



CITY OF  
LOS ANGELES  
CALIFORNIA



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## WEST HILLS NEIGHBORHOOD COUNCIL

### ONLINE AND TELEPHONIC BOARD MEETING AGENDA Thursday, November 4, 2021 at 6:30 p.m.

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.

This meeting of the West Hills Neighborhood Council will be conducted online via Zoom Webinar and telephonically. All are invited to attend and participate.

- **To attend online** via Zoom Webinar: Paste the following link into your browser: <https://zoom.us/j/98920654217>
- **To call in by phone**, dial (669) 900-6833, then punch in this Webinar code when prompted: **989 2065 4217**, then press #.

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.

<p><b><u>Opening Business</u></b> Call to Order  Roll Call – Establish Quorum Pledge of Allegiance</p>		<p><b>Co-Chairs:</b> Ms. Charlene Rothstein Dr. Faye Barta <b>Secretary:</b> Mr. Brad Vanderhoof <b>Co-Chair:</b> Dr. Faye Barta</p>
<p><b><u>Certificates of Appreciation</u></b>  “Halloween Houses on Display” Awards</p>		<p>Mr. John Lee, Council Member, District 12 Mr. Myrl Schreibman, Co-Chair WHNC Special Events Committee Mr. Steve Randall, Co-Chair WHNC Special Events Committee</p>
<p><b><u>Opening Business Cont.</u></b>  Approve Special Meeting Minutes of September 13, 2021 and Regular Meeting Minutes of October 7, 2021 Senior Lead Officer Report  Treasurer’s Report Controller’s Report Comments From the Chair Board Vacancy Announcement</p>		<p><b>Secretary:</b> Mr. Brad Vanderhoof  SLO McNamee; Acting SLO Alvarez <b>Treasurer:</b> Ms. Carolyn Greenwood <b>Controller:</b> Mr. Saif Mogri <b>Co-Chair:</b> Ms. Charlene Rothstein <b>Co-Chair:</b> Ms. Charlene Rothstein</p>

<p><b><u>Announcements</u></b>  Council District 12  Department of Neighborhood Empowerment  Los Angeles County Supervisor District 3  LAUSD District 3</p> <p>Budget Advocates</p>		<p>Mr. Colin Crews, District Director  Ms. Atziri Camarena  Ms. Tessa Charnofsky, District Director  Ms. Tara Vahdani, School Engagement &amp; Data Specialist  TBD</p>
<p><b><u>Presentation</u></b></p> <p>“Land Acknowledgment”</p>		<p>Mr. Dan Brin, Board Member</p>
<p><b><u>Public Comment</u></b></p> <p>Comments &amp; statements from stakeholders or interested parties on subjects <b><u>NOT</u></b> on this meeting’s agenda. <i>(Requires Speaker Card) (10 Minutes Max)</i>  <b>*The Council affords an opportunity to members of the public to address the Council on items of interest that are within the Council’s jurisdiction. The Council is not permitted to take action on items that are not identified on the agenda. The Council reserves the right to limit speakers’ time if necessary to provide an adequate opportunity for all to be heard.*</b></p>		<p>Dr. Faye Barta, Co-Chair</p>
<p><b><u>Council Announcements</u></b></p> <p>Committee &amp; Liaison Reports</p>		<p>West Hills Neighborhood Council</p>
<p><b><u>Old Business</u></b></p> <p><b>21-0092</b> - Discussion and possible action of The West Hills Neighborhood Council supporting Los Angeles school board resolution addressing anti-Semitism in the district schools. LAUSD Resolution Res-001-21/22, Version: 1. <b>(10 Minutes Max)</b></p> <p><b>21-0100</b> - Discussion and possible action regarding a proposed change to WHNC Standing Rule, Article 5, Section 6 <b>(10 Minutes Max)</b></p> <p><b>21-0102</b> - Discussion and possible action on submitting a CIS on CF 21-0975 (John Lee), Illegal Street Racing / Reckless Driving Exhibition/Spectator Gathering / Promotion / Facilitation <b>(10 Minutes Max)</b></p> <p><b>21-0103</b> - Discussion and possible action on request to Councilman John Lee CD12, to draft a motion in the City Council in support of AB 43 <b>(10 Minutes Max)</b></p>		<p>Ms. Joanne Yvanek-Garb, Co-Chair  Government Relations Committee  Mr. Saif Mogri, Co-Chair  Government Relations Committee</p> <p>Mr. Brad Vanderhoof, Co-Chair  Bylaws Committee  Mr. Bob Brostoff, Co-Chair  Bylaws Committee</p> <p>Mr. Anthony Scarce, Co-Chair  Streets &amp; Transportation Committee  Mr. Bob Brostoff, Co-Chair  Streets &amp; Transportation Committee</p> <p>Mr. Anthony Scarce, Co-Chair  Streets &amp; Transportation Committee  Mr. Bob Brostoff, Co-Chair  Streets &amp; Transportation Committee</p>
<p><b><u>New Business</u></b></p> <p><b>21-0104</b> - Discussion and possible action regarding approval of the WHNC’s September Monthly Expenditure Report (MER) <b>(3 Minutes Max)</b></p>		<p>Ms. Carolyn Greenwood, Co-Chair  Budget Committee  Mr. Saif Mogri, Co-Chair  Budget Committee</p>

<p><b>21-0105</b> - Discussion and possible action on approving \$46.44 to reimburse Bob Brostoff for snacks and refreshments for the Beautification Clean-Up held on August 28, 2021(<b>3 Minutes Max</b>)</p> <p><b>21-0106</b> - Discussion and possible action on approving the WHNC’s participation in the 2022 Homeless Count to be held on January 25, 2022 from 8:00 p.m. – 11:00 p.m. (<b>5 Minutes Max</b>)</p> <p><b>21-0107</b> - Discussion and possible action on appointing Azarine Rushenas to the West Hills Neighborhood Council Youth Advisory Committee (<b>10 Minutes Max</b>)</p> <p><b>21-0108</b> - Discussion and possible action on designating an individual to receive the 2021 Election records on behalf of the West Hills Neighborhood Council (<b>5 Minutes Max</b>)</p> <p><b>21-0109</b> - First reading of a Bylaws amendment to make the WHNC Bylaws Ad Hoc Committee a Standing Committee (<b>2 Minutes Max</b>)</p> <p><b>21-0110</b> - Discussion and possible action to amend the WHNC Standing Rules Article 5, Section 5 (<b>5 Minutes Max</b>)</p> <p><b>21-0111</b> - Discussion and possible action regarding a letter from the West Hills Neighborhood Council to all City Council Members, in opposition of extending the date for mandatory vaccination of the city employees, i.e. LAFD and LAPD (<b>10 Minutes Max</b>)</p> <p><b>21-0112</b> - Discussion and Possible Action on the revision of wording of the language for the Code of Conduct (<b>5 Minutes Max</b>)</p> <p><b>21-0113</b> - Discussion and possible action on submitting a CIS on Council File 21-0760, to amend City Charter to include "City of Los Angeles" to the definition of "local" in Section 371a. of the City Charter (<b>5 Minutes Max</b>)</p>		<p>Ms. Carolyn Greenwood, Co-Chair Budget Committee Mr. Saif Mogri, Co-Chair Budget Committee</p> <p>Ms. Aida Abkarians, Co-Chair Homelessness Committee Mr. Myrl Schreiberman, Co-Chair Homelessness Committee Ms. Corrine Ho</p> <p>Mrs. Charlene Rothstein, Co-Chair Vacancy Committee Mr. Steve Randall, Co-Chair Vacancy Committee</p> <p>Mrs. Charlene Rothstein, Co-Chair</p> <p>Mr. Brad Vanderhoof, Co-Chair Bylaws Ad Hoc Committee Mr. Bob Brostoff, Co-Chair Bylaws Ad Hoc Committee</p> <p>Mr. Brad Vanderhoof, Co-Chair Bylaws Ad Hoc Committee Mr. Bob Brostoff, Co-Chair Bylaws Ad Hoc Committee</p> <p>Mrs. Sandi Bell, Chair Public Health Committee</p> <p>Mrs. Joanne Yvanek-Garb, Co-Chair Government Relations Committee Mr. Saif Mogri, Co-Chair Government Relations Committee</p> <p>Mrs. Joanne Yvanek-Garb, Co-Chair Government Relations Committee Mr. Saif Mogri, Co-Chair Government Relations Committee</p>
<p><b><u>Adjournment</u></b></p>		

**Public Input At Neighborhood Council Meetings:** Members of the public who call in by telephone are requested to dial \*9, when prompted by the presiding officer, to address the Board on any agenda item before the Board takes an 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 are within the Board’s jurisdiction will be heard during the General Public Comment period. Please note that under the Brown Act, the Board 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 Board meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of the Board.

**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](mailto:ethics@lacity.org) or [ethics.commission@lacity.org](http://ethics.commission@lacity.org). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org)

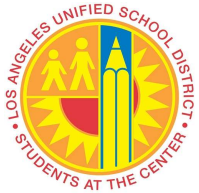
**Public Posting Of Agendas**: WHNC agendas are posted for public review at Shadow Ranch Park, 22633 Vanowen St., West Hills, CA 91307 or at our website, [www.westhillsnc.org](http://www.westhillsnc.org). You can also receive our agendas via email by subscribing to the City of Los Angeles Early Notification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

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



# Los Angeles Unified School District

333 South Beaudry Ave,  
Los Angeles, CA 90017

## Board of Education Report

**File #:** Res-001-21/22, **Version:** 1

**ADOPTED BY CONSENT VOTE**

Mr. Schmerelson, Dr. McKenna, Mr. Melvoin, Ms. Gonez - Affirming the Value of Jewish Students, Staff, and Families in the Los Angeles Unified School District and Addressing Anti-Semitism (Res 001-21/22) (Waiver of Board Rule 72)

Whereas, There has been a significant rise in hate crimes here in Los Angeles and across the country over the last four years against many racial, ethnic, religious, and other minority groups, and LAUSD has a long history of centering the positive contributions of the Black, Latinx, Asian American and Pacific Islander, women, LGBTQ+, and other communities;

Whereas, This discrimination, racism, xenophobia, sexism, homophobia, and anti-Semitism has not only generated heated rhetoric but has resulted in harassment, vandalism, physical assaults, and worse, and no individual or group within our District should fear becoming targets of retaliation, derision, bullying, isolation, or violence;

Whereas, Students who identify as Jewish come from all racial and ethnic backgrounds, including those with overlapping racial and ethnic identities, and attend schools in all six Local Districts, and Los Angeles is home to the third largest Jewish population in the world behind Israel and New York, and approximately 15 percent of the K-12 child population within LAUSD's boundaries are themselves or have family members who are Jewish;

Whereas, What we teach our youth about their ancestral legacies and cultures is essential in the fight for racial and ethnic justice and equity, and the promise of full inclusion and desegregation in LAUSD or public schools has not yet been realized;

Whereas, LAUSD publishes policy bulletins and memoranda on an annual basis affirming the value and dignity of all racial, ethnic, and religious groups, including MEM-5466: Calendar of Commemorative Dates and Observances, and offers the opportunity for Jewish students and staff to observe the Jewish holidays of Rosh Hashanah and Yom Kippur with unassigned days in the school calendar;

Whereas, Property and vandalism crimes against Jewish temples and places of worship and physical assaults against people who "look Jewish" or dine at restaurants frequented by Jewish people has increased significantly over the past four years and most recently due to the escalation of the conflict and military action in Israel, Gaza, and in the Middle East, and was denounced by President Biden and Los Angeles Mayor Eric Garcetti, the City Council, and faith leaders from across the Los Angeles region;

Whereas, Reports of white supremacist, anti-Semitic, anti-Jewish, and anti-Israeli graffiti, bullying, harassment, and violence on LAUSD campuses has been on the rise for the past four years, and administrators, teachers, and student leaders need updated and readily available training and resources to prevent and address anti-Semitism in all its forms;

Whereas, The social content of instructional materials used in California public schools must comply with California Education Code section 60040-60045 and 60048 as well as the State Board of Education guidelines

in the Standards for Evaluating Instructional Materials for Social Content in that they must portray accurately and equitably the cultural and racial diversity of American society, and Section 51500 states that “teachers shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation”, or another protected characteristic;

Whereas, Prolonged exposure to curricula that normalizes and perpetuates white supremacy, and the erasure of racial, ethnic, and religious minority groups can be alienating and traumatic for students and staff and contribute to the opportunity and achievement gaps we see today; now, therefore, be it,

Resolved, That the Board of Education denounces the rise in anti-Semitic, anti-Jewish, and anti-Israeli rhetoric and hate-motivated crimes and incidents that denigrate Jewish students and staff in the communities served by LAUSD in order for every LAUSD campus and office to be a safe and welcoming environment for all students, staff, and families;

Resolved further, The Board declares the need for updated bulletins, curricular and instructional resources, and training for teachers, staff, administrators, students, and parents to address and prevent anti-Semitism and respond when anti-Semitic vandalism, bullying, harassment, or violence occurs either on campus or in the community, including specific reference to anti-Semitism in the mandated bulletins training at the start of each school year;

Resolved further, That LAUSD will proceed with full implementation of the California-adopted History Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve (2017) and its Appendix F on Religion and History-Social Science Education educate LAUSD students and all elementary, middle, and high school history-social science teachers about the positive contributions of Jewish peoples and to reduce anti-Jewish hate speech and hate-motivated behavior and incidents, and, be it finally;

Resolved, That to accomplish these objectives, the Board directs the Superintendent to (1) direct all schools and offices to affirm the rights of Jewish students, staff, and families and to report acts of anti-Semitism in schools and the workplace using District procedures; (2) ensure that the Division of Instruction and Office of Human Relations, Diversity, and Equity establish a curriculum and professional development working group to recruit and compensate LAUSD teachers and administrators with expertise in the areas of Jewish history and culture and the Holocaust, and invite other expert groups such as the Anti-Defamation League, Simon Wiesenthal Center and J Street to update and revise any existing LAUSD curriculum, recommended grade level reading lists, or instructional resources to ensure they are inclusive and reflective of best practices and the full diversity of Jewish people including those in California and Los Angeles, and (3) report back to the Board within 90 days with an update on these efforts.

September \_\_\_\_, 2021

Councilmember John Lee, Council District 12  
**City of Los Angeles**  
200 N. Spring St., Room 405  
Los Angeles, CA 90012

Scott Schmerlson, School Board District 3  
333 S. Beaudry Avenue, 24<sup>th</sup> Floor  
Los Angeles, CA 90017

**Re: LAUSD Resolution 001-21/22 – Version 1 Anti-Semitism in the District’s Schools**

Dear \_\_\_\_\_:

The West Hills Neighborhood Council supports Resolution 001-21/22 addressing Anti-Semitism in our schools.

There is a rise in child population within LAUSD’s boundaries are themselves or have family members who are Jewish and what we teach our youth about their ancestral legacies and cultures is essential in the fight for racial and ethnic justice and equity, and the promise of full inclusion and desegregation in LAUSD or public schools. Students who identify as Jewish come from all racial and ethnic backgrounds, including those with overlapping racial and ethnic identities, and attend schools in all six Local Districts. Los Angeles is home to the third largest Jewish population in the world behind Israel and New York, with approximately 15 percent of the K-12 population within LAUSD’s boundaries is themselves or have family members who are Jewish. There has been a significant rise in hate crimes here in Los Angeles and across the country over the last four years against many racial, ethnic, religious, and other minority groups, and LAUSD has a long history of centering the positive contributions of the Black, Latin, Asian American and Pacific Islander, women, LGBTQ+, and other communities; This discrimination, racism, xenophobia, sexism, homophobia, and anti-Semitism has not only generated heated rhetoric but has resulted in harassment, vandalism, physical assaults, and worse, and no individual or group within our District should fear becoming targets of retaliation, derision, bullying, isolation, or violence.

The Board of Education denounces the rise in anti-Semitic, anti-Jewish, and anti-Israeli rhetoric and hate-motivated crimes and incidents that denigrate Jewish students and staff in the communities served by LAUSD in order for every LAUSD campus and office to be a safe and welcoming environment for all students, staff, and families. The Board also declares the need for updated bulletins, curricular and instructional resources, and training for teachers, staff, administrators, students, and parents to address and prevent

anti-Semitism and respond when anti-Semitic vandalism, bullying, harassment, or violence occurs either on campus or in the community, including specific reference to anti-Semitism in the mandated bulletins training at the start of each school year.

LAUSD will proceed with full implementation of the California-adopted History Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve (2017) and its Appendix F on Religion and History-Social Science Education educate LAUSD students and all elementary, middle, and high school history-social science teachers about the positive contributions of Jewish peoples and to reduce anti-Jewish hate speech and hate-motivated behavior and incidents. To accomplish these objectives, the Board directs the Superintendent to (1) direct all schools and offices to affirm the rights of Jewish students, staff, and families and to report acts of anti-Semitism in schools and the workplace using District procedures; (2) ensure that the Division of Instruction and Office of Human Relations, Diversity, and Equity establish a curriculum and professional development working group to recruit and compensate LAUSD teachers and administrators with expertise in the areas of Jewish history and culture and the Holocaust, and invite other expert groups such as the Anti-Defamation League, Simon Wiesenthal Center and J Street to update and revise any existing LAUSD curriculum, recommended grade level reading lists, or instructional resources to ensure they are inclusive and reflective of best practices and the full diversity of Jewish people including those in California and Los Angeles, and (3) report back to the Board within 90 days with an update on these efforts.



**Agenda Item 21-0100 - Discussion and possible action regarding a proposed change to WHNC Standing Rule, Article 5, Section 6**

Standing Rule Change

Approved by Bylaws Committee on September 22, 2021

Proposed Standing Rule for Article 5, Section 6


The Committee Chair(s) shall be appointed by the WHNC President. In selecting members for the committee, the Chair(s) shall give consideration to eligible Board members who express interest and who did not serve on the previous Vacancy Ad Hoc Committee. To be considered eligible, a Board member must be current in all required neighborhood council trainings and must currently be a member of the Board for at least two (2) years.

MOTION

Illegal Street racing and reckless driving exhibitions (also known as "side shows"), where individuals gather to watch motorists engage in exhibitions of speed and other dangerous activities while blocking roads and intersections, have been a continuing problem in the City, as well as other cities across the state. Over recent years, the internet and social media have made it even easier for organizers of these illegal events to organize and promote them, despite the best efforts of law enforcement.

In an effort to address this in their jurisdiction, the City of San José recently adopted an ordinance to criminalize the promotion of illegal street races and side shows. Under this ordinance, it is a misdemeanor to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition in San José. As this crime is a misdemeanor, it is punishable by a fine of up to \$1,000 and/or imprisonment in the county jail for not more than six months. The Council should request a report looking into the feasibility of adopting a similar ordinance in the City of Los Angeles.

I THEREFORE MOVE that the City Attorney be requested to report on the feasibility of enacting an ordinance to make it unlawful to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition, modeled after the ordinance recently adopted by the City of San José.

PRESENTED BY:   
JOHN S. LEE  
Councilmember, 12<sup>th</sup> District

SECONDED BY: 

ORIGINAL

jwd

AUG 31 2021



File # :	CF-21-0975 (Lee)
Title :	Illegal Street Racing / Reckless Driving Exhibition / Spectator Gathering / Promotion / Facilitation
Type :	Streets Public Safety
City/State :	Los Angeles, California

Summary :	<p>Illegal Street racing and reckless driving exhibitions (also known as "side shows"), where individuals gather to watch motorists engage in exhibitions of speed and other dangerous activities while blocking roads and intersections, have been a continuing problem in the city, as well as other cities across the state. Over recent years, the internet and social media have made it even easier for organizers of these illegal events to organize and promote them, despite the best efforts of law enforcement.</p> <p>To address this in their jurisdiction, the City of San Jose recently adopted an ordinance to criminalize the promotion of illegal street races and side shows. Under this ordinance, it is a misdemeanor to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition in San Jose. As this crime is a misdemeanor; it is punishable by a fine of up to \$1,000 and/or imprisonment in the county jail for not more than six months. The Council should request a report looking into the feasibility of adopting a similar ordinance in the City of Los Angeles.</p>
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Motion :	Support CF 21-0975 in that the City Attorney be requested to report on the feasibility of enacting an ordinance to make it unlawful to knowingly encourage, promote, instigate, assist, facilitate, aid, or abet the gathering of persons as spectators at a street race or reckless driving exhibition, modeled after the ordinance recently adopted by the City of San Jose.
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EP Position :	
Vote :	

“YES” Vote:	
	<b>YES = YES</b> on the Motion

“NO” Vote:	
	<b>NO = NO</b> on the Motion

**Agenda Item 21-0103 - Discussion and possible action on request to Councilman John Lee CD12, to draft a motion in the City Council in support of AB 43**

August 26, 2021

Councilmember John Lee  
City of Los Angeles Council District 12

**Re: Request for motion on AB-43 (Friedman)**

Dear Mr. John Lee:

WHEREAS speeding motorists are making the streets in West Hills increasingly dangerous in recent years, resulting in many accidents, injuries, and deaths; and

WHEREAS, speed is the primary factor in fatal traffic collisions and continues to kill hundreds of people in Los Angeles every year; and

WHEREAS in California, speed limits are determined by the speed of the 85th percentile of drivers. In other words, if 100 people drive down a street, the speed limit is pegged to the speed of the 16th fastest driver; and

WHEREAS currently, the 85th percentile rule requires municipalities to set speeds limits at the nearest 5-mile increment to the 85th percentile speed, with the option to go down 5 mph instead of up. For example, if the 85th percentile speed on a street is 42 mph, the city could set a speed limit of 40 mph. If that speed is 43 mph, the default speed limit would be 45, but the city could set it at 40 but no lower; and

WHEREAS in practice, the 85th percentile rule means that when reckless driving endangers neighborhood children, bicyclists, pedestrians and other motorists, a local government can't lower the speed limit to protect its residents. It could even be forced to raise the speed limit.

THEREFORE, the West Hills Neighborhood Council urges the John Lee (CD12) to introduce a motion in support of AB-43 Traffic Safety (Friedman) to the Los Angeles City Council, Transportation Committee.

## AB 43, as amended, Friedman. Traffic safety.

(1) Existing law establishes various default speed limits for vehicles upon highways, as specified. Existing law authorizes state and local authorities to adjust these default speed limits, as specified, based upon certain findings determined by an engineering and traffic survey. Existing law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. Existing law authorizes local authorities to consider additional factors, including pedestrian and bicyclist safety.

This bill would authorize local authorities to consider the safety of vulnerable pedestrian groups, as specified.

(2) Existing law establishes a prima facie speed limit of 25 miles per hour on any highway, other than a state highway, located in any business or residence district, as defined. Existing law authorizes a local authority to change the speed limit on any such highway, as prescribed, including erecting signs to give notice thereof.

This bill would establish a prima facie speed limit of 25 miles per hour on state highways located in any business or residence district and would authorize the Department of Transportation (Caltrans) to change the speed limit on any such highway, as prescribed, including erecting signs to give notice thereof.

(3) Existing law establishes a speed limit of 65 miles per hour on state highways, as specified. Existing law authorizes Caltrans to declare a speed limit on any such highway, as prescribed, of 60, 55, 50, 45, 40, 35, 30, or 25 miles per hour, including erecting signs to give notice thereof. Existing law also authorizes a local authority, on a section of highway, other than a state highway, where the speed limit is 65 miles per hour to declare a lower speed limit, as specified.

This bill would additionally authorize Caltrans and a local authority to declare a speed limit of 20 or 15 miles per hour, as specified, on these highways.

(4) Existing law authorizes a local authority, without an engineering and traffic survey, to declare a lowered speed limit on portions of highway, as specified, approaching a school building or school grounds. Existing law limits this authority to sections of highway meeting specified requirements relating to the number of lanes and the speed limit of the highway before the school zone.

This bill would similarly authorize a lowered speed limit on a section of highway contiguous to a business activity district, as ~~defined~~ *defined, and would require that certain violations be subject to a warning citation, for the first 30 days of implementation.*

(5) Existing law requires Caltrans, by regulation, to provide for the rounding up or down to the nearest 5 miles per hour increment of the 85th percentile speed of free-flowing traffic on a portion of highway as determined by a traffic and engineering survey. *Existing law requires the Judicial Council to create and implement an online tool by June 30, 2024, for the adjudication of traffic infractions, among other things.*

This bill would authorize a local authority to further reduce the speed limit, as specified, and require *that certain violations be subject to a warning citation, for the first 30 days of implementation. The bill would, in some circumstances, authorize the reduction of a speed limit beginning June 30, 2024, or when the Judicial Council has developed an online tool for adjudicating traffic infraction violations, whichever is sooner. The bill would require* Caltrans to accordingly revise the California Manual on Uniform Traffic Control Devices, as specified.

(6) Existing law defines a speed trap and prohibits evidence of a driver's speed obtained through a speed trap from being admissible in court in any prosecution against a driver for a speed-related offense. Existing law deems a road where the speed limit is not justified by a traffic and engineering survey conducted within the previous 7 years to be a speed trap, unless the roadway has been evaluated by a registered engineer, as specified, in which case the speed limit

remains enforceable for a period of 10 years. Existing law exempts a school zone, as defined, from certain provisions relating to defining a speed trap.

This bill would extend the period that a speed limit justified by a traffic and engineering survey conducted more the 7 years ago remains valid, for purposes of speed enforcement, if evaluated by a registered engineer, as specified, to 14 years.

This bill would also exempt a senior zone and business activity district, as defined, from those provisions.

## DIGEST KEY

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

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## BILL TEXT

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

#### SECTION 1.

Section 627 of the Vehicle Code is amended to read:

##### **627.**

(a) "Engineering and traffic survey," as used in this code, means a survey of highway and traffic conditions in accordance with methods determined by the Department of Transportation for use by state and local authorities.

(b) An engineering and traffic survey shall include, among other requirements deemed necessary by the department, consideration of all of the following:

(1) Prevailing speeds as determined by traffic engineering measurements.

(2) Accident records.

(3) Highway, traffic, and roadside conditions not readily apparent to the driver.

(c) When conducting an engineering and traffic survey, local authorities, in addition to the factors set forth in paragraphs (1) to (3), inclusive, of subdivision (b) may consider all of the following:

(1) Residential density, if any of the following conditions exist on the particular portion of highway and the property contiguous thereto, other than a business district:

(A) Upon one side of the highway, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 13 or more separate dwelling houses or business structures.

(B) Upon both sides of the highway, collectively, within a distance of a quarter of a mile, the contiguous property fronting thereon is occupied by 16 or more separate dwelling houses or business structures.

(C) The portion of highway is longer than one-quarter of a mile but has the ratio of separate dwelling houses or business structures to the length of the highway described in either subparagraph (A) or (B).

(2) Safety of bicyclists and pedestrians, with increased consideration for vulnerable pedestrian groups including children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused.

#### **SEC. 2.**

Section 21400 of the Vehicle Code is amended to read:

##### **21400.**

(a) The Department of Transportation shall, after consultation with local agencies and public hearings, adopt rules and regulations prescribing uniform standards and specifications for all official traffic control devices placed pursuant to this code, including, but not limited to, stop signs, yield right-of-way signs, speed restriction signs, railroad warning approach signs, street name signs, lines and markings on the roadway, and stock crossing signs placed pursuant to Section 21364.

(b) The Department of Transportation shall, after notice and public hearing, determine and publicize the specifications for uniform types of warning signs, lights, and devices to be placed upon a highway by a person engaged in performing work that interferes with or endangers the safe movement of traffic upon that highway.

(c) Only those signs, lights, and devices as are provided for in this section shall be placed upon a highway to warn traffic of work that is being performed on the highway.

(d) Control devices or markings installed upon traffic barriers on or after January 1, 1984, shall conform to the uniform standards and specifications required by this section.

### **SEC. 3.**

Section 22352 of the Vehicle Code is amended to read:

#### **22352.**

The prima facie limits are as follows and shall be applicable unless changed as authorized in this code and, if so changed, only when signs have been erected giving notice thereof:

(a) Fifteen miles per hour:

(1) When traversing a railway grade crossing, if during the last 100 feet of the approach to the crossing the driver does not have a clear and unobstructed view of the crossing and of any traffic on the railway for a distance of 400 feet in both directions along the railway. This subdivision does not apply in the case of any railway grade crossing where a human flagperson is on duty or a clearly visible electrical or mechanical railway crossing signal device is installed but does not then indicate the immediate approach of a railway train or car.

(2) When traversing any intersection of highways if during the last 100 feet of the driver's approach to the intersection the driver does not have a clear and unobstructed view of the intersection and of any traffic upon all of the highways entering the intersection for a distance of 100 feet along all those highways, except at an intersection protected by stop signs or yield right-of-way signs or controlled by official traffic control signals.

(3) On any alley.

(b) Twenty-five miles per hour:

(1) On any highway, in any business or residence district unless a different speed is determined by local authority or the Department of Transportation under procedures set forth in this code.

(2) When approaching or passing a school building or the grounds thereof, contiguous to a highway and posted with a standard "SCHOOL" warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. The prima facie limit shall also apply when approaching or passing any school grounds which are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children and the highway is posted with a standard "SCHOOL" warning sign. For purposes of this subparagraph, standard "SCHOOL" warning signs may be placed at any distance up to 500 feet away from school grounds.

(3) When passing a senior center or other facility primarily used by senior citizens, contiguous to a street other than a state highway and posted with a standard "SENIOR" warning sign. A local authority may erect a sign pursuant to this paragraph when the local agency makes a determination that the proposed signing should be implemented. A local authority may request grant funding from the Active Transportation Program pursuant to Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highways Code, or any other grant funding available to it, and use that grant funding to pay for the erection of those signs, or may utilize any other funds available to it to pay for the erection of those signs, including, but not limited to, donations from private sources.

### **SEC. 4.**

Section 22354 of the Vehicle Code is amended to read:

#### **22354.**

(a) Whenever the Department of Transportation determines upon the basis of an engineering and traffic survey that the limit of 65 miles per hour is more than is reasonable or safe upon any portion of a state highway where the limit of 65 miles is applicable, the department may determine and declare a prima facie speed limit of 60, 55, 50, 45, 40, 35, 30, 25, 20, or 15 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving notice thereof are erected upon the highway.

(b) This section shall become operative on the date specified in subdivision (c) of Section 22366.

### **SEC. 5.**

Section 22358 of the Vehicle Code is amended to read:

#### **22358.**

(a) Whenever a local authority determines upon the basis of an engineering and traffic survey that the limit of 65 miles per hour is more than is reasonable or safe upon any portion of any street other than a state highway where the limit of 65 miles per hour is applicable, the local authority may by ordinance determine and declare a prima facie speed limit of 60, 55, 50, 45, 40, 35, 30, 25, 20, or 15 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon the street.

(b) This section shall become operative on the date specified in subdivision (c) of Section 22366.

### **SEC. 6.**

Section 22358.6 is added to the Vehicle Code, to read:



**22358.6.**

The Department of Transportation shall, in the next scheduled revision, revise and thereafter maintain the California Manual on Uniform Traffic Control Devices to require the Department of Transportation or a local authority to round speed limits to the nearest five miles per hour of the 85th percentile of the free-flowing traffic. However, in cases in which the speed limit needs to be rounded up to the nearest five miles per hour increment of the 85th-percentile speed, the Department of Transportation or a local authority may decide to instead round down the speed limit to the lower five miles per hour increment. A local authority may additionally lower the speed limit as provided in Sections 22358.7 and 22358.8.

**SEC. 7.**

Section 22358.7 is added to the Vehicle Code, to read:

**22358.7.**

(a) If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, determine and declare a prima facie speed limit that has been reduced an additional five miles per hour for either of the following reasons:

- (1) The portion of highway has been designated as a safety corridor. A local authority shall not deem more than one-fifth of their streets as safety corridors.
- (2) The portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians, especially those from vulnerable groups such as children, seniors, persons with disabilities, and the unhoused.

(b) (1) As used in this section, "safety corridor" shall be defined by the Department of Transportation in the next revision of the California Manual on Uniform Traffic Control Devices. In making this determination, the department shall consider highways that have the highest number of serious injuries and fatalities based on collision data that may be derived from, but not limited to, the Statewide Integrated Traffic Records System.

(2) The Department of Transportation shall, in the next revision of the California Manual on Uniform Traffic Control Devices, determine what constitutes land or facilities that generate high concentrations of bicyclists and pedestrians, as used in paragraph (2) of subdivision (a). In making this determination, the department shall consider density, road use type, and bicycle and pedestrian infrastructure present on a section of highway.

*(c) A local authority may not lower a speed limit as authorized by this section until June 30, 2024, or until the Judicial Council has developed an online tool for adjudicating infraction violations statewide as specified in Article 7 (commencing with Section 68645) of Chapter 2 of Title 8 of the Government Code, whichever is sooner.*

*(d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

**SEC. 8.**

Section 22358.8 is added to the Vehicle Code, to read:

**22358.8.**

(a) If a local authority, after completing an engineering and traffic survey, finds that the speed limit is still more than is reasonable or safe, the local authority may, by ordinance, retain the current speed limit or restore the immediately prior speed limit if that speed limit was established with an engineering and traffic survey and if a registered engineer has evaluated the section of highway and determined that no additional general purpose lanes have been added to the roadway since completion of the traffic survey that established the prior speed limit.

(b) This section does not authorize a speed limit to be reduced by any more than five miles per hour from the current speed limit nor below the immediately prior speed limit.

*(c) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

**SEC. 9.**

Section 22358.9 is added to the Vehicle Code, to read:

**22358.9.**

(a) (1) Notwithstanding any other law, a local authority may, by ordinance, determine and declare a 25 or 20 miles per hour prima facie speed limit on a highway contiguous to a business activity district when posted with a sign that indicates a speed limit of 25 or 20 miles per hour.

(2) The prima facie limits established under paragraph (1) apply only to highways that meet all of the following conditions:

- (A) A maximum of four traffic lanes.
- (B) A maximum posted 30 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 25 miles per hour speed limit.



(C) A maximum posted 25 miles per hour prima facie speed limit immediately prior to and after the business activity district, if establishing a 20 miles per hour speed limit.

(b) As used in this section, a “business activity district” is that portion of a highway and the property contiguous thereto that includes central or neighborhood downtowns, urban villages, or zoning designations that prioritize commercial land uses at the downtown or neighborhood scale and meets at least three of the following requirements in paragraphs (1) to (4), inclusive:

(1) No less than 50 percent of the contiguous property fronting the highway consists of retail or dining commercial uses, including outdoor dining, that open directly onto sidewalks adjacent to the highway.

(2) Parking, including parallel, diagonal, or perpendicular spaces located alongside the highway.

(3) Traffic control signals or stop signs regulating traffic flow on the highway, located at intervals of no more than 600 feet.

(4) Marked crosswalks not controlled by a traffic control device.

(c) A local authority shall not declare a prima facie speed limit under this section on a portion of a highway where the local authority has already lowered the speed limit as permitted under Sections 22358.7 and 22358.8.

*(d) A local authority shall issue only warning citations for violations of exceeding the speed limit by 10 miles per hour or less for the first 30 days that a lower speed limit is in effect as authorized by this section.*

## **SEC. 10.**

Section 40802 of the Vehicle Code is amended to read:

### **40802.**

(a) A “speed trap” is either of the following:

(1) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(2) A particular section of a highway with a prima facie speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within five years prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects. This paragraph does not apply to a local street, road, school zone, senior zone, or business activity district.

(b) (1) For purposes of this section, a local street or road is one that is functionally classified as “local” on the “California Road System Maps,” that are approved by the Federal Highway Administration and maintained by the Department of Transportation. It may also be defined as a “local street or road” if it primarily provides access to abutting residential property and meets the following three conditions:

(A) Roadway width of not more than 40 feet.

(B) Not more than one-half of a mile of uninterrupted length. Interruptions shall include official traffic control signals as defined in Section 445.

(C) Not more than one traffic lane in each direction.

(2) For purposes of this section, “school zone” means that area approaching or passing a school building or the grounds thereof that is contiguous to a highway and on which is posted a standard “SCHOOL” warning sign, while children are going to or leaving the school either during school hours or during the noon recess period. “School zone” also includes the area approaching or passing any school grounds that are not separated from the highway by a fence, gate, or other physical barrier while the grounds are in use by children if that highway is posted with a standard “SCHOOL” warning sign.

(3) For purposes of this section, “senior zone” means that area approaching or passing a senior center building or other facility primarily used by senior citizens, or the grounds thereof that is contiguous to a highway and on which is posted a standard “SENIOR” warning sign, pursuant to Section 22352.

(4) For purposes of this section, “business activity district” means a section of highway described in subdivision (b) of Section 22358.9 in which a standard 25 miles per hour or 20 miles per hour speed limit sign has been posted pursuant to paragraph (1) of subdivision (a) of that section.

(c) (1) When all of the following criteria are met, paragraph (2) of this subdivision shall be applicable and subdivision (a) shall not be applicable:

(A) When radar is used, the arresting officer has successfully completed a radar operator course of not less than 24 hours on the use of police traffic radar, and the course was approved and certified by the Commission on Peace Officer Standards and Training.

(B) When laser or any other electronic device is used to measure the speed of moving objects, the arresting officer has successfully completed the training required in subparagraph (A) and an additional training course of not less than two hours approved and certified by the Commission on Peace Officer Standards and Training.

(C) (i) The prosecution proved that the arresting officer complied with subparagraphs (A) and (B) and that an engineering and traffic survey has been conducted in accordance with subparagraph (B) of paragraph (2). The prosecution proved that, prior to the officer issuing the notice to appear, the arresting officer established that the radar, laser, or other electronic device conformed to the requirements of subparagraph (D).

(ii) The prosecution proved the speed of the accused was unsafe for the conditions present at the time of alleged violation unless the citation was for a violation of Section 22349, 22356, or 22406.

(D) The radar, laser, or other electronic device used to measure the speed of the accused meets or exceeds the minimal operational standards of the National Highway Traffic Safety Administration, and has been calibrated within the three years prior to the date of the alleged violation by an independent certified laser or radar repair and testing or calibration facility.

(2) A "speed trap" is either of the following:

(A) A particular section of a highway measured as to distance and with boundaries marked, designated, or otherwise determined in order that the speed of a vehicle may be calculated by securing the time it takes the vehicle to travel the known distance.

(B) (i) A particular section of a highway or state highway with a prima facie speed limit that is provided by this code or by local ordinance under paragraph (1) of subdivision (b) of Section 22352, or established under Section 22354, 22357, 22358, or 22358.3, if that prima facie speed limit is not justified by an engineering and traffic survey conducted within one of the following time periods, prior to the date of the alleged violation, and enforcement of the speed limit involves the use of radar or any other electronic device that measures the speed of moving objects:

(I) Except as specified in subclause (II), seven years.

(II) If an engineering and traffic survey was conducted more than seven years prior to the date of the alleged violation, and a registered engineer evaluates the section of the highway and determines that no significant changes in roadway or traffic conditions have occurred, including, but not limited to, changes in adjoining property or land use, roadway width, or traffic volume, 14 years.

(ii) This subparagraph does not apply to a local street, road, or school zone, senior zone, or business activity district.

# Monthly Expenditure Report



Reporting Month: September 2021 Budget Fiscal Year: 2021-2022

NC Name: West Hills Neighborhood Council

Monthly Cash Reconciliation					
Beginning Balance	Total Spent	Remaining Balance	Outstanding	Commitments	Net Available
\$35416.92	\$2145.55	\$33271.37	\$1695.75	\$0.00	\$31575.62

Monthly Cash Flow Analysis					
Budget Category	Adopted Budget	Total Spent this Month	Unspent Budget Balance	Outstanding	Net Available
Office	\$34725.78	\$1702.07	\$27402.53	\$1695.75	\$25706.78
Outreach		\$443.48		\$0.00	
Elections		\$0.00		\$0.00	
Community Improvement Project	\$1400.00	\$0.00	\$1368.84	\$0.00	\$1368.84
Neighborhood Purpose Grants	\$4500.00	\$0.00	\$4500.00	\$0.00	\$4500.00
Funding Requests Under Review: \$0.00		Encumbrances: \$0.00		Previous Expenditures: \$5208.86	

Expenditures						
#	Vendor	Date	Description	Budget Category	Sub-category	Total
1	DNH GODADDY.COM	09/20/2021	WHNC domain renewal	General Operations Expenditure	Office	\$21.17
2	RACKSPACE EMAIL & APPS	09/22/2021	WHNC email service	General Operations Expenditure	Office	\$64.80
3	THE WEB CORNER, INC	09/01/2021	Email Service	General Operations Expenditure	Office	\$150.00
4	IN AKD A AKD INK	09/22/2021	Badges	General Operations Expenditure	Office	\$109.50
5	ALL PRINTING SERVICES	09/24/2021	Posters and flyers for Halloween Event WHNC 2122-003	General Operations Expenditure	Outreach	\$443.48
6	APPLEONE EMPLOYMENT SERVICES	09/08/2021	Executive Director	General Operations Expenditure	Office	\$1356.60
<b>Subtotal:</b>						<b>\$2145.55</b>

Outstanding Expenditures						
#	Vendor	Date	Description	Budget Category	Sub-category	Total

1	APPLEONE EMPLOYMENT SERVICES	10/08/2021	Executive Director	General Operations Expenditure	Office	\$1695.75
	<b>Subtotal: Outstanding</b>					<b>\$1695.75</b>

**West Hills Neighborhood Council  
Controller's Report October 2021**

Item	Committee	Purpose	Final Approved Budget	Balance	July	Aug	Sept	Oct	Total Spent
	<b>OFFICE</b>								\$0.00
1	Office	Misc. Expense	\$519.00	\$519.00			109.50/ Badges		\$0.00
2	Office	Rent	\$5.00	\$5.00					\$0.00
3	Office	Committee Printing	\$303.80	\$303.80					\$0.00
4	Office	P.O.Box	\$388.00	\$388.00					\$0.00
5	Office	Apple One	\$17,641.80	\$9,841.35	\$3,391.50	\$1,356.60	\$1,356.60	\$1,695.75	\$7,800.45
6	Office	Go Daddy	\$21.17	\$0.00			\$21.17		\$21.17
7	Board	Web Corner	\$1,800.00	\$1,200.00	\$150.00	\$150.00	\$150.00	\$150.00	\$600.00
8	Board	Rack Space	\$830.54	\$571.34	\$64.80	\$64.80	\$64.80	\$64.80	\$259.20
9	Board	I Contact	\$530.40	\$530.40					\$0.00
		<b>Office Subtotal</b>	<b>\$22,039.71</b>	<b>\$13,358.89</b>					<b>\$8,680.82</b>
	<b>OUTREACH</b>								
10	Communication	Outreach	\$2,565.78						
11	Beautification	Refreshment&Snacks	\$1,000.00	\$950.80				\$49.20	\$49.20
12	Special Events	Outreach	\$5,210.29	\$4,471.71			\$443.48	\$295.10	\$738.58
13	Environment	Outreach	\$0.00						
14	Govt. Relations	VANC	\$500.00						
15	Govt. Relations	Budget Advocates	\$100.00						
16	Govt. Relations	Congress	\$500.00						
17	Govt. Relations	Empower LA Awards	\$100.00						
18	Homelessness	Homeless	\$1,085.00						
19	Public Safety	Forums	\$125.00						
20	Streets&Transportation	Outreach	\$1,500.00						
21	Public Health								
22	Elections	Outreach							
		<b>Total Spent</b>							
	<b>Neighborhood Purpose Grants (NPG's)</b>								
23	Youth and Education	NPG's	\$4,500.00						
18A	Homelessness	NPG's							

**West Hills Neighborhood Council  
Controller's Report October 2021**

	<b>Community Improvement Projects (CIP's)</b>			<b>\$0.00</b>					
<b>20 A</b>		<b>Streets&amp;Transportation</b>	<b>CIP's</b>	<b>\$900.00</b>					
<b>24</b>		<b>Beautification</b>	<b>Cleanups</b>	<b>\$500.00</b>	<b>\$468.84</b>		<b>\$31.16</b>		<b>\$31.16</b>
<b>25</b>		<b>Beautification</b>	<b>Special Events</b>						
	<b>GRAND TOTAL</b>			<b>\$40,625.78</b>	<b>\$35,416.92</b>	<b>\$3,606.30</b>	<b>\$1,602.56</b>		
<b>26</b>	<b>Clean Street Grant</b>			<b>\$1,324.83</b>					

**Agenda Item 21-0108 - Discussion and possible action on designating an individual to receive the 2021 Election records on behalf of the West Hills Neighborhood Council**



## 2021 Neighborhood Council Election Records

**Nathan Singh** <nathan.singh@lacity.org>  
Bcc: WHNC@empowerla.org

Tue, Oct 12, 2021 at 1:21 PM

Good afternoon,

This email is to inform you that the Neighborhood Council (NC) election records from the 2021 NC Elections are now available for release. Due to the elections being held solely by mail where all candidate and voter filing was through an online portal, all records, with the exception of the ballots, are digital. The digital election records will include voter and candidate stakeholder status and contact information.

If your NC would like to receive the digital election records, the newly-elected board must designate an individual to receive the election records on behalf of the NC. Once designated, the authorized representative must contact the NC's [Election Administrator](#) to provide their email address in order to receive the digital records. Digital records will be sent to the authorized representative and the NC Board President and Vice President.

If your NC would like to pick up ballots they will be available for pick up in our office **by appointment only**. The NC Election Administrator will inform the authorized representative of the dates and times ballots will be made available for pick up as our office is still closed due to the Mayor's COVID-19 Safer at Home mandate. An official government-issued identification is required when picking up NC ballots.

Election records that are not picked up from our office by **December 31, 2021** will be disposed of in accordance with the City's records retention guidelines.

Please note that all documents retained by a NC are subject to the California Public Records Act for the length of time the documents are retained by the NC and should only be used for outreach purposes.

If you have any questions about this process, please contact me at (213) 978-0444 or email me at [your email address](#).

Thank you.



**Nathan Singh | Project Coordinator**  
City of Los Angeles | Office of the City Clerk | Election  
Division  
Piper Technical Center  
555 Ramirez Street | Ste. 300  
Los Angeles | CA 90012  
Tel: 213.978.0444 | Fax: 213.978.0376

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**Agenda 21-0109 - First reading of a Bylaws amendment to make the WHNC Bylaws Ad Hoc Committee a Standing Committee**

\*\*\*\*\*

ARTICLE VII COMMITTEES AND THEIR DUTIES All standing committees shall meet at a minimum of nine (9) times per calendar year and shall invite the participation of stakeholders.

Section 1: Standing Committees

The Standing Committees of the WHNC are:

Existing committees A-M are unchanged.

ADD --

N. BYLAWS COMMITTEE, which shall consider and make recommendations to the WHNC Board concerning amendments to the Bylaws and Standing Rules of the WHNC.

**Agenda Item 21-0110 - Discussion and possible action to amend the WHNC Standing Rules Article 5, Section 5**

\*\*\*\*\*

Standing Rule for Article 5, Section 5 All committees shall have self-written ~~standing~~ *operating* rules that shall include:

- A. Criteria for membership and voting in the committee
- B. Definition of what “serving actively on at least one committee” means for the committee
- C. Other rules of operation, if any.

**Agenda Item 21-0111 - Discussion and possible action regarding a letter from the West Hills Neighborhood Council to all City Council Members, in opposition of extending the date for mandatory vaccination of the city employees, i.e. LAFD and LAPD**

\*\*\*\*\*

Address to all City Council Members on West Hills Stationary

Dear Councilman

The West Hills Neighborhood Council opposes extending the date for mandatory vaccinations of city employees to December 18<sup>th</sup>. Catering to a small percentage of vocal anti-vaxxers violates the rights of the public who are dependent on first responders who will further endanger them with a deadly virus. Protection of the public is a condition of their employment. The solution is to send the unvaccinated home without pay and terminate them if do not comply in a timely manner.

Bowing to union pressure to extend the deadline as we enter the holiday season and have more indoor gatherings due to colder weather, the risk of spreading Covid-19 increases.

It is galling that many spreaders of bogus claims reside out of state and spend their salaries benefitting those states. City employees should be required to reside here and thus be available for emergency and urgent calls. This needs to be legislated as a requirement for employment.

Our hospitals are filling with unvaccinated people. Fire and Police departments have been devastated by the ravages of Covid-19. Do your duty to your constituents and protect them so we can finally see an end to this pandemic.

CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF NEIGHBORHOOD  
COMMISSIONERS

ELI LIPMEN  
President

RAY REGALADO  
Vice President

LEONARD SHAFFER  
JOY ATKINSON  
MAGGIE DARETT-QUIROZ  
DEBBIE WEHBE  
QUYEN VO-RAMIREZ

TELEPHONE: (213) 978-1551



ERIC GARCETTI  
MAYOR

NEIGHBORHOOD COUNCILS  
**EMPOWER LA**  
Department of  
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RAQUEL BELTRÁN  
GENERAL MANAGER

[www.EmpowerLA.org](http://www.EmpowerLA.org)

July 19, 2021

**TO:** President Eli Lipmen, Members of the Board of Neighborhood Commissioners

**FROM:** Raquel Beltrán, General Manager

**SUBJECT:** Proposed Amendments to the Code of Conduct Policy

**BACKGROUND:**

Over the years, the Board of Neighborhood Commissioners became aware of a rise in relationship and board dynamic challenges involving Neighborhood Council board members and stakeholders. Particularly alarming were challenges reaching acute levels of concern. Increasingly, board member and stakeholder public testimony at Commission meetings, requested action be taken to provide Neighborhood Councils with policies and implementing rules that would make it possible resolve these challenges. In 2018-2019, the Board of Neighborhood Commissioners initiated a process to review policies related to board conduct, engagement, and leadership development. The policies selected were adopted or revised between 2016 – 2019. They included the Leadership Orientation (2020-01), Censure (2020-03), Removal (2020-04), and the Code of Conduct (2014-2(2)) policies.

Through a town hall engagement review process, the Commission started with the Censure and Removal policies. These two policies were revised in March and April 2020 respectively. A new Leadership Orientation Policy was adopted in February 2020.

On March 3, 2020, the Board of Neighborhood Commissioners adopted a motion calling for amendments to the Commission's Code of Conduct Policy. The action was deemed necessary to provide additional language and updates to the Commission's Code of Conduct Policy. Two members of the Commission were appointed to an Ad Hoc Committee to work with the Department to prepare draft amendments to the Policy. They include Commissioners Len Shaffer and Quyen Vo-Ramirez.

**SUMMARY:**

In partnership with the Commission's Ad Hoc Committee, the Department led a Neighborhood Council Code of Conduct Work Group of City Department leaders with neighborhood council experience. They set out to review current policy, implementing procedures and processes, and current and anticipated City policies. The Work Group members included representatives of the Personnel Department's Division, the City Attorney's Labor Relations and Neighborhood Council

Advice Divisions, and EmpowerLA's Leadership Team. Additionally, the Work Group included representatives of the City of Los Angeles Civil, Human Rights, and Equity Department (LA Civil Rights). EmpowerLA is grateful to these seasoned professionals for their dedication to this project.

The Work Group began meeting in October 2020 on an accelerated schedule. They met twice a month to review the Code of Conduct Policy's history, the [City of Los Angeles Draft Workplace Equity Policy](#), and the numerous authorities representing the regulatory framework of the Neighborhood Council System. The Work Group presents these proposed amendments as reasonable considerations necessary to address the escalating incidents of acts that do not comport with the City of Los Angeles's expectations for representatives of City employees, advisory bodies, commissions, and volunteers. The draft amendments advance the mission, desired characteristics, and foundational mandates of the Neighborhood Council System.

**FISCAL IMPACT:** Staff time required to oversee and manage the administration of the Code of Conduct and related proceedings.

**REQUESTED ACTION:**

The Ad Hoc Committee and Department of Neighborhood Empowerment respectfully request the Commission:

1. Approve the attached DRAFT amendments to the Code of Conduct Policy adopted in 2018 solely to circulate to the Neighborhood Council System for education, discussion, and comment.
2. Approve the Department's Neighborhood Council and City Department review schedule:
  - a. Include the DRAFT Code of Conduct Policy Amendments on the Commission's agenda once per month until the conclusion of the review schedule.
  - b. Maintain a report on comments and community impact statements filed on the DRAFT Code of Conduct Policy Amendments on the Commission's webpage.
  - c. Administer a minimum of four workshops (two weekday evenings and two weekends) to introduce the DRAFT Code of Conduct Policy Amendments and to respond to questions. Weekday workshops will be held on a Monday - Thursday evening when Neighborhood Councils are not having regular board meetings.
  - d. After the review period, the Department will summarize the most commonly asked questions and comments.
  - e. At the conclusion of the review period, the Department will prepare a summary of the most commonly asked questions and comments.
3. At the end of the review period, the Department's report will include recommended amendments to regulatory authorities that guide administration of the Neighborhood Council System, including but not limited to the Los Angeles Administrative Code (which incorporates portions of the Plan for a Citywide System of Neighborhood Councils) and Commission Policy(ies).
4. As a courtesy, once revisions to the Code of Conduct Policy have been approved, the Department will return to the Commission and present the procedure the Department will follow to implement the new Code of Conduct Policy. The presentation shall include how the Department proposes to:
  - a. Support Neighborhood Councils with the application of the policy to Committee Members,
  - b. Assist Neighborhood Councils with roster management, including that of Committee Members in compliance with the policy,

- c. Clarify the steps Neighborhood Council will be expected to take to address Code of Conduct issues,
  - d. Provide resources to assist Neighborhood Councils in their efforts to manage board dynamic challenges to avoid the necessity to suspend or remove Board and or Committee Members,
  - e. Manage Neighborhood Council rosters and compliance notification.
5. Once revisions to the Code of Conduct have been approved and the implementing procedures developed, the Department will hold workshops for Neighborhood Council Board and stakeholder Committee members to review expectations.

**PUBLIC COMMENT:** Community Impact Statements and letters filed are available on the Commission's EmpowerLA webpage.

**CONCLUSION:**

The proposed amendments to the Board of Neighborhood Commissioners Code of Conduct Policy are consistent with the envisioned desired characteristics of the Neighborhood Council System and values expressed in current Mayoral Executive Directives. These amendments provide clear guidelines of expected behavior in the Neighborhood Council System.

The recommendations include a well-defined process to involve Neighborhood Councils and their stakeholders in a notice of proposed rule-making comment period. By advancing a transparent and inclusive process, the Ad Hoc Committee and Department believes Neighborhood Councils will be more likely to integrate the final version of the Code of Conduct Policy into the Neighborhood Council System's meeting and decision-making culture.

Respectfully,



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**Raquel Beltran, General Manager**  
**Department of Neighborhood Empowerment**

**NEIGHBORHOOD COUNCIL BOARD MEMBER  
CODE OF CONDUCT POLICY  
2021-1**

WHEREAS, on June 19, 2020, Mayor Eric Garcetti issued Executive Directive No. 27 calling for efforts to ensure fairness, diversity, equal opportunity, and transparency in City government;

WHEREAS, the Board of Neighborhood Commissioners (the Commission) adopted a Code of Conduct Policy in 2016 and an amended Code of Conduct Policy in 2018, to govern the conduct of Neighborhood Council members;

WHEREAS, the Workplace Equity Policy protects volunteers, including Neighborhood Council board members from harassment, sexual harassment, hazing, bullying, and inequitable conduct, as defined in the Workplace Equity Policy, thus superseding and/or expanding the type of conduct encompassed by the Commission's current Code of Conduct policy;

WHEREAS, the Commission has long recognized that a Neighborhood Council System that is physically and emotionally safe and secure for all Board Members promotes good social responsibility, increases Stakeholder attendance and supports community engagement;

WHEREAS, the Commission recognizes that improper conduct may occur within the Neighborhood Council System, the Commission expects Board Members and Committee Members (including stakeholders serving on committees) to conduct themselves in a manner in keeping with the Commission's Code of Conduct and with a proper regard for the rights and welfare of other Board Members, Stakeholders, Committee Members, and volunteers;

WHEREAS, Section 902 (b) of Article IX of the City Charter provides that the Commission "shall be responsible for policy setting and policy oversight and the promulgation of rules and regulations but not be responsible for day to-day management;

NOW, THEREFORE, BE IT RESOLVED that the Commission amends the Code of Conduct policy to implement and administer the [City of Los Angeles Draft Workplace Equity Policy](#).

NOW, THEREFORE, IT IS FURTHER RESOLVED that the Commission amends the Code of Conduct POLICY NUMBER: 2014 2(2) to say:

**POLICY NUMBER: 2021-(1)**

1. Neighborhood Council Board Members and Committee Members are required to affirm acceptance of this policy (Exhibit "A") in the manner established by the Department. Neighborhood Council Board Members and Committee Members shall reaffirm acceptance of this policy every two years. This policy and the City's Workplace Equity Policy apply regardless of whether or not a Board Member or Committee Member has affirmed acceptance.
2. The Neighborhood Council shall have the responsibility for informing stakeholder and board Committee Members of their obligation to affirm and accept this policy as a condition of committee service. Maintaining a record of their completion shall be the responsibility of the Neighborhood Council.

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

3. Newly elected, selected, appointed or re-elected Neighborhood Council Board Members and Committee Members shall have a grace period of 30 days from the date the board member begins assuming their duties and responsibilities to comply with this policy as indicated in Item #1. Neighborhood Council Boards shall be responsible for informing appointed board and committee members of their responsibility to sign the Code of Conduct affirmation. Board Members and Committee Members should consult the applicable funding guidelines to determine their eligibility to vote on funding matters.
4. In such circumstances where a Neighborhood Council Board Member or Committee Member fails or refuses to comply with item #1, the Department shall proceed to suspend the Board Member or Committee Member from their Neighborhood Council. Said Board Member or Committee Member shall not be eligible to act on any matter that comes before their Neighborhood Council and shall not be counted for the purpose of establishing a quorum of the Neighborhood Council or Committee.
  - a. The Department shall notify the Board Member (or Committee Member) of their suspension by sending a letter to their last known email address and/or physical mailing address.
  - b. The Department shall also notify the remainder of the Board Members by email and/or U.S. mail of the suspension of the Board Member (or Committee Member).
5. If within 30 days of being suspended the Neighborhood Council Board Member or Committee Member does not comply with the provisions of item #1 above, they shall be removed as a Neighborhood Council Board Member or Committee Member by the following procedures:
  - a. The Department will notify the individual of their removal by sending a letter to their last known email address and/or mailing address.
  - b. The Department will also notify the Board by email and/or First-Class U.S. mail regarding the removal of the Board Member or Committee Member and that the Board Member or Committee Member's seat or position shall be considered vacant.
  - c. Any Board Member [or Committee Member removed pursuant to this policy shall have the right to present to the Department evidence that he or she has in fact complied with this policy. The Department shall be the sole and final decision maker.
6. 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. Said Board Member or Committee Member shall not be eligible to act on any matter that comes before their Neighborhood Council Board or Committee and shall not be counted for the purpose of establishing a quorum of the Neighborhood Council Board or Committee.

The Department will notify the Board Member or Committee Member of their suspension by sending a letter to their last known email address and/or mailing

- a. The Department will also notify the Board by email and/or First Class U.S. mail regarding the suspension of the Board Member and that the Board Member's position shall not be deemed vacant during the suspension period.



- b. 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.
  - c. The Neighborhood Council shall retain its authority to remove Committee Members for failure to affirm this policy or for failure to adhere to its provisions.
7. The Department may petition the Commission to remove the Board Member for a violation of the Workplace Equity Policy or this Policy pursuant to the process for Declaring a Board Vacancy in Los Angeles Administrative Code 22.810.1(e)(3).

**ATTACHMENT A**

1. Neighborhood Council Board Members and Committee Members shall conduct themselves in a professional and civil manner.
2. This Policy and the City’s Workplace Equity Policy apply at all times and locations referenced within Section 2.2 of the City’s Workplace Equity Policy, including at all Neighborhood Council meetings, events, activities, online and at social events when interacting with City employees, contractors, and Neighborhood Council Board Members, Committee Members and volunteers.
3. Neighborhood Council Board Members and Committee Members shall promote and, if necessary, enforce a safe and equitable environment. If other Board Members or Committee Members become disruptive or violate the Code of Conduct or the City’s Workplace Equity Policy, Neighborhood Council Board and Committee Members have agreed to abide by, Board Members and Committee Members should demand that the offending Board Member or Committee Member conduct themselves in a respectful and orderly manner. In the absence of the board taking action to do so, employees of the Department may intercede to do so.
4. By signing this document, I affirm that I have received, read, and understand the Code of Conduct. I acknowledge that I have been informed of the expectation to abide by the Code of Conduct at the time of my appointment or election to the Board. I understand that if I fail to provide the Department of Neighborhood Empowerment with a signed and dated copy of this Neighborhood Council Board Member Code of Conduct, I may be subjected to suspension and/or removal from my Neighborhood Council Board.

I also understand that if I am found to have violated the signed Code of Conduct, I may be subject to censure and/or removal by my Neighborhood Council board and suspension and/or removal by action of the Department.

\_\_\_\_\_  
**SIGNED**

\_\_\_\_\_  
**DATE**

To the members of the Code of Conduct Committee:

The Board of the West Hills Neighborhood Council (WHNC) met on Thursday, November 4, 2021 to discuss the revision of the Code of Conduct. The revision was the subject of the Government Relations committee meeting prior to presenting their findings to the WHNC Board. There was much discussion and we came to the agreement that there were several areas that seemed to be in conflict with the procedures already established in the handling of allegations of misconduct and resolution as set forth in our bylaws. The areas of conflict are as follows:

*6. If a Board Member or Committee Member is ~~alleged~~ **found through due process** 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~~ **30** days. Said Board Member or Committee Member shall not be eligible to act on any matter that comes before their Neighborhood Council Board or Committee and shall not be counted for the purpose of establishing a quorum of the Neighborhood Council Board or Committee.*

*b. 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 **through the Board of Neighborhood Commissioners**.*

A motion was made to approve our changes and passed with a vote of:

We would appreciate you seriously considering our comments and concerns with the new Code of Conduct.

Sincerely,

Char Rothstein  
President WHNC

Faye Barta  
Vice President WHNC

MOTION

The Charter provides for a bid preference for bidders which are "local," with the term "local" defined to include only businesses located in the County of Los Angeles or the State of California, pursuant to Charter Section 371a. The City currently is not permitted to provide an additional bid preference on contracts for bidders which are located within the City boundaries, without amending the City Charter to do so.

If the Charter is amended to add "City of Los Angeles" to the definition of "local," the City would then be permitted to have an additional preference for businesses located within the geographic boundaries of the City of Los Angeles.

According to the National Institute for Public Procurement, models of local bid preferences across the country have assisted municipalities in setting and achieving social policy goals to assist residents, and improve and protect the local economy. "As local tax dollars are spent in a local economy, more jobs are maintained or created and income is generated for residents." And while procurement expenditures may rise in response to a local preference program, any potential added costs would be outweighed by the benefit of keeping tax dollars spent on contracts in the area, and thereby supporting the development, enrichment, growth, expansion and retention of the local business community and the City's workforce.

Additionally, expenses related to labor costs, rent / lease costs, utilities, insurance, sales taxes and business taxes, are often higher than the expenses incurred by businesses operating outside the City limits, and can place businesses located in the City of Los Angeles at a competitive disadvantage. In fact, Los Angeles is one of the ten most expensive places in the country to do business, creating a climate in which businesses must compete against firms with lower labor and business costs from neighboring cities, counties and states. As such, the City should be given the ability to provide a bid preference for bidders located in the City of Los Angeles, ultimately benefiting to our labor force, our residents and the local economy.

I THEREFORE MOVE that the City Attorney, in consultation with the Bureau of Contract Administration and the City Administrative Officer, be requested to prepare and present the documents necessary to place before the voters on the next available ballot in 2022, a measure to add "City of Los Angeles" to the definition of "local" in Section 371a. of the City Charter, so that the City could be permitted to have an additional contracting bid preference for businesses that are located in the City of Los Angeles, consistent with other laws and constitutional limits on how far bid preferences can be implemented in the State of California.

PRESENTED BY: Paul Kretz  
PAUL KORETZ  
Councilmember, 5<sup>th</sup> District

Bob Blumenfeld  
BOB BLUMENFIELD  
Councilmember, 3<sup>rd</sup> District

Marqueece Harris-Dawson  
MARQUEECE HARRIS-DAWSON  
Councilmember, 8<sup>th</sup> District

[Signature]  
SECONDDED BY: [Signature]  
ak  
[Signature]

[Signature]  
Monica Rodriguez

ORIGINAL

JUN 29 2021

File # :	21-0760
Title :	Amend City Charter to include "City of Los Angeles" to the definition of "local" in Section 371a. of the City Charter:
Type :	Motion
City/State :	City of Los Angeles

Summary :	<p>The Charter provides for a bid preference for bidders which are "local," with the term "local" defined to include only businesses located in the County of Los Angeles or the State of California, pursuant to Charter Section 3 71 a. The City currently is not permitted to provide an additional bid preference on contracts for bidders which are located within the City boundaries, without amending the City Charter to do so.</p> <p>If the Charter is amended to add "City of Los Angeles" to the definition of "local," the City would then be permitted to have an additional preference for businesses located within the geographic boundaries of the City of Los Angeles. According to the National Institute for Public Procurement, models of local bid preferences across the county have assisted municipalities in setting and achieving social policy goals to assist residents, and improve and protect the local economy. "As local tax dollars are spent in a local economy, more jobs are maintained or created and income is generated for residents." And while procurement expenditures may rise in response to a local preference program, any potential added costs would be outweighed by the benefit of keeping tax dollars spent on contracts in the area, and thereby supporting the development, enrichment, growth, expansion and retention of the local business community and the City's workforce.</p>
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Motion :	It is recommended that the "City Attorney, in consultation with the Bureau of Contract Administration and the City Administrative Officer, be requested to prepare and present the documents necessary to place before the voters on the next available ballot in 2022, a measure to add "City of Los Angeles" to the definition of "local" in Section 371a. of the City Charter, so that the City could be permitted to have an additional contracting bid preference for businesses that are located in the City of Los Angeles, consistent with other laws and constitutional limits on how far bid preferences can be implemented in the State of California."
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GR Position :	In support of the motion to amend the City Charter and put it on the ballot in 2022 for the voters of City of Los Angeles
Vote :	8-0 Aida Abkarians – Absent, Faye Barta – Yes, Clarice Chavira – Yes, Saif Mogri – Yes, Mark Neudorff – Yes, Steve Randall – Yes, Myrl Schreiberman – Absent, Joan Trent – Yes, Brad vanderhoof – Yes, Joanne Yvanek-Garb – Yes

"YES" Vote:	In support of the motion to amend City Charter and put it on the ballot in 2022 for the voters of City of Los Angeles
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"NO" Vote:	Does not support the motion to put it on the ballot in 2022.
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