



ERIC GARCETTI
MAYOR

The Los Feliz Neighborhood Council (LFNC), representing over 36,000 resident stakeholders hereby submits the following resolution in a formal advisement to the Mayor and City Council and official Departments of the City of Los Angeles.

RESOLUTION

WHEREAS, Los Angeles' Council District Four (CD-4) saw a leadership change following the 2015 city election cycle, seeing David E. Ryu taking over its stewardship from Thomas J. LaBonge effective July 1, 2015, and

WHEREAS, bona fide media entities such as The Los Angeles Times, The Los Angeles Daily News and The Los Feliz Ledger report that former Councilmember LaBonge knowledgeably sanctioned the destruction of 113 file boxes of public documents, which more than likely included valuable, and perhaps irreplaceable information regarding ongoing projects, logs of constituent service requests, and records of financial expenditures, etc., and

WHEREAS, communication and continuity are two foundational precepts of effective organizational leadership and management and,

WHEREAS, reportedly "not a shred of paper" was left behind by termed-out councilmember LaBonge and his staff after 14 years in office to assist his successor in effectively managing the transition between administrations in a good faith effort and to the benefit of the public, and

WHEREAS, 113 file boxes represents hundreds of thousands of sheets of paper, all work product either created or read, reviewed and notated by taxpayer paid public employees, and in many cases, unpaid civic volunteers, and

WHEREAS, as an unpaid civic volunteer certified advisory body, the Los Feliz Neighborhood Council's (LFNC) overriding mission defined by the City Charter, Section 900, is to "have an advisory role on issues of concern to the neighborhood" and "to monitor the delivery of city services and have periodic meetings with responsible officials of City departments," and

WHEREAS, in fulfilling its charge, LFNC has collectively put in thousands of volunteer hours in researching, creating and compiling issue-addressing public documents, then hearing public comment and holding public debate on them, and

WHEREAS, since LFNC's inception in 2002, Councilmember LaBonge, was the primary "responsible official," for us to deliver our work product to in the form of paper documents, and

WHEREAS, CD-4 is also civically served by the unpaid volunteer efforts of eleven (11) other certified Neighborhood Councils: Bel-Aire Beverly Crest, Central Hollywood, Greater Wilshire, Hollywood Hills West, Hollywood United, Mid-City West, Sherman Oaks, Silver Lake, Greater Toluca Lake and Van Nuys, and

WHEREAS, the combined work product of all twelve neighborhood councils currently serving CD-4 and its stakeholders and others were more than likely recently destroyed, and

WHEREAS, according to the City of Los Angeles' Chief Legislative Analyst, CD-4 represents over a quarter million resident stakeholders as measured in 2014 by the U.S. Census American Community Survey, and

WHEREAS, the State of California Government Code Section 6200 and 6201 make it a crime to knowingly destroy public records, and

WHEREAS, the State of California Government Code Section 34090 only allows for destruction of public records under certain conditions, but specifically prohibits destruction of any "records less than two years old, unless an electronic copy is made," and

WHEREAS, City officials including the City Clerk and Records Management Officer have acknowledged that the State Public Records Act and the City's Administrative Code provisions applicable to council persons (elected officials) have not been applied to them by the City Clerk's office or any other office of the City, and

WHEREAS, such actions, described in the media as a "scorched-earth office cleaning" not only diminishes the public's trust in our City's elected officials (including neighborhood councils) to do what is just and right, but also portrays public officials as uncaring, dismissive, callous and uncaring towards the hard work of others, and

WHEREAS, Los Angeles Mayor's Directive #1 (2005) specifically tasks City of Los Angeles Officials to avoid "even the appearance of impropriety," and

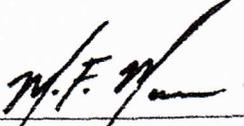
WHEREAS, authorizing and facilitating the destruction of public records, when specific State law prohibits such unless specific criteria are met does, indeed, appear improper, and

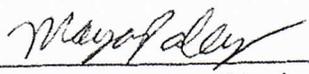
WHEREAS, allegations of intentional professional misconduct have now been leveled in the court of public opinion, and all affected parties including the public at large are entitled to know if there is validity and veracity to these allegations, and furthermore, that the professional record and reputation of the public officials involved have been fairly, openly, and accurately adjudged by an independent entity with official authority to do so.

NOW, THEREFORE, BE IT RESOLVED, in order to enforce existing legal statutes and additionally create ongoing binding policies and procedures that are concise regarding the handling of public records, and the potential consequences of not doing so properly, the Los Feliz Neighborhood Council (LFNC) hereby requests and advises:

1. The Los Angeles City Council support and adopt Council File: 15-1489 – Standardized Transition Plan (Ryu/Wesson) to ensure orderly and effective transitions between city councilmembers' administrations after a change in leadership.

2. The Los Angeles City Council support and adopt both Council Files 15-0616 and 15-0616-S1 – Public Records Retention & Disposition Policy (Blumenfield/Koretz) to ensure there is a specific policy regulating the retention and disposition of public documents in a clear and transparent way.
3. The Public Integrity Division of the Los Angeles District Attorney's office formally investigates whether the act of destroying public records in the manner outlined here was indeed legal and did not contravene California State law to the detriment of the public and the reputations of City of Los Angeles public officials.

PRESENTED BY: 
Mark F. Mauceri, Recreation Representative

SECONDED BY: 
Maya Paley, District C Representative

ADOPTED: #10-0-0 on February 16, 2016

CONFIRMED: 
Linda Demmers, President