

BOARD MEMBERS

PRESIDENT Oscar Jimenez

VICE PRESIDENT **Keren Waters**

Brian Allen Alfredo Castillo **Chris Coyle** Sid Gold Michael Greenwald Danitza Pantoja **Thomas Hartfield**

Rahim Kazi Ralph Kroy Jason Lester Citlali Manzo **Alvin Waters**



CITY OF LOS ANGELES **CALIFORNIA**



GHNNC Board Meeting Tuesday, April 6, 2021 – 6:30 PM Zoom Meeting Online https://zoom.us/j/98538834487 By Telephone Dial (669) 900-6833 or Toll Free # are (833) 548-0282 or (877) 853-5257 Enter Webinar ID: 985 3883 4487 and Press #

GRANADA HILLS NORTH NEIGHBORHOOD COUNCIL

Mailing Address: 16911 San Fernando Mission Blvd **PMB 137** Granada Hills, CA 91344-4250 Telephone (818) 923-5592

www.ghnnc.org

IN CONFORMITY WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20 (MARCH 17, 2020) AND DUE TO CONCERNS OVER COVID-19, THE BOARD OF GRANADA HILLS NORTH NEIGHBORHOOD COUNCIL MEETING WILL BE CONDUCTED ENTIRELY TELEPHONICALLY. TO ACCESS DOCUMENTS RELEVANT TO THIS MEETING GO TO GHNNC.ORG AND CLICK ON THE LINK IN THE MEETING ANNOUNCEMENT.

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All agenda items are subject to discussion and possible Board action

- A. Call to Order, Roll Call, Pledge of Allegiance
- B. Comments from CD 12, LAPD Senior Lead Officers, Elected Official Reps, Government Agencies (Limited to three minutes)
- C. Public Comment on non-agenda items (Limited to two minutes).
- D. President Comments
 - 1. Discussion and motion to recommend the new board seating to take place on July 6, 2021.
 - 2. Discussion and motion that at the July 6. 2021 board meeting new board member seating, board member appointments and elections of board officers be in the following order:
 - a. Newly Confirmed Board Members are seated
 - Appointments of members are discussed and confirmed
 - Nomination and Election of Board Officers
 - 3. Discussion and motion to approve up to \$86k of \$100k funds for sidewalk repairs on South side of Rinaldi Street between Gothic and Gaynor (See Attached)
 - 4. Discussion and motion to appoint Rahim Kazi and Nathan Lee to the GHNNC Board
 - 5. A CUP (Conditional Use Permit) application (ZA-2021-2147-CUB) was filed on March 24, 2021 by owner of restaurant located at 11908 Balboa Blvd, Granada Hills, CA 91344. The permit is to allow for the sale and service of a full line of alcohol beverage for on-site consumption with the existing restaurant.

E. Executive Committee

- 1. Motion to approve the following Board Meeting minutes
 - a. GHNNC March 2, 2021 Board Meeting
- Discussion and Motion to approve the NPG (Neighborhood Purposes Grant) for LAPD Devonshire PALS in the amount of \$2,500.00 (See Attached NPG)
- 3. Brian Allen will take on role of mail collection from the GHNNC Post Office Box.
- Become Familiar BONC document in support of council file 20-0990, for diversity, equity and inclusion training for the NC System
- 5. Discussion and Motion for GHNNC CIS to support Council File 21-0318, addressing the Fireworks Problem in the City of Los Angeles: Create a firework buyback Program; Create a reward program to encourage individuals to report major suppliers of illegal fireworks; Enable the MyLA311 app as a platform to report illegal fireworks year round; Expand the current seasonal online portal via the LAPD website; Report with data on the number of dead and recovered animals during periods of increased fireworks usage. Additional comments and suggestions from the GHNNC board are welcome.
- 6. Discussion and Motion for GHNCC to Support Council File CF 21-0002-S67,HR1/For The People Act/HR4/John R. Lewis Voting Rights Act of 2020 (Ridley Thomas): The City of Los Angeles includes in it's 2021-2022 Federal Legislative Program, Support of the John R. Lewis Voting Rights Act of 2020, which would expand voter access, election integrity and security, campaign finance laws, government ethics, and amend the Voting Rights Act of 1965 to re-establish preclearance requirements.

F. Treasurer Report

- 1. Motion to approve the following MERs:
 - a. February 2021 MER
 - b. March 2021 MER
- 2. CAG (Community Advisory Group)
- 3. Budget Advocate Report
- G. Planning and Land Use Committee Report
 - 1. The CUP (Conditional Use Permit), CASE NO. ZA-2020-0205-CU, for the 11600 Balboa Blvd property conversion was denied by LA Dept of City Planning.
 - Discussion and Motion for GHNNC PLUM CIS to support the opposition by the Mayor and Los Angeles City Council
 to Council file 21-0002-S21 (SB 10 Weiner). The Legislative Program would not require sensitivity to the character
 of existing neighborhoods.
- H. Citywide Issues Committee Report
 - 1. Discussion and Motion that GHNNC communicate to BONC not to adopt the proposed DONE social media policy
 - 2. Discussion and Motion that GHNNC recommend BONC support institution of California Amendment to the Brown Act AB-992 (See Attached Document)
 - 3. Discussion and Motion recommend to BONC to instruct DONE to work with the LA City Attorney to establish a training program for all Neighborhood Councils to utilize the updated Brown Act.
 - 4. Discussion and Motion for GHNNC to provide a CIS with positive report on LAPD handling our community safety and awareness during the 2020 riots lieu of the negative report.
- I. Outreach and Publicity Committee Report
- J. Public Safety Committee Report
- K. Small Business Representative Report
- L. Faith-Based Representative Report
- M. Student Representative Report
- N. Board Member Announcements
- O. Adjournment

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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 our scheduled meeting or at our website www.ghnnc.org. In addition, if you would like a copy of any record related to an item on the agenda, please contact the Council at 818 923-5592.

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to its programs, services, and activities. Sign language interpreters, assisted 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 by contacting the Department of Neighborhood Empowerment by calling (213) 978-1551 or email: NCsupport@lacity.org.

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RECONSIDERATION AND GRIEVANCE

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PRESIDENT
Oscar Jimenez
VICE PRESIDENT

Keren Waters

Brian Allen Rahim Kazi
Alfredo Castillo Ralph Kroy

Chris Coyle Jason Lester Sid Gold Citlali Manzo Michael Greenwald Danitza Pantoja Thomas Hartfield Alvin Waters





MINUTES

GHNNC Board Meeting
Tuesday, March 2, 2021 – 6:30 PM
Zoom Meeting Online
https://zoom.us/j/98538834487
By Telephone Dial (669) 900-6833 or Toll
Free # are (833) 548-0282 or (877) 853-5257
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A. Call to Order, Roll Call, Pledge of Allegiance (Meeting Commencement 6:33PM)

Roster					
Board Member	Present	Absent	Board Member	Present	Absent
Oscar Jimenez	Х		Rahim Kazi	Х	
Keren Waters	Х		Ralph Kroy	Х	
Alfredo Castillo	Х		Jason Lester	Х	
Chris Coyle		Х	Danitza Pantoja	Х	
Sid Gold	Х		Citlali Manzo	Х	
Michael Greenwald	Х				
Thomas Hartfield	Х		Total Present		
Alvin Waters	Х				
Brian Allen	Х		Stakeholders	21	

minutes)(Comments and announcements made

- C. Public Comment on non-agenda items (Limited to two minutes). (Announcements and Statements made)
- D. President Comments
- E. Executive Committee
 - 1. Motion to approve the following Board Meeting minutes(Keren motions, Thomas 2nds Votes: Yes: No: Abstains
 - a. GHNNC December 1, 2020 Board Meeting (Votes: Yes: 12 No:0 Ineligible: 1)
 - b. GHNNC January 5, 2021 Board Meeting (Votes: Yes: 12 No: 0 Ineligible: 1)
 - c. GHNNC February 2, 2021 Board Meeting (Votes: Yes: 12 No: 0 Ineligible: 1)
 - 2. Presentation from Congressman Brad Sherman (Presentation made)
 - 3. Presentation by Jeff Takeda of Training Concepts on mindfulness meditation practices. (Presentation made)
 - 4. Discussion and motion to approve CIS#1 (City Council File: 20-0990) regarding Diversity, Equity, and Inclusion and Anti-Bias training. (Votes: Yes: 12 No: 0 Ineligible: 1)
 - 5. Discussion and motion to approve CIS #2 (City Council File: 20-0692) from VANC requesting LA City Council not to defund LAPD in the San Fernando Valley. (*Discussion made; Votes: Yes:12 No: Abstain: Ineligible:*)
- F. Treasurer Report
 - 1. Motion to approve January 2021 MER(Votes: Yes:12 No: Abstains: Ineligible: 1)
 - 2. CAG (Community Advisory Group)(Announcements made: they are not getting clearance over the Socal Gas documents and they are not releasing the necessary information for our neighborhood)
 - 3. Budget Advocate Report (Report made by Brian Allen)
- G. Planning and Land Use Committee Report (Report made by our Leader Thomas Hartfield)
- H. Citywide Issues Committee Report (Report made by our Leader Sod Gold)
- I. Outreach and Publicity Committee Report (Report made by our Leader Keren Waters)
- J. Public Safety Committee Report
- K. Small Business Representative Report (No report made)
- L. Faith-Based Representative Report (Report made by our Leader Ralph Kroy)
- M. Student Representative Report (No report made)
- N. Board Member Announcements (Announcements and comments Made by Sid Gold and Ralph Kroy)
- O. Adjournment (9:07)

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NATHAN B. LEE

11983 Elnora Pl. Granada Hills, CA 91344 ph. (818) 209-8189 nlee@grayduffylaw.com

EDUCATION:

Southwestern Law School, Los Angeles, California

Juris Doctorate: May 2011 [Two-year accelerated Juris Doctorate program]

Honors and Activities:

Hon. Tom Bradley Merit Scholarship

Hon. Gilbert W. Lindsay Merit Scholarship

Witkin Award for Academic Excellence, Criminal Law (highest grade)

University of California, Davis, California

Bachelor of Arts, Political Science, Communications [double major], June 2001

LEGAL WORK EXPERIENCE:

Partner, Gray Duffy, LLP, April 2012 to the present, 15760 Ventura Boulevard, 16th Floor, Encino, California 91436. Civil Litigation, Personal Injury, Insurance Coverage related-issues, Business-related disputes

Principal, The Law Offices of Nathan B. Lee, February 2012 to April 2012, 15303 Ventura Blvd., 9th Floor, Sherman Oaks, CA 91403.

Staff Attorney, Legal Ascent Law Group, Inc., November 2011 to February 2012, Temple City, California.

Interim Associate, Law Offices of Cindy N. Tran, August 2011 to November 2011, Pasadena, California.

Certified Law Clerk, Diamond and Associates, March 2011 to May 2011, Los Angeles, California

Student Intern, Neighborhood Legal Services of LA County, July 2010 to February 2011, Van Nuys, California.

Certified Law Clerk, Los Angeles County District Attorney's Office, June 2010 to August 2010, Van Nuys, California

Territory Sales Manager, Fiji Water, Inc., July 2007 to June 2009, Los Angeles, California

Airport Branch Rental Manager, Enterprise Rent-A-Car, January 2002 to June 2007, Los Angeles California.

Nature of Practice:

Insurance Coverage, Environmental Compliance and Complex Environmental Litigation, Personal Injury

LEGAL EXPERIENCE:

Mr. Lee focuses his practice on civil litigation matters, including personal injury, insurance coverage, and business-related disputes, and has particular expertise pertaining to asbestos issues. Mr. Lee also represents subcontractors in construction-related claims and has successfully litigated on behalf of numerous clients in civil proceedings, including at evidentiary hearings and trials. He works closely with clients from case inception to resolution to obtain the best possible outcome.

Mr. Lee also represents policyholders in insurance coverage matters, and counsels clients on environmental compliance and complex environmental litigation. Mr. Lee has handled a range of insurance coverage and insurance-related disputes, including claims for coverage under commercial general liability and excess policies, and environmental impairment policies. Mr. Lee's environmental experience includes representing and advising clients in the automotive industries in a variety of significant disputes, including site remediation and cost recovery, as well as administrative enforcement matters.

Mr. Lee is admitted to the State Bar of California, as well as the United States District Court for the Central and Northern Districts of California.

Mr. Lee obtained a Juris Doctorate from Southwestern Law School where he received the Hon. Tom Bradley Scholarship and Hon. Gilbert Lindsay Scholarship. He earned a Bachelor of Arts in Political Science and Communications from the University of California, Davis. He is the recipient of the "Witkin Award for Academic Excellence" in Criminal Law.

PROFESSIONAL ASSOCIATIONS:

Member, California State Bar Member, United States District Court for the Central District of California Member, United States District Court for the Northern District of California

LEGAL WRITINGS, ARTICLES AND PUBLICATIONS

Article: "Following Form: Deductibles vs. SIRs"
 Published: American Bar Association, Tort Trial & Insurance Practice Section –
 Excess, Surplus Lines And Reinsurance

 Spring 2020

 Article: "Ambiguities in Policy Language Results in Coverage for Attorney's Fees Awards Against Insureds"
 Published: American Bar Association TIPS Insurance Coverage Litigation Committee Newsletter Fall 2019"

 Article: "The New Consumer Privacy Laws: What You Can Do Now To Comply" Published: Auto Success August 2019

Article: "Best Methods for Setting Aside a Default Judgment"
Published: *Claims Journal*October 2017

 Article: "Determining Loss of Earnings Claims During a Despondent Economy" Published: Claims Journal August 2014

Neighborhood Council Funding Program

APPLICATION for Neighborhood Purposes Grant (NPG)



This form is to be completed by the applicant seeking the Neighborhood Purposes Grant and submitted to the Neighborhood Council from whom the grant is being sought. All applications for grants must be reviewed and approved in a public meeting. Upon approval of the application the Neighborhood Council (NC) shall submit the application along with all required documentation to the Office of the City Clerk, NC Funding Program.

Name of NC from which you are seeking this grant: Granada Hills North Neighborhood Council

SEC	TION I- APPLICANT INFORMATION				
1-1	LAPD Devonshire PALS	2	3-7270505	CA	05/15/2019
1a)	Organization Name	Fe	ederal I.D. # (EIN#)	State of Incorporation	Date of 501(c)(3) Status (if applicable
16)	8721 Wilbur Avenue	L	os Angeles	s CA	91324
	Organization Mailing Address	C	ity	State	Zip Code
1c)					
	Business Address (If different)	C	ity	State	Zip Code
1d)	PRIMARY CONTACT INFORMATION:				
	Edgar Sedano	818-885	-6433 I	Esedano@devor	nshire-pals.org
	Name	-	Phone	Email	
2)	Type of Organization- Please select one: Dublic School (not to include private school Attach Signed letter on School Letter)	ols) or	501(c)(3) No Attach IRS I	n-Profit (other than religious Determination Letter	s institutions)
3)	Name / Address of Affiliated Organization (if applicable) City	State	Zip Code

SECTION II - PROJECT DESCRIPTION

4) Please describe the purpose and intent of the grant.

The mission of LAPD Devonshire PALS (PALS) is to build character and enrich the lives of children and teens by offering year-round, after-school activities that foster trust and understanding between young people, the LAPD and the community. To that end, PALS provides a range of programs that pique our members' interests, encourage their curiosity, and expand their horizons. The requested funds will be allocated to supplies at our youth center for our agricultural, robotics, and arts programs. Funds will be designated specifically for agricultural materials including the following:

How will this grant be used to primarily support or serve a public purpose and benefit the public at-large.
 (Grants cannot be used as rewards or prizes for individuals)

PALS is dedicated to developing character in youth, reducing juvenile crime and creating safer communities. We do this by providing after-school enrichment programs for low-income, at-risk children and teens. Particularly during the ongoing health, economic, and educational crisis, youth are suffering from heightened stress, anxiety, and depression. We know that we will have to provide local youth with more academic, emotional, and social support than ever before while maintaining stringent safety protocols. By offering a variety of hands-on, experiential, and FUN learning activities, we are supporting our members' educational progress while taking a much-needed break from ubiquitous screen time. We also are providing an outlet for participating children and teens to decompress, express themselves creatively, and use different tools to manage stress and anxiety - benefiting themselves, their families, and their

	nay also provide the Budget Outline	LINE on a separate sheet if necessar	v or requeste	1.	
a)	Personnel Related Expenses	on a separate sheet ii necessar	Request		Total Projected Cost
,			\$		\$
			\$		\$
			\$		\$
)	Non-Personnel Related Expense	es	Requeste	ed of NC	Total Projected Cost
•		rogram supplies	\$ 700		\$1,500
		otics kits	\$ 1500		\$3,500
	Art s	upplies	\$300		\$900
		please list names of NCs: Grana	da Hills South Neig	nborhood Counc	il
	the implementation of this specifi urces or funding? (Including NPG				ent on any other facto , please describe:
50	Source of Funding	applications to other NCs)		II Tes	Total Projected Cost
	Courte of Fullating		Amount		\$
			\$		\$
			\$		\$
	TION IV - POTENTIAL CONFLICTS		San San		
		or former relationship with a B	oard Member	of the NC?	'
- (■ No □ Yes If Yes,	or former relationship with a B please describe below:			
- (to Applicant
- (■ No □ Yes If Yes,				
	No Q Yes If Yes, Name of NC Board Member	please describe below:	Ro	elationship	to Applicant
[]] [(Ib)	No Yes If Yes, Name of NC Board Member f yes, did you request that the bo	please describe below: ard member consult the Office hat if a Board Member of the I	of the City At	torney befo	to Applicant ore filing this application
b) I	No Yes If Yes, Name of NC Board Member f yes, did you request that the board Yes No *(Please note to participates in the discussion)	please describe below: ard member consult the Office hat if a Board Member of the I	of the City At	torney befo	to Applicant ore filing this application
1b) I	No Yes If Yes, Name of NC Board Member f yes, did you request that the board Yes No *(Please note to participates in the discussion grant in its entirety.)	please describe below: ard member consult the Office hat if a Board Member of the I n and voting of this NPG, the	of the City At	torney befo	to Applicant ore filing this application
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* If a current Board Member holds the position of Executive Director or Secretary, please contact the NC Funding Program at (213) 978-1058 or for instructions on completing this form

INTERNAL REVENUE SERVICE P. O. BOX 2508 CINCINNATI, OH 45201

Date: JUL 0 2 2020

LAPD DEVONSHIRE POLICE ACTIVITY
LEAGUE SUPPORTERS
8721 WILBUR AVE
NORTHRIDGE, CA 91324

Employer Identification Number: 23-7270505 DLN: 29053045317030 Contact Person: MRS. JOHNSON ID# 31287 Contact Telephone Number: (877) 829-5500 Accounting Period Ending: December 31 Public Charity Status: 170(b)(1)(A)(vi) Form 990/990-EZ/990-N Required: Effective Date of Exemption: May 15, 2019 Contribution Deductibility: Yes Addendum Applies: No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Based on the information you submitted in your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as listed at the top of this letter, is retroactive to your date of revocation.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar

LAPD DEVONSHIRE POLICE ACTIVITY

to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

stephen a morten

Director, Exempt Organizations Rulings and Agreements

Hi Oscar,

Below is the estimate you requested. Let me know if you have any questions.

Во

Rinaldi St. (no specific address identified, between Gaviota and Gothic):

Item	Unit			Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		285	\$ 9,975.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00		44	\$ 8,800.00
Tree Remove, stump grind and replace	Each	\$ 3,000.00		1	\$ 3,000.00
Total =			\$ 21,775.00		

Item	Unit			Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		190	\$ 6,650.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00		24	\$ 4,800.00
Stump Removal	Each	\$ 450.00		1	\$ 450.00
Total =			\$ 11,900.00		

16052 Rinaldi St.:

ltem	Unit			Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		60	\$ 2,100.00
Total =			\$ 2,100.00		

16020 Rinaldi St.:

ltem	Unit	Unit Drice		Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		120	\$ 4,200.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00		18	\$ 3,600.00
Tree Remove, stump grind and replace	Each	\$ 3,000.00		1	\$ 3,000.00
Total =			\$ 10,800.00		

ltem	Unit	Unit Price
Sidewalk Remove and Replace	Square Foot	\$ 35.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00
Tree Remove, stump grind and replace	Each	\$ 3,000.00
Stump Removal	Each	\$450.00

Quantity	Subtotal
365	\$ 12,775.00
97	\$ 19,400.00
2	\$ 6,000.00
1	\$450.00

Total =	\$ 38,625.00

Hi Oscar,

Below is the estimate you requested. Let me know if you have any questions.

Во

Rinaldi St. (no specific address identified, between Gaviota and Gothic):

ltem	Unit			Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		285	\$ 9,975.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00		44	\$ 8,800.00
Tree Remove, stump grind and replace	Each	\$ 3,000.00		1	\$ 3,000.00
Total =			\$ 21,775.00		

ltem	Unit	
		Unit Price
Sidewalk Remove and Replace	Square Foot	\$ 35.00
Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00

Quantity	Subtotal
190	\$ 6,650.00
24	\$ 4,800.00

Stump Removal	Each	\$ 450.00		1	\$ 450.00
Total =			\$ 11,900.00		

16052 Rinaldi St.:

ltem	Unit			Quantity	
		Unit Price			Subtotal
Sidewalk Remove and Replace	Square Foot	\$ 35.00		60	\$ 2,100.00
Total =			\$ 2,100.00		

16020 Rinaldi St.:

ltem	Unit	Unit Price		Quantity	Subtotal
	Square Foot				\$ 4,200.00
	Linear Foot				\$ 3,600.00
Tree Remove, stump grind and replace Total =	<u>Lach</u>	\$ 3,000.00	\$ 10,800.00		\$ 3,000.00

ltem	Unit	Unit Price	
Sidewalk Remove and Replace	Square Foot	\$ 35.00	

Quantity	
	Subtotal
365	\$ 12,775.00

Curb and Gutter Remove and Replace	Linear Foot	\$ 200.00		97	\$ 19,400.00
Tree Remove, stump grind and replace	Each	\$ 3,000.00		2	\$ 6,000.00
Stump Removal	Each	\$450.00		1	\$450.00
Total =			\$ 38,625.00		

Bo Savage

Deputy Director of Operations
Los Angeles Conservation Corps
John Van de Kamp Center
1400 N. Spring Street
Los Angeles, CA 90012

213-362-9000 ext. 238 213-210-7619 bsavage@lacorps.org

www.lacorps.org



Oscar Jimenez <oscarjimenez.csave@gmail.com>

Apr 2, 2021, 4:46 PM (19 hours ago)

to Bo

Bo,

Thank you. That was really quick. I'll keep you posted on next steps.

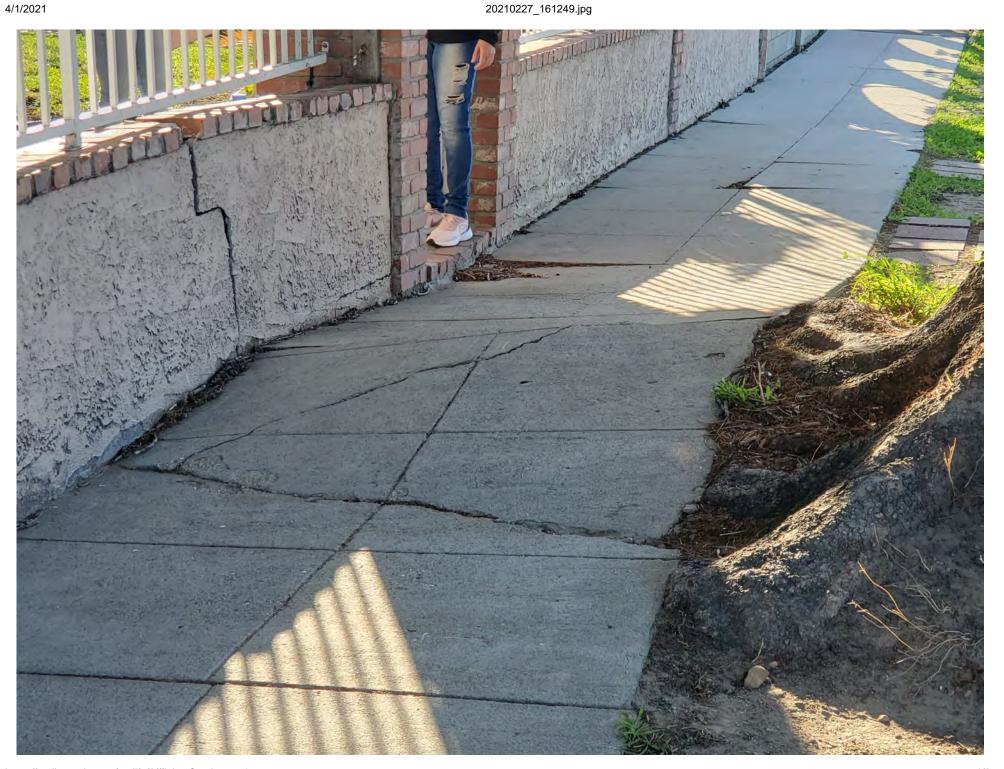
Oscar







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AB-992 Open meetings: local agencies: social media. (2019-2020)

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Date Published: 09/21/2020 02:00 PM

Assembly Bill No. 992

CHAPTER 89

An act to amend, repeal, and add Section 54952.2 of the Government Code, relating to local government.

[Approved by Governor September 18, 2020. Filed with Secretary of State September 18, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 992, Mullin. Open meetings: local agencies: social media.

The Ralph M. Brown Act generally requires that the meetings of legislative bodies of local agencies be conducted openly. That act defines "meeting" for purposes of the act and prohibits a majority of the members of a legislative body, outside a meeting authorized by the act, from using a series of communications of any kind to

discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

This bill would provide that, until January 1, 2026, the prohibition described above does not prevent a member from engaging in separate conversations or communications outside of a meeting authorized by this act with any other person using an internet-based social media platform, as defined, to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body, provided that a majority of the members do not use the internet-based social media platform to discuss among themselves, as defined, business of a specific nature that is within the subject matter jurisdiction of the legislative body, and that a member shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

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.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 54952.2 of the Government Code is amended to read:

54952.2. (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953,

to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.

- (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.
- (2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.
- (3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.
- (B) For purposes of this paragraph, all of the following definitions shall apply:
- (i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.
- (ii) "Internet-based social media platform" means an online service that is open and accessible to the public.
- (iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.

- (c) Nothing in this section shall impose the requirements of this chapter upon any of the following:
- (1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).
- (2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.
- (3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.
- (4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.
- (5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.
- (6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.
- (d) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.
- **SEC. 2.** Section 54952.2 is added to the Government Code, to read:

- **54952.2.** (a) As used in this chapter, "meeting" means any congregation of a majority of the members of a legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the legislative body.
- (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.
- (2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.
- (c) Nothing in this section shall impose the requirements of this chapter upon any of the following:
- (1) Individual contacts or conversations between a member of a legislative body and any other person that do not violate subdivision (b).
- (2) The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general interest to the public or to public agencies of the type represented by the legislative body, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the subject matter jurisdiction of the local agency. Nothing in this paragraph is intended to allow members of the public free admission to a conference or similar gathering at which the organizers have required other participants or registrants to pay fees or charges as a condition of attendance.
- (3) The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.
- (4) The attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency,

provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

- (5) The attendance of a majority of the members of a legislative body at a purely social or ceremonial occasion, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.
- (6) The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers.
- (d) This section shall become operative on January 1, 2026.
- **SEC. 3.** The Legislature finds and declares that Section 1 and Section 2 of this act, which amends and adds Section 54952.2 of the Government Code, respectively, impose a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

The limitations on the people's right of access set forth in this act are necessary to ensure the free flow of communications between members of a legislative body of a local agency and the public, particularly on internet-based social media platforms.

SEC. 4. The Legislature finds and declares that Section 1 and Section 2 of this act, which amends and adds Section 54952.2 of the Government Code, respectively, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as they relate to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure the free flow of communications between members of a legislative body of a local agency and the public, particularly on internet-based social media platforms.