



LAS VIRGENES - MALIBU  
COUNCIL OF GOVERNMENTS

**SPECIAL MEETING  
OF THE  
GOVERNING BOARD MEETING**

**Tuesday, October 3, 2023, 8:30 AM**

**MEETING INFORMATION AND ACCOMMODATION**

NOTE: The Governing Board of the Las Virgenes-Malibu Council of Governments will be participating in this meeting at the teleconference locations noted below via remote video conferencing (Zoom). There will not be an in-person meeting location. Members of the public can participate electronically via Zoom.

**Remote Participation Zoom Link:**

<https://us02web.zoom.us/j/89415035047?pwd=UkZwWGV0cGpnSjNFQ0VNdDNXR1Bldz09>

Meeting ID: 894 1503 5047 · Passcode: 432129

**TELECONFERENCE LOCATIONS**

- 29045 Old Carriage Ct, Agoura Hills, CA 91301
- 4241 Balcony Drive, Calabasas, CA 91302
- 5494 Jed Smith Road, Hidden Hills, CA 91302
- 23733 Pacific Coast Highway, Suite 500, Malibu, CA 90265
- 23825 Stuart Ranch Road, Malibu, CA 90265
- 30832 Oakrim Drive, Westlake Village, CA 91362
- 100 Civic Center Way, Calabasas, CA 91302

A public agenda packet is available on the COG website: [lvmcog.org](http://lvmcog.org). Members of the Public who wish to comment on matters before the Governing Board have two options: 1. Make comments limited to three minutes during the Public Comment Period, or 2. Submit an email with their written comments limited to 1,000 characters to [terry@lvmcog.org](mailto:terry@lvmcog.org) no later than 12:00 p.m. on Monday, October 2, 2023. The email address will remain open during the meeting for providing public comment during the meeting. Emails received during the meeting will be read out loud at the appropriate time during the meeting provided they are received before the Board acts on an item (or can be read during the Public Comment Period). For any questions regarding the virtual meeting, please contact [terry@lvmcog.org](mailto:terry@lvmcog.org) or (818) 968-9088.

## AGENDA

### 1. **CALL TO ORDER**

Governing Board Roll Call:

Eniko Gold, Hidden Hills, President  
Alicia Weintraub, Calabasas, Vice President  
Paul Grisanti, Malibu  
Kelly Honig, Westlake Village  
Penny Sylvester, Agoura Hills

### 2. **APPROVAL OF THE AGENDA**

### 3. **PUBLIC COMMENT PERIOD**

Public comments are limited to three minutes per speaker. Pursuant to California Government Code Section 54954.2, the Governing Board is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated that the item is of an emergency nature, or if the need to take action arose subsequent to the posting of the agenda.

### 4. **CONSENT CALENDAR**

Consent Calendar items will be approved in one motion unless removed for separate discussion or action.

A. September 19, 2023 Draft Minutes – Attachment

Recommended Action: Approve Consent Calendar

### 5. **ACTION ITEMS**

A. Letter to The Honorable Samantha P. Jessner, Presiding Judge Los Angeles County Superior Court Requesting to Suspend October 1 Implementation of Pre-Arrestment Release Protocols (PRRP) – Attachment

### 6. **ADJOURNMENT**

**Draft Minutes  
Governing Board Meeting  
VIRTUAL MEETING - VARIOUS LOCATIONS  
September 19, 2023**

*The Governing Board conducted the meeting, via Zoom, and in accordance with the teleconferencing requirements of the Brown Act.*

1 – Call to Order: President Gold called the meeting to order at 8:30 AM.

Roll Call of Governing Board members/alternates present:

Eniko Gold, Hidden Hills, President  
Alicia Weintraub, Calabasas, Vice President  
Ray Pearl, Westlake Village  
Doug Stewart, Malibu  
Penny Sylvester, Agoura Hills

The following non-voting Governing Board Alternate members participated in the meeting:

David Shapiro, Calabasas  
Jeremy Wolf, Agoura Hills

2 – Approval of Agenda:

**ACTION:** Alicia Weintraub moved to approve the Agenda. Doug Stewart seconded. The Motion carried 5-0, by the following roll call vote:

**AYES:** President Gold and Governing Board members, Pearl, Stewart, Sylvester, and Weintraub.

**NOES:** None.

3 – Public Comment Period: The Executive Director stated that he had not received any electronic public comments and no one participating in the meeting offered public comments.

4 – Consent Calendar: A) July 18, 2023, Draft Minutes and B) September 2023 Financial Report

**ACTION:** Penny Sylvester moved to approve the Consent Calendar. Alicia Weintraub seconded. The Motion carried 5-0, by the following roll call vote:

**AYES:** President Gold and Governing Board members, Pearl, Stewart, Sylvester, and Weintraub.

**NOES:** None.

5.A – Executive Director’s Report: The Executive Director highlighted his report. No action was taken by the Governing Board.

5.B – Pico Neighborhood Association v. City of Santa Monica: Councilmember James Bozajian, Calabasas made the presentation. President Gold thanked Councilmember Bozajian for making the presentation. No action was taken by the Governing Board.

5.C – Progress Report on the Regional Smart Cities Fiber Network Design Engineering presented by Jory Wolf, Magellan. President Gold thanked Jory Wolf for the progress report. No action was taken by the Governing Board.

5.D – SCAG Update from Mayor David Shapiro, Calabasas, and SCAG District #44 Regional Councilmember. President Gold thanked Mayor Shapiro for providing the SCAG update. No action was taken by the Governing Board.

6.A – Los Angeles County Sheriff’s Department: Captain Seetoo was not present.

6.B – Los Angeles County Fire Department: Chief Smith provided an update from County Fire.

6.C – Cal Cities: Jeff Kiernan, provided an update from the League of Cities.

6.D – Updates from Area Legislators and Agencies: Davis Han provided an update from Senator Allen and Sophia Soudani provided an update from Supervisor Horvath’s office. President Gold noted SCAG’s update was included in the agenda.

7.A – Annual Measure M Project List: President Gold asked the Executive Director to present the report. The Executive Director stated the recommendation had changed since the TAC meeting because of subsequent discussions with Metro regarding future project approvals with the funding available the following July. He noted the funding allocations and years for the Regional Smart Cities Fiber Network.

ACTION: Alicia Weintraub moved to approve the Measure M Project List. Penny Sylvester seconded. The Motion carried 5-0, by the following roll call vote:

AYES: President Gold and Governing Board members, Pearl, Stewart, Sylvester, and Weintraub.

NOES: None.

7.B – 2023-2024 COG/LA County Homeless Contract: President Gold asked the Executive Director to present the report.

ACTION: Doug Stewart moved to approve the 2023-2024 COG/LA County Homeless Contract. Alicia Weintraub seconded. The Motion carried 5-0, by the following roll call vote:

AYES: President Gold and Governing Board members, Pearl, Stewart, Sylvester, and Weintraub.

NOES: None.

8. – Comments and Request for Future Agenda Items: President Gold asked the city managers to provide an update from their cities. There were no other comments or requests for future agenda items and no action was taken by the Governing Board.

9.– Future Meeting Dates: President Gold noted the October TAC and Governing Board meeting dates. No action was taken by the Governing Board.

11. – Adjournment: President Gold adjourned the meeting at 9:50 AM.

Respectfully submitted,

Terry Dipple  
Executive Director

October 3, 2023

The Honorable Samantha P. Jessner  
Presiding Judge Los Angeles County Superior Court  
Stanley Mosk Courthouse  
111 N. Hill Street  
Los Angeles, CA 90012

RE: Request to Suspend October 1 implementation of Pre-Arrestment Release Protocols (PRRP)

Honorable Presiding Judge Jessner:

On behalf of the Las Virgenes-Malibu Council of Governments, which includes the cities of Agoura Hills, Calabasas, Hidden Hills, Malibu, and Westlake Village, we strongly urge the Court to suspend the October 1, 2023, implementation of the Pre-Arrestment Release Protocols (PRRP). We request that the Court retain the current presumptive bail schedule for felonies and misdemeanors, under which indigent defendants may request bail reductions from the Court when appropriate pursuant to existing law.

As elected officials, representing cities that contract with Los Angeles Sheriff Department, we have deep concerns regarding the public safety impacts that the new PRRP will have in our communities. These new protocols represent a substantial change for all law enforcement agencies in Los Angeles County; these protocols will increase their already burdened workload and significantly hinder their ability to protect our residents within Los Angeles County.

Our citizens have been increasingly voicing their serious concerns for their safety, based on the rise in crimes in our region and throughout Los Angeles County, including assaultive crimes, organized retail theft and other property-related crimes that impact our residents and businesses the most. It is difficult for our residents to trust the criminal justice system when the list of crimes in our county that are no longer being prosecuted vigorously, or at all, continues to grow. The Court's proposed zero bail schedule (PRRP) further erodes this public trust and the public's sense of community security.

The Court's proposal mandates the release without presumptive bail for most arrestees following their arrest. This PRRP proposal was announced and scheduled for speedy implementation without a Court solicitation of community input and without sufficient consideration of the impact that this new policy would have on those affected by it. The latest version of the Court's new bail schedule was issued on September 12, 2023, with an effective date, 19 days later, on October 1, 2023. Based on comments made at the September 26th Board of Supervisors' hearing on this issue, it appears that many are still confused regarding how this new PRRP plan will work; it also appears that affected agencies, such as the Sheriff's Department, other police agencies and the District Attorney's Office, will not be as prepared as they should be before these major bail changes are implemented. The Court appears to recognize this problem, as it has issued a new eight-page FAQ, explaining its PRRP, on September 26, 2023, only four days before its scheduled implementation. At the very least, this PRRP should not go into effect until all the Court's justice partners fully understand and are sufficiently prepared to perform all their duties required by this new bail plan.

The Court's current bail schedule, which has been in effect for decades, lists a presumptive bail amount for each criminal offense. Such bail is legally required by the California Constitution, Article 1, Section 12, to ensure that the arrestee who posts such bail will attend his court

appearances and not endanger public safety if released. Under the Court's proposed PRRP, most crimes listed in the revised bail schedules do not provide for presumptive bail or a magistrate review prior to the required release of an arrestee.

There are many circumstances, however, in which releasing an arrestee for one of these offenses, without requiring appropriate monetary bail, would endanger a crime victim or members of the public. To obtain a court hearing to request approval of bail for these offenses, however, the Court's PRRP requires law enforcement agencies, within two hours of an arrestee's booking, to make a written application to the Court for a bail deviation, with reasons, pursuant to Penal Code Section 1269c. This Section only applies to "a bailable felony or for the misdemeanor offense of violating a restraining order" and specifies no time period within which a bail deviation request must be made. The Court's PRRP places an undue burden on police agencies who are busily preparing police reports and continuing to further investigate after an arrestee is booked for one or more crimes so that they can present the case to the prosecutor for filing within the statutorily required 48 hours after the arrest.

We recognize the Court's responsibility to preserve constitutional rights for all. However, we strongly believe that the Court's bail system for offenses should be a presumptive bail system, as exists currently, which assigns a presumptive amount for each offense based on the nature and severity of the offense and incorporates amounts for additional factors such as offender history, number of crimes charged, and public safety risks. Under current law, except for capital offenses, a defendant is entitled to request a speedy court hearing to request a lower bail amount than the presumptive amount; the court is authorized to lower the defendant's bail or even provide him with a release on his promise to appear when it is legally appropriate to do so. This system provides for a fair hearing for both sides.

There is no reason to implement this new plan without full public input and on an expedited basis. The court should provide everyone who may be affected by it an opportunity to be heard and be willing to change this plan based on that input. Even if the Court is unwilling to modify its plan, there is no reason for the Court not to permit its justice partners to fully prepare for its implementation.

The Las Virgenes-Malibu Council of Governments believes strongly in the scales of justice within our criminal system must be balanced. However, the implementation of the PRRP tips these scales too far in the direction of endangering public safety in our communities. We urge your delay in implementation and reconsideration of the Court's new bail protocols.

Respectfully,

Eniko Gold  
President  
Mayor Pro Tem, City of Hidden Hills