

Avoiding Close Calls

Too casual attitude about using phones to conduct business in public can violate client confidentiality.

By **FLORIE BRIZEL**

I recently rode in first class on the train from Geneva to Zürich, Switzerland. As the train pulled out of the station, the voices of a man and woman sitting in front of me rose to accommodate for the noise. They engaged in separate conversations I could easily hear in three languages on their mobile phones, and they communicated with each other in English whenever their different calls finished. The scenario reminded me of being home in Los Angeles, with people everywhere talking in a variety of languages on their cell phones and then seamlessly shifting back and forth to English whenever necessary.

These two talked about one particular client, then spoke with him on a mobile conference call, addressing him by first name. Once disconnected, they quickly coordinated their strategy for successfully dealing with him, as well as achieving his goals. In a matter of minutes, I deduced these two people were bankers, and I knew exactly who their client was.

For the next three hours, I overheard details about his business, the money at stake, what his bankers thought about him, about their associates and more. Truthfully, I was appalled.

And yet, these two people were no different from Angelenos who carelessly speak about private matters in public spaces. Some people make mobile calls from trains; others, while in line at Starbucks; still others use phones in restaurants; and a very special group of people even use their mobile phones while using public restrooms.

Their actions on the train were reflections of something I'm quite familiar with called "mobilology," which studies the effects of mobile phone and wireless use on human behavior; community building, sustenance and erosion; culture; education; entertainment; economics; and health care delivery.

Here, the bankers behaved as though they existed in a "bubble." Socially, international bankers conduct business 24-7 over a phone, irrespective of place, so these two acted according to their profession's norms. Culturally, they assumed their behavior didn't impact (or, in this case, offend or disturb the tranquility of) anyone else around them, who might consider such public phone use inconsiderate. Economically, the bankers worked practically non-stop because in their world, wasted time equates to loss of money.

What these supposedly savvy people neglected to take into account was that I could hear through their invisible "bubble."



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They clumsily revealed their client's identity, and also gave me valuable information to share with anyone, anywhere, for any reason. How could they know I was going for holiday with their client's potential competitor?

For the sake of efficiency and by yammering away indiscreetly from Geneva to Zürich, these two executives had sacrificed whatever troth of confidentiality they had pledged to their client and which he had every reason to expect from them. Did this affect anyone besides the hapless client? Yes. Me. Not only was my peaceful journey spoiled by the selfish indifference of these two, but I also was forced to examine my own morals as a nationally published writer and ghostwriter.

I could easily write a tell-all story and out these two self-important people, but then they would immediately (and deservedly) get sacked, as well as every other innocent person working up and down the line from them. I already had listened to one banker talking to his young daughter at home, so I didn't want the responsibility of causing her daddy to lose his job. This explains why I have written this op-ed without divulging names or details – truly to protect the innocent.

But I did tell these bankers right before we pulled into Zürich station that I was an American writer who had heard their entire conversation. Then, without notes, I repeated details

to prove it. One banker turned beet red; the other blanched. Both panicked.

Enterprises, large and small, should be disturbed by this true tale of mobile myopia. As younger men and women join the global work force – people raised on a diet of mobile social broadcasting where nothing is sacred and confidentiality is tantamount to nontransparency – business will need to assess the myriad ways mobile can cause the wheels of commerce to derail.

Two bankers talking on a train can bring your business to a grinding halt if your competitor overhears them. So the next time you send your bankers, sales force, secretaries, ad agency or graphic designers out into the world to do business on your behalf, tell them you're willing to lose a little efficiency for the sake of keeping your company's business *your* company's business.

In this global village, you never know whose ears might be listening. Can you hear me *now*?

Florie Brizel is chief executive of L.A.-based consulting firm Brizel Media and is a member of Dutch think tank Freedom-Lab: Future Studies. She coined the term "mobilology" and lectures internationally for its establishment as a new social science.

Hillside Home Op-Ed Wasn't on the Level

By **NICKIE MINER**

As a Benedict Canyon resident strongly committed to retaining the quality of our hillsides, I read with disbelief the op-ed by attorney and City Hall lobbyist Ben Reznik ("Subdivide and Conquer") in the Jan. 16 issue of the Business Journal.

The Benedict Canyon Association and the Bel Air-Beverly Crest Neighborhood Council have reviewed the commercial-scale residential project proposed by Reznik's client; they have been clear that they expect all laws and codes to be followed. Somehow, Reznik and his client, a Saudi prince, seem to believe they don't need to follow laws or codes like everyone else.

Initially, the landowner's apparently well-connected local team tried to ram this project through the city with no public disclosure or Planning Department review, whatsoever. Worse, they almost got away with it – at least until the community learned the magnitude of the compound, and realized that it could not be built legally or within well-established city building codes.

Reznik, a partner at Jeffer Mangels Butler & Mitchell, has now taken to the opinion page of the Business Journal to tell a tale that misstates and omits critically important facts.

Let's briefly recount them: His client first proposed a mega-compound totaling some 80,000 square feet or more on an inaccessible, steeply graded hillside in Benedict Canyon. Rather than tying the three adjacent lots, as most people would do, Reznik tried to secure a lot-line adjustment, arguing the massive project was actually three independent ones. The lot-line adjustment application was so troublesome and riddled with misstatements that the city attorney referred it to the district attorney for review.

The landowner's representatives also went to great lengths to hide the identity of the property owner and the true scope of the project, raising suspicions in the community. A far-reaching inves-

tigation by the Los Angeles Times revealed the owner's name, and hard work by the neighbors helped reveal the vast development plans – more Hearst Castle than Benedict Canyon residence.

The property is currently subject to more than 13 orders to comply for illegal grading and construction of illegal structures, including a massive retaining wall running more than 540 feet long and at least 22 feet high. The city has determined that this wall and others were illegally constructed and the property was illegally graded.

This landowner wants to construct his massive compound in a sensitive hillside area – without providing any mitigation measures to alleviate the neighborhood impacts for thousands of construction truck trips up narrow canyon roads, on-site rock and debris crushing, significant air pollution, and irrevocable degradation of the canyon environment, all of which this multi-year project will create.

Reznik and his client summarily dismiss the community's concerns and openly reject the city's express findings that discretionary approvals and environmental review are required, expressing his disdain for a fair and open review process most directly in his letter to the city of Los Angeles, proclaiming: "Public input is irrelevant."

To demonstrate the gamesmanship at play, the prince's team submitted permit requests for the property just five days before the city's new Hillside Mansionization Ordinance took effect, a law that would have made his client's plans impossible to accomplish. In fact, preventing outsized compounds in hillside areas is exactly why the new ordinance was drafted and approved in the first place.

'New' code

Even more disingenuous, in his op-ed, Reznik rails against what he calls a "new" code governing large grading sites – different from the Hillside Mansionization Ordinance. However,

he fails to disclose that not only is this grading code far from "new" – dating back decades – but Reznik himself actually grappled with it for another client developer about 10 years ago!

The city of Los Angeles has been very clear about this project: Comprehensive environmental review is required. In public statements and writing, City Councilman Paul Koretz and county Supervisor Zev Yaroslavsky have expressly supported the community. In a letter to the directors of L.A.'s departments of Planning and Building and Safety, Koretz wrote: "The community deserves, and the law requires, an honest airing of the real and complete project that will be built at Tower Lane, and appropriate environmental review – and appropriate community input – is vital."

Attempts to push through a commercial scale project on a residential property that has been cited for illegal activity is shameful. The actions in this case provide all of us a valuable reminder that we, the public, must remain vigilant when landowners and their attorneys attempt repeatedly to circumvent the law. And we must continue to demand a full environmental review on this misguided project, as the city has already determined and directed.

Nickie Miner is president of the Benedict Canyon Association and an executive board member of the Bel Air-Beverly Crest Neighborhood Council. The opinions expressed above are hers.

► Guest Opinions

Op-ed pieces must be 700 to 800 words and on topics about the L.A. business community. Please submit op-ed ideas to crrumpley@labusinessjournal.com.