

Communication from Public

Name: Lisa Hart

Date Submitted: 09/16/2023 03:05 PM

Council File No: 23-1200-S130

Comments for Public Posting: We are complaining about an apparent violation of the Brown Act.



September 16, 2023

Re: August 18th Brown Act violation

Dear Council President Krekorian and City Council

The Neighborhood Council Sustainability Alliance has voted to ask you to rectify the likely August 18, 2023 violation of the Brown Act when you disapproved the appointment of Jamie York to the Ethics Commission. We believe that we as a city can address the climate crisis much more quickly and effectively when operating at the highest ethical standards. We need our city to be run as transparently and accountably as possible.

[It was clear to anyone watching the meeting that the only way a unanimous rejection of the nomination could have occurred so swiftly and without floor discussion](#) would have been if it was discussed among the council in private (either through a de facto closed meeting, serial meetings, or both), likely by a majority of the council, which constitutes a violation of the Brown Act.

Additionally,

1. Ms. York (and we, City Council's constituents) deserved a fair hearing in an open meeting.
2. [The Rules, Elections and Intergovernmental Relations Committee, chaired by President Krekorian, waived consideration of the item](#); therefore the public, neighborhood councils, and Ms. York were denied the opportunity to hear and respond to any concerns or questions that might have been raised.
3. City Council's unanimous rejection of the nomination without discussion strikes us as disingenuous at best. The controller's nomination of Ms. York seemed to be made in good faith, and the rejection is particularly concerning given that there are [three vacancies](#) (including President Krekorian's) on a five-seat commission, rendering it unable to meet.

Pursuant to [Government Code Section 54960.1](#), we request that you cure and correct the alleged violation as follows: disclose at a subsequent meeting why you took the positions you did, accompanied by the full opportunity for informed comment by members of the public at the same meeting, notice of which is properly included on the posted agenda.

Section 54960.1 gives you 30 days from the receipt of this letter to either cure or correct the action or inform us of your decision not to do so. Please let us know how you plan to proceed.

Also, we would like to meet with you, President Krekorian, to discuss your pending decision regarding an ethics commissioner and the broader need for ethics charter reform. We look forward to strengthening our relationships with all City Council offices and rebuilding the trust that is so vital when there is so much important work to be done.

Sincerely,

A handwritten signature in black ink that reads "Lisa Hart". The signature is written in a cursive, flowing style.

Lisa Hart
Executive Director

CC: City Attorney Hydee Feldstein Soto
District Attorney George Gascón