



**Eric Preven Public Comment on 17-0075**

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To: richard.williams@lacity.org

Mon, Jan 30, 2017 at 2:00

This group is in trouble. Ted Ross and Ted Lin are being forced by Herb Wesson to violate public speakers. This needs to come to an end. ITA cannot handle this. We should use off-the-shelf... we are not alone.

"This level of complexity makes the implementation of an off-the-shelf software solution difficult without customization."

ITEM NO. (5)  
[17-0075](#)

Motion (Krekorian - Blumenfeld) relative to a replacement for the City's current payroll software system PaySR, including: designation of the Information Technology Agency (ITA) as the project manager for maintenance of PaySR and for the replacement system; a report by ITA regarding preliminary requirements of the Personnel Department, CAO, and Controller's Office for the replacement system; a timeline when ITA anticipates phase in of a replacement system; and budgetary request for positions and funding to begin the first year of implementation.

Community Impact Statement: None submitted.

This level of complexity makes the implementation of an off-the-shelf software solution difficult without customization.

January 6, 2017

City of Los Angeles, City Council  
c/o Holly L. Wolcott  
City Clerk of Los Angeles  
200 N. Spring Street, Room 360  
Los Angeles, CA 90012

Dear City Council Members:  
I am writing to demand that The City of Los Angeles City Council cease and desist from violating City Council Rule 93.

City Council Rule 93 states in pertinent part:

"The purpose of cablecasting various meetings and events of the Los Angeles City Council, its Committees, and its members is to enhance the awareness and education of the general public regarding the actions and deliberations of the City Council and its members. The following provisions are adopted pursuant to that purpose:

a. COUNCIL MEETINGS

All City Council meetings shall be cablecast, except for meetings or portions of meetings which are closed to the public, or when the Council directs otherwise. Cable television coverage of City Council meetings shall be gavel-to-gavel, and, whether presented to the public live or taped, are not to be edited or subjected to editorial comments. Cameras used for the gavel-to-gavel coverage shall be owned by the City and operated only by City employees or persons under contract with the City. Cameras shall be operated so that they are focused only on the officially recognized speaker, and on any visually displayed information being shown. A City-operated character generator at the bottom of the picture may indicate the name and title of the officially recognized speaker, and an identification of the matter(s) being considered by the Council when appropriate and possible. No "reaction" shots will be permitted. The City Clerk's minutes shall remain the official records of the Council proceedings, and video or audio tapes may be used as an aid in the preparation of those minutes." (Emphasis added.)

The City of Los Angeles habitually violates Council Rule 93 which states: "Cameras shall be operated so that they are focused only on the officially recognized speaker, and on any visually displayed information being shown... are not to be edited or subjected to editorial comments."

The public speakers who speak at City Council meetings are routinely reduced to an out-of-focus speck in the frame of the cablecast. The cameras are not focused on the officially recognized speaker—because, for one thing, the speaker is not recognizable.

The public record of visual recordings of meetings shows that this error is not uniformly committed. Instead, the City provides those it favors with full rule compliance, but violates the rule to the disadvantage of speakers the City disfavors. In other words, the City is discriminating against speakers due to the identity of the speaker and the content of their speech, both past and present.

This is a type of negative editorial comment—because it sends the signal that, unlike city staff and council members, the public speakers (unless being honored by a councilman) will not be recognizable to viewers of the cablecast. Their faces will not be identifiable.

The council has been violating the letter and spirit of rule 93 at each and every council meeting over the last couple years; I have urged the Council President to quit violating the rule, I have written an article about it for CityWatch. The Council and Council President continue to resist the enforcement of council rule 93.

This practice of non-compliance is harmful to public speakers at each and every meeting that is cablecast by the city, which is each and every council meeting. This practice constitutes an inarguable pattern of violations of the Council's ministerial duties to uphold the Council Rules. The City of Los Angeles habitually violates the City's own rules and regulations. Moreover, and equally important, this practice violates the constitutional and statutory rights of the speakers themselves.

**CEASE AND DESIST DEMAND:**

I demand that the City of Los Angeles unconditionally promise to cease and desist and actually cease and desist from repeating the illegally taken action(s) described in this email. I also demand that the City of Los Angeles provide an unconditional promise to comply with Council Rule 93.

Thank you.

Eric Preven  
[www.EricPreven.com](http://www.EricPreven.com)