

EL SERENO

Neighborhood Council

BYLAWS

Approved April 4, 2018

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ARTICLE I: NAME

The name of this Neighborhood Council is **El Sereno Neighborhood Council** (“**ESNC**”).

ARTICLE II: PURPOSE

The purpose of **ESNC** is to participate as a body on issues concerning our neighborhood and the governance of the City of Los Angeles (“City”) in a transparent, inclusive, collaborative, accountable and viable manner.

Section 1: Purposes – The purposes of **ESNC** are to:

1. Provide an inclusive and open forum for public discussion of issues of interest related to **ESNC**, including City governance, the needs in and of **ESNC**, the delivery of City services to **ESNC** and other matters of a citywide nature.
2. Represent the interests of all **ESNC** members (“Stakeholders”) regarding public policy issues affecting the **ESNC** region (herein referred to as “Area”).
3. Advise the City on issues of interest to **ESNC**, including City governance, the needs of **ESNC**, the delivery of City services in the **ESNC** Area and other matters of a citywide nature.
4. Promote Stakeholder participation in City governance and decision-making processes and promote greater awareness and utilization of City services.
5. Initiate, execute and support projects for the physical, social and cultural improvement in the Area.
6. Interact with and monitor City activities in the Area to assure effectiveness, accountability and timeliness in response to complaints received from Stakeholders to the **ESNC**.
7. Serve as a forum whereby City agencies may present information on projects that will affect the Area.
8. Recommend and advise the City and other agencies on land use and economic development issues and on methods to improve the delivery of services to the Area.
9. Facilitate communication between the City and Stakeholders on issues of concern related to the Area.
10. Promote and enhance civic participation and community affairs ensuring the opportunity for diverse interests in **ESNC** sponsored or affiliated events.
11. Work with other Neighborhood Councils, as appropriate, on issues of common interest.

12. Assist other organizations, as appropriate, which request help in accomplishing their objectives and projects that the **ESNC** Board of Directors (“Board”) decides to support.

Section 2: Policy – The policy of **ESNC** is to:

1. Respect the diversity, dignity, and expression of views of all individuals, groups and organizations within the Area.
2. Remain non-partisan with respect to political party affiliation and be inclusive in LA-32 NC operations including, but not limited to, the process of electing or selecting the Board, Executive Officers (“Officers”) and committee members.
3. Utilize the Early Notification System (“ENS”) to inform Stakeholders of matters involving the City and the community in a way that is tailored to provide opportunities for involvement in the decision-making process.
4. Encourage Stakeholders to participate in activities within the Area.
5. Inform and educate Stakeholders of forthcoming projects, community events and of available resources via social media, **ESNC** website, or other available forums.
6. Consistently and diligently provide outreach to the diverse members of the Area.
7. Prepare outreach materials in English and other languages as needed.
8. Provide translation and interpretation services at Board Meetings when resources are available and advanced notification has been received, as required by the Department of Neighborhood Empowerment (“DONE”), to the **ESNC**.
9. Prohibit discrimination against any individual or group on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, marital status, income, homeowner/renter status, or political affiliation.
10. Maintain fair, open, and transparent procedures for conducting **ESNC** activities.

ARTICLE III: BOUNDARIES

ESNC covers a geographic area described below:

Section 1: Boundary Description - The boundaries abut the boundaries of adjacent Neighborhood Councils, and the City of Los Angeles boundaries. The boundaries of **ESNC** shall be that of the 90032 ZIP code, except for the housing condominiums of Monterey Hills, Census Tract 2013.020.

The legal description of **ESNC is as follows:**

Beginning at Collis Ave where the City of Los Angeles and City of South Pasadena intersect, along the southern boundary of South Pasadena until it meets the western boundary of the City of Alhambra;

Continuing southerly along the western boundary of the City of Alhambra, until it meets with the northern boundary of the City of Monterey Park, then westerly along the northern boundary of the unincorporated area of Los Angeles County, known as East Los Angeles, to the intersection of Worth Street and Miller Avenue, excluding the property north of Worth Street and Miller Ave. (APN: 5223002016)

Continuing westerly on Worth Street to the intersection of Worth Street and Boca Ave, then continue westerly along the Union Pacific Transportation Company Right of Way (railroad tracks) to Soto Street, continuing north on N Soto Street to the commercial property line south of the intersection of N Soto Street and N Mission Road;

Continuing west along the south property line of that commercial property, running south along N Mission Road to N Broadway;

Continuing along the property lines separating zip codes 90031 and 90032 to Mercury Ave, continuing along the entire boundary line of Debs Park to Monterey Road,

Then south on Monterey Road including the properties on the east side of Monterey Road to Via Marisol;

East on Via Marisol to Via Mia; then east on Via Mia to the western property line of the residential properties with the 90032 zip code on the west side of Collis Ave; then continue north along that western property line to the starting point where the City of Los Angeles and the City of South Pasadena intersect at Collis Avenue.

The **ESNC** Neighborhood Council shares Ernest E. Debs Regional Park, 4235 Monterey Rd, Los Angeles, CA 90032 with Historic Highland Park Neighborhood Council, Arroyo Seco Neighborhood Council, and Hermon Neighborhood Council.

The **ESNC** shares the residential properties on the east side of Monterey Rd. with Arroyo Seco NC.

Section 2: Internal Boundaries – There are four regions within **ESNC**:

- A. **North Region** – North of Huntington Drive and East of Monterey Road.
- B. **East Region** – East of Eastern and South of Huntington Drive, and North of the Union Pacific ROW.
- C. **South Region** – South of the Union Pacific ROW.
- D. **West Region** – West of Eastern Avenue and Monterey Road, and North of the Union Pacific ROW.

ARTICLE IV: STAKEHOLDERS

Neighborhood Council membership is open to all Stakeholders. “Stakeholders” shall be defined as those who live, work or own real property in the neighborhood and also to those who declare a stake in the neighborhood as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council’s boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

ARTICLE V: GOVERNING BOARD

The Board is the governing board as set forth in these Bylaws.

Section 1: Composition – The Board consists of fifteen Stakeholders elected, selected, or appointed by the Board and/or Stakeholders. Five Executive Officer Seats, eight Director Seats which are elected by the Stakeholders of their respective four Regions, and two Directors are elected At-Large. All candidates may run for the following Executive Officer positions.

The composition of the Board is as follows:

A. Executive Officer Seats:

- President – Stakeholder who lives, works or owns real property within the **ESNC** boundaries who is 18 years or older.
- Vice President– Stakeholder who lives, works or owns real property within the **ESNC** boundaries who is 18 years or older.
- Treasurer– Stakeholder who lives, works or owns real property within the **ESNC** boundaries who is 18 years or older.
- Corresponding Secretary– Stakeholder who lives, works or owns real property within the **ESNC** boundaries who is 18 years or older.
- Recording Secretary– Stakeholder who lives, works or owns real property within the **ESNC** boundaries who is 18 years or older.

B. Regional Seats

- a. **North Region** – Two Directors who are located in or serve this region. Positions for ANY Stakeholder who is at least 18 years of age and who lives, works or owns property that is located or serves this region.
- b. **South Region** – Two Directors who are located in or serve this region. Positions for ANY Stakeholder who is at least 18 years of age and who lives, works or owns property that is located or serves this region.

- c. **East Region** – Two Directors who are located in or serve this region. Positions for ANY Stakeholder who is at least 18 years of age and who lives, works or owns property that is located or serves this region.
 - d. **West Region** – Two Directors who are located in or serve this region. Positions for ANY Stakeholder who is at least 18 years of age and who lives, works or owns property that is located or serves this region.
- C. At-Large Seats
- a. **Regional** - One Director who, as Stakeholders, is located in or serve any Region of the **ESNC** area. Position for ANY Stakeholder (who is at least 18 years of age and who lives, works or owns property) that serves the **ESNC** area.
 - b. **Community Organization** – One Director who, as a Stakeholder (and who is at least 18 years old), and affirms a substantial and ongoing participation within the Area, but not limited to, educational, non-profit and/or religious organizations.

No single organized Stakeholder group will hold a majority of Board seats unless extenuating circumstances exist that are approved by the Department. Directors will disclose pecuniary and non-pecuniary interests prior to voting. If there are conflict of interest questions, the Director will consult with the Office of the City Attorney (“City Attorney”).

Each Board member is referred to as “Director.”

Section 2: Quorum – Quorum is defined as a simple majority of the group: two for Standing Committee meetings, three for Executive Committee meetings, and eight for Regular or Special Board Meetings. Any official vote can be taken only when a quorum exists. Floating quorum is not allowed.

Section 3: Official Actions – For Board votes, a simple majority vote (50% + 1) by the Directors present, ~~not including abstentions~~, at a meeting at which there is a quorum is required to take official action, unless specified otherwise in these Bylaws. **Abstentions will be counted as a yes vote.** Appointed committee members can vote at Committee meetings. Any Director who has a financial or material pecuniary interest in an item, as defined by State, Federal or local laws, must recuse him/herself from voting on any item in question.

Section 4: Terms and Term Limits – Directors serve a two-year term commencing after being seated (unless otherwise voted on by the Board and approved by DONE). Beginning in 2012, Directors cannot serve more than eight consecutive years on the Board and can never serve more than a lifetime limit of twelve total years.

Section 5: Duties and Powers – The primary duties of the Board are to govern **ESNC** and to carry out its objectives. No individual Director is authorized to speak for the Board or otherwise publicly represent a Board position unless an official action of the Board has been promoted at a public meeting. The Board may, by official action, delegate to any Director the authority to present before any public body a standing **ESNC** position previously adopted by the Board; such authority may be revoked at any time by the Board.

Section 6: Filling Vacancies – If a Director resigns, is expelled, or is recalled from his/her

position, or if there were not enough candidates to fill a specific category during the election, the Board will nominate seated Directors to fill Executive Officer positions or select Stakeholders to fill Board vacant positions. Within two weeks after being selected to fill a vacancy, successful candidates (except for seated Directors) must verify Stakeholder status and complete the DONE candidate application form and emailing it to the Executive Committee.

The order of selection of Directors is as follows:

- A. **Runners-up for Same Region** – The Board first nominates from the pool of candidates in the same Region who did not win a seat in the previous election, but who are still interested in serving;
- B. **Top Runners-up for Any Other Region** – If there were no losing candidates from the same Region, the Board nominates from the top runner-up candidates from other categories (Region or At-Large);
- C. **Nominated Stakeholders** – Directors may nominate Stakeholders, or any Stakeholder can request consideration for filling a vacancy; and
- D. **Board Approval** – The Board votes and approves all nominations to fill vacancies by a simple majority vote. The Director selected in this way will serve out the remainder of the original term.

In no event can a vacant seat be filled while a general election is scheduled to occur within sixty days from the date of vacancy.

Section 7: Absences – Any Director who misses two consecutive regularly scheduled Board Meetings or three total Board meetings during any twelve month period will be automatically removed from the Board. Each Director’s absence is recorded in the **ESNC** meeting minutes, and once a Director has missed the required number of Board meetings for removal, the **ESNC** President must provide notice to that Director that his/her seat has been declared vacant.

Prior to the item being placed on the agenda, the President must consult with the City Attorney for guidance on the removal process. Expulsion from the Board will not affect Stakeholder status.

Section 8: Censure – The Board can take action to publicly reprimand a Director for actions conducted in the course of Board business by censuring the Director at a Board Meeting. Censures must be placed on the agenda for consideration and action, and the Recording Secretary must include a copy of the Censure in the Director’s file. The Board must consult with the City Attorney throughout the censure process.

Section 9: Removal of Directors – The Board must consult with the City Attorney throughout any Board removal process. Directors can be removed in the following ways.

- A. **Petition by Stakeholders** – A Director may be removed from the Board by the submission of a Stakeholder petition to the Corresponding Secretary, which includes: 1) the identity of the Director to be removed, 2) a description, in detail, of the reason for removal (including reference to the violated Bylaws or government policies), and 3) the valid signatures of two hundred Stakeholders.
1. Upon receipt of a written petition, the Executive Committee must place the censure on the agenda for a vote at the next Regular Board Meeting.
 2. Removal of the identified Director requires a two-thirds majority of the attending Directors; however, the Director subject to removal will not be counted toward quorum or allowed to vote on the matter.
 3. The Director who is the subject of the removal process has the right to deliver to all Directors a written statement about the matter and/or to speak at the Board Meeting prior to the vote.
- B. **Petition by Board** – A Director may be removed from the Board by fellow Directors for good cause, including, but not limited to: disruptive conduct; interfering with **ESNC** business; or violations of the Bylaws or Standing Rules (see “Attachment C”) following a Director’s submission of a petition that includes the following: 1) the identity of the Director to be removed, 2) the reason for removal by identifying the violation of the Bylaws or government policies, and 3) the signatures of at least nine Directors.
1. The petition must be delivered simultaneously to all Directors, the matter placed on the agenda, and scheduled for a vote at the next Regular Board Meeting.
 2. Removal of the identified Director requires a two-thirds majority vote of the attending Directors.
 3. The Director being removed must first be censured by the Board before a petition for removal will be considered by **ESNC**.

If the vote for removal is affirmative, the position will be deemed vacant and filled in accordance with the Bylaws vacancy clauses.

Section 10: Resignation – A Director may resign from the Board, and the position must be deemed vacant. Any member of the Board who ceases to be a Stakeholder is required to submit his or her resignation to the Board in writing.

Section 11: Community Outreach – The Board will perform outreach to Stakeholders to inform them of activities in the Area, including Board elections, to find future leaders of the Board and to encourage Stakeholders to seek leadership positions on the Board and committees. Further services are presented in Article VII Section (1) (f).

ARTICLE VI: OFFICERS

Section 1: Officers of the Board – The Officers include the following positions, which together comprise the Executive Committee (herein referred to as Committee in this Article.): President, Vice President, Treasurer, Recording Secretary and Corresponding Secretary. Officers will be elected during the election process.

Section 2: Duties and Powers – The duties of the Officers are as follows and also include such additional duties as may be adopted by any official action of the Board.

A. President:

1. Presides over the Board in the capacity of chair and presiding officer of Board Meetings.
2. Chairs the Committee and prepares the meeting agenda with the assistance of the Committee.
3. Serves as the official **ESNC** representative, including as liaison with governmental agencies.
4. Establishes committees as defined in Article VII and appoints committee members. The President must confer with Committee Chairs on removals. The President must have good cause for removal of a committee member and must state the good cause at the Board Meeting where removal is occurring. The individual being removed must have an opportunity to speak at the meeting. Public comment will be allowed but will be limited to fifteen minutes (and under special circumstances may be extended by the Chair).
5. Maintains an official archive of all relevant Board reference materials, including the Bylaws.
6. Assists the Vice-President as needed to moderate **ESNC** forms of social media (Website, Facebook, Twitter, YouTube, etc.). The President will be given the passwords and usernames to do so.
7. Performs such other duties as determined by the Board, consistent with these Bylaws and Title IX of the Charter.

B. Vice President:

1. Presides, performs duties, and acts in the absence of the President.
2. Assists in the preparation of the agenda and invites guest speakers.
3. Maintains, posts, and moderates all forms of social media (Web Page site, Facebook, Twitter, and YouTube, etc.). The Vice President will be given passwords and usernames to do so.
4. Works with the City to ensure compliance of **ESNC** social media platforms.
5. Records and maintains an official archive of all video footage of **ESNC** Regular Board Meetings and Executive Committee Meetings as digital files on the **ESNC** hard-drive and posts them online.
6. Performs other duties assigned by the President.

C. Treasurer:

1. Receives and disburses all funds and issues receipts.
2. Maintains as an archive **ESNC**'s book of accounts, as directed and approved by Office of the City Clerk ("City Clerk"), submits accounting statements to City Clerk as required, and reports receipts and expenditures at **ESNC** Board Meetings.
3. Chairs the **ESNC** Budget & Finance Committee, working closely with the Chairs of all established Committees as specified in Article VII.
4. Develops a basic understanding of financial record-keeping procedures and conducts the functions of the Treasurer's office as prescribed by City Clerk and as more fully described in Article IX.
5. Submits annual reports to the City Clerk and works with the Inventory Committee. Maintains inventory by obtaining check-in and check-out forms, reporting lost, stolen or broken items to the Board by the next Regular or Special Board Meeting. Files police reports within thirty days of notice, including required City Clerk forms, and reports back to the Board.
6. Must conduct an inventory of all equipment of **ESNC** holdings within one month of the beginning of the Treasurer's term and one month prior to the end of the Treasurer's term (or at the time of resignation or removal).

D. Recording Secretary:

1. Prepares and obtains approval of the minutes of all Board Meetings and Executive Committee meetings, collects minutes of other Committees, and maintains the various minutes in a "Minute Book" as an archive – unless a contractor has been hired to prepare the minutes.
2. Notifies the public, **DONE**, and the Board of scheduled meetings.
3. Takes roll call of Directors at Board and Executive Committee meetings and tallies Board votes on motions.
4. Maintains an updated roster of Directors' eligibility to vote.

E. Corresponding Secretary:

1. Notifies the public of all Board and Executive Committee Meetings (excluding Joint Board Committee Meetings), by posting as required by the policy of the Board of Neighborhood Commissioners (reference "Attachment D") at least seventy-two hours in advance of a Regular Board Meeting or twenty-four hours in advance of a Special Board Meeting. Additional outreach methods may include, but are not limited to, mailing notices to active members, newsletters, email, street banners, and additional electronic and physical postings.
2. Maintains Stakeholder sign-in sheets and public comment cards from Board Meetings to be used for the maintenance of an ongoing Stakeholder database.
3. Writes and mails Board correspondence and maintains copies of such correspondence.
4. Works closely with the Civic Engagement Committee Chair to devise methods to increase participation in and attendance at Board and Committee meetings, as specified in Article VII.
5. Assists the Vice President and Civic Engagement Committee Chair with maintaining the Board's website presence. The Corresponding Secretary will be given the passwords and usernames to do so.

6. Maintains a sufficient supply of copies of the current Bylaws in order to make the Bylaws available to any Stakeholder upon reasonable request.

Section 3: Selection of Officers – Officers serve two-year terms, starting at the first Board meeting following the **ESNC** election unless the term is modified by DONE directive.

All candidates are eligible to run for the five Officer positions during the elections of the Board.

- A. **Vacancies:** If there are Officer vacancies that occur in midterm, or positions are not filled during Board elections, the following process will be followed:
 1. At the first Regular Board Meeting following the vacancy of the Officer position(s), all Directors eligible to vote will select the Officers. Any tie-vote must be decided by a second vote involving the two highest vote getters.
 2. Directors can self-nominate or nominate.
 3. If there are Director vacancies, the Board will first attempt to fill Director seats prior to the Board selection of Officers.

ARTICLE VII: COMMITTEES AND THEIR DUTIES

All committees are established by these Bylaws.

Section 1: Standing Committees – Standing Committees are permanent committees. The following Standing Committees are ongoing for the continued success of **ESNC**:

- A. **Executive Committee** performs duties as explained in Article VI.
- ~~B. **Sports and Recreation Committee** plans and carries out functions involving our parks and recreation, including outside sporting activities.~~
- B. **Arts and Recreation Committee** plans and carries out functions and projects involving / related to parks, recreation, sporting activities and any event or projects involving the arts and culture of the community.
- C. **Land Use and Development Committee** prepares for the Board reports and recommendations on land use and economic development projects affecting the Area and invites City officials to discuss those projects with the Committee and the Board.
- ~~D. **Beautification Committee** works with any and all projects dealing with the physical beautification aspects of our community.~~
- D. **Beautiful Green Committee** works with any projects dealing with the physical beautification of the community and promotes any issues concerning the environment, sustainability and it's relevance to healthy living.
- ~~E. **Arts and Culture Committee** reports and recommends to the Board on community events and projects involving the arts and the culture of the Area and makes recommendations to support these projects, and/or develops new projects for **ESNC** to pursue.~~
- E. **Civic Engagement Committee** works in cooperation with all other committees to achieve goals as described above in Article V, Section 11, devises methods to increase Stakeholder participation and attendance at Board and committee meetings and works closely with the Corresponding Secretary.

1. The Committee maintains a website presence to disseminate information to Stakeholders and others interested in the Area, working with the Vice President and the Corresponding Secretary. Usernames and passwords to social media platforms will be given to the Chair.
2. The Committee creates, develops, and implements a marketing plan. The plan may include, for example, the creation of flyers, postcards, pamphlets and other related outreach materials. The plan must include email blasts to various organizations and stakeholders.
3. The Committee undertakes other outreach activities at public events and coordinates with other Neighborhood Councils as appropriate.

F. **Public Safety Committee** works with Community Emergency Response Team, Fire Department, Police Department, and any other local public safety agencies or organizations to deal with public safety concerns in the Area.

G. **Business and Economics Committee** works with the City, businesses and organizations to aid as liaison between the businesses and City monetary concerns within the Area.

~~I. **Environmental Green Committee** promotes issues concerning our environment and the importance of healthy living choices, and encourages policies that sustain and improve the environment.~~

H. **Bylaws Committee** enforces as well as recommends amendments to the Bylaws. These members must know and understand these Bylaws and inform all Stakeholders of amendments via the established process as defined in Article XIII.

I. **Education Committee** acts as the Board liaison with any educational entity within the Area, and/or develops new educational projects for the Board to support.

~~J. **Budget and Finance Committee** handles all budget, expenditure, and financial matters.~~

~~K. **Inventory Committee** conducts audits of all Board inventory every quarter and submits the reports at the Regular Board Meetings in March, June, September, and December.~~

J. **Budget, Finance and Inventory Committee** handles all financial matters including budget and expenditures and maintains control of NC equipment - conducting quarterly audits of the inventory with reports given at the regular Board meetings in March, June, September and December.

Section 2: Ad Hoc Committees – The Board approves Ad Hoc Committees to deal with temporary issues. Ad Hoc Committees cannot include more than three Directors and may include any interested Stakeholders. If any stakeholders are named to an Ad Hoc Committee, the Ad Hoc Committee must meet in compliance with the Brown Act.

Section 3: Committee Creation and Authorization – In an effort to increase community participation, committee members need not be Directors, but must be Stakeholders. Only those Committee members who are Directors are eligible to serve as Chairs of a committee.

All committee members have voting rights at committee level.

- A. With the exception of the Executive Committee, the President will appoint three Committee Members for each committee by nomination and/or self-nomination.

- B. The President has the power to remove members as described in Article VI, Section 2.
- C. Standing Committees include at least one Director and may include Stakeholders.
- D. Terms of office of all committee members expire at the end of term of the Board during which they were appointed.
- E. All committee recommendations are to be submitted to the Executive Committee for agenda setting and then presented at a Board Meeting for discussion and action. Committee recommendations must be submitted via email twenty-four hours prior to the Executive Committee meeting or walked in at the Executive Committee meeting. Recommendations will only be submitted if approved by a quorum of the pertinent committee meeting.
- F. Committee meetings must be subject to and in accordance with the Brown Act and the Bylaws. Minutes must be taken at every Committee meeting.
- G. The Board make changes to any Standing Committee or establish or disband an Ad Hoc Committee. Any such action by the Board must be agendized and noted in the Board Meeting minutes.

ARTICLE VIII: MEETINGS

All meetings, as defined by the Ralph M. Brown Act (*California Government Code Section 54951.5 et. seq.*), must follow and abide by all applicable laws and governmental policies.

Section 1: Meeting Time and Place – All meetings must be held within **ESNC** boundaries at a location, date, and time set by the Board or Committees. A calendar of Regular Meetings must be established by the Board at the first Regular Meeting of each calendar year.

- A. **Regular Board Meetings** are held on the first Wednesday of every month and start at 6:00 pm at the El Sereno Senior Citizen Center. Any change to the location or time must have been approved at the previous Board Meeting. This meeting must be advertised as extensively as possible to the Area, as specified in Article VIII, Section 3. Quorum must be established by 6:20 pm, or the meeting will be cancelled. Directors not present by 6:20 pm will be considered absent if the meeting is cancelled for lack of quorum.
- B. **Executive Committee Meetings** are held each month following a Regular Board Meeting, but prior to the next Regular Board Meeting. The purpose of the meeting is to plan and place items on the agenda for consideration at the next Regular Board Meeting. The date, time and place of this meeting must be advertised as extensively as possible to the Area and in compliance with the Ralph M. Brown Act.
- C. **Committee Meetings** must be held at least once per quarter and may be held more frequently, as determined by the Committees. Meetings must be called by the Chair to be held at reasonable times and locations and in compliance with the Ralph M. Brown Act.

- D. **Special Board Meetings** – The President or a majority of the Board can call a Special Board Meeting, with the time and place determined by the relevant party. If the Special Board Meeting is not called by the President, the majority of the board who called the meeting must be identified prior to the creation of the agenda. Special Board Meetings will only be conducted when there is urgency. The President will set the agenda, or delegate the task to another Executive Officer. The urgency of each item on the agenda must be relayed to the Board prior to scheduling and must meet one of the following criteria: (1) be a directive of DONE; (2) have been on the prior Board agenda and be time sensitive requiring action before the next Regular Board Meeting; or (3) relate to emergencies or disasters in the Area. The date, time, and place of this meeting must be advertised as extensively as possible to the Area and in compliance with the Ralph M. Brown Act. In the event the date of a Regular Meeting falls on a National Holiday, the Regular will be cancelled and be rescheduled as a Special Meeting and will not require Board approval.
- E. **Public Comment** – Prior to any action by the Board, there must be a period of public comment. The total period for all public comment is limited to thirty minutes, and the President cannot limit any speaker to less than one minute of speaking time. Any Director may make a motion to extend the public comment period.

Section 2: Agenda Setting – The Executive Committee sets the agenda for each Regular Board Meeting.

- A. **Stakeholder Proposal:** Any Stakeholder may make a proposal for action by the Board by submitting a written request to the President or Presiding Officer, or during the public comment period of a Board Meeting. The President will promptly refer the proposal to a Standing Committee. The Board will either consider the proposal or create an Ad Hoc Committee to consider the proposal, but the Board is not required to take further action. Proposals made under this subsection are subject to the rules regarding Reconsideration.
- B. **Stakeholder Petition:** Stakeholders must submit a petition of at least fifty Stakeholder signatures, including region and name, to compel the Board to entertain a vote on a motion. The petition must include a paragraph of a minimum of fifty words and a maximum of one hundred words outlining the purpose and content of the Petition. Separately the Stakeholder in question will submit their contact information to the Corresponding Secretary for purposes of scheduling the Petition on the agenda. Contact information will remain confidential.

Section 3: Notification/Postings – At a minimum, meeting notices must be posted in compliance with the Ralph M. Brown Act and in compliance with Board of Neighborhood Commissioners' Posting Policy (see Attachment D). An updated listing of the Board's and committees' physical posting location/s must be referenced on the agenda.

Section 4: Reconsideration – The Board may reconsider or amend its actions through the following Motion for Reconsideration ("Reconsideration") process:

- A. Before the Board reconsiders any matter, Reconsideration must be approved by official action of the Board. After determining that an action will be reconsidered, the

Board has the authority to re-hear, continue, or take action on the item that is the subject of reconsideration as per the Reconsideration.

- B. The Reconsideration must be presented, and the Board's approval of Reconsideration must occur, either during the same meeting where the Board initially acted or during the next Regular Board Meeting, following the meeting where the action subject to reconsideration occurred. Reconsiderations are not allowed at Special Board Meetings.
- C. Reconsideration may be proposed only by a Director who previously voted on the prevailing side of the original Board action and in light of new material information.
- D. The moving Director may make the Reconsideration orally during the same meeting where the action that is the subject of reconsideration occurred.
- E. In order to properly place the Reconsideration on the agenda of the subsequent Regular Board Meeting, the moving Director must submit a memorandum to the Recording Secretary at least two days in advance of the deadline for posting notices for the meeting. The memorandum must briefly state the reason(s) for requesting the Reconsideration, provide the Recording Secretary with an adequate description of the matter(s) to be re-heard, and propose action(s) that may be considered by the Board if the Reconsideration is approved.
- F. A Motion for Reconsideration that is properly brought before the Board must be seconded by any Director in order to be considered by the Board.
- G. This Reconsideration process must be conducted at all times in accordance with the Brown Act.

Referendum is a procedure by which Stakeholders compel the Board to reconsider a vote on an action taken earlier by the Board. Any Stakeholder may submit a referendum to the Board with no fewer than one hundred signatures of Stakeholders supporting the Referendum. The Referendum must include a paragraph of one hundred words or less outlining the purpose and content of the Referendum. The Board must reconsider their action based on the motion of referendum at the next Board Meeting.

ARTICLE IX: FINANCES

- A. The Board must prepare, review, and update its fiscal budget and make adjustments as needed in order to comply with City laws and administrative rules, and to keep in compliance with Generally Accepted Accounting Principles ("GAAP") as issued by the Financial Accounting Standing Board and other DONE and City Clerk requirements.
- B. The Board must comply with all rules and regulations promulgated by appropriate and governing City Agencies regarding **ESNC** finances and GAAP.
- C. All Board financial accounts and records must be available for public inspection and posted on the **ESNC** website by the Treasurer within two weeks of Board approval.

- D. Each month, the Treasurer provides the Board with a Monthly Expense Report (“MER”) including itemization of expenditures and copies of receipts for Board approval.
- E. At least once each quarter, the President and at least one other individual other than the Treasurer, who is appointed by the Board, must examine **ESNC** accounts and attest to their accuracy before submitting the documentation to City Clerk for further review.
- F. The Board is prohibited from entering into any contracts or agreements except through the City Clerk.
- G. The Treasurer issues a form for processing all funding requests that outlines the steps to request funding from the Board. These forms will be made available online on the **ESNC** website.
- H. The Treasurer is the first signatory on funding items. The second and alternate signatory persons will be appointed by the Board.

ARTICLE X: ELECTIONS

Section 1: Administration of Elections – Board elections must be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council elections.

Section 2: Governing Board Structure and Voting – The number of Directors, the eligibility requirements for holding any specific Board seats, and whether Stakeholders may vote for the Board seats are noted in Attachment B.

Section 3: Minimum Voting Age – All Stakeholders who are at least eighteen years old are allowed to vote in Board elections.

Section 4: Method of Verifying Stakeholder Status – Voters must support the validity of their Stakeholder status by providing acceptable documentation.

Section 5: Restriction on Candidates Running for Multiple Seats – A candidate cannot declare candidacy for more than one Region or At Large position during a single election cycle. During **ESNC** elections, all candidates may run for one of the following Executive Officer positions: President, Vice President, Corresponding Secretary, Recording Secretary, and Treasurer.

Section 6: Other Election Related Language – No elected City official can serve on the Board. If a Director is subsequently elected to City office, he or she must immediately resign the Director position. This section limits only City elected office holders.

ARTICLE XI: GRIEVANCE PROCESS

- A. Board members are not permitted to file a grievance against another Board member or against the Council, except as permitted under the City’s grievance policy. The Neighborhood Council grievance review process will be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council

grievances.

- B. Any grievance by a Stakeholder must be submitted in writing to the Board who shall cause the matter to be placed on the agenda for the next regular Council meeting.
- C. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Secretary from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.
- D. Within two (2) weeks of the panel's selection, the Secretary shall coordinate a time and place for the panel to meet with the person(s) submitting a grievance to discuss ways in which the dispute may be resolved.
- E. Within two (2) weeks following such meeting, a member of the panel shall prepare a written report to be forwarded by the Secretary to the Board outlining the panel's collective recommendations for resolving the grievance. The Board may receive a copy of the panel's report and recommendations prior to a Board meeting, but, in accordance with the Brown Act, the matter shall not be discussed among the Board members until it is heard publicly at the next regular Council meeting.
- F. This grievance process is intended to address matters involving procedural disputes, such as the Board's failure to comply with Board Rules or these Bylaws. It is not intended to apply to Stakeholders who merely disagree with a position or action taken by the Board at one of its meetings, which grievances may be aired publicly at Council meetings.

ARTICLE XII: PARLIAMENTARY AUTHORITY

Board and Standing Committees will use the Bylaws as their parliamentary authority. If there is no rule to address the issue at hand, Robert's Rules of Order (edition provided to the current board) will be used.

- A. Standing Rules may be adopted by a simple majority vote of the Board to supplement these Bylaws. Such rules are in addition to these Bylaws and must not be construed to change or replace any Bylaws.
- B. In the case of conflict between these Bylaws and a Standing Rule, these Bylaws prevail. Standing Rules may be adopted, amended, or repealed by a simple majority vote of the Board.

ARTICLE XIII: AMENDMENTS

- A. Any Director can propose an amendment to these Bylaws. The Board must forward all proposals to the Bylaws Committee to review and provide recommendations to the Board.
- B. Any Stakeholder can propose an amendment to these Bylaws during the public

comment period of a Board Meeting by submitting a petition of at least one hundred Stakeholder signatures, including at least twenty-five signatures from each of the four Regions to support the motion to amend.

- C. Any amendment to the Bylaws requires two weeks of public notice to allow for Stakeholder comment before the Board can consider the amendment. Posting must be at least at one physical location, through all **ESNC** social media, and through DONE's Early Notification System (ENS).
- D. After proper notice, proposed amendments will be noticed on the agenda for public discussion and Board vote at the next Regular Board Meeting.
- E. An amendment to these Bylaws requires a two-thirds vote of the Directors present at a Regular or Special Board Meeting. All approved amendments must then be forwarded to DONE for review and approval.
- F. Amendments are not valid, final or effective until approved by DONE. Once approved, any changes in the Bylaws become effective immediately.

ARTICLE XIV: COMPLIANCE

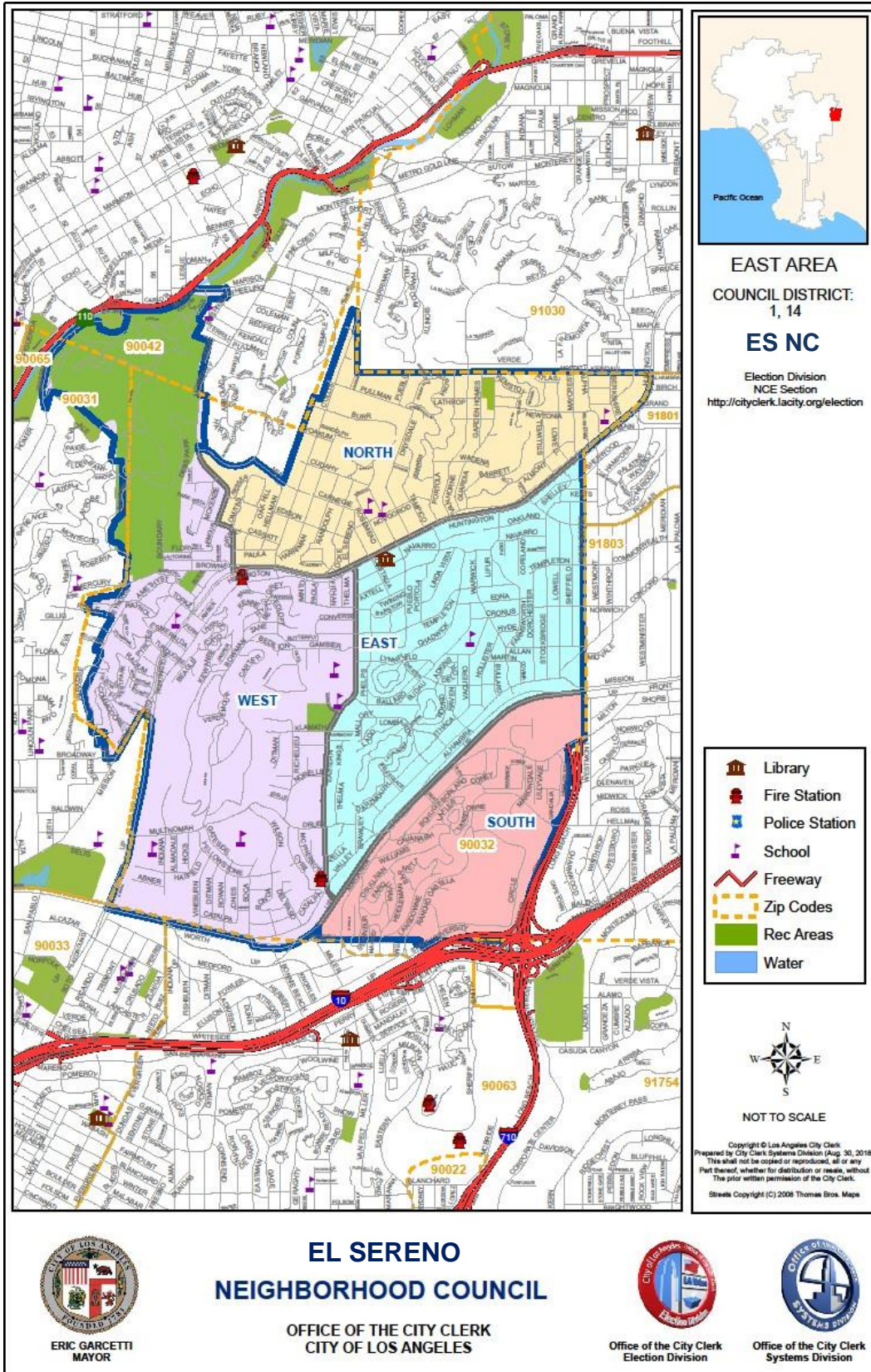
The Board, its representatives, its Directors, and all Stakeholders must comply with these Bylaws and with any additional adopted Standing Rules, as well as all local, county, state and federal laws, including, without limitation, the Plan, the City Code of Conduct, the City Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1), the Brown Act, the Public Records Act, the Americans with Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest. A Director must not speak on or vote on a matter in which he or she, or his or her family, has a direct financial stake, without first seeking City Attorney approval.

Section 1: Code of Civility – **ESNC**, its Directors, and all Stakeholders must conduct all Board and committee business in a civil, professional and respectful manner. Directors must abide by Board of Neighbor Commissioners' Neighborhood Council Board Member Code of Conduct Policy.

Section 2: Training – Directors must take training related to the Neighborhood Council, including, but not limited to, ethics, funding, workplace violence and sexual harassment provided by the City within forty-five days of being seated, or they will lose their Board voting rights. All Directors must take ethics and funding training prior to making motions and voting on funding related matters.

Section 3: Self-Assessment – Every year, the Board must conduct a self-assessment pursuant to Article VI, Section 1 of the Plan.

ATTACHMENT A – Map of ESNC Neighborhood Council



ATTACHMENT B – Governing Board Structure and Voting **ESNC** – 15 Board Seats

----- BOARD SEATS TO BE FILLED DURING ELECTION -----

All candidates are available to run for one of the Officer positions.

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
President Term: 2 Years	1	Elected	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older
Vice President Term: 2 Years	1	Elected	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.
Treasurer Term: 2 Years	1	Elected	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older
Corresponding Secretary Term: 2 Years	1	Elected	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older
Recording Secretary Term: 2 Years	1	Elected	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older.	Stakeholder who lives, works or owns real property within the ESNC boundaries who is 18 years or older
West Region Directors Term: 2 Years	2	Elected	Stakeholders who live, work, own property or a business, or are members of a community organization or public agency within the defined boundaries of the West Region and are at least 18 years old.	Stakeholders who are at least 18 years old and live, work, or own property in the ESNC West Region.
East Region Directors Term: 2 Years	2	Elected	Stakeholders who live, work, own property or a business, or are members of a community organization or a public agency within the defined boundaries of the East Region and are at least 18 years old.	Stakeholders who are at least 18 years old and live, work, or own property in the ESNC East Region.

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
North Region Directors Term: 2 Years	2	Elected	Stakeholders who live, work, own property or a business, or who are members of a community organization or public agency within the defined boundaries of the North Region and are at least 18 years old.	Stakeholders who are at least 18 years old and live, work, or own property in the ESNC North Region.
South Region Directors Term: 2 Years	2	Elected	Stakeholders who live, work, own property or a business, who are members of a community organization or a public agency within the defined boundaries of the South Region and who are 18 years or older.	Stakeholders who are at least 18 years of age and live, work, or own property in the ESNC South Region.
At-Large-Regional Director Term: 2 Years	1	Elected	Stakeholders who live, work, own property or a business, or are members of a community organization or public agency within the defined boundaries of ESNC and are at least 18 years old.	Stakeholders who live, work or own property within ESNC and are at least 18 years old at the time of the election.
At-Large-Community Organization Director Term: 2 Years	1	Elected	Stakeholders who affirm a substantial and ongoing participation within the Area; who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations; and who are at least 18 years old.	Stakeholders who are at least 18 years old at the time of the election.

ATTACHMENT C – Standing Rules

- 1. Process for Selection of Officers for Open Positions**
- 2. The procedure used to select officers of the Neighborhood Council Governing Board for open position is as follows:**
 - a) Nominations will be opened from the Board for open Officer Positions, beginning with the President if appropriate. Directors may nominate or self-nominate. Nominees will then accept or not accept the nomination.
 - b) Each candidate will have three minutes to give his/her qualifications for the position he/she is seeking as well as stating what he/she intends to do from that position in the coming year(s). After each candidate for a particular position has had the opportunity to speak, Directors may ask questions of any of the candidates.
 - c) A Board vote, by show of hands, will then take place. If no candidate receives a majority of Director's votes, then the name of the candidate with the fewest votes will be removed from the list of candidates, and voting will proceed again. The process will continue until one candidate receives the majority of the votes.
 - d) The process will be repeated for the remaining Offices.
- 2. Time Limit on Public Comment**

During Public Comment, each speaker will be limited to one minute. The Chairperson can extend the time of a speaker.
- 3. Time Limits on Each Item on Agenda**

Each agenda item must have a specific time limit determined in advance by the President.
- 4. Order Business during Presentations**

The format for presentations, reports and agenda items to the Board is as follows:

 - a) A brief statement by the presenter, summarizing the issue and salient points for discussion
 - b) A question and answer period for a maximum of 10 minutes
 - c) Public Comment
 - d) Board discussion and action if appropriate.
- 5. Public Comment**

Members of the public wishing to speak to the Board may fill out a Speaker Card and provide their names, business or organization affiliations (if any), whether they are paid speakers and who paid them to speak, and the agenda item number they wish to address.
- 6. Schedule of Committee Meetings**

Committees will report to the President on committee meeting times and will distribute the information to the known committee members. This will be a continuing activity.
- 7. Committee Chair's Authority to Reserve Meeting Spaces and Post Agendas**

Committee Chairs or committee designees are authorized to arrange for meeting spaces and post agendas.
- 8. Committees Requested to Meet at Least Once per Quarter**

All standing committees are requested to meet at least once per quarter. The Chair of a committee not meeting this requirement will be asked to explain why the committee has not met.
- 9. Board Member Use of Title/Position**

No Officer or Director of the Board or any of its committees will commit **ESNC** to action without express approval of the Board.
- 10. Board Member Solicitation of Donations**

No Director can solicit donations of any sort using the Board name without Board approval.
- 11. Code of Civility**

ESNC adopts the Code of Civility. Collectively and individually, Directors agree to abide by this Code of Civility to ensure that business is conducted in a respectful, courteous, and effective manner, and in a way that will generate respect and credibility for **ESNC**.

The freedom to express one's views about public matters is a cornerstone of the democratic process. **ESNC** welcomes the diverse views and opinions of our stakeholders and other Directors as they relate to the issues before us. In order for these discussions to be meaningful and effective, we must treat others with respect and dignity. By adoption of this motion, and by affixing our signatures to this document, we collectively and individually agree to abide by our Code of Civility to the best of our abilities. By entering this meeting of **ESNC**, Stakeholders also agree to abide by the Code of Civility.

- a) I will conduct myself in a professional and civil manner at all times as a representative of the Neighborhood Council.
- b) I will treat Directors and members of the public with respect at all times, regardless of an individual's opinion, ethnicity, race, sexuality, age, disability, or religion.
- c) Even in the face of disagreement or differences of opinion, I will demonstrate esteem and deference for my colleagues and the public.
- d) Under no circumstances during **ESNC** meetings, function, or events will I engage in or threaten to engage in any verbal or physical attack on any other individual.
- e) I will commit to communicating any ideas and points of view clearly and allowing others to do the same without interruption.
- f) I will not use language that is abusive, threatening, obscene, or slanderous, including using profanity, insults, or other disparaging remarks or gestures.
- g) I will not use derogatory language about an individual's ethnicity, race, sexuality, age, disability, or religion.
- h) I will take responsibility for my own actions and will work to fulfill my role and responsibilities as specified in the Bylaws.
- i) I will commit to learn the applicable laws that govern Neighborhood Councils, including the State Constitution, State Legislation, the Brown Act, the City Charter, City ordinances, ethics rules, and will not knowingly violate any of the above.
- j) I will abide by **ESNC**'s meeting procedures or rules in order to create a safe and effective environment for conducting business.
- k) I will promote and enforce a safe meeting environment at all times. At moments when members of the public become disruptive and violate the Code of Civility that we have pledged to follow, I will join my fellow Directors in demanding that the persons conduct themselves in a respectful and orderly manner even if I agree with the point of view that is being expressed.
- l) I will seek to present information truthfully and will not knowingly misrepresent, mischaracterize, or misquote information received from others.
- m) I pledge to truly listen to and hear other points of view.
- n) I will practice the art of being able to disagree without being disagreeable.
- o) If I find myself representing my personal interests before my community's interests, I will publicly disclose the differences and recuse myself from voting on such matters.
- p) I will commit to good faith efforts to resolve any grievances that come before the Board as specified in the Bylaws.
- q) I owe it to my fellow Directors, the public, and the decision-makers who we are trying to influence to make the best possible effort to understand the issues before me. I will "do my homework" by reading all meeting agendas and minutes, supplemented materials, and where appropriate, seeking dissenting viewpoints.

ATTACHMENT D – Board of Neighborhood Commissioners Website Posting Policy

RESOLUTION

Be it resolved that the Board of Neighborhood Commissioners creates the following policy:

NEIGHBORHOOD COUNCIL AGENDA POSTING REQUIREMENTS

WHEREAS, the Board of Neighborhood Commissioners established Working Groups comprised of current and past Neighborhood Council members and Neighborhood Council stakeholders to recommend changes to the Plan for a Citywide System of Neighborhood Councils;

WHEREAS, the Working Groups recognized stakeholders are increasingly using the internet and that it allows Neighborhood Councils to communicate with their stakeholders efficiently and inexpensively;

WHEREAS, the Working Groups recognized that any change in the physical posting policy should be accompanied by increased use of other media for outreach;

WHEREAS, the Working Groups recommended that the posting requirements for Neighborhood Councils be changed to require only one physical Brown Act compliant posting while maintaining the Board of Neighborhood Commissioners other outreach requirements;

WHEREAS, Section 902 (b) Article IX of the new Charter provides that the Board of Neighborhood Commissioners "shall be responsible for policy setting and policy oversight...and the promulgation of rules and regulations but not be responsible for day-to-day management."

NOW, THEREFORE, IT IS RESOLVED that the Board of Neighborhood Commissioners establishes this policy regarding the posting of agendas for Neighborhood Councils.

POLICY NUMBER: 2014-01

Neighborhood Councils are required to post meeting agendas for Board and Committee meetings as follows:

1. Neighborhood Councils shall post at least one Brown Act compliant agenda for all Board and Committee meetings. Any additional physical postings shall be within the Neighborhood Council boundaries and shall be Brown Act time compliant.
2. Neighborhood Councils shall post agendas of all Board and Committee meetings on their web site or, on a page made available to them on the EmpowerLA web site. Such postings shall be Brown Act time compliant.
3. Neighborhood Councils must submit a copy of all Regular and Special Board and Committee Meeting agendas to the Department of Neighborhood Empowerment (Department) to be posted through the Early Notification System (ENS). The agenda for regular meetings shall be submitted to the Department not less than 72 hours in advance of the meeting and the agenda for special meetings shall be submitted to the Department not less than 24 hours in advance of the meeting. As soon as feasible, the Department will submit the agenda for posting to the ENS system. Accordingly, posting the notices of meetings to the ENS system will not be required to comply with the Brown Act's time limits for posting agendas.
4. Neighborhood Councils that maintain an email list of stakeholders may email either a copy of the agenda for all Board and Committee meetings or an announcement of the meeting with a link to the agenda. Distribution to the email list will not be required to

comply with the Brown Act's time limits for posting agendas.

5. Neighborhood Councils shall inform the Department of (a) the physical location of their posting site, (b) the address of their web site, if any and (c) confirm with the Department whether they use a stakeholder database to distribute their agendas. Neighborhood Councils shall be required to submit this information on a form approved by the Department.
6. Neighborhood Councils that do not maintain a web site or, if available a page on the EmpowerLA web site shall continue to comply with the five (5) to seven (7) physical locations posting requirements imposed during their certification process; one (1) of the posting locations shall be Brown Act compliant; the remaining posting locations shall be within the Neighborhood Council boundaries and shall comply with Brown Act time limits for posting.
7. These posting requirements shall be appended to and become a part of the bylaws of all current and future Neighborhood Councils and any violation of this policy may become the subject of a grievance.
8. If a Neighborhood Council is notified by the Department prior to any Board or Committee meeting that a confirmed violation of this policy has been reported the Neighborhood Council shall repost in accordance with this Policy. If the scheduled meeting cannot be reposted in compliance with this Policy, the Neighborhood Council must cancel the meeting and make reasonable efforts to inform its stakeholders. If it becomes necessary to cancel Board or Committee meetings Neighborhood Councils are encouraged to contact the City Attorney for further guidance.
9. If a Neighborhood Council is found to be in violation of this Policy three (3) times within the current fiscal year the Board and any non-Director committee chairs will be required to take additional training as may be determined by the Department. If after receiving additional training the Neighborhood Council is again found to be in violation of this policy during the current fiscal year, then exhaustive efforts to remedy this matter, including loss of funding may be taken by the Department pursuant to Article VI section 4 and Article X section 3 of the Plan for a Citywide system of Neighborhood Councils.