

CENSURE MOTION

DIRECTORS MOVING: A. MARTON, S. GREENWALD, C. SAMILEY

TITLE: CENSURE DIR. MARTIN RUBIN

OVERVIEW:

In a recent board meeting, the proceedings took an unexpected turn as Director Martin Rubin (“Director Rubin”) lost control of his emotions. What began as a routine presentation of government reports evolved into a disruptive encounter, marked by Director Rubin's persistent objections and escalating confrontations. The incident, lasting over 10 minutes, unfolded during Chair Ruesch's attempts to maintain order and adhere to established meeting procedures. This report captures the details of the encounter, shedding light on Director Rubin's objections, accusations of procedural misconduct, and the subsequent outburst that raised concerns for the safety of board members. The latter part of the disruptive episode was captured in a video clip which is available for review (link provided further below). This report intends to provide a comprehensive account of the events that transpired, and a motion for the Censure of Director Rubin.

BACKGROUND:

The November 16, MVCC Board meeting started as scheduled at approximately 6:30 p.m. However, Director Rubin arrived late and missed the first four items on the agenda. Director Rubin wished to go back to the Memorials (item #3) but was asked to wait until item #7 (Board Member Comments). While Chair Ruesch was presenting government reports (item #5), Director Rubin raised a "point of order." Chair Ruesch politely requested Director Rubin to allow him to finish before addressing his concerns. He explained that Director Rubin would have the opportunity to share his thoughts during agenda item #7, where Board members are allocated two (2) minutes for comments and responses to public statements and/or government reports.

Much to everyone's surprise, Director Rubin refused to wait as requested. Instead, he insisted that he be allowed to speak on community memorials, a topic we had already covered due to his late arrival. Chair Ruesch informed Director Rubin that he could discuss the memorial during Agenda Item #7.

As Chair Ruesch attempted to address Director Rubin's aggressive behavior during his "point of order" interruption, Director Rubin became agitated and confrontational. Chair Ruesch sensed the escalation and decided to try to calm the situation by allowing Director Rubin to speak for two minutes, even though it was out of order on the agenda. At this point, Director Rubin was so agitated and out of control, he continued to yell accusations at Chair Ruesch, not comprehending that Chair Ruesch was giving him what he was demanding. Despite numerous attempts by Directors Marton, Rafeedie, and Wheeler to advise Director Rubin to stop and take the allocated two minutes, he persisted in disruptive behavior, yelling and speaking over everyone who tried to de-escalate the situation. Director Rubin had essentially worked himself into an uncontrollable fury, threatening *“I could make trouble here.”* [See linked video below]

Over the matter of minutes Director Rubin launched into a diatribe of accusations of Chair Ruesch and the Board's unfamiliarity with Robert's Rules. Despite Chair Ruesch's multiple attempts to clarify that Director Rubin would be recognized during Agenda item #7, he continued to yell over him, accusing him of favoritism and trying to ignore and silence him. Other Board members continued to intervene, urging Director Rubin to calm down and use his

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two minutes at that moment. Director Rubin would have none of it. The entire episode lasted over 10 minutes.

Ultimately, Director Rubin threatened to file a formal complaint, asserting that Chair Ruesch hindered his ability to speak and was marginalizing him. Finally realizing the situation, Director Rubin appeared to have settled down, and then backtracking, claimed to be hard of hearing because of ear wax, which caused him to raise his voice as an attempt to hear himself and to ensure everyone was able to hear him. When Chair Ruesch tried to again regain control and emphasize the importance of procedure, Director Rubin's behavior escalated into another disruptive outburst.

Director Rubin began screaming, expressing extreme anger and slapping the Board table, causing concern among Board members for their safety. Several members, fearing the escalation, even asked Director Rubin to leave the meeting.

Unfortunately, the previously mentioned short video clip captured by Director Rafeedie only captures the end of the 10+ minute incident. It is viewable here:

[\[https://youtube.com/shorts/vt8B-Eu7YZ4\]](https://youtube.com/shorts/vt8B-Eu7YZ4) (the video depicts Director Rubin's behavior toward the end of his rant rather than when he was completely out of control and yelling in a fit of rage). A second video captured by a member of the public shows slightly more of the incident. It is viewable here: [\[https://youtube.com/shorts/WcvalQuAU3k\]](https://youtube.com/shorts/WcvalQuAU3k)

- **The moving Directors allege that Dir. Rubin violated the following section(s) from the [Neighborhood Council Board Member Code of Conduct \(Attachment A\)](#):**

1. Neighborhood Council Board Members should conduct themselves in a professional and civil manner.

2. Neighborhood Council Board Members should treat other Board Members and members of the public with respect.

4. Neighborhood Council Board Members should not use language that is threatening, obscene, or slanderous, including profanities, insults or other disparaging remarks or gestures directed toward other Board Members.

6. Neighborhood Council Board Members should not engage in "bullying" or harassment which is generally defined as follows:

- a. *"Bullying" is conduct that meets all of the following criteria:*
 - i. *is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely to evoke fear of physical hand or emotional distress;*

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- The moving Directors also allege that Dir. Rubin violated the following section(s) from the Mar Vista Community Council Bylaws [Article XIV COMPLIANCE, Section 1: Code of Conduct](#).

The MVCC, its Board of Directors, and appointed Committee Chairs shall abide by a code of ethics, civility and conduct that conforms to all applicable federal, State of California and City of Los Angeles laws and ordinances, including but not limited to LAMC 49.53.1 et.seq. (The City of Los Angeles Governmental Ethics Ordinance.)

The MVCC shall abide by the Board of Neighborhood Commissioners Neighborhood Council Board Member Code of Conduct Policy and the MVCC Code of Conduct.

Violation of the Code of Conduct by a Director or Committee Chair(s) may result in Censure or removal. The MVCC shall consult with the Office of the City Attorney before any removal process.

A copy of the signed Code of Conduct shall be presented to the MVCC Secretary within thirty (30) days of appointment.

- The moving Directors also allege that Dir. Rubin violated the following section(s) from the MVCC Code of Civil Conduct, and the [MVCC Officials' Pledge of Civility](#)

1. Conduct themselves in a professional and civil manner at all times while a MVCC Official.

9. Abide by the MVCC's meeting procedures and/or rules in order to create a safe and effective environment for conducting business

THE MOTION:

THEREFORE BE IT RESOLVED The Mar Vista Community Council Censures Dir. Martin Rubin for violating the Neighborhood Council Board Member Code of Conduct; sections (1, 2, 4, 6a & 6ai), the MVCC Bylaws; Article XIV COMPLIANCE, Section 1, Code of Conduct, the MVCC Code of Civil Conduct, and the MVCC Officials' Pledge of Civility (pledge numbers 1 & 9).

ACTION/VOTE COUNT:

MVCC Board Meeting, February 15, 2024

Motion moved by XXX, seconded by XXXX

Motion approved by the MVCC Board XX-XX-XX