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October 13, 2021

Portola City Hall

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To All Portola, CA City Council Members Bill Powers, Gwendolyn Morton, Tom Cooley, Phil Oles, Stanley Piler and ANY/ALL other Board/district members and constituents involved in/with the LESSG committee:

This letter is to call your attention to what I believe is a substantial violation of a central provision of the Ralph M. Brown Act, which may jeopardize the finality of the action taken by the Local Emergency Study Group committee.

*The nature of the violations are as follows: In All of its meetings Since January 2020 approximately, the LESSG committee **has not allowed the public access to their meetings. The Brown Act in section 54950 states In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.***

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

The LESSG committee was/ is not in compliance with the Brown Act because it is not allowing members of the City of Portola public at these meetings which the Act does not permit as per 54953(a). There is not access via zoom or in person. 54952(c)2 states: Notwithstanding subparagraph (B) of paragraph (1), no board, commission, committee, or other multimember body that governs a private corporation, limited liability company, or other entity that receives funds from a local agency and, as of February 9, 1996, has a member of the legislative body of the local agency as a full voting member of the governing body of that private corporation, limited liability company, or other entity shall be relieved from the public meeting requirements of this chapter by virtue of a change in status of the full voting member to a nonvoting member. There is a member who is a member of a legislative body of the local agency (Council member) who is a full voting member of City of Portola Council, that is receiving funds from a local agency who is running the LESSG committee meetings. Also the definition of Legislative body as per 54952(c)(1)(B) is defined as a committee that Receives funds from a local agency and the membership of whose governing body includes A member of the legislative body of the local agency appointed to that governing body as a full voting member by the legislative body of the local agency.

In the LESSG meeting minutes it appears that the conduct of the **LESSG committee** is in Violation of the Brown Act as the meetings are not public per 54953(a) of the Brown Act and the public cannot participate via zoom or in person. The Brown Act requires local government business to be conducted at open and public meetings. The LESSG committee and participants are subject to that as well per the reasons addressed above.

Pursuant to that provision (Government Code Section 54960.1), I demand that the **LESSG committee/ Portola City Council/ boards/districts/legislative bodies/ agencies/members that are involved in, currently and in the future, the Eastern Plumas Fire Consolidation/LESSG committee meetings cure and correct the illegally taken action as follows: Allow the public of the City of Portola, Ca access to the meetings where they can participate, observe and listen to the instruments that they have created. I**

**also demand that All involved comply fully with the Brown Act.
You All are required as servants of the public to open the LESSG
committee meetings to the public.**

As provided by Section 54960.1, you have 30 days from the receipt of this demand to either cure or correct the challenged action or inform me of your decision not to do so. If you fail to cure or correct as demanded, such inaction may leave me no recourse but to seek a judicial invalidation of the challenged action pursuant to Section 54960.1, in which case I would also ask the court to order you to pay my court costs and reasonable attorney fees in this matter, pursuant to Section 54960.5.

Respectfully yours,

Ashlee Sims