

Tarzana Neighborhood Council Outreach Committee
Summary of concerns for the proposed Draft Digital Communications Policy for the
Neighborhood Councils (July 1, 2021 version)

Brief background: Outreach Committee looked at the initial proposed media policy back in January 2021, drafted a CIS and a letter that listed the primary concerns with the proposed policy. The full TNC Board approved both the CIS and letter. On Sept. 23 the Outreach Committee reviewed the most recent proposed version of the *Draft Digital Communications Policy for NCs* (July1, 2022).

Items of primary concern/need clarity were as follows (please note the item numbers refer back to the July version with the edits marked as cross-outs and additions in red):

2.3 *This policy also contains information and an attachment (Attachment A) regarding the Neighborhood Council System Commenting Policy.*

Committee asked if this requires including *Attachment A* on the TNC Facebook and NextDoor Accounts? This does not apply to the TNC website as public comments are not posted.

6.3 *The establishment of a Neighborhood Council Digital Communications account must be approved by official action of the neighborhood council. A neighborhood council shall not establish or authorize Digital Communications accounts for its committees or any other groups. All Digital Communications shall originate from the neighborhood council, acting through its board, and not any committee or any other group.*

We are still opposed to the statement that *All Digital Communications shall originate from the neighborhood council, acting through its board, and not any committee or any other group.* - This is too restrictive and implies that the full Board would need to approve all social media posts, emails, newsletters, and website content. If this were the case, the NC would need to decide whether to substantially detract from the board effectiveness and outreach efforts.

8.4 *Prohibition of Discussion, Deliberation, or Taking Action on Neighborhood Council Matters. Although Neighborhood Council Digital Communications may contain relevant information concerning the neighborhood council's meetings, events, and activities, neighborhood council board members may not discuss, deliberate, or take action on any neighborhood council matters via Neighborhood Council Digital Communications, as this could violate the Ralph M. Brown Act. Neighborhood Council Digital Communications must promote civic engagement and open and transparent discourse, by directing that the public attend neighborhood council meetings. Therefore, whenever possible, the Neighborhood Council Social Media and Newsletters must link back to the Neighborhood Council Website and its section relating to agendas to encourage the public to attend and provide comment at neighborhood council meetings.*

We understand the intent, however, in practice this directive needs further clarity.

8.9 *No Neighborhood Council Digital Communications may include endorsements of private entities, including non-profit organizations, but may provide links as necessary to the operation of a neighborhood council-approved event, and in that circumstance, must also include the following disclaimer: "Acknowledgement of any entity or person(s) on this page does not constitute the neighborhood council's support or endorsement of it or its products or services."*

Too specific we will remove the wording “on this page” and use this disclaimer as a boilerplate on our social media platforms.

9.2 *Neighborhood Council members may maintain their own website and social media sites and have a Constitutional right to express their own opinions. While this policy in no way limits individual’s freedom of speech, Neighborhood Council members may face personal risk or penalties for the following activities and, as such, these are provided as recommended activities to avoid:*

a. *any neighborhood council or city seal, logo, trademark, apparel, vehicle, badge, patch, or other official neighborhood council or City image should only be used with express written consent of that City entity on any private, non-Neighborhood Council Website, Social Media, or Newsletter, including but not limited to, any website, social media or newsletter*

This needs further clarity. Does this in essence say NC Board members in helping promote NC business, events, or City business should not post these types of announcements on their personal social media accounts and instead only post links to the original post? i.e., TNC meeting agendas?

c. *According to Assembly Bill 992, “an individual member in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body to not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body.”*

The intent is not clear, needs to be more concisely written.

9.4.1 (f) *Neighborhood council board members and committee members should refrain from discussing or commenting upon any mater that is pending before or may come before the neighborhood council. Commenting may include “friending” or “liking.” Violations may result in an individual or neighborhood council being unable to participate in a matter pending or that may come before the board, or actions by the City under Section 22.818 (e) of the Long Angeles Administrative Code or remedies such as those listed at Section 22.818 (e) of the Los Angeles Administrative Code.*

This is overly broad; how would the NC know what will come before the board.

12. *Records Retention and Public Information*

12.1 *Content on all neighborhood Council Digital communications may be subject to disclosure as required by the California Public Records Act (CPRA), and therefore the public must be clearly informed that any information posted on Neighborhood Council Website or Social Media is subject to disclosure.*

We understand 12.1 is meant to be posted on NC’s social media where the public has an opportunity to comment; however, the larger question is what is the retention policy for NCs? How long should NCs archive agendas, minutes, announcements, etc.?