

RESOLUTION NO. 6692

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CENSURING COUNCILMEMBER WANDA LOVE FOR UNPROFESSIONAL BEHAVIOR TOWARDS CITY STAFF

WHEREAS, in 2024, two City employees complained that Councilmember Wanda Love had acted in an unprofessional manner towards them; and

WHEREAS, the allegations were investigated by Attorney Jeffrey Love, an independent investigator who interviewed witnesses and reviewed relevant documents; and

WHEREAS, an Executive Summary dated January 9, 2025, attached hereto, was prepared by Special Labor Counsel J. Scott Tiedemann of the Law Firm of Liebert Cassidy Whitmore, who coordinated the investigation; and

WHEREAS, the Executive Summary provided that the investigation concluded that Councilmember Wanda Love's conduct towards both employees was inappropriate and substantiated the allegations of both employees as described in the Executive Summary. The behavior, which included unfounded criticisms and targeting of employees, created unnecessary strain and undermined the ability of City staff to perform their duties effectively; and

WHEREAS, at the January 14, 2025, regular City Council meeting, Mayor Cerda gave a directive that a resolution of censure of Councilmember Wanda Love be added to a future agenda, which was seconded by Councilmember Henderson; and

WHEREAS, a censure is generally understood to be "an official reprimand or condemnation; an authoritative expression of disapproval or blame" (Black's Law Dictionary (10th ed. 2014)); and

WHEREAS, the United States Supreme Court has long recognized the practice of censuring legislative body members, which has been more commonly observed at the state and local level, and as early as 1833 (*Houston Community College System v. Wilson* (2022) 595 U.S. 468, 475); and

WHEREAS, public officials have the authority to censure an individual member of a legislative body (*Braun v. City of Taft* (1984) 154 Cal.App.3d 332, 347-348); and

WHEREAS, censure is used to demonstrate that the City Council does not condone or endorse a council member's behavior or conduct and that the City Council is taking steps to prevent the conduct from continuing. It serves as a statement to the public that certain behavior is unacceptable; and

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WHEREAS, a council member subject to censure has to be afforded some due process, which may consist of simple notice of the potential censure and an opportunity to be heard before the imposition of the censure. *Rodriguez v. Jurupa Unified Sch. Dist.* 2010 Cal. App. Unpub. LEXIS 6352, 38; and

WHEREAS, there was sufficient notice provided in light of the directive that was taken at the January 14, 2025, regular City Council meeting, at which Mayor Cerda gave a directive that a resolution of censure of Councilmember Wanda Love be added to a future agenda which was seconded by Councilmember Henderson, and notice of the resolution of censure was also listed on the agenda for the January 28, 2025, regular City Council meeting; and

WHEREAS, it is essential that City Council members demonstrate respect when they interact with City staff; and

WHEREAS, the City Council hereby reaffirms its commitment to protect City staff from unprofessional behavior from fellow council members; and

WHEREAS, the City Council determines that adoption of this Resolution of Censure is necessary to affirm that the conduct of Councilmember Love described in the Executive Summary will not be tolerated and such conduct shall be prevented from being repeated.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The City Council finds that the Recitals set forth above are true and correct, and are hereby incorporated herein by this reference, and are hereby adopted as findings in support of this Censure Resolution.

SECTION 2. That the Executive Summary attached to this Censure Resolution, the Staff Report prepared for this Censure Resolution, and all documents referenced herein are hereby incorporated herein by this reference and are hereby adopted as findings in support of this Censure Resolution.

SECTION 3. That the intent and purpose of this Censure Resolution is to express the City Council's opinion that Council Member Wanda Love engaged in unprofessional behavior toward certain City employees and it is not to be interpreted as a formal legal finding.

SECTION 4. That Council Member Wanda Love's unprofessional behavior toward certain City employees is unacceptable and detrimental to the City of Gardena

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SECTION 5. That Council Member Wanda Love participate and complete three (3) sessions of training provided by the City's Special Labor Counsel, Liebert Cassidy Whitmore, paid for by the City. Training should occur within (90) calendar days following adoption of this Resolution of Censure.

SECTION 6. That Council Member Wanda Love, in her official capacity as a council member shall refrain from communicating with City staff, with the exception of the City Manager, City Attorney, Deputy City Clerk, Human Resources Manager, City Manager's Office Administrative Coordinator, City Manager's Office Administrative Aide and City Manager's Office Executive Office Assistant. Communications with the City Manager, Deputy City Clerk, Human Resources Manager, City Manager's Office Administrative Coordinator, City Manager's Office Administrative Aide and City Manager's Office Executive Office Assistant shall be in writing, with the exception of during open and closed session city council meetings. This action shall remain in place until a majority of the Council rescinds it.

SECTION 7. That Council Member Wanda Love is suspended from her duties as a city council representative or alternate representative on outside and city committees. This action shall remain in place until a majority of the Council rescinds it.

SECTION 8. That Council Member Wanda Love is prohibited from city-paid travel, inclusive of registration fees, to conferences, meetings, trainings and other events where representation of the City is involved. This action shall remain in place until a majority of the Council rescinds it.

SECTION 9. That this Resolution shall be effective immediately.

SECTION 10. That if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this resolution, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this resolution or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

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BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 28th day of January, 2025.

Tasha Cerda, Mayor

TASHA CERDA, Mayor

ATTEST:

Mina Semenza

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

Carmen Vasquez

CARMEN VASQUEZ, City Attorney

LIEBERT CASSIDY WHITMORE

MEMORANDUM

CONFIDENTIAL AND ATTORNEY-CLIENT PRIVILEGED

DATE: January 9, 2025 **CLIENT-MATTER NO.:** GA040/082

TO: Ms. Carmen Vasquez, City Attorney
Ms. Diana Schnur, Human Resources Manager

FROM: J. Scott Tiedemann
Patrick Marsh

RE: Executive Summary of Investigation

The City retained Attorney Jeffrey Love to investigate concerns regarding the conduct of Councilmember Wanda Love ("the Councilmember") towards two City employees. This investigation aimed to determine whether the Councilmember's actions constituted inappropriate behavior and considered findings from a prior inquiry involving one of the employees.

Findings Regarding Employee 1

The investigation substantiated allegations that the Councilmember unfairly criticized Employee 1 in connection with two City projects: the Willows Wetland Grant Project and the demolition of the Chase Bank building.

Willows Project: The Councilmember criticized Employee 1, alleging failures in stakeholder communication. However, the evidence demonstrated that Employee 1 had complied with all applicable protocols, and the Councilmember's complaints were unfounded.

Chase Bank Demolition: The Councilmember alleged inadequate neighbor notifications and dust mitigation efforts. The investigation found that Employee 1 adhered to all legal requirements and implemented appropriate measures to mitigate dust, including fencing and water-based controls.

The investigation identified a pattern of tension resulting from Employee 1's refusal to comply with the Councilmember's request to prioritize specific contractors for City projects. Employee 1's adherence to established procurement rules and the failure to route operational concerns through the appropriate supervisory channels appeared to contribute to the concerns.

Findings Regarding Employee 2

The investigation also substantiated allegations regarding the Councilmember's conduct towards Employee 2 during a City event.

The Councilmember expressed dissatisfaction with the placement of their booth at the event, perceiving it as less favorable compared to another elected official's booth. The Councilmember

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made statements suggesting they would raise the issue during a public meeting, which Employee 2 reasonably interpreted as a potential threat to their job security.

The investigation found that the Councilmember's remarks were inappropriate and caused Employee 2 undue apprehension.

Broader Context

The investigation revealed a pattern of the Councilmember bypassing appropriate channels for addressing operational concerns. Instead of engaging through supervisory structures, the Councilmember directly communicated with staff and occasionally involved other City officials in a manner inconsistent with established protocols.

Conclusion

The investigation concluded that Councilmember Wanda Love's conduct towards both employees was inappropriate and substantiated the allegations. The behavior, which included unfounded criticisms and targeting of employees, created unnecessary strain and undermined the ability of City staff to perform their duties effectively.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6692** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **28th day of January 2025**, and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR CERDA, MAYOR PRO TEM TANAKA, AND COUNCIL MEMBER HENDERSON

NOES: COUNCIL MEMBERS FRANCIS AND LOVE

ABSENT: NONE

Bucky Romero
for _____
City Clerk of the City of Gardena, California

(SEAL)