

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer



ANTONIO R. VILLARAIGOSA
MAYOR

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Division

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When making inquiries relative to
this matter, please refer to the
Council File No.

June 5, 2013

To All Interested Parties:

Chief Legislative Analyst

I HEREBY CERTIFY that the City Council adopted the action(s), as attached, under
Council File No. 13-0002-S68, at its meeting held May 28, 2013.

City Clerk
OS

cc: 8 Certified copies sent to Sacramento Representatives

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2013 MAY 31 PM 3:28
CITY OF LOS ANGELES

City Clerk's Time Stamp
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SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO. 13-0002-S68

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE MAY 28, 2013

RE: CITY'S POSITION TO OPPOSE ASSEMBLY BILL (AB) 185 (HERNANDEZ), WHICH WOULD AMEND THE RALPH M. BROWN ACT TO REQUIRE LOCAL ENTITIES TO TELEVISION OPEN AND PUBLIC MEETINGS OF LEGISLATIVE BODIES, PLANNING COMMISSIONS, AND ADVISORY COMMITTEE MEETINGS

LAST DAY FOR MAYOR TO ACT JUN 10 2013
[10 Day Charter requirement as per Charter Section 231(h)]

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED


✓

*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 231 (h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL JUN 04 2013

MAYOR



kw

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COMMUNICATION

T 5/28

TO: LOS ANGELES CITY COUNCIL

File No. 13-0002-S68

FROM: COUNCILMEMBER JOE BUSCAINO, MEMBER
INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

COMMUNICATION FROM MEMBER, INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE and RESOLUTION relative to the City's position to oppose Assembly Bill (AB) 185 (Hernandez), which would amend the Ralph M. Brown Act to require local entities to televise open and public meetings of legislative bodies, planning commissions, and advisory committee meetings.

Recommendation for Council action SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program, OPPOSITION to AB 185 (Hernandez) which would amend the Ralph M. Brown Act, in part, to require local entities that collect cable television franchise fees to televise open and public meetings of its legislative body and planning commission, and if financially feasible, to televise open and public meetings of its advisory committees. The bill would also duplicate existing statutory law authorizing the use of franchise fee revenues to televise these meetings on Public, Educational and Governmental (PEG) Access channels.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst (CLA) has completed a financial analysis on this report.

Community Impact Statement: None submitted.

Summary:

On May 14, 2013, your Committee member considered a CLA report relative to the City's position to oppose AB 185 (Hernandez), which would amend the Ralph M. Brown Act to require local entities to televise open and public meetings of legislative bodies, planning commissions, and advisory committee meetings. After providing an opportunity for public comment, the Committee member recommended that Council approve the recommendation contained in the CLA report, as reflected above. This matter is now submitted to Council for its consideration.

Respectfully submitted,



COUNCILMEMBER JOE BUSCAINO, MEMBER
INFORMATION TECHNOLOGY AND GENERAL SERVICES COMMITTEE

MEMBER VOTE
PERRY ABSENT
BUSCAINO YES

ME
CD 15
13-0002-S68_rpt_itgs_5-14-13

ADOPTED

MAY 28 2013

LOS ANGELES CITY COUNCIL

- Not Official Until Council Acts -

MAYOR WITH FILE

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, currently pending before the legislature is AB 185 (Hernandez), which would amend the Ralph M. Brown Act and provide that an audio or video recording of an open and public meeting made at the direction of a local agency may be erased or destroyed two years after the recording; and

WHEREAS, AB 185 would also require a local agency that collects cable television franchise fees to televise open and public meetings of its legislative body and planning commission; and

WHEREAS, AB 185 further requires that if it is "financially feasible" to do so, a local agency shall also televise open and public meetings of its advisory committees; and

WHEREAS, the bill duplicates existing statutory law to "authorize" the use of franchise fees to cover the costs of televising open/public meetings; and

WHEREAS, Section 1 of the bill suggests that many local governments are not utilizing General Fund monies or franchise fees to support public access television; and

WHEREAS, AB 185 states that if there are monies available in excess of the amount necessary to televise open and public meetings as required by the bill, the local agency may use those funds to provide live streaming of its open and public meetings on the Internet; and

WHEREAS, AB 185 declares that the provisions contained within the bill are not reimbursable by the State; and

WHEREAS, if this bill passes in its current form, it would require the City of Los Angeles to expend General Fund monies to televise not only City Council meetings and Council Committee meetings, but all other City legislative and advisory body meetings, including but not limited to all City commission meetings, board meetings, and neighborhood council meetings; and

WHEREAS, AB 185 is overly broad and restrictive, and would place a financial and operational burden on the City.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes its 2013-14 State Legislative Program OPPOSITION to AB 185 (Hernandez), which would require a local agency that collects cable television franchise fees to televise open and public meetings of its legislative body and planning commission, and if it is financially feasible to do so, televise open and public meetings of its advisory committees, as recommended by the Los Angeles Information Technology Agency (ITA).

over →

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF MAY 28 2013
BY A MAJORITY OF ALL ITS MEMBERS.



JUNE LAGMAY
CITY CLERK

BY _____

DEPUTY