've got the name I.D. now after six years as a councilmember.

Lowenthal: I was the first of the Long Beach people coming from the changes that were emerging in the city – more neighborhood folks. I was the first of that group to say I can win.

LBBJ: So you became assemblyman in 1998 and served for six years until 2004, and then you ran for the open seat in the senate and you won that. Then you got reelected in 2008 and have until 2012. How long, then, have you been in Sacramento?

Lowenthal: Twelve years. November of '98 I'm elected. Now we're going into 2011, so I've completed 12 years.

LBBJ: What do you consider your major accomplishment during the 12 years in Sacramento?

Lowenthal: I think I've had a couple. None of these do I take all the credit for. One was . . . when I was elected to the state legislature, nobody really knew anything about the ports. No one knew anything about goods movement in the state. No one knew anything about the pollution that was going on in this region. No one knew about the economic giant and what it meant for the state and all the issues that were involved. I think the most important thing was that I was part of that movement and played a leadership role of helping the state and local government to realize that you can have both an economic engine and a clean economy. I was part of that movement by having a series of bills when I first went into the legislature. Many of them signed, some not signed but still . . .

LBBJ: Who was the governor at the time?

Lowenthal: Gray Davis was just elected. I pushed for reduc-

ing the idling time of diesel trucks, the pier pass program, opening the ports to . . .

LBBJ: So you were focused on environmental issues . . .

Lowenthal: The environment and cleaning up and getting rid of . . . it was really air quality awareness, that the ports had to reduce their pollution level. At the same time I tried to work with communities, because I worked on pier pass with the industry, that I'm not anti-industry. I see coming electrification and clean technology. I think we can do both.

LBBJ: But there was a lot of resistance.

Lowenthal: Tremendous resistance. They thought I was some sort of communist. They were all against me at that time. I was going to destroy the goose that laid the golden egg. They told me it was going to be terrible. It all turned out that over the past 10 or 12 years that they have not only evolved, but they have adopted this as their own mantra. I think that's wonderful.

LBBJ: Do you feel in general that the ports would not have moved as quickly if it hadn't been for the push from both individuals like yourself, elected officials, and neighborhoods?

Lowenthal: Absolutely. There were lawsuits over in Wilmington. And with the push of neighborhood activists.

LBBJ: And the ports haven't been destroyed.

Lowenthal: Not only have they not been destroyed, but they have decided that that is now their identity and they love it.

LBBJ: They are the Green Ports.

Lowenthal: That's right. Twelve years ago if you would have mentioned that, they would have said, 'You're out of here.'

LBBJ: So tackling environmental issues is one of your biggest accomplishments.

Lowenthal: Right. That was one. Another was that I fought for over the years was to bring about reform. I headed up the group that introduced independent redistricting and a redistricting commission.

LBBJ: That lost the first time, right?

Lowenthal: I couldn't even get a second. Then I finally got it through the legislature, through the senate and the assembly, and then the legislature refused to deal with it until finally it got put into Proposition 11. That was really the work that I had been pushing for four years. I was the legislative person who pushed for independent redistricting and an independent commission to set the boundaries.

LBBJ: Over the years, Democrats have been in the majority in the state senate going back to 1974.

Lowenthal: Yes.

LBBJ: In 1995-96, Republicans held the majority in the assembly, but prior to that Democrats held the majority since 1970.

Lowenthal: Right.

LBBJ: So, except for a year or two, the Democrats have been in charge for the last 40 years.

Lowenthal: I don't think they're in charge. They've never been in charge.

LBBJ: Well, they were in the majority.

Lowenthal: They were in the majority, but we have the two-thirds vote to pass.

LBBJ: Right, but they were in the majority for the last 40 years.

Lowenthal: To pass any appropriation . . .

LBBJ: We know that, but the fact is that they were in the majority.

Lowenthal: Even though the majority doesn't rule.

LBBJ: You're in the majority now, you've been in the majority

Lowenthal: But the majority doesn't rule. You have to finish the sentence.

LBBJ: OK. But the fact is you've had Democratic governors,



Gray Davis. And Arnold Schwarzenegger has been sort-of middle-of-the-road. He's been for environmental issues and so on. When Republicans don't like their own governor, you know there's a problem.

Lowenthal: Right. He's been a champion of greenhouse . . .

LBBJ: Over the years we've dug this huge financial hole.

Lowenthal: Right.

LBBJ: Whose fault is that?

Lowenthal: The people.

LBBJ: The voters?

Lowenthal: Right. Let me tell you what happened. And it's the legislature too. What happened was we created systems that were designed to fail and the legislature then made sure that they failed. But it wasn't any one group. In 1978 – that was the watershed year and when Jerry Brown was the governor – the state had a phenomenal surplus of money. We were making money. We were a high tax state at the time. We ranked as one of the top tax states in the country, well above the national average. Much of that was driven by the fact that there had been tremendous real estate speculation going on and people were real scared about losing their homes because of the property tax.

LBBJ: So you're going to blame the state's financial problems on Proposition 13?

Lowenthal: No.

LBBJ: OK, go ahead.

Lowenthal: Prop 13 did a number of great things. It put a cap on property tax. That was great. But it did things people didn't know they were voting for. One of the things that it did was that even though it was anti-government, it said, it shifted where the money was collected from the local level to the state. It shifted the property tax to the state level. Now the state did it, so it led to the centralization of power in the state. Now it wasn't the local school board that decided if they need a new high school and they had people on their board and they could then raise property taxes and put a levy out for a vote. It shifted all of that to the state, so locals kind of had some idea about after the state decided how much money they were going to get, then they could make decisions. But now they were dependent upon the state.

That was one of the things that began. It also began the process where people began to see that through the initiative process, they

could lock down things. That was the first time they put it in a two-thirds vote to raise taxes because people hated it. The problem is, it did a short-term fix. It then began a whole series of initiatives that have occurred over the last 30 years, which every group now decides.

LBBJ: Are you saying . . .

Lowenthal: I'm saying that the initiative process, which we all participate in, has been a disaster for California.

LBBJ: Is that because it has taken so much money away?

Lowenthal: It has locked everything down by formulas. We don't have any control over it. It's all locked down.

LBBJ: So you don't think our financial problems, which are pretty severe and look like they're going to get worse, are caused by Democrats and Republicans in Sacramento?

Lowenthal: OK. Now, given that, Prop 13 was supposed to control the spending. It really was. But what ended up happening was that in the good times, the legislature, because they needed a two-thirds vote, that when more money came in, what they did to pass a budget, because you had a lot of money, they would buy Republicans. So rather than lowering spending, it raised spending because the Democrats wanted to spend money and the Republicans didn't but they needed their votes to do it. So rather than seeing a decrease in this process, when we had the bad times, people just had a difficult time letting go and cutting programs. You couldn't really raise taxes.

LBBJ: If it were up to you today . . .

Lowenthal: I would get rid of a lot of the initiative process.

LBBJ: Would you raise taxes to help balance . . .

Lowenthal: I think the problem is . . . I think I support where the governor is at this moment. I think that it's very silly now in a difficult economic time to talk about raising taxes. I think what needs to be done is this – we need to shift back the responsibility to the local level, and the money also, and let them decide if they are going to raise the taxes.

LBBJ: You've been there since 1998 . . .

Lowenthal: I think we've done it. Don't get me wrong. In the good times, we spent money . . .

LBBJ: Do you feel that you, Alan Lowenthal, after 12 years, are part of the problem or part of the solution?

Lowenthal: I think right now, obviously I think we've all been, and I think Democrats and Republicans because you need a two-

thirds vote to pass a budget and governors need to sign it and Arnold has signed every single budget – I think right now we’ve engaged in three ways to battle when we can’t raise taxes. One way is to, in terms of balancing and setting the state on some kind of fiscally responsible course, what we’ve done is we’ve resorted to gimmicks. That’s the first thing. Short-term solutions. We push things off into the future for payment we didn’t pay this year. We sold buildings and then rented them back, ended up ultimately costing us a whole lot more money than in the first place. The governor asked if we were going to put a recovery bond out that we were going to borrow \$15 billion so we never have to borrow again – borrow to not borrow – I supported that and the legislature also . . .

LBBJ: Do we have too many state employees?

Lowenthal: No, I don’t think that’s the issue.

LBBJ: You don’t think so?

Lowenthal: I think we have to reduce. Over 70 percent of our funding is money that’s passed through to the local level. It’s education money; it’s corrections money. The vast two-thirds of our funds for state employees are corrections. That’s what we pay for, for state employees. Do I think that we should have other alternatives for corrections rather than just putting people away for a long time the way we’re doing it? Yes. I think it has to be thought out. We’ve now lost control of the correctional systems to the feds.

LBBJ: You don’t think that . . .

Lowenthal: We’re going to have to reduce. Let me go on. So we borrowed money to fix our budget, we did one-time fixes and then recently we hoped for and requested and the federal government gave with stimulus money. These are all one-time fixes to get us through tremendous difficult times. We were not living within our means. That’s really what I’m saying. What I’m saying is, yes, I voted for that. We all did.

LBBJ: A lot of business people say Alan Lowenthal and his buddies in Sacramento are the reason we’re having a problem. Most of the elected officials in Sacramento come from a public sector background, such as teachers. There are very few people serving in Sacramento who have had to meet a payroll or deal with all the issues of running a business.

Lowenthal: OK, that’s right.

LBBJ: Do you think that we need more business sense, more business expertise in Sacramento? Would that help?

Lowenthal: Of course, it can’t hurt. I think what you’re saying is, should we have a more transparent and open budgeting process, which businesses have to go through, where you actually look at what you take in and what you spend and you have to live within it. If you need more money, either raise your prices or you have to go to . . . we haven’t done that. We’ve kind of done it around the edges, keeping it this way . . .

LBBJ: But a lot of you have always had a paycheck because you’ve come up through the public sector. You’ve never had to meet a payroll. They don’t understand up there how workers’ comp costs affect us, or all the paperwork and regulations . . .

Lowenthal: With California taxes, what we hear from most businesses is not so much the tax structure that gets them. Nobody likes to pay taxes. We hear that more from the residents than from the businesses. What we hear from the businesses is that it’s difficult doing business in California. It’s the regulations, not so much that the tax structure is so far out of line with others. There are some taxes in California that are high and there are some that are low. It’s mostly the permitting, the regulations. That’s what we need to . . .

LBBJ: How is Sacramento going to change with Jerry Brown in charge?

Lowenthal: Jerry Brown is a realist. Jerry Brown is not trying

to sell a bunch of goods anymore. He’s not trying to be popular. He says this is his last term and he’s just laying out what it is. He’s going to go to the public, not introducing any taxes or anything without having people vote on them. We’re going to lay out exactly where we are, this is what we take in, this is what it’s going to cost to run education, these are the kinds of reforms that we need. If you don’t want it, this is what you’re going to get. If you want it, this is what you’re going to get.

LBBJ: So you’re going to have to have massive cuts it sounds like.

Lowenthal: Absolutely. Massive cuts.

LBBJ: So are you on a committee in Sacramento that helps . . .

Lowenthal: I am. I am on the budget committee and I was a conferee, one of the three members of the senate that dealt with this. And we’re going to have massive cuts.

LBBJ: Do the unions, do you think, understand that’s what’s needed?

Lowenthal: No. Nobody understands. Nobody publicly. I think people are beginning to get it. Do the unions in Long Beach understand what’s going on? There is no money, George. Even the Democrats don’t want it, but we’ve come to the understanding that there is no money.

LBBJ: So do you think the state outlook is going to improve when Governor-elect Brown takes over?

Lowenthal: Yes.

LBBJ: What do you base that on?

Lowenthal: Part of it is timing. Part of it is we’ve just lived through the longest drop since the Great Depression. Usually we just spring right back. We’re not going to do that. If you look at this recession, it’s going to be a six- or seven-year total thing. We will be growing at two to three percent. California, as of the latest report, still has a very strong economy. You’re asking me about governance issues. . . . We are still the eighth largest economy in the world. So the question is, given this, and much of the national recovery will occur, will we begin to see, under Brown, the beginning of recovery? Will we see housing beginning to come back? Will we see construction beginning to come back? We’re seeing some trade come back. We’re seeing some economic development in technology. Much of the nation’s investment is happening here in California. We will begin to recover, but whether . . .

LBBJ: What about unemployment?

Lowenthal: Unemployment is going to be a very difficult thing because those kinds of jobs that have gone away, many of the retail jobs, will never come back. We’re going through a transition. . .

LBBJ: If you were to give Schwarzenegger a grade, what would you give him? He’s spent, what, six years in office? You’ve been there the whole time. As a governor, do you feel he’s . . .

Lowenthal: Missed opportunity.

LBBJ: Missed opportunity?

Lowenthal: I don’t know if that comes to a letter grade. Some things he did well. Obviously I am a great supporter, as I pointed out that one of my major accomplishments have been environmental accomplishments.

LBBJ: And the governor has been supportive.

Lowenthal: The governor has been wonderful.

LBBJ: So he gets an ‘A’ on environmental issues?

Lowenthal: An ‘A’ on environmental issues. A lot of politics. A lot of it is developing relationships across both sides of the isle and getting things done. That’s one of the things Obama is learning. He’s learning this now . . .

LBBJ: So you don’t think the governor reached across the isle enough?

Lowenthal: He didn’t reach across to his own party enough. He finally came to the legislature two years ago and did what we want-

ed: a temporary tax increase, which we hadn't had a tax increase in years and he agreed that we couldn't get out of this without at least that temporary tax increase. He went to the Republican caucus to try to get them to vote for this and what they did was every single member of the Republican caucus put their name tag on to show the governor that, 'It's really interesting now that you're coming to tell us to vote now for a tax. You don't even know our names.'

LBBJ: So on the governance side he gets a 'D'?

Lowenthal: A 'D' or 'D-minus' on that.

LBBJ: Do you think it was lack of experience because he didn't come up through the ranks?

Lowenthal: No, I don't think so . . .

LBBJ: Because you had a guy named Reagan who did pretty well.

Lowenthal: But Reagan was a great schmoozer. What Reagan used to do when George Stephanos was his chief of staff, he would save one afternoon a week. He was in his office, he was in the capitol and he'd have legislators come down and chat with him.

LBBJ: And that's not happening with . . .

Lowenthal: It never has.

LBBJ: So you think communications is a big . . .

Lowenthal: There are no communications. It comes down from the top where he wants, and then we react against it. . . . Reagan was a great communicator. Even Pete Wilson used to walk the halls.

LBBJ: No town hall meetings.

Lowenthal: Right. That's what Brown has started to do . . . That's what he's doing. He's opening up, having people talk, just saying, 'This is the problem.' He is not coming in with the solution. The nicest thing is having a governor that just wants to listen, whether it's the business community or a resident. He's just saying, 'This is where we are. You tell me what we should be doing.' We'll see whether it works.

LBBJ: What about this graywater bill?

Lowenthal: It's a great bill. This is another thing I'm proud of. We have a huge water problem in this state; too many people, too little water. In your home you have different kinds of water supplies. You have black water, which is from toilets. That has to go into the sanitation system. But you also have graywater, and that's water from your washing machine and from your shower – water that could be recycled and used for outside irrigation. Why are we using the best water for outside irrigation?

LBBJ: Is white water considered best?

Lowenthal: No. You don't call it white water. It's potable water; water that you can drink. So I asked the building standards commission to come up with regulations. Right now to use graywater, you have to sink it 22 feet below the ground level to use it for irrigation. We said that's crazy. There are lots of new technologies and systems out there. We're not going to require it, but lower the standards if it's clean. If it can be shown that it is non-bacterial, that we can use it and there's technology out there, don't require everybody to throw it into the center. If they want to recycle water to use it for irrigation, it's exactly what they should be doing. The governor signed it, so we're going to be doing that on new construction.

LBBJ: And the farmers?

Lowenthal: They're fine. We're taking their water. Right now they feel that we're stealing their water. They have no problem with graywater because we're not competing with their water. I didn't have any real opposition to it. I had to get the building industry on board and the apartment associations, and they finally came on board with it.

LBBJ: Rumors are pretty strong that you're going to run for mayor when Bob Foster's term is up. Have you considered that?

Lowenthal: I've heard those rumors and people have asked me. I have gone back to what you have just been asking me. Let's see

what we get and end up with in the state in the next two years. We're either going to begin to fix the structural problem that we have, and that means rebuilding confidence in the state, people feeling like we can get things done. Right now I think the biggest problem with people is that they feel like nothing gets done. I think the next two years are critical. I will participate in . . .

LBBJ: You're going to be termed out.

Lowenthal: But that's 2012. The election for mayor isn't until 2014. I can't even deal with that. People may not want to even talk to me if the state collapses in the next two years.

LBBJ: You're 69, so you'd be 72 or 73 when you announce.

Lowenthal: Yes. Jerry Brown's age.

LBBJ: So you're not ruling it out?

Lowenthal: I'm not ruling it out, but I'm not ruling it in either. I think the questions that you've asked, you know, are we going to act like an adult and are we going to put into place those reforms that enable the legislature to function? That is to get rid of these formulas, to hold people accountable, the way they do it in every other state.

LBBJ: We've covered a lot of topics. Is there anything that you want to touch on that we haven't?

Lowenthal: We have structural issues in the legislature . . . We have not acted in an adult way sometimes when we should have. We just spend. We don't save money. We don't have a transparent system. I'm hoping that we will have a more open, transparent, less secretive system. Right now it's very difficult to understand our budget. When people say we have a balanced budget, you don't know what that means. Does that mean that we borrowed money to make this balance? I think under Brown I'm hoping that the system will become simpler, more transparent.

LBBJ: So you've got the governor you wanted, the Democrats are in control. If it doesn't happen now, is it ever going to happen?

Lowenthal: If it doesn't happen now we're going to end up with a constitutional convention and we're going to end up with radical change. The problem, as a person who loves change, is that you can't control that process. Not that I'm a control freak. I'm not. But I think what people are concerned about and what the governor [elect] is concerned about is that if he doesn't lay out something that we could set a process where the process itself may cause real problems. . . . I think that we have an opportunity to really lay out and having that discussion with the public. If it doesn't happen, if things don't get better, I think that it is so potentially dysfunctional that people could throw the whole thing out. I'm not sure if that's good or bad, but I'm worried about that.

LBBJ: Anything else?

Lowenthal: During my time in elected office, I think what I'm most proud of, what I've accomplished the most and been the most effective, is in having developed relationships in all of my constituencies. I now represent 13 cities and I think I have really listened to and really developed good relationships with those elected officials, probably Republicans as well as Democrats, maybe even more the Republicans in my district because I'm the only Democrat they can talk to.

I think also the business community, the environmental community, neighborhoods – I really think I try to listen. I think people respect me and I respect them. Because of that, we are able to work together and I think I have become an effective legislator because of my relationships that I have spent a lot of time working on. I spend a lot of time in all my cities trying to understand who the people are, letting them get to know me, and letting me get to know them. I cannot tell you how important that is for effective legislation. If there's anything that I've done over the years, it's been my developing respect for where they are coming from no matter who they are. And I think they are developing a respect for what I can do and who I am. ■