



**CITY of CALABASAS**  
**CITY COUNCIL AGENDA REPORT**

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**DATE:** OCTOBER 3, 2022

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** KINDON MEIK, CITY MANAGER  
**BY:** MARICELA HERNANDEZ, MMC, CPMC, CITY CLERK

**SUBJECT:** COUNCIL DISCUSSION AND CONSIDERATION OF TAKING A POSITION ON THE LOS ANGELES COUNTY BOARD OF SUPERVISORS' DECISION TO PLACE A CHARTER AMENDMENT ON THE NOVEMBER 8, 2022, GENERAL ELECTION THAT WOULD ALLOW THE BOARD TO REMOVE THE ELECTED SHERIFF FROM OFFICE BY A FOUR-FIFTHS VOTE

**MEETING**  
**DATE:** OCTOBER 12, 2022

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**SUMMARY RECOMMENDATION:**

At the request of Councilmembers Weintraub and Bozajian, this item is being brought forward for Council discussion and consideration of taking a position on the Board of Supervisors' decision to place a Charter Amendment on the November 8, 2022, General Election that would allow the Board to remove the elected Sheriff from office by a four-fifths vote.

**DISCUSSION:**

In the fall of 2021, the Board of Supervisors directed LA County Counsel to research how the Los Angeles County Sheriff could be impeached or removed citing eroding community trust and their ongoing battles with Sheriff Villanueva over transparency, accountability, deputy misconduct and other issues.

In January 2022, County Counsel outlined four possibilities to the Board of Supervisors as follows:

- 1) **Recall the sheriff.** The California Elections Code establishes the specific procedures for placing on the ballot the recall of an elected official, including the sheriff;
- 2) **The state attorney general.** Article V, Section 13 of the constitution provides that the state Attorney General has direct supervision over every district attorney, sheriff, or other law enforcement officers in all matters pertaining to the duties of their respective offices and may require any of these officers to make reports concerning investigation, detection, prosecution, and punishment of crime in their respective jurisdictions as determined by the Attorney General;
- 3) **Amend the County Charter.** “The California Constitution allows a county charter to provide for the removal of an elected sheriff, as well as other elected officers. And the Attorney General has given an opinion that a county charter may grant a Board of Supervisors the authority to remove a sheriff for cause by a four-fifths vote,” according to County Counsel Castro-Silva; and
- 4) **Civil grand jury.** The grand jury can lodge an accusation of willful or corrupt misconduct that leads to a jury trial and conviction

On July 26, 2022 the Board of Supervisors approved an Ordinance (attached) calling a special election on November 8, 2022, for an Amendment to the County Charter (option 3 above.) The exact wording of the proposed Charter Amendment is as follows:

**CHARTER AMENDMENT – PROVIDING THE AUTHORITY TO REMOVE AN ELECTED SHERIFF FOR CAUSE.** Shall the measure amending the County of Los Angeles Charter to grant the Board of Supervisors authority to remove an elected Sheriff from Office for cause, including violation of law related to a Sheriff’s duties, flagrant or repeated neglect of duties, misappropriation of funds, will full falsification of documents, or obstructing an investigation, by a four-fifths vote of the Board of Supervisors, after written notice and an opportunity to be heard, be adopted?

**FISCAL IMPACT:**

There is no fiscal impact identified with this item.

**RECOMMENDATION:**

That the City Council discuss and consider taking a position on the Board of Supervisors' decision to place a charter amendment on the November 8, 2022, ballot that would provide authority to remove the elected County Sheriff.

**ATTACHMENTS:**

- A. Impartial Analysis
- B. Argument in Favor of Measure A
- C. Argument Against Measure A
- D. Rebuttal to Argument in Favor of Measure A
- E. Rebuttal to Argument Against Measure A
- F. Los Angeles County Ordinance