

**Neighborhood Council
Executive Committee**

Randell Erving, Chair
Danya White, Vice-Chair
Helen Tocco, Member
Kay Hartman, Member

**CITY OF LOS ANGELES
CALIFORNIA**



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PALMS NEIGHBORHOOD COUNCIL

**Joint Board & Executive Committee Meeting Agenda
Wednesday, September 22, 2021 – 7:00p.m.**

**Zoom Meeting Online at <https://us02web.zoom.us/j/8263219749> by
telephone, Dial +1 669 900 6833 # to join the meeting**

Then enter this Meeting ID: 826 321 9749 and press #

**The toll free call-in numbers are: (833) 548-0276, (833) 548-0282, (877)
858-5257, and (888) 475-4499**

Press *9 to raise hand for public comment

The Neighborhood Council system enables meaningful civic participation for all Angelenos and serves as a voice for improving government responsiveness to local communities and their needs. We are an advisory body to the City of Los Angeles, comprised of stakeholder volunteers who are devoted to the mission of improving our communities.

VIRTUAL MEETING TELECONFERENCING NUMBER FOR PUBLIC PARTICIPATION In conformity with the Governor's Executive Order N-29-20 (MARCH 17, 2020) and due to concerns over COVID-19, all Palms Neighborhood Council meetings will be conducted entirely electronically.

Every person wishing to address the Neighborhood Council must join the zoom meeting at <https://us02web.zoom.us/j/8263219749> or dial +1 669 900 6833, and enter 829 879 7115 1531 and then press # to join the meeting. Instructions on how to sign up for public comment will be given to listeners at the start of the meeting

- I. **CALL TO ORDER & ROLL CALL**
 - A. Call to Order
 - B. Roll Call
- II. **GENERAL PUBLIC COMMENT (10 minutes)**
- III. **COMMITTEE BUSINESS**
 - A. **Discussion and possible action:** How can we ensure that CIS are submitted and tracked efficiently? Should we begin using this [motion log](#) or create something similar? Can the responsibility be divided among filers by month?
 - Identify two board members as additional CIS filers (current filers: Randell, Kay, Josh)
 - B. **Discussion:** When creating CIS on Council Files do we always want to submit a written statement?
 - C. **Motion:** To approve a [CIS](#) opposing [CF 21-0885](#) and urging Mayor Garcetti to veto the resolution opposed to [AB 339](#) and allow time for robust public comment and community impact statements from neighborhood councils. The City Council passed a resolution against online/Zoom access to public meetings.

- D. **Discussion:** Palms NC Budget amendments and updates
- E. **Motion:** To approve a [LANCC motion](#) opposing [proposed amendments](#) to the BONC Draft Code of Conduct for NCs.

You are invited to attend the upcoming info sessions, register [here](#)

- Wednesday September 22, 2021 (7:00 - 9:00pm)
- Tuesday October 19, 2021 (6:30 - 8:30pm)
- Saturday November 6, 2021 (1:00 - 3:00pm)

- F. **Discussion:** Appointing Board Members to represent the Palms NC to alliances, committees, and other organizations
 - G. **Discussion:** Palms NC Annual Report
 - H. **Adjournment**
-

Time allocations for agenda items are approximate and may be shortened or lengthened at the discretion of the President. Public comment will be taken for each motion as well as for any item in the consent agenda prior to Board action. The public is requested to fill out a "Speaker Card" to address the Assembly on any item of the agenda prior to the Assembly taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that is within the Assembly's subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to 1 to 2 minutes per speaker, at the discretion or unless waived by the Assembly. In the interest of addressing all items on the agenda, time limits for individual comments and discussion may be set at the discretion of the President. All items on the consent agenda will be determined by a single Committee vote and without Committee discussion. Committee members may request that any item be removed from the consent agenda and considered individually at any time prior to that vote.

Per Board of Neighborhood Commissioners Policy #2014-01, agendas are posted for public review at: 1) Woodbine Park Kiosk, 3409 S. Vinton Ave.; 2) Palms Neighborhood Council website, www.palmsnc.la

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 Woodbine Park Kiosk, 3409 S. Vinton Ave, at our website: www.palmsnc.la or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the Secretary at secretary@palmsnc.la

Palms NC Board and Committee members abide by a code of civility (<http://empowerla.org/code-of-conduct/>). Any person who interferes with the conduct of a Neighborhood Council meeting by willfully interrupting and/or disrupting the meeting is subject to removal. A peace officer may be requested to assist with the removal should any person fail to comply with an order of removal by the Neighborhood Council. Any person who resists removal by a peace officer is subject to arrest and prosecution pursuant to California Penal Code Section 403.

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, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Secretary at secretary@palmsnc.la

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 DIAS DE TRABAJO (72 HORAS) ANTES DEL

EVENTO. SI NECESITA ASISTENCIA CON ESTA NOTIFICACION, POR FAVOR LLAME A NUESTRA OFICINA AL secretary@palmsnc.la

We urge Mayor Garcetti to veto the resolution opposed to AB 339 and allow time for robust public comment and community impact statements from neighborhood councils.

A vote on a resolution that affects the ability of the 3.9 million Angelenos to engage in public comment that did not seek any input from Angelenos about what they want for public comment is a farce. The City Council utilized rule 54 which put this resolution to a vote without any opportunity for it to be heard in committee, which would have allowed the necessary time for Neighborhood councils to author Community Impact Statements in support or opposition of AB 339. It is a matter of typical course for neighborhood councils to be afforded the opportunity to make Community Impact Statements on resolutions regarding state legislation, and, as AB 339 was still in committee itself at the state legislature, there was no urgent need to utilize Rule 54 and vote on a resolution within days of the August 5th Chief Legislative Analyst report.

At a minimum, the resolution should have been heard in both the Rules, Elections, and Intergovernmental Relations Committee and the Art Parks Health Education and Neighborhoods Committee as the continuation of zoom options is highly relevant to the function of Neighborhood Councils. It is notable that Rules, Elections, and Intergovernmental Relations Committee have cancelled their last three scheduled meetings, but still felt they could waive consideration of this resolution.

Choosing to not implement Rule 54 would have also allowed the public time to file written public comment and speak at the committee meetings. In darkly ironic fashion, the City Council then routinely spoke of potential disenfranchisement of in-person and resident commentary as a cited concern of the proposed legislation.

The City Council has shown the contempt they have for engaged citizens who wish to speak about the effects of proposed legislation on their communities. The original report from the Chief Legislative Analyst speaks only to the possible negatives of telephonic public comment. It additionally worries that those who show up to make in person public comments will be disenfranchised. However the analysis does not speak to the enfranchising qualities that have allowed a wider range of citizens to engage in the process. Those with disabilities, without access to transit, who provide childcare, who work during the day have all been extended greater access to make their voices heard via telephonic comment. In Palms, we do not discount that a greater diversity of voices empowers our council and the decisions we make. In seeking to minimize the voices that the City Council views as disruptive, they have dismissed the voices of the thousands of citizens who have become more engaged at a local level.

We would remind our City Council that they are not only paid to legislate but also to listen to the voices of their constituents.

We urge Mayor Garcetti to veto the resolution opposed to AB 339 and allow time for robust public comment and community impact statements from neighborhood councils.

Whereas, the Board of Neighborhood Commissioners has before it consideration of amendments to the Code of Conduct Policy, that are extreme, anti-democratic, and un-American, and

Whereas, these amendments include the following:

“If a Board Member or Committee Member is *alleged* to have violated either the City’s Workplace Equity Policy or the Commission’s Code of Conduct, the Department, with written approval from the General Manager, may immediately suspend the Board Member or Committee Member for a period of up to 90 days.”

and

Whereas, punitive action should never be based on an allegation and occur only following due process involving investigation and a hearing and provide the accused the right to a presumption of innocence and opportunity to mount a defense, and

Whereas, the following clause grants authority to arbitrarily impose suspensions at the sole discretion of an individual who is not accountable to anyone.

“The Department shall be the *sole decision-maker* with respect to a suspension. The Board Member or Committee Member *may not appeal* the suspension decision.”

and

Whereas, this clause fails to provide adequate protections for the rights of individuals accused of misconduct and states that any board or committee member may be suspended *solely* on an allegation, and

Whereas, this is a direct disenfranchisement of the voters who elected the board member and removing a board member without due process gives DONE the unilateral ability to overturn an election;

Therefore, be it resolved that:

The Palms Neighborhood Council expresses grave concern regarding proposed amendments to the Code of Conduct Policy submitted by the Department of Neighborhood Empowerment to the Board of Neighborhood Commissioners.

Be it further resolved that:

1. BONC is strongly advised to immediately withdraw consideration of the proposed amendments to the Code of Conduct;
2. In connection with future revisions of Neighborhood Council paperwork, DONE shall request the Neighborhood Councils appoint a group of representatives to consult with BONC, DONE and the City Attorney on an ad hoc basis;
3. An aggregate majority of those meeting shall at all times be Neighborhood Council board members;

4. The initial focus of this group shall be to develop and incorporate rules under the City's recently adopted Workplace Violence Policy into the existing Code of Conduct, including appropriate enforcement actions;
5. Discussion about incorporating the proposed Workplace Equity Policy shall be deferred until such a policy is formally adopted by the City, if at all; and
6. Any amendments to the Code of Conduct must take into account varying degrees of conduct when considering suspension and appropriate penalties, if warranted.
7. At all times, policy should require that the minimum correction necessary to address any issue be used;
8. No person shall be suspended or otherwise penalized for that which is protected political speech.
9. No board member or Neighborhood Council affiliate shall be required to waive rights granted under the Constitution of the United States and the State of California, including but not limited to freedom of speech and assembly, probable cause and due process.