

**Attachments to 11/12/20 PPCC Meeting Agenda:
Motion Text & Background Information (Items 10.1 and 11.1)**
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Item 10.1 – WRAC-recommended motion (eliminate “gut-and-amend” bill process):

Whereas the Sacramento Legislative process known as Gut-and-Amend eliminates transparency and public participation by misleading the intent and content of the bill being considered,

[Pacific Palisades Community Council] recommends the following reform: Eliminate the “gut-and-amend” bill process and request the City of Los Angeles include in its Sacramento legislative priorities the elimination of the “gut-and-amend” bill process.

Background:

Glossary of Legislative Terms: <http://www.legislature.ca.gov/quicklinks/glossary.html> (Gut-and-Amend: “When amendments to a bill remove the current contents in their entirety and replace them with different provisions”).

The Gut-and-Amend process is being used to pass legislation without appropriate public overview. A bill is written and goes through one or more committees and then dies. A legislator then guts the contents of that bill and replaces it with different legislation that no longer matches the bill’s title. The gutted and amended bill picks up where the original bill left off. It doesn’t go through committee hearings again. Stakeholders have no way to know what is being voted on so they have no knowledge that they need to organize and lobby the legislature. See also:

<https://www.kqed.org/news/10676990/when-time-runs-short-in-sacramento-proposed-laws-appear-in-a-flash>
<http://www.capoliticalreview.com/capoliticalnewsandviews/gut-and-amend-bills-in-the-california-legislature/>
<https://www.clta.org/news/512799/What-is-a-Gut-and-Amend-Bill---Take-a-Look-and-See.htm>
<https://48hills.org/2019/06/wiener-quietly-turns-barber-bill-into-major-housing-legislation/>

Example of a gut-and-amend bill in immediate past legislative session:

SB 474 (Stern) -- originally a “wildlife protection” bill to *amend the Fish & Game Code*; passed in the Senate last year, went to Assembly and was put on hold; Sen. Stern then replaced the text this year with entirely different bill language, now to *prohibit all new development in the VHFHSZ* (status: bill not taken up this session by 2nd required Assembly committee; unknown whether bill will go forward in next session); see: http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB474.

Additionally, Sen. Scott Wiener has used the “gut-and-amend” process in the past to introduce bills that sought to increase housing density and limit local control of land use & zoning. Sen. Wiener is expected to announce a new bill in early December to replace past failed housing density bills that PPCC opposed (*e.g.*, SB 827, 50, 902, 1120; see <http://pacpalicc.org/index.php/organizations/>; scroll down to “Planning & Density”); he may use the “gut-and-amend” vehicle for his soon-to-be-introduced replacement bill.

The Secretary recommends that the PPCC board pass this WRAC-recommended motion in solidarity with our WRAC colleagues and to send a message to elected officials/legislators that we insist on transparency and public participation in all legislation under consideration.

Item 11.1 – WRAC-recommended motion (Community Plans update process – requests to Planning):

Motion to support and include for official input to the Los Angeles Department of City Planning in reference to the WRAC Member Community Plan updates, a delay of 6 months due to COVID 19 and restrictions related to public access, meetings and participation and further request the following:

- An appropriate assessment of how the COVID 19 and future pandemics will impact current and future mobility, housing, design, environmental and health and safety needs and concerns.
- Current and future data projections relevant to the task of updating all WRAC member Community Plans.
- Incorporation of an additional step in the Community Plan update timeline that allows for presentation of the staff draft plan and an associated public comment period, or a second and revised concept plan phase. Allocation of time for staff to review public comments and incorporate changes to reflect input prior to issuing any NOP [Notice of Preparation of Draft Environmental Impact Report] for the start of the environmental review process. It is improper to issue an NOP and conduct a DEIR for a draft plan that the community has had neither the chance to see or review.
- Thorough public outreach is a must and should include all stakeholders. The Planning Department has not allocated proper time or resources, and City Council must do so moving forward so that no stakeholders are left uninformed about the process.

Background:

Several WRAC member councils are in the process of updating their Community Plans with the City Planning Dept. (the Palms-Mar Vista-Del Rey Community Plan, the Westchester/Playa del Rey Community Plan, the Venice Community Plan and the West Los Angeles Community Plan). Based on the experience of currently participating neighborhood councils (as reported at various WRAC meetings and as explained in comment letters submitted by some WRAC councils), the Planning Dept. has not provided sufficient data or outreach to stakeholders, has not assessed the impact of COVID-19 on future needs and has not allowed for public comment on the draft plans prior to beginning the EIR process.

See: <https://westsidecouncils.com/motion/community-plans-update-process-requests-to-planning/>.

To date, six WRAC members have passed the WRAC-recommended motion or modified versions; the motion is expected to be on the agenda of the Brentwood Community Council board meeting for a vote on Wednesday, November 11, and will likely also be taken up by other WRAC councils in November. While the Brentwood-Pacific Palisades Community Plan update process has not yet officially begun, the PPCC CPUC recommends that the PPCC board pass this motion in solidarity with our WRAC colleagues and because the requested measures will also be critical to the Palisades community once the process of updating our own Community Plan begins (date not yet determined).