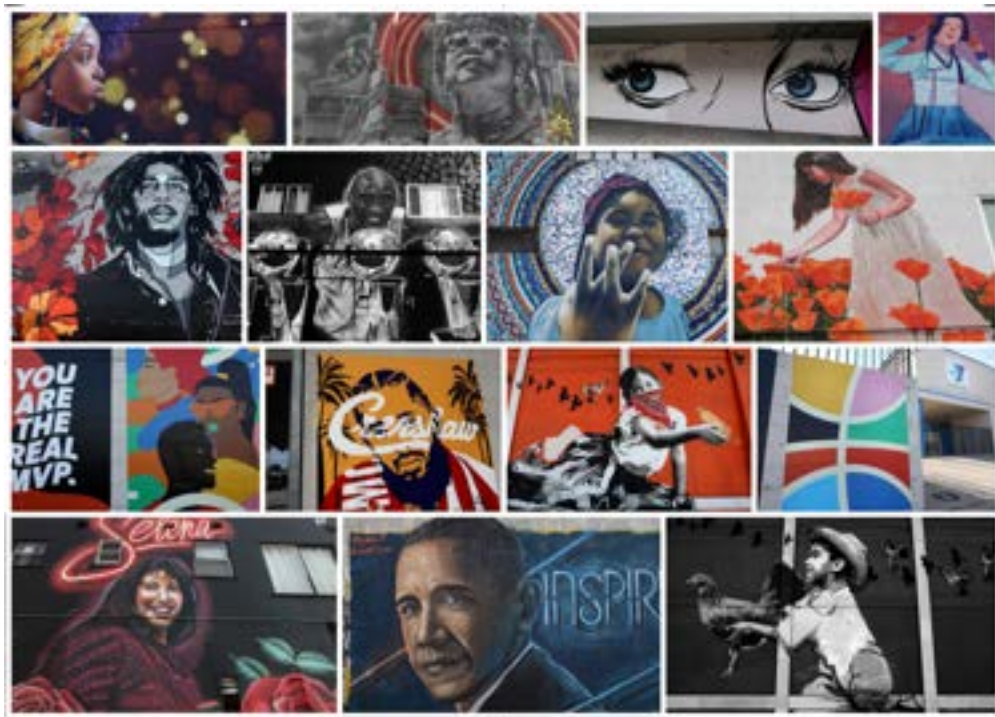


**Framework  
for  
Transparent and Accountable  
Representation**

*July 26, 2022*



*The final report of the CD10 Voices for Empowerment  
Transparency Task Force, “Modeling a Constituent-Driven and  
Transparent Selection Process”*

*(Rev. 072622 v.3)*

## Introduction

When Attorney General Rob Bonta found “substantial questions of law exist as to whether [Councilmember] Wesson’s appointment to the Los Angeles City Council was lawful” and that “the public interest will be served by allowing the proposed *quo warranto* action to proceed,” the decision to grant standing to the Southern Christian Leadership Conference - Southern California (SCLC-SC) and Council District 10 (CD10) to sue the City of Los Angeles paves the way for additional court action. The outcome of anticipated court action in the next few weeks may well determine the eligibility of the temporary appointee to represent CD10. The prospect of Appointee Wesson being barred from service on the City Council has generated renewed interest in efforts by CD10 stakeholders and constituents to influence and determine who will serve the 10th District.



***“...substantial questions of law exist as to whether Wesson’s appointment to the Los Angeles City Council was lawful.”***

- Atty. Gen. Rob Bonta

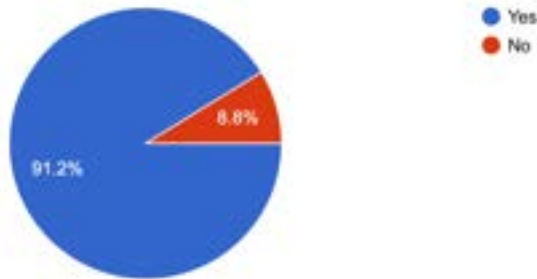
While this issue continues to be litigated in court, the desire for representation, transparency and accountability remain motivating factors for 10th District stakeholders and constituents. With the prospect that the current “temporary” representative will be deemed ineligible to serve, CD10 may again soon be left without a voting representative on the City Council. Additionally, a ruling by the judge overseeing Councilmember Ridley-Thomas’ case to postpone his trial from August to November (over his objection, according to court filings) promises to further delay resolution of the representational and legal issues that prompted the Council to suspend him and vacate a seat to which he was lawfully elected.

**The City Council must take urgent action to avoid the specter of continuing the disenfranchisement of 10th District voters and the damage done to the Council by execution of a fatally flawed temporary appointment process.**

The Council cannot afford another secretive appointment attempt that, according to a *Los Angeles Times* editorial (March 22, 2022), produces “the appearance of a backroom deal, hurried to a vote despite legal and logistical questions” and fails to solicit the views and interests of CD10’s diverse constituents.

Were you aware that earlier this year, the City Council appointed a temporary Councilmember to represent the 10th Council District?

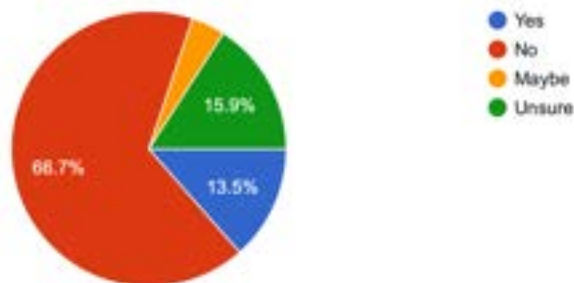
125 responses



The absence of transparency undermined the legitimacy of any Council-appointed “temporary” representative. The absence of any semblance of accountability to the constituents the appointee is supposed to serve compromises his/her effectiveness. It erodes support for representative democracy and democratic norms. The *Times* said, “The City Council should be deliberate, thoughtful and transparent when making major governance decisions....The fact that a judge temporarily halted the appointment only makes the process look more shady.”

If so, do you believe that the appointment process was fair, inclusive, and transparent?

126 responses



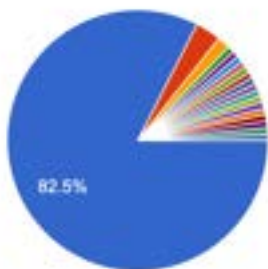
**Stakeholder interest in achieving accountable representation remains unabated.**

“The missteps on Wesson’s appointment raise big red flags,” according to the *Times*. A transparent process that seeks accountable representation to CD10 voters must now be undertaken in order to restore public trust and confidence in the City Council’s decision-making.

A recent survey of CD10 stakeholders found overwhelming dissatisfaction with the manner in which the City Council under the leadership of Council President Nury Martinez selected Appointee Wesson. An even larger share of those surveyed support a constituent-driven, transparent process for selecting an interim representative.

In the event that the current Councilmember is determined to be illegally appointed, and a new appointment is made, what should the process look like? (Select one)

126 responses



- Constituent-driven, transparent
  - The Council should just decide
  - Special Election
  - Both
  - If this is only through December 2022...
  - whoever was the second runner up sh...
  - Reinstate
  - special election
- ▲ 1/3 ▼

Continuing demands for transparency and accountability are fueled by months of frustration over efforts to have the voices of the 10th District heard in the aftermath of a discretionary decision by the City Council to summarily strip CD10 of its duly elected representative, Councilmember Mark Ridley-Thomas.



Modeling a Constituent-Driven, Transparent Process to Achieve Representation Accountable to the 10th District

The March 15 *Modeling a Constituent-Driven and Transparent Selection Process* virtual zoom meeting was carefully designed to solicit the views of stakeholder constituents and address some “big red flags.” The goal was to establish a framework for a democratic selection process short of an election that would be true to the aspirations of district residents for transparency and accountable representation. (See Attachment 1 - Meeting Design). The virtual meeting was an outgrowth of a webinar convened by CD10 Voices for Empowerment attended by 130 stakeholders and constituents on March 10, entitled *The Rush to Judgment, the Need for Transparency and Where We Stand*.

At the conclusion of the meeting, the organizers forwarded a Preliminary Report to the Council. It documented the orientation to the work of the organizers, deliberations of the meeting participants and the participants’ recommendations, and served as an example of civic engagement, belief in self-government and a manifestation of self-determination.



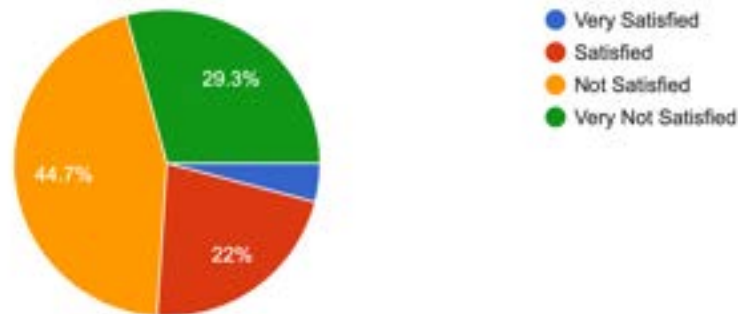
However, the Council ignored the work of CD10 residents who organized nearly 100 Los Angeles City Council District 10 stakeholders and constituents to participate in the March 15 virtual “Modeling” meeting.

The March 15 meeting was convened against the backdrop of the temporary restraining order that prevented the seating of Martinez’s hand-selected “temporary” representative to the Council, in place of the District’s suspended member.

The *Framework for a Transparent and Accountable Representation* expands on this work and contains the results of a constituent survey of opinion performed as a follow-up to the virtual meeting. Conducted in the weeks following the virtual meeting, the survey found that over 80% of respondents called for a constituent-driven, transparent process.

Are you satisfied with the general leadership of the City Council?

123 responses



Nearly two-thirds were dissatisfied and/or very dissatisfied with the selection process. Nearly nine in ten felt at least one district-wide mailer should be sent to residents notifying them of the Council’s intention to “temporarily” fill a Council-imposed vacancy on the body. The survey results validated many of the perspectives shared by the March 15 meeting participants.

The *Framework* includes several draft motions the Council should consider to effectuate the options that flow from the meeting’s earlier recommendations and subsequent survey results. Those options include:

- Restoration of the presumptively innocent Tenth District Councilmember’s pay and benefits;
- Reinstatement of the 10th District Councilmember;
- Use of a district-wide mailer to announce the vacancy, selection process, eligibility criteria and convene a public confirmation hearing to permit the public to learn about the nominated appointee’s views on policy matters;
- Establishment of an ad hoc committee of the Council to manage a transparent selection and appointment process and



recommend charter reforms to address due process and presumption of innocence issues in order to promote broader accountability and independence.

## **Final Report Recommendations**

This Framework and the proposed motions are a reflection of CD10 constituents' commitment to civic engagement. Constituents who are rooted in a firm belief in self-government and that the people in a representative democracy have the capacity to influence their political leaders. The Framework reflects the meeting participants' commitment to this proposition despite the failure of the City Council to consider the recommendations made in their Preliminary Report issued on March 22. (See attachment 3).

Nevertheless, the work of self-determination, democratic expression, advocacy of transparency and accountability continues. The recommendations in this Framework appear in the form of motions so that advocates of transparency can organize in support of specific City Council action that establishes a standard to measure success. Tenth District constituents refuse to accept the nullification of our votes. The discretionary abuse of power that resulted in the appointment of an ineligible interim representative in violation of the City Charter must not go unchallenged. Furthermore, the circumstances leading to this situation must be examined. The procedural reforms necessary to strengthen democracy, protect voting rights, due process and the presumption of innocence must be enacted.

Unlike the recommendations made in the Preliminary Report, this final report offers three motions for the Council's action. They are based on the following presumptions.

- The decision to suspend Tenth District Councilmember Ridley-Thomas was discretionary. It produced significant consequences, intended or not, that are pernicious and inconsistent with the presumption of innocence. The City Charter does not mandate a suspension of a Councilmember under this circumstance. In fact, the allegations of criminal wrong against Councilmember Ridley-Thomas occurred during his service on the governing body of another jurisdiction, years before Ridley-Thomas was elected to the City Council. No alternatives to suspension were considered.
- The City Council's decision rendered Tenth District voters and constituents without voting representation on the Council. The outcome of the November 2020 election and the votes of CD10 constituents were effectively nullified. Moreover, any substantive opportunity to obtain their input on the decision through testimony was negated by waiver of the normal public hearing requirements for consideration of the motion to suspend—within just 24 hours of introduction. COVID-19 protocols were exploited to further limit input and participation.
- The motion to suspend Councilmember Ridley-Thomas formed the basis for revocation of his pay and benefits, including health care insurance, by the City Controller—during a once-in-a-century pandemic. The immediate revocation of pay and benefits has had a significant material impact on the Councilmember's ability to secure the financial resources to mount a robust legal defense, underscoring the punitive and vindictive nature of the decision.

- Elections have consequences. They provide voters the opportunity to choose their policy preferences in the personage of the duly elected candidate of their choice based on campaign commitments, pledges, experience and record. Accountability of elected representatives to their voters is the essence of representative democracy. Any temporary appointment by the Council shifts accountability from the district's voters to individuals on the City Council who supported the appointee's nomination. Appointments by the City Council in circumstances where a member is accused of criminal wrongdoing, but awaiting trial, requires an accountable, transparent process.
- Tenth District constituents have called for a fairer, open and more democratic "temporary" appointee selection process. The process for selecting a nominee for appointment was deeply flawed, secretive and biased. In the four months the CD10 seat was empty, not a single public hearing on the Council-created vacancy, or the process to fill the seat, was ever convened. The Council President-managed process was antidemocratic and lacked transparency and broad consultation with Tenth District constituents. Representation that is accountable to the voters in free and fair elections must be reinforced by the decisions of governing bodies. A community-driven process will permit transparency, participation and engagement by providing a venue for deliberation of issues, priorities and commitments while bestowing a measure of legitimacy on the ultimate selection.

Elected officials who face criminal prosecution should be afforded the same due process rights and the presumption of innocence law enforcement officers and other civil servants

receive in the City of Los Angeles. Suspension from office, revocation of representational duties, and pay without a hearing and meaningful public discourse can have far reaching implications for the constituents, staff, the individual member and democracy. Appointment of a replacement, albeit on an interim basis, can do irreparable harm to all concerned parties.

Taken in their entirety, the three proposed motions capture the thrust of the March 15 meeting organized as a model for conducting a constituent-driven, transparent process to achieve representation that is accountable to the 10th District. They fulfill the March 15 meeting goal of establishing a *Collaboratively Developed Framework for a Transparent and Accountable Interim Appointment Process*.

**Elected officials who face criminal prosecution should be afforded the same due process rights and the presumption of innocence law enforcement officers and other civil servants receive.**

## **Draft Motions**

*The City Council must take urgent action to avoid the specter of continuing the disenfranchisement of 10th District voters and rebuild the damage done to the Council by execution of a fatally flawed temporary appointment process.*

## **MOTION TO PURSUE CHARTER REFORM AND ENABLE TRANSPARENCY**

On October 20, 2021, the Los Angeles City Council (Council) voted to suspend Councilmember Ridley-Thomas. The action was based on Section 211 of the City Charter (Charter) which provides that "pending trial, the Council may suspend any elected officer...against whom felony criminal proceedings, or criminal misdemeanor proceedings relating to a violation of official duties as described in Section 207(c). The temporary vacancy shall be filled in accordance with the Charter."

Ever since the indictment was filed for alleged wrongdoing that occurred during his tenure in another jurisdiction, Councilmember Ridley-Thomas has maintained his innocence. He remains committed to serving in his elected capacity. He formally entered a "not guilty" plea at his first opportunity. The Council's action denied Councilmember Ridley-Thomas the opportunity to make the case for why the discretionary act of suspension was unnecessary in light of the unique circumstances of this legal situation.

On February 22, 2022, the City Council voted to appoint a "temporary" appointee to represent Tenth District voters without a formal declaration of the seat's vacancy.

While the Charter does not define "temporary" vacancy, Section 409 (a) prescribes the method for filling a "vacancy" by either appointment or special election. However, Councilmember Ridley-Thomas' absence on the Council is not tantamount to a vacancy as defined in any subsection of Section 207 of the Charter. His absence from City Council was forced upon him by a discretionary action of the City Council to "suspend" him, not based on his own volition.

The decision to both suspend Councilmember Ridley-Thomas and replace him with a "temporary" appointee was challenged in court. The outcome of the judicial proceeding is pending. Notwithstanding the final outcome of these proceedings, the City Council finds the process for selecting a nominee for appointment was deeply flawed, secretive and biased. It lacked transparency, public disclosure of the selection process, a timeline, eligibility and selection criteria, conditions of service, a public hearing and broad consultation with Tenth District constituents and stakeholders.

Absent any public confirmation hearing, declaration of conditionality on appointment or public expression of the temporary appointee's views, a "temporary" appointee is empowered to disrupt and undermine the duly elected Councilmember's policy priorities, interests and personnel decisions.

Elections have consequences. They provide voters the opportunity to choose their policy preferences in the personage of the duly elected candidate of their choice based on campaign commitments, pledges, experience and record. Without conditionality or confirmation hearings, a "temporary" or interim appointee has no obligation to pursue the

policy preferences or priorities of the incumbent office holder; nor do constituents have the ability to hold the appointee accountable.

Representation that is accountable to the voters in free and fair elections must be reinforced by the decisions of governing bodies; so, too, must the values of due process and the presumption of innocence. At a time when the erosion of democratic norms is gaining momentum, the Council must pursue a process of appointing temporary representation that facilitates opportunity for broad community participation.

Appointments by the City Council in circumstances where a member is accused of wrongdoing but awaiting trial requires a more accountable, and transparent process.

I THEREFORE, MOVE that the Council,

1. Direct the Chief Legislative Analyst and City Clerk to develop a temporary appointment process, to be utilized when a Councilmember is temporarily suspended pursuant to Section 211 of the Los Angeles City Code, that is transparent, respects the interests of the duly elected member being temporarily replaced, and promotes accountability to the district constituents who will be represented. The CLA and City Clerk shall report back within 30 day days to an Ad Hoc Governance Committee, composed of members whose district boundaries abut the 10<sup>th</sup> Council District, to guide development of the process;

2. The Ad Hoc Governance Committee should consider the following issues:

- A. Due process rights for the Councilmember
- B. A definition of and timetable for appointment of a temporary vacancy
- C. The establishment of criteria for the nomination of a “temporary” appointment
- D. The establishment of any conditions of appointment and duration of term
- E. A confirmation hearing requirement and schedule that ensures adequate district constituent notification and participation; and
- F. Districtwide notification via US postal service to residents

I FURTHERMORE THAT THE AD HOC GOVERNANCE COMMITTEE shall make recommendations for amendments to ordinances and the City Charter to the fully Council within 60 days to clarify and codify:

- A. The process for suspension and due process, pay and benefit rights of a duly elected Councilmember;
- B. Definition, voting rights, powers and authorities of a “temporary” appointee to the City Council; and
- C. The selection process for the appointment of a temporary representative that to the extent possible ensures accountability to Council district voters.

## **MOTION TO REINSTATE AND RESTORE PAY**

With 24 hours notice given to the public, on October 20, 2021, the Los Angeles City Council (Council) voted to suspend Councilmember Ridley-Thomas. The action was based on Section 211 of the City Charter (Charter) which provides that "pending trial, the Council may suspend any elected officer...against whom felony criminal proceedings, or criminal misdemeanor proceedings relating to a violation of official duties as described in Section 207(c). The temporary vacancy shall be filled in accordance with the Charter."

The decision to suspend Councilmember Ridley-Thomas was discretionary. It produced significant consequences, intended or not, that are pernicious and inconsistent with the presumption of innocence. The City Charter does not mandate a suspension of a Councilmember under this circumstance. In fact, the allegations of criminal wrongdoing against Councilmember Ridley-Thomas occurred during his service on the governing body of another jurisdiction, years before Ridley-Thomas was elected to the City Council. No alternatives were considered.

The City Council's decision rendered Tenth District voters and constituents without voting representation on the Council. The outcome of the November 2020 election and the votes of Tenth District constituents were effectively nullified. Moreover, any substantive opportunity to obtain their input into the decision through testimony was negated by waiver of the normal public hearing requirements for consideration of the motion to suspend.

The motion to suspend Councilmember Ridley-Thomas formed the basis for revocation of his pay and benefits, including health care insurance by the City Controller, during a once-in-a-century pandemic. The immediate revocation of pay and benefits has had a significant impact on the Councilmember's ability to secure the resources to mount a robust legal defense. Moreover, while suspended, Councilmember Ridley-Thomas is restricted from pursuing other employment.

While the Charter does not define "temporary vacancy", Section 409 (a) prescribes the method for filling a "vacancy" by either appointment or special election. However, Councilmember Ridley-Thomas' temporary absence is not tantamount to a vacancy as defined in any subsection of Section 207 of the Charter. His absence from City Hall was forced upon him, not based on his own volition.

Ever since the indictment was filed for alleged wrongdoing that occurred during his tenure in another jurisdiction, Councilmember Ridley-Thomas has maintained his innocence. He remains committed to serving in his elected capacity. He formally entered a "not guilty" plea before a court of law at his first opportunity. The Council's



action denied Councilmember Ridley-Thomas the opportunity to make the case for why the discretionary act of suspension was unnecessary in light of the unique circumstances of his legal situation, including release of the actual evidence against him nearly 45 days after his suspension.

Representation that is accountable to the voters in free and fair elections must be reinforced by the decisions of governing bodies; so, too, must the values of due process and the presumption of innocence. At a time when the erosion of democratic norms is gaining momentum, the Council and City Controller must reconsider their decision.

I THEREFORE MOVE that the Council, reinstate Councilmember Mark Ridley-Thomas to the position to which he was duly elected pending the outcome of his trial.

I FURTHER MOVE that the Council direct the City Controller to reinstate Councilmember Ridley-Thomas' wages and benefits, including compensation for lost wages from October 2021 through the present time.

## MOTION FOR A COMMUNITY-DRIVEN PROCESS IN COUNCIL DISTRICT 10

In the aftermath of a judge's rejection of LA City Council President Nury Martinez's attempt to appoint Herb Wesson as CD10's representative and the AG's subsequent decision to grant Tenth District constituents' application for *quo warranto* and standing to sue the City for alleged violation of its own Charter, a growing number of constituents are calling for an inclusive, community-driven, transparent selection process. They object to what they consider a secretive, back-room approach to restore CD10 voting representation following the Council's discretionary decision to suspend the district's duly elected representative.

In fact, in the four months the Tenth District seat was empty, not a single public hearing on the Council created vacancy, or the process to fill the seat, was ever convened. There was no district wide mailer or public notice in a widely circulated newspaper.

The Tenth District constituents have called for a fair, open and more democratic process that would effectively and broadly solicit the views of CD10, inclusive of all its diversity, with mandated outreach attempts and consultation with constituents.

At a minimum, such a process would include publicly noticed hearings that permit constituents the opportunity to address questions such as selection criteria and eligibility, the fate of existing staff, the duration of term, and accountability to CD10 voters, and protocol in addressing potential budgetary, contract and perceived conflicts of interest.

A community-driven process will permit participation and engagement by providing a venue for discussion of the questions posed above.

I THEREFORE, MOVE that the Council,

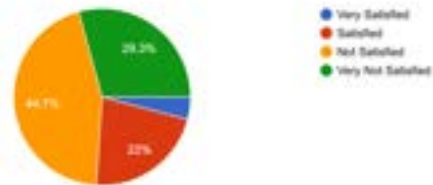
- A. Prepare a timetable and schedule of public hearings to solicit Tenth District constituent input regarding selection criteria, eligibility requirements, and limitations on the duration of a "temporary" appointee's term in order to permit the scheduling of a special election, if necessary, to fill a vacancy (i.e. the incumbent elected member is deemed ineligible to serve) in the Tenth District seat; and
- B. Convene a confirmation hearing with public testimony upon the nomination of a temporary appointee.

## Critique of Council President-driven Process

One of the biggest critiques of the Council President-driven process was the selective approach to CD10 constituent outreach.



Are you satisfied with the general leadership of the City Council?  
122 responses

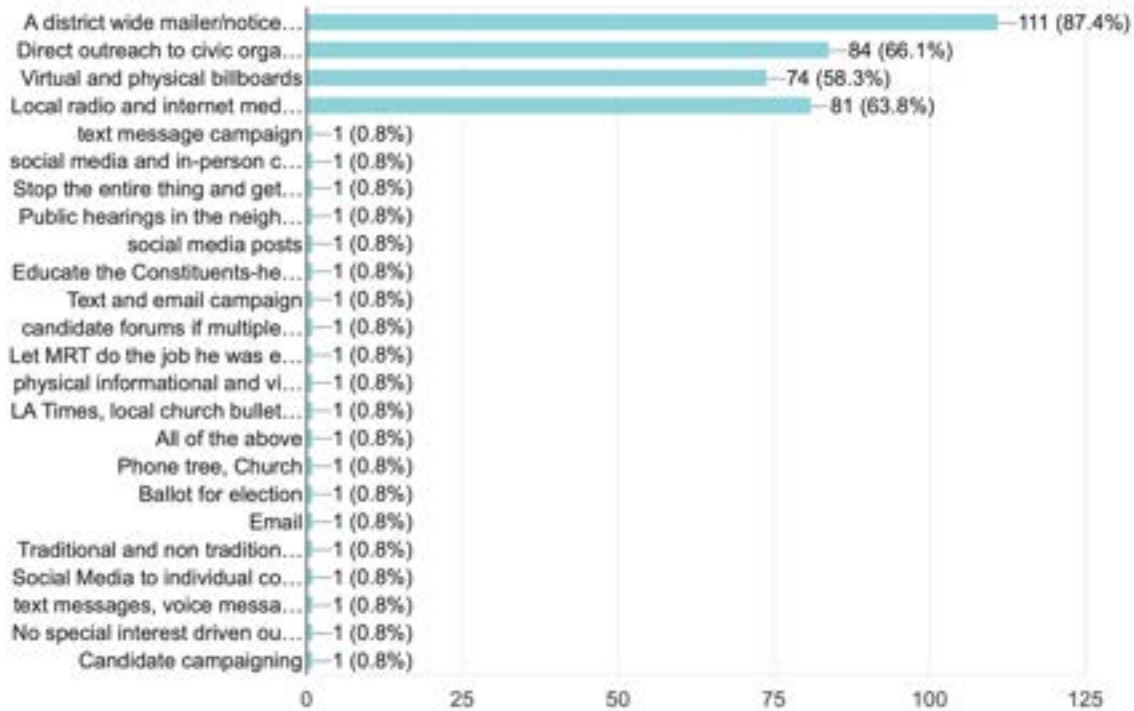


**We refuse to accept the nullification of our votes. The discretionary abuse of power that resulted in the appointment of an ineligible interim representative in violation of the City Charter must not go unchallenged.**

First, the Council President never publicly expressed her desire to appoint a temporary representative or publicly communicated the process by which the eligibility or selection would be determined. Secondly, the Council President announced her intention to appoint a temporary representative in an interview granted to a single English-language news outlet with limited readership among CD10's diverse neighborhoods.

How should constituents be informed about the process? (Select all that apply)

127 responses



Thirdly, the Council President selectively met with CD10 stakeholders rather than accept multiple requests for open community meetings and offers to host public hearings on the matter. Fourthly, the Council President’s motion to appoint an interim representative was introduced and timed for consideration on the Tuesday following a three-day (President’s Day) holiday weekend. Fifthly, the City Council vote on the motion was taken despite knowledge of a legal challenge by SCLC - SC and CD10 residents in what the *Times* characterized as “a reasonable request for a one-week delay” in which the eligibility of the termed-out proposed appointee was directly at issue and following adoption of an amendment requiring a report back from the City Attorney on the very eligibility question at issue in the current, on-going litigation.

## Importance of Civic Engagement

“Wesson was appointed and sworn into office on Tuesday on the dubious assertion that residents of that district couldn’t wait another day for a voting representative on the council, though they have been without one for months.”

“The City Council should be deliberate, thoughtful and transparent when making major governance decisions. Instead, the Wesson appointment had the appearance of a backroom deal, hurried to a vote despite legal and logistical questions — like whether the City Charter even allows Wesson to fill the seat — and a reasonable request for a one-week delay to hash out the details. The fact that a judge temporarily halted the appointment only makes the process look more shady.

“Martinez defends the Wesson appointment, saying she consulted community groups and was clear about her intent to install a voting member quickly....Still, the way the process played out doesn’t reflect well on her leadership. She has to ensure major decisions get a proper public vetting.”

*LA Times Editorial Board March 25, 2022*

For the multiracial organizers of this effort, active engagement and democratic participation in the civic life of the community is an obligation of all citizens. As the insistent demands for inclusion from 10th District constituents keep getting rebuffed by the City Council President, the frustration of constituents continues to be expressed through direct action in the form of protests, communications to the Council, Op-Eds published in local newspapers, news conferences, and virtual meetings. A review of the chronology of events, juxtaposing the council actions and the community responses, set the context for the discourse that followed the March 15 meeting.



## **COVID 19's Impact on Participatory Democracy**

Outlets for democratic expression on the selection process also contend with stifling limitations on advocacy associated with adherence to COVID-19 protocols. Despite these limitations, March 15 meeting organizers set out to demonstrate by their own actions what outreach might look like to encourage broad participation in the discussion about transparency and accountability in the selection of an interim CD10 representative.

COVID-19 must not serve as an excuse for stifling democratic expression or participation in governmental decision-making. For the March 15 meeting, invitations to participate were extended to each Neighborhood Council in CD10, posted on social media platforms such as Nextdoor.com, Instagram, and Facebook (in a variety of community groups), and sent via email to multiple community distribution lists.

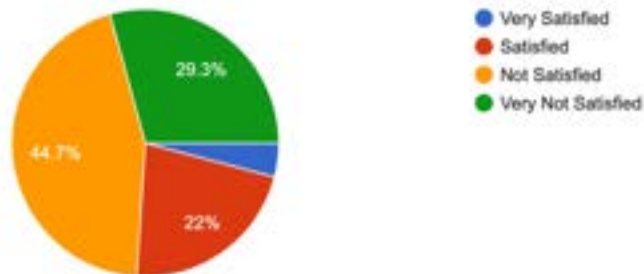
## **The Tenth District Survey**

In order to ensure recommendations to the Council on this matter were developed in a robust and inclusive manner, a follow-up poll was conducted. Nearly three-quarters of respondents (73.4%) felt not, or very not satisfied with the general leadership of the Council, and two-thirds (65.9%) described the appointment

process as not fair, inclusive or transparent. The complete results of the survey appear as Attachment 2 - Survey.

Are you satisfied with the general leadership of the City Council?

123 responses



### What is transparency?

The obligation of public officials, business owners, civic leaders and corporate managers to share information with citizens, consumers, members, and investors that is needed to make informed political, policy, investment, purchasing and consumption decisions and hold officials accountable for the conduct and operation of public and private enterprises.

## Personnel Departures

Whether Appointee Wesson was seated by the City Council in violation of the City Charter is now subject to litigation in a Los Angeles Superior Court. His “temporary” appointment followed a selection process in which no public hearings were held, no publicly articulated selection criteria were announced, no consultation with the duly elected representative about his “temporary” replacement was solicited and no discussion about the fate of his campaign commitments or priorities or of CD10’s existing staff occurred—*despite the supposedly interim nature of the appointment.*

The CD10 staffing issue was a significant concern of March 15 meeting participants. Councilmember Ridley-Thomas’ success in public office, they observed, is in no small measure to his ability to attract competent staff capable of accomplishing their mission. Maintaining the stability and integrity of the team assembled by Councilmember Ridley-Thomas was no small feat in the immediate aftermath of his suspension by the City Council.

Following Councilmember Ridley-Thomas’ suspension and the

**Maintaining the stability and integrity of the team assembled by Councilmember Ridley-Thomas was no small feat in the immediate aftermath of his suspension by the City Council.**

appointment of his chief of staff as CD10 Caretaker by the Council President, maintaining staff stability to ensure policy continuity and quality constituent services was among the Caretaker’s highest priorities. March 15 meeting participants



recognized the value of CD10 staff and made several recommendations regarding maintenance of their tenure.

Two recommendations in the meeting's Preliminary Report gave expression to the importance of constituents and stakeholders attached to CD 10 personnel. First, they acknowledged "the exemplary job, amid politically opportunistic behavior, the staff of the 10th Council District did and continues to do" and urged the Council to recognize them. Secondly, they urged, "Absent reinstatement [of the duly elected Councilmember], the interim representative should retain and offer professional development opportunities for the current CD10 staff."

One of the "temporary" appointee's first official acts was to initiate termination of the "Caretaker" and Councilmember Ridley-Thomas' Chief Deputy without cause. The City Clerk facilitated the termination, the appointee did not even meet with them. This action came with no update on the status of representational or constituent service activity, despite the interim nature of the "temporary" representative's appointment and public assertions by individual City Council members that Ridley-Thomas is presumed innocent and may return to his seat when he is exonerated.

This termination without cause proved to be a highly destabilizing action. Since the Caretaker and Chief Deputy's March 21 termination, most of CD10's senior level policy staff have departed the office, including many of the Council's most highly educated and trained personnel. The termination of such high profile staff without a meeting to debrief the interim representative regarding the status of the office, budget or

personnel matters as well as pressing policy, homelessness, economic development and land use initiatives sent a powerful message to the remaining staff and CD10 constituents. The Senior Policy staff exodus that ensued includes deputies assigned to:

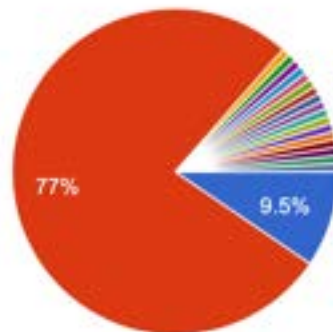
- legislation
- homelessness and housing;
- education, workforce, and racial equity; civic engagement
- economic development and bioscience; and
- arts and business initiatives; and
- budget and operations.

Appointee Wesson's actions facilitated the exodus of a talented staff devoted to CD10 constituents. In addition to the vast majority of policy staff, members of the administrative team have also left. The loss of these highly motivated, committed public servants dedicated to quality constituent service and policy development on behalf of the constituents of the 10th District, is a tremendous blow. It is illustrative of the irreparable damage a poorly vetted, unaccountable "temporary" appointee can have on the district to which he/she/they were assigned to represent. It promises to set back immeasurably the duly-elected Councilmember's work, if and when he is exonerated.



Whenever a temporary Councilmember is appointed, should he or she have the authority to fire current staff without cause?

126 responses



- Yes
- No
- What is allowed by Law?
- Undecided About This One
- Too much divisiveness-too much nepo...
- If performance or lack of such warrants
- That should be discussed with all parti...
- Not sure CA is an at will state

▲ 1/3 ▼

## **Preliminary Recommendations**

At the conclusion of the March 15, 2022 meeting, the participants agreed to submit the recommendations resulting from the meeting deliberations and hoped they would be meaningfully considered by the City Council and Council President *BEFORE TAKING ANY ADDITIONAL ACTION ON THE MATTER*. The recommendations called for, among others, the immediate reinstatement of CD10's elected Councilmember, Mark Ridley-Thomas; and adoption and implementation of the CD10 Stakeholder recommended transparent, accountable, and inclusive interim representative selection process as discussed by virtual meeting participants. (See attachment 3)

## **Conclusion**

The purpose of this *Framework* is to publicly address the Los Angeles City Council with the direct views of CD10 residents and stakeholders. This is consistent with the principles of participatory democracy, civic engagement, and community empowerment.

The intent is to make constructive proposals to correct the injustices and harms done to voters city-wide, CD10 constituents, their elected representative and staff, and to democracy itself.

## Attachment 1 - **Meeting Design and Emergent Themes**

### **Principles-based Organizing**

The meeting organizers established foundational principles that would guide the meeting and hold themselves accountable. By doing so, they took responsibility for the process they initiated and displayed the transparency they are seeking from City leaders responsible for assigning an interim representative to represent them, throughout the meeting. The Principles are:

- promotion of a civil, solution-oriented discourse;
- establishment of a fair and inclusive process;
- utilization of multiple methods and means of timely communication with constituents;
- execution of good faith, documentable efforts to communicate with a broad and diverse cross-section of CD 10 stakeholders; and
- implementation of conscious plans to share the outcomes of the meeting with CD 10 stakeholders and to solicit and incorporate additional input.

### **Meeting Design**

The organizers designed the meeting to include an open session followed by Breakout rooms where facilitated discourse occurred and recommendations were reported in the open session that

followed. The organizers provided a structured opportunity for full community participation based on an agreed set of basic ground rules for achieving the meeting goals. The stated outcome was to model a “Collaboratively Developed Framework for a Transparent and Accountable Interim Appointment Process”.

## **Ground Rules**

To encourage meaningful input, the meeting organizers established basic ground rules for the engagement of participants. The Ground Rules were:

- Make a recommendation, not an opinion
- Listen respectfully and respond civilly
- Use the Chat (zoom feature) for extended comment
- Refrain from profanity or uncivil language during the discussion and in the Chat
- Be concise
- Raise your virtual hand to be recognized

Meeting participants adhered to these rules and engaged in civil, thoughtful, neighborly, and meaningful exchanges, despite occasional disagreement.

## **Break-out Rooms**

To accommodate full participation in the meeting, participants were randomly assigned to virtual break-out rooms moderated by a facilitator/recorder. The break-out room discussion sought to identify emergent themes that strike at the heart of the issues surrounding the Council President’s actions over the past few

months. The questions for consideration that guided the discussion were:

1. What does transparency and accountability look like/include/mean to you?
2. What criteria should be used to identify the qualifications of an appointed representative?
3. What mechanisms/processes/tools are available to the community to effectuate transparency in the selection process?
4. What commitment does/should the interim representative have to the vision of the duly elected representative for the Tenth District?
5. What commitment does/should the interim representative have to retain the staff to implement that vision?

## **Emergent Themes in Response to Discussion Questions**

### **Question One:**

Stakeholders agreed that the Council President-driven appointment process lacked both transparency and sufficient consultation with CD10 constituents.

### **Question Two:**

Strong support, if not preference, for reinstatement of the duly elected representative was expressed. Participants generally opposed removal of the CD 10 elected official, the manner in which it occurred, and the decision's ultimate consequence:

voter disenfranchisement. Additionally, many thought the decision was insufficiently explained.

### **Question Three:**

All available outreach tools should be deployed to engage the CD10 community and solicit stakeholders' opinions - e.g., civic organizations such as the empowerment congress, block clubs, newsletters, social media, public events, virtual and physical bulletin boards, public hearings, appointee candidate forums, and local radio and internet media stations/podcasts.

### **Question Four:**

The interim representative should be supportive of MR-T's vision for the district and be able and willing to advocate for it.

### **Question Five:**

CD10 staff have performed in an exemplary way and should be retained. The interim representative should retain the staff and, if necessary, have the ability to add staff.

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### **Additional Emergent Themes**

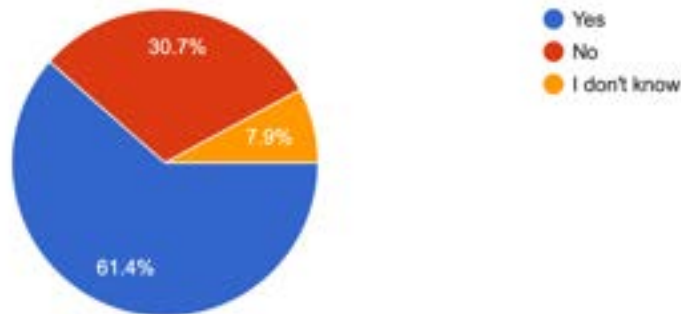
- Several additional noteworthy themes emerged out of the break-out room discussions:
- The interim representative should have access to the Budget and resources approved for use by the duly elected representative in order to continue the levels of service performed by the staff.



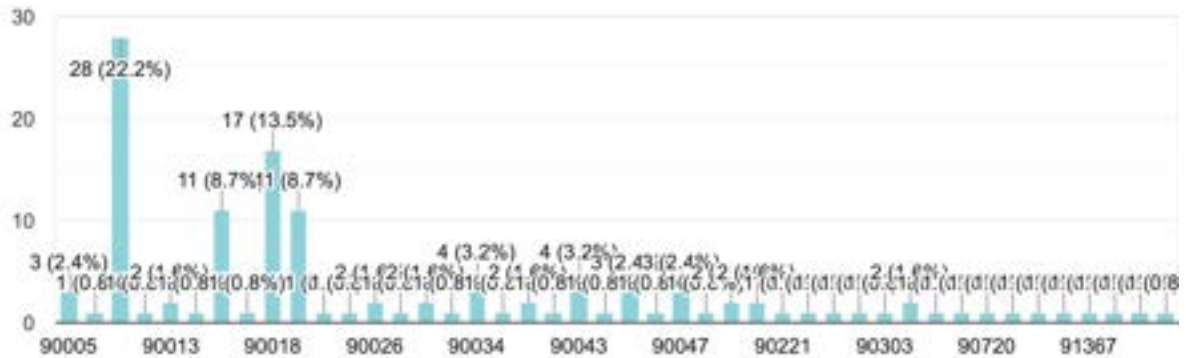
- The need to reform the existing Charter is essential to address ambiguities and shortcomings identified by this process.
- The COVID-19 Pandemic has had a negative impact on democratic participation.

# Attachment 2 - Survey Results for *Modeling a Constituent-Driven, Transparent Process to Achieve Representation Accountable to the 10th District*

Do you live in the 10th Council District? (Y/N/I don't know)  
127 responses

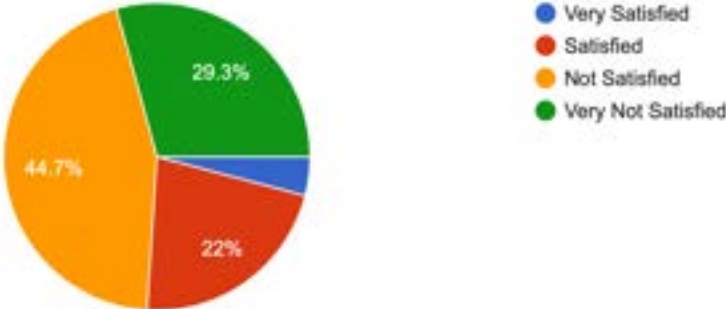


What is your ZIP code?  
126 responses



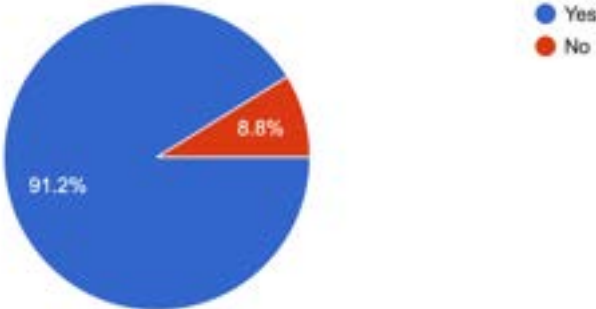
Are you satisfied with the general leadership of the City Council?

123 responses



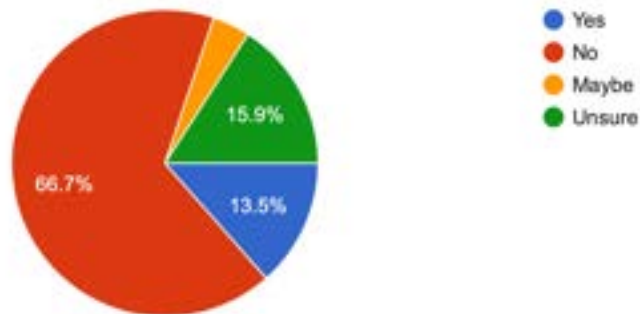
Were you aware that earlier this year, the City Council appointed a temporary Councilmember to represent the 10th Council District?

125 responses



If so, do you believe that the appointment process was fair, inclusive, and transparent?

126 responses



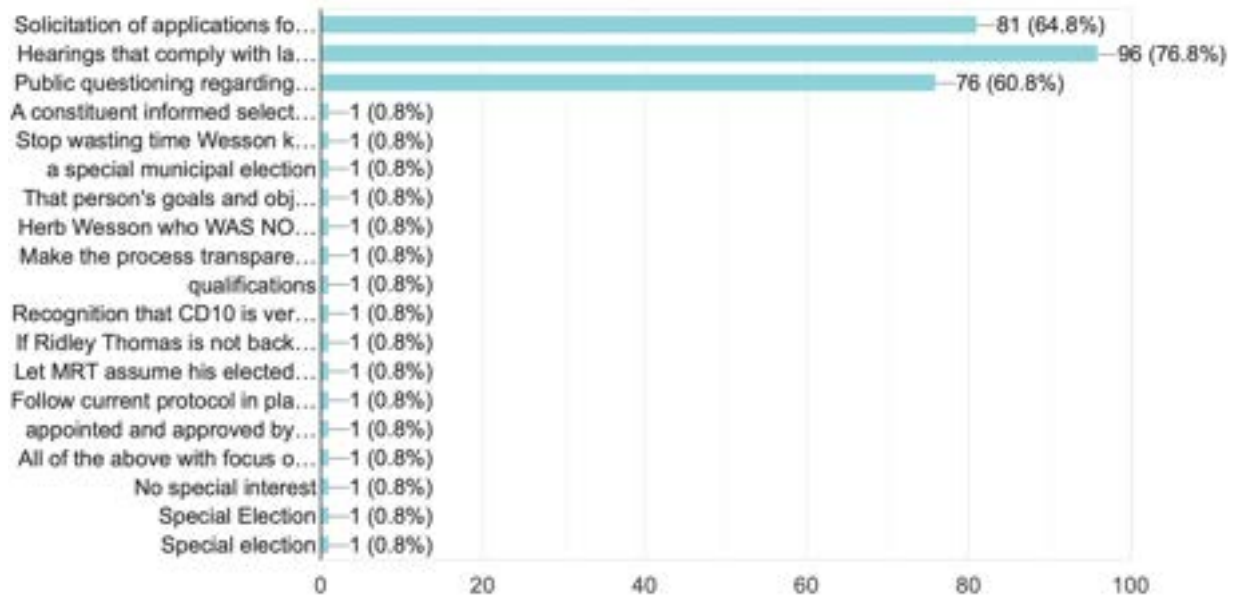
In the event that the current Councilmember is determined to be illegally appointed, and a new appointment is made, what should the process look like? (Select one)

126 responses



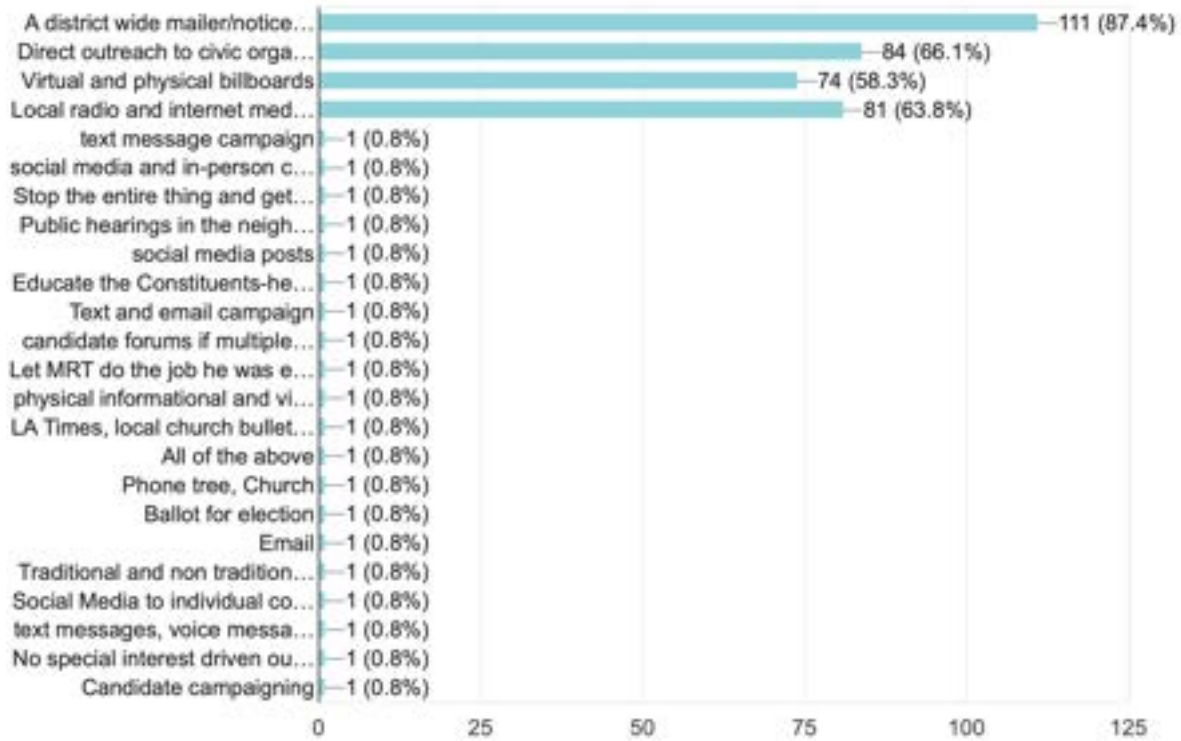
What should a constituent-driven, transparent process look like? (Select all the apply)

125 responses



How should constituents be informed about the process? (Select all that apply)

127 responses



Whenever a temporary Councilmember is appointed, should he or she have the authority to fire current staff without cause?

126 responses



Should a temporary appointee pledge to be in alignment with the vision of the elected representative?

122 responses



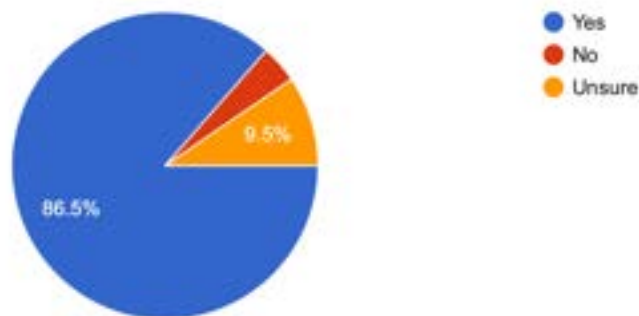
Should a temporary appointee be eligible for election if the seat becomes vacant?

126 responses



Does the City Charter need to be revised to more clearly address this issue in the future?

126 responses



## Attachment 3 - **Preliminary Report Recommendations**

1. Immediate reinstatement of CD10's elected Councilmember, Mark Ridley-Thomas.
2. Adopt and implement the CD10 Stakeholder recommended Transparent, Accountable, and Inclusive Interim Representative selection process described in response to the questions posed in the break-out room discussions.
3. Recognize the exemplary job, amid politically opportunistic behavior, the staff of the 10th Council District did and continues to do.
4. Absent reinstatement, the interim representative should retain and offer professional development opportunities for the current CD10 staff.
5. Absent reinstatement, the interim representative should have the knowledge, relationships, and strong people skills necessary to be accountable to CD10 Residents and the vision of the district they overwhelmingly embraced in the 2020 election.