



CITY OF
LOS ANGELES
CALIFORNIA



P.O. BOX 4670, WEST HILLS, CA 91308
WWW.WESTHILLSNC.ORG
MAIL@WESTHILLSNC.ORG

WEST HILLS NEIGHBORHOOD COUNCIL

JOINT BOARD AND GOVERNMENT RELATIONS COMMITTEE ONLINE AND TELEPHONIC SPECIAL MEETING AGENDA WEDNESDAY, FEBRUARY 22, 2023 @ 6:30 PM

In conformity with the September 16, 2021 enactment of California Assembly Bill 361 (Rivas) and due to concerns over Covid-19, the West Hills Neighborhood Council meeting will be conducted entirely with a call-in option or internet based service option. All are invited to attend and participate.

To attend online via Zoom Webinar, click or paste the following link into your browser: <http://zoom.us/j/97175160378>

To call in by phone, dial (669) 900-6833, then punch in this Webinar code when prompted: 97175160378.

This meeting is open to the public. Comments on matters not on the agenda will be heard during the Public Comment period. Those who wish to speak on an agenda item will be heard when the item is considered.

AB 361 Updates: Public comment cannot be required to be submitted in advance of the meeting; only real-time public comment is required. If there are any broadcasting interruptions that prevent the public from observing or hearing the meeting, the meeting must be recessed or adjourned. If members of the public are unable to provide public comment or be heard due to issues within the Neighborhood Council's control, the meeting must be recessed or adjourned.

- Call to Order
- Review minutes from February 13, 2023
- Comments from the Co-Chairs
- Public Comment

NEW BUSINESS

NONE

OLD BUSINESS

- Discussion and Possible Action on CF 22-1285 Censure of a City Council Member
- Discussion and Possible Action on SB 411

Public input at Neighborhood Council meetings: When prompted by the presiding officer, members of the public may address the committee on any agenda item before the committee takes an action on the item by punching in *9 (if calling in by phone) or by clicking on the "raise hand" button (if participating online through Zoom) and waiting to be recognized. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on matters not appearing on the agenda that are within the committee's jurisdiction will be heard during the General Public Comment period. Please note that under the Ralph M. Brown Act, the committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future committee meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of said committee.

Notice to Paid Representatives - If you are compensated to monitor, attend, or speak at this meeting, city law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code §§ 48.01 et seq. More information is available at ethics@lacity.org. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org

Public Posting of Agendas: WHNC agendas are posted for public review at Shadow Ranch Park, 22633 Vanowen St., West Hills, CA 91307 or at our website, www.westhillsnc.org. You can also receive our agendas via email by subscribing to the City of Los Angeles Early Notification System at www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index

The Americans With Disabilities Act: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices and other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three business days (72 hours) prior to the meeting you wish to attend by contacting via email NCsupport@lacity.org or calling (213) 978-1551. If you are hearing impaired please call 711.

Public Access of Records: In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at the meeting where such writing was considered or by contacting the WHNC's executive director via email at michelle.ritchie@westhillsnc.org. Requests can be made for a copy of a record related to an item on the agenda.

Reconsideration and Grievance Process: For information on the WHNC's process for board action reconsideration, stakeholder grievance policy or any other procedural matters related to this Council, please consult the WHNC Bylaws. The Bylaws are available at our website, www.westhillsnc.org

Servicios De Traducción: Si requieres servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes de evento. Por favor contacte Michelle.Ritchie@westhillsnc.org

Notes:
Rules of the City Council / Censured Councilmember / Charter Amendment
City Council File #22-1285 introduced 10/26/2022
Approved by City Council on 01/11/2023
GRC approved CIS Submission FOR on 12/19/2022

RULES, ELECTIONS, INTERGOVERNMENTAL RELATIONS

MOTION

Pursuant to Section 209 of the Charter, the City Council introduced a resolution to censure Councilmembers Cedillo, De Leon, and Martinez on October 11, 2022 for their conduct during a secretly recorded meeting in October 2021. During the October 2021 meeting, the above Councilmembers and then Los Angeles County Federation of Labor President Ron Herrera made racist and homophobic remarks about colleagues and constituents, as well as discussed manipulating Council District boundaries to weaken the strength of Black voters, renters, and other communities. Nury Martinez has since resigned as the Councilmember of Council District 6, but despite widespread calls for their resignations, Councilmembers Cedillo and De Leon have chosen to remain in their positions.

Today, an Ad Hoc Committee considered the Council's censure resolution. The Ad Hoc Committee has moved forward with censuring these members, and taken the time to devise what tools are at the Council's disposal as it relates to reaffirming and strengthening the impact of censures moving forward. The censured Councilmembers' conduct severely undermined confidence in our City's leadership and redistricting process, among other issues. For this reason, it is imperative that the City takes the necessary steps to use the full extent of its power under its censure procedures and any other relevant rules to prevent this and other types of abuse of power in the future. To this end, and pursuant to Council Rule 77, the Council should explore amending the Rules of the City Council to establish consequences associated with censures.

I THEREFORE MOVE that the Council request the Chief Legislative Analyst and the City Attorney report with recommendations that amend the Rules of the City Council to include a list of potential consequences that can be imposed upon a censured Councilmember, including but not limited to, the following:

- Limiting a censured Councilmember's ability to use discretionary funds and authorize contracts;
- Restricting a censured Councilmember's participation in Council Committees until the end of their term, or until the Council overturns their censure; and
- Limiting a censured Councilmember's ability to introduce certain types of Motions.

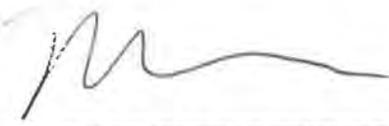
I FURTHER MOVE that the Council request that the City Attorney report with recommendations that amend the City Charter as it relates to censure.

I FURTHER MOVE that the Council request the Chief Legislative Analyst, with the assistance of the City Attorney, provide an opinion on whether the Council has the authority to implement any proposed consequences upon a censured Councilmember until the end of their term, or for a duration of time until the censure is overturned.

I FURTHER MOVE that the Council request the Chief Legislative Analyst and the City Attorney report on the steps necessary to effectuate changes to the Rules of the City Council as it relates to Censure.

OCT 27 2022

PMK

PRESENTED BY: 
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

PRESENTED BY: 
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY: 
MIKE BONIN
Councilmember, 11th District

ORIGINAL

HOLLY L. WOLCOTT
CITY CLERK

PETTY F. SANTOS
EXECUTIVE OFFICER

City of Los Angeles
CALIFORNIA



KAREN BASS
MAYOR

OFFICE OF THE
CITY CLERK

Council and Public Services Division

200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213)978-1040

PATRICE Y. LATTIMORE
DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

Council File No.: 22-1285

Council Meeting Date: January 11, 2023

Agenda Item No.: 17

Agenda Description: AD HOC COMMITTEE ON CITY GOVERNANCE REFORM REPORT relative to Motion (Harris-Dawson - Krekorian - Bonin) relative to amending the Rules of the City Council to include a list of potential consequences that can be imposed upon a censured Councilmember, and related matters.

Council Action: AD HOC COMMITTEE ON CITY GOVERNANCE REFORM REPORT - ADOPTED AS AMENDED BY MOTION (HERNANDEZ – SOTO-MARTÍNEZ)

Council Vote:

YES	Blumenfield	NO	de León	YES	Harris-Dawson
YES	Hernandez	YES	Hutt	YES	Krekorian
YES	Lee	YES	McOsker	YES	Park
YES	Price Jr.	YES	Raman	NO	Rodriguez
YES	Soto-Martínez	YES	Yaroslavsky		

HOLLY L. WOLCOTT
CITY CLERK

Adopted Report(s) Title
Amending Motion (Hernandez - Soto-Martínez)_01-11-23

Report from the Ad Hoc Committee on City Governance Reform_12-8-22

CHAPTER XIV CENSURE PROCEDURES FOR THE LOS ANGELES CITY COUNCIL 87.

Disapproval The Council may adopt a resolution of disapproval in the same way as provided for the adoption of any resolution, provided that the Councilmember who is the subject of the resolution is permitted to speak in his or her defense prior to action on the motion for adoption of the resolution. However, the fact that the Councilmember who is the subject of a disapproval resolution does not choose to respond to the resolution or does not attend the meeting at which the resolution is to be adopted shall not prevent the Council from adopting the resolution, provided the Councilmember had actual notice of the inclusion of the resolution on the agenda and had a reasonable opportunity to attend the meeting.

88. Censure A request for censure of a member of the Council may be submitted to the City Clerk by any member of the Council. The request shall contain the specific charges on which the proposed censure is based. The request for censure shall be considered by a five member ad hoc Committee of the Council established by the President of the Council or, if the President is the subject of the censure, then established by the President Pro Tempore. The ad hoc Committee shall not include the member making the request or the member who is the subject of the request. The City Clerk shall deliver a copy of the request for censure and the charges to each member of the Council at least 72 hours prior to the first meeting of the ad hoc Committee at which the request will be first considered. The Committee shall permit testimony from both the member making the request and the member subject to the request and shall determine whether: (a) further investigation of the charges is required in order to determine if a censure hearing is warranted; or (b) the matter is to be set for censure hearing; or (c) no further action should be taken with respect to the request. The Committee shall present its recommendations to the Council for its consideration and action as provided below.

If the ad hoc Committee determines no further action should be taken with respect to the request, the Committee shall report that to the Council at its earliest opportunity. If the Committee determines that further investigation is required, the Committee shall conduct an investigation, arrive at its recommendation, and report its conclusions, findings and a summary of its proceedings to the Council at its earliest opportunity. If the ad hoc Committee does not report its recommendations and findings to the Council within 30 days of the formation of the Committee and receipt of the request for censure, the matter shall automatically be sent to the Council for its consideration.

Upon receipt of the report of the ad hoc Committee, or at the expiration of the time for the ad hoc Committee to report, Council shall place the matter on its agenda to determine whether or not a censure hearing is warranted. If the Council decides to set the matter for a censure hearing, it shall schedule it no sooner than two weeks after its determination to hear the matter. It may not schedule the matter during any previously scheduled excused absence of the subject Councilmember. Written notice of the hearing shall be delivered in person to the member of the Council subject to the censure hearing or to the member's City office as least ten (10) days in advance of the scheduled hearing.

COUNCIL RULES 24 At the censure hearing, the member of the Council who is the subject of the request

for censure shall be given the opportunity to make an opening and a closing statement, to call witnesses on his or her behalf and to question his or her accusers. The member subject to the charges may be represented by a person or persons of his or her choice whether or not an attorney at law and may have that representative speak or question witnesses on his or her behalf. The questioning or cross-questioning of witness may be reasonably limited by the person chairing the hearing.

Testimony shall be taken only from witnesses having direct knowledge of facts or circumstances relevant to the specific charges under consideration. However, the rules of evidence and judicial procedure applicable in courts of law shall not be application to this hearing, and the procedures shall be generally informal.

Introduced by Senator Portantino
(Coauthor: Senator Menjivar)
(Coauthor: Assembly Member Luz Rivas)

February 9, 2023

An act to add Section 54953.4 to the Government Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 411, as introduced, Portantino. Open meetings: teleconferences: bodies with appointed membership.

Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined.

Existing law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice,

agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment.

Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body.

This bill would authorize a legislative body to use alternate teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. The bill would alternatively define “legislative body” for this purpose to mean a board, commission, or advisory body of a local agency, the membership of which board, commission, or advisory body is appointed and which board, commission, or advisory body is otherwise subject to the act.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54953.4 is added to the Government
2 Code, to read:

1 54953.4. (a) (1) A legislative body included in subdivision
2 (c) may use teleconferencing without complying with paragraph
3 (3) of subdivision (b) of Section 54953 if the legislative body
4 complies with paragraph (2) of this section.

5 (2) A legislative body that holds a meeting pursuant to this
6 subdivision shall do all of the following:

7 (A) In each instance in which notice of the time of the
8 teleconferenced meeting is otherwise given or the agenda for the
9 meeting is otherwise posted, the legislative body shall also give
10 notice of the means by which members of the public may access
11 the meeting and offer public comment. The agenda shall identify
12 and include an opportunity for all persons to attend via a call-in
13 option or an internet-based service option.

14 (B) In the event of a disruption that prevents the legislative body
15 from broadcasting the meeting to members of the public using the
16 call-in option or internet-based service option, or in the event of
17 a disruption within the local agency's control that prevents
18 members of the public from offering public comments using the
19 call-in option or internet-based service option, the legislative body
20 shall take no further action on items appearing on the meeting
21 agenda until public access to the meeting via the call-in option or
22 internet-based service option is restored. Actions taken on agenda
23 items during a disruption that prevents the legislative body of a
24 neighborhood council from broadcasting the meeting may be
25 challenged pursuant to Section 54960.1.

26 (C) The legislative body shall not require public comments to
27 be submitted in advance of the meeting and must provide an
28 opportunity for the public to address the legislative body and offer
29 comment in real time.

30 (D) Notwithstanding Section 54953.3, an individual desiring to
31 provide public comment through the use of an internet website, or
32 other online platform, not under the control of the legislative body,
33 that requires registration to log in to a teleconference may be
34 required to register as required by the third-party internet website
35 or online platform to participate.

36 (E) (i) A legislative body that provides a timed public comment
37 period for each agenda item shall not close the public comment
38 period for the agenda item, or the opportunity to register, pursuant
39 to subparagraph (D), to provide public comment until that timed
40 public comment period has elapsed.

1 (ii) A legislative body that does not provide a timed public
2 comment period, but takes public comment separately on each
3 agenda item, shall allow a reasonable amount of time per agenda
4 item to allow public members the opportunity to provide public
5 comment, including time for members of the public to register
6 pursuant to subparagraph (D), or otherwise be recognized for the
7 purpose of providing public comment.

8 (iii) A legislative body that provides a timed general public
9 comment period that does not correspond to a specific agenda item
10 shall not close the public comment period or the opportunity to
11 register, pursuant to subparagraph (D), until the timed general
12 public comment period has elapsed.

13 (3) This subdivision shall not be construed to require the
14 legislative body to provide a physical location from which the
15 public may attend or comment.

16 (b) The legislative body shall comply with all other requirements
17 of Section 54953.

18 (c) As used in this section, “legislative body” means a board,
19 commission, or advisory body of a local agency, the membership
20 of which board, commission, or advisory body is appointed and
21 which board, commission, or advisory body is otherwise subject
22 to this chapter. As used in this subdivision, “advisory body”
23 includes, but is not limited to, a neighborhood council that is an
24 advisory body with the purpose to promote more citizen
25 participation in government and make government more responsive
26 to local needs that is established pursuant to the charter of a city
27 with a population of more than 3,000,000 people that is subject to
28 this chapter.

29 SEC. 2. The Legislature finds and declares that Section 1 of
30 this act, which adds Section 54953.4 to the Government Code,
31 imposes a limitation on the public’s right of access to the meetings
32 of public bodies or the writings of public officials and agencies
33 within the meaning of Section 3 of Article I of the California
34 Constitution. Pursuant to that constitutional provision, the
35 Legislature makes the following findings to demonstrate the interest
36 protected by this limitation and the need for protecting that interest:

37 During the COVID-19 public health emergency, audio and video
38 teleconference were widely used to conduct public meetings in
39 lieu of physical location meetings, and those public meetings have
40 been productive, increased public participation by all members of

1 the public regardless of their location and ability to travel to
2 physical meeting locations, increased the pool of people who are
3 able to serve on these bodies, and protected the health and safety
4 of civil servants and the public. Extending the operation of
5 teleconference as conducted during the COVID-19 public health
6 emergency for bodies of local agencies with appointed membership
7 will continue these benefits.

8 SEC. 3. The Legislature finds and declares that Section 1 of
9 this act, which adds Section 54953.4 to the Government Code,
10 furthers, within the meaning of paragraph (7) of subdivision (b)
11 of Section 3 of Article I of the California Constitution, the purposes
12 of that constitutional section as it relates to the right of public
13 access to the meetings of local public bodies or the writings of
14 local public officials and local agencies. Pursuant to paragraph (7)
15 of subdivision (b) of Section 3 of Article I of the California
16 Constitution, the Legislature makes the following findings:

17 During the COVID-19 public health emergency, audio and video
18 teleconference were widely used to conduct public meetings in
19 lieu of physical location meetings, and those public meetings have
20 been productive, increased public participation by all members of
21 the public regardless of their location and ability to travel to
22 physical meeting locations, increased the pool of people who are
23 able to serve on these bodies, and protected the health and safety
24 of civil servants and the public. Extending the operation of
25 teleconference as conducted during the COVID-19 public health
26 emergency for bodies of local agencies with appointed membership
27 will continue these benefits.

28 SEC. 4. This act is an urgency statute necessary for the
29 immediate preservation of the public peace, health, or safety within
30 the meaning of Article IV of the California Constitution and shall
31 go into immediate effect. The facts constituting the necessity are:

32 Virtual meetings have allowed much easier access to appointed
33 bodies of local agencies with far more members of the public
34 participating in each meeting. This has created greater equity in
35 the process and fostered the health of our democracy. In-person
36 meetings may jeopardize the health and safety of vulnerable
37 citizens due to ongoing risks of COVID-19 and other illnesses.