

**Kerry Morrison**

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**From:** Kerry Morrison  
**Sent:** Thursday, October 09, 2014 12:24 PM  
**To:** Sarah Besley; Joseph Mariani; Devin Strecker  
**Cc:** sseyler@andrewsinternational.com; jbriggs@jbriggslaw.com ✓  
**Subject:** FW: Public records request \* privileged\*  
**Attachments:** CA.brown.act.pdf

Hi guys...see below.

The issue re/ posting of agendas is an easy one for us to address, so let's ensure these agendas are on the websites and we will also have to post at the location.

**ALC PRIVILEGED**

Jeff,



Kerry

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-----Original Message-----

**From:** adrian@conventional-signs.net [mailto:adrian@conventional-signs.net]  
**Sent:** Thursday, October 09, 2014 11:47 AM  
**To:** Kerry Morrison  
**Subject:** Public records request

Dear Kerry,

I would like to request an electronic copy in any format convenient for you of Steve Seyler's report to the Sunset-Vine BID and Hollywood Entertainment District BID Joint Security Committee, which took place in "Cleo" in the Redbury Hotel. I would also like electronic copies, again in your choice of format, of the analogous reports for the 11 months prior to October 2014.

I would also like to ask that you all consider adhering more closely to the requirements of the Brown Act while conducting your meetings. I am attaching a copy of a PDF prepared by the then city attorney of Sacramento which explains some of the issues. This may be helpful to you in bringing your group into compliance with state law.

In particular:

1. The Act guarantees the public the right to attend and comment without signing in (Sec. 54953.3). While I wasn't technically required to sign in, I certainly did feel pressure to do so. The Act also guarantees that if an attendance list, register or similar document is posted at or near the entrance to the meeting room or circulated to attendees, it must state clearly that such signing, registering, is voluntary. (Sec. 54953.3)

2. The Act requires that "all materials distributed to a majority of the legislative body in connection with a matter to be discussed at a Brown Act meeting, except privileged items, are public records, and must be available for inspection and copying "without delay". Sec. 54957.5(a).

If writings, that are public records and prepared by the agency or member of the body, are distributed by the local agency during a meeting, copies must be available for public inspection immediately. As you know, I was not able to inspect a copy of Steve Seyler's report immediately after the meeting.

3. The Act requires adequate public notice of times and locations of public meetings. The time and location of this morning's meeting were not posted on the BID's website in advance of the meeting and when I called the BID office yesterday I was told that the meeting would be held in the "Library Bar" at the Redbury Hotel which, as you know, it was not.

I know these may seem like minor issues, but, as I told you at the meeting, I adhere to the "broken windows" theory of public transparency.

Just as some people believe that a tolerance for minor criminal acts may cause an increase in major ones and conversely, so I believe that tolerance of minor transgressions of the Brown Act may cause an increase in major ones and, conversely, that an intolerance of minor transgressions may cause a decrease in major ones.

I look forward to receiving copies of this material and to attending your newly Brown-act-compliant meetings in the future!

Adrian Riskin  
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