

# Valley Alliance of Neighborhood Councils

VANC

34 San Fernando Valley Neighborhood Councils  
Established March 03, 2003 by Jill Banks Barad-Hopkins

**Thursday, April 13, 2023 6:30-9:30p.m.**

**Via zoom: Join Zoom Meeting**

**<https://us02web.zoom.us/j/98759241651>**

**Recording of this meeting can be found at [www.VANC34.ORG](http://www.VANC34.ORG)**

**Note:** VANC is an independent Alliance and is not required to follow the Brown Act. We are able to prevent individuals from participating in VANC meetings if they are disruptive, or sufficiently unrelated to VANC business.

**Note:** To be added to the email list, send your information to [www.VANC34.org](http://www.VANC34.org)

**Meet L.A. City Attorney Hydee Feldstein Soto  
and Ethics Commission President Jeffery J. Daar**

**Reminder:** VANC meetings are to discuss various topics so that you can educate your NC for further discussion/vote

**Reminder:** VANC agenda is posted at [www.VANC34.ORG](http://www.VANC34.ORG)  
Zoom attendees, please identify your NC along with your first name

## AGENDA

- 1. Welcome and Introductions:** Linda Gravani, chair [VANC34.chair@gmail.com](mailto:VANC34.chair@gmail.com)
- 2. Guest Speaker - City Attorney Hydee Feldstein Soto**  
See Hot Topic # 1\_CITY ATTORNEY ADVICE REPOSITORY  
See Hot Topic # 2 Investigation of the Volunteer Program of the LA Animal Services Dept.
- 3. Guest Speaker Ethics Commission President - Jeffery J. Daar**  
Municipal Lobbying Ordinance CF22-0560
- 4. DONE's Seating Policy See Hot Topic Item # 3**  
2022-23 elections started Nov 2022 Seating Policy is to seat ALL NC Board Members in July 2023. How can board members be seated earlier?
- 5. Uncontested NC Boards** – When there are not enough candidates to trigger an election, a “board affirmation” takes place, where the new board is seated without voting  
Apparently, the outreach sources used for this election cycle did not produce the desired result.

6. **BONC Commissioners** - Jennifer Valdivia, **North Valley** - Len Shaffer, **South Valley**

7. **DONE – Updates:**

8. **LANCC's Bill of Rights** Forward your thoughts to: [lanccWG4CC@gmail.com](mailto:lanccWG4CC@gmail.com)  
See Hot Topic Item # 4

9. **Items from the floor:**

a) Foxtail danger for dogs/cats see Hot Topic #5

<https://citywatchla.com/index.php/cw/important-reads/26702-pet-owners-watch-out-for-harmful-foxtail-plants>

<https://citywatchla.com/index.php/cw/los-angeles/17810-alert-if-you-have-a-dog-or-cat-watch-out-for-foxtail-plants>

10. **THANK YOU** for all you do for your communities, the city of Los Angeles and I appreciate your participation in VANC!

**MARK YOUR CALENDAR**  
**VANC VIRTUAL Meeting Thursday May 11, 2023**  
**Deputy Mayor of Infrastructure Randall Winston**

\*PlanCheck 10AM 2<sup>nd</sup> Saturday of the month, details [www.plancheckncla.com](http://www.plancheckncla.com)  
*Educate yourself on City Planning and Land Use issues.*

\*LADWP MOU 1<sup>ST</sup> Saturday of the month, details at:

<https://www.ladwpnews.com/dwp-nc-mou-and-advocacy-committee-meetings/>

See Hot Topic item # 5 for LA Aqueduct Water

Budget Advocates - [www.budgetadvocates.org](http://www.budgetadvocates.org) -- BUDGET DAY 27JUN2023  
[https://docs.google.com/forms/d/e/1FAIpQLSfi0Ju7REcue7BT40uNNbMqgNCrHfNzrWfC3kFDr0wbl\\_J-Q/viewform](https://docs.google.com/forms/d/e/1FAIpQLSfi0Ju7REcue7BT40uNNbMqgNCrHfNzrWfC3kFDr0wbl_J-Q/viewform)

**In memoriam:**

**Steve Slutzah, President of Northridge SouthNC  
and Board member on Canoga Park NC.**

NC Anniversaries:

Chatsworth 20 years

Mission Hills 18 years

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## HOT TOPICS For April 13, 2023

### 1. CITY ATTORNEY ADVICE REPOSITORY:

For the first decade of the Neighborhood Council system, decisions of the City Attorney on Neighborhood Council matters were posted on the website of the Department of Neighborhood Empowerment (DONE). Those determinations and advisory recommendations could be referenced by DONE staff, by NCs, and by the public. About ten years ago that historical repository was wiped out when a key computer server at DONE failed and there was no usable backup. Since that time, opinions from the City Attorney's Neighborhood Council Advice Division have become closely held secrets. Retired attorney Jeffrey Mausner (Tarzana NC) notes that the State Bar of California provides resources for attorneys to make ethical decisions, including ethics opinions and research tools for laws and rules relating to ethics. A similar resource would be invaluable for the Neighborhood Council system. The specifics of every case are obviously unique. However, like case law in the courts, having a repository of past advice and decisions could provide some guidance as to what might apply in similar circumstances.

### 2. Investigation of the Volunteer Program of the Los Angeles Animal Services Department (LAAS)

On October 11, 2022, a Cease-and-Desist Letter was sent to LAAS and City officials, citing violations of volunteers' constitutionally protected free speech rights and stating that a lawsuit would be commenced if it did not stop. The letter can be seen here: [https://clkrep.lacity.org/onlinedocs/2022/22-1176\\_PC\\_PM\\_10-20-2022.pdf](https://clkrep.lacity.org/onlinedocs/2022/22-1176_PC_PM_10-20-2022.pdf)

Despite progress, this issue has not been fully resolved. Please see: *Animal Shelter Volunteers Win First Round In Fight For First Amendment Rights*, <https://citywatchla.com/index.php/cw/animal-watch/25845-animal-shelter-volunteers-win-first-round-in-fight-for-first-amendment-rights>

LAAS is no longer explicitly stating that it is suspending or terminating volunteers for speaking to the press or posting on social media regarding conditions at the shelters. However, LAAS is now suspending or terminating volunteers who do these things, stating that they are purportedly being suspended or terminated on other grounds. Many people believe that these "other grounds" are merely pretexts to get rid of or silence the outspoken volunteers and cover up problems at the animal shelters.

A petition is circulating entitled PLEASE INVESTIGATE THE VOLUNTEER PROGRAM OF THE LOS ANGELES ANIMAL SERVICES DEPARTMENT. The petition, which can be accessed here, has received more than 4,000 signatures and hundreds of comments in less than three weeks: <https://www.change.org/p/please-investigate-the-volunteer-program-of-the-los-angeles-animal-services-department>

The petition calls on the City Attorney, Controller, and/or Mayor to determine if these volunteers were suspended or terminated for legitimate reasons or for Constitutionally protected activities. The petition also asks that the investigation determine why there are so few volunteers being accepted and trained, while thousands of applicants are waiting. Lack of trained volunteers is causing animals to suffer and wasting millions of dollars of free volunteer time.

### 3. NEW BOARD SEATING POLICY:

The past General Manager of the Department of Neighborhood Empowerment decided, without significant Neighborhood Council input, to overturn the board seating policy that had been in effect from the inception of the system. Newly elected Board Members were always seated at the time their election was officially certified. The former GM decreed that all elected board members will be seated on July 1 of the new Fiscal Year, regardless of when their local election is certified. The rationale (which does not seem to make sense) was that because of limited staff, it would be easier for DONE to train 1,900 people all at once, rather than training them incrementally as their sequenced elections were completed.

The new seating policy has potentially disastrous effects for the current 2023 NC elections. Many Neighborhood Council elections are turning into "board seatings" because there were no competitive seats. However, they are NOT SEATED because of the problematic new policy. Instead, the "lame duck" board members will continue in power through June. This period will include spending all of the council's current year funds AND appointments to fill seats that are still vacant after the election. This seems like a profoundly undemocratic result for a policy that has at its core a 'training convenience' argument of questionable logic. In particular, many of the newly elected people may become so disillusioned with being shut out that they drift away. This could leave many NCs unable to make a quorum which would also keep them from appointing new people to vacancies.

DONE, which has the authority to do so (under its shared authority over elections with the City Clerk) should consider IMMEDIATELY ending this policy and returning to the historic policy of seating board members upon certification of the election.

### 4. Neighborhood Council Bill Of Rights

The Working Group for Constructive Change, a committee for **LANCC**, is soliciting input to create a Bill of Rights addressing the concerns of all Neighborhood Councils, their board members and stakeholders. Attached are some ideas people have submitted so far but we want to ensure that everyone feels included and that means you need to speak up - what you like and don't like, what you feel are the most important issues, and help us make this a Bill of Rights, not just for some but for everyone.

**The Working Group is waiting to hear from you at [lanccWG4CC@gmail.com](mailto:lanccWG4CC@gmail.com)**

Proposed items to go into a Neighborhood Council Bill of Rights

- There shall be No imposed bylaws and the city shall rescind previously imposed bylaws at the request of any neighborhood council regarding its own bylaws.
- Neighborhood councils shall have a role in the choice of BONC appointees by one of the following: appointment subject to ratification by majority of nc's in the region or nc's have veto power over an appointee, or requirement for 60% nc approval
- The right to freedom of speech exists in neighborhood council deliberations and participation.
- Neighborhood councils have the right to petition and communicate with all levels of government.
- Neighborhood councils shall have the right to limit stakeholder status to the minimum described in the Charter and shall not be forced to include other categories of stakeholder.
- Neighborhood councils are government bodies and hold equal status with other such bodies.
- Neighborhood councils shall in the aggregate hold veto power over BONC decisions, by majority vote of those voting, out of a quorum of at least 10 neighborhood councils, each neighborhood council holding one vote to be cast by majority vote of its governing board.
- The office of the City Attorney shall take care not to represent one part of city government against any neighborhood council or against neighborhood councils in general, as the neighborhood councils are an equal branch of city government as defined by the Charter. It shall be a conflict of interest for the City Attorney to represent any branch of government against the neighborhood councils without providing for an equal level of representation for neighborhood councils.
- The city recognizes that neighborhood council participants are not employees of the city simply due to their neighborhood council status, and the city has no right of ownership, control, or the equivalent over the persons, thoughts, or time of neighborhood council participants.

- Neighborhood councils recognize state law calling for ethics training each two years and accept a minimal amount of additional training not to exceed 30 minutes every two years on the subjects already defined by city rules; Other than these training requirements which already exist, the city and its agencies and departments shall have no right to impose training of any kind or duration on neighborhood council participants; training may be offered to individuals or boards on a voluntary basis.
- Neighborhood councils shall collectively have the right to consult with the city government and the mayor over the choice of appointees to the position of General Manager of DONE and over the choice of appointees to the Board of Neighborhood Commissioners, and shall have the right to call for the removal of the General Manager and of BONC commissioners.
- There shall be a strong presumption that any neighborhood council board member who has been elected by the voters of his/her district holds the board seat lawfully and rightfully by decision of those voters. Removal of a board member by anybody other than the governing board of that member's district shall only be carried out on the basis of extreme circumstances which shall include violence, threats against a board member or a member of the public, or conviction of a crime which affects the neighborhood council or the neighborhood council system as a whole. This shall not be construed to limit bylaws rules which remove a board member due to a certain number of consecutive absences or due to a certain number of absences over the course of a year. Bylaws rules regarding "censure and removal" shall not be enforced unless the neighborhood council itself has intentionally included those rules in its own bylaws; the imposition of these bylaws on neighborhood councils which do not intentionally include them shall not be enforceable.
- No training, work requirement, or attendance at any function, governmentally related or not, shall be required of any neighborhood council participant. Neighborhood council individuals or, if they so choose, their bargaining units, shall have the right to negotiate payments or salaries for such work or attendance, should the city government be willing.
- The city government shall enter in good faith into negotiations to develop and accept a Memorandum of Understanding between the neighborhood councils and city government, and the MOU shall include this Neighborhood Council Bill of Rights.

## **5. LA AQUEDUCT WATER:**

Los Angeles Department of Water and Power (LADWP) continues its fight to keep water affordable by using its historic water rights in the Eastern Sierra. Local interests in Mono and Inyo counties repeatedly hatch environmental crusades and lawsuits to prevent Los Angeles from using its water rights. This year was no exception. The consistently antagonistic Mono Lake Committee (MLC) tried to declare an "ecological crisis" to protect common seagulls in Mono Lake, even though the closest nesting islands are over 700 feet from coyotes on the shoreline. On February 15 the State Water Resources Control Board (SWRCB) held a public information meeting about the claims and the MLC request that LADWP's rights to water from local streams, which have already been reduced by 90 percent, now be reduced to ZERO. Record recent snowfalls (nearly 300 percent of normal) have made the claimed crisis implausible.

Meanwhile, in the Owens Lake area, the Great Basin Unified Air Pollution Control District (GBUAPCD) has filed a proposed budget with a 300 percent increase in its legal funds (paid for by LADWP) to support additional legal action against the City of Los Angeles. Great Basin uses dust from Owens Dry Lake as a way to force LA to use its water for dust control instead of sending it to LA for drinking water. At peak use, LADWP leaves enough water in Mono County to fill up the Rose Bowl to the brim, EVERY DAY.

The San Fernando Valley has a special interest in protecting the city's water rights in the Eastern Sierras. Because of its elevation the Valley cannot use water from either the Colorado River or from the giant Diamond Lake reservoir maintained by Metropolitan Water District (MWD). It depends on imported water from the State Water Project (from the Bay Delta), which until recently was limited to tiny 'emergency' supplies, or from the LA Aqueduct. LA Aqueduct water built the Valley. It still is our lifeblood. What happens to Eastern Sierras water is a HUGE local issue.