

ENCINO NEIGHBORHOOD COUNCIL BYLAWS

MARCH____, 2011

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ARTICLE I NAME

The name of this Neighborhood Council shall be the Encino Neighborhood Council (“Council”).

ARTICLE II PURPOSE

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

A. The **MISSION** of the Council is:

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¶ For sections that do not apply to the Neighborhood Council, e.g. internal boundaries, please state, “Not Applicable.”¶

¶ For sections on which the Neighborhood Council chooses to be silent, e.g. removal, censure, please state, “Intentionally Left Blank.”¶

¶ The Department of Neighborhood Empowerment highly recommends Neighborhood Councils address all the issues in the Bylaws Table of Contents in their bylaws with any necessary clarifications in standing rules.¶

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1. To provide an inclusive and open forum for public discussion of issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a City wide nature;
2. To advise the City on issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a City wide nature;
3. To initiate, execute and support projects for the physical, social and cultural improvement of the Council area; and
4. To facilitate communication between the City and Community Stakeholders on issues of concern to the community and/or the Stakeholders.

B. The **POLICY** of the Council is:

1. To respect the diversity, dignity, and expression of views of all individuals, groups, and organizations within the community and/or involved in the Council;
2. To remain non-partisan with respect to political party affiliation and inclusive in our operations including, but not limited to, the process of electing or selecting the Board of Directors, Officers, and committee members, as hereinafter set forth;
3. To utilize the Early Notification System (ENS) to inform the Council and Community Stakeholders of matters involving the City and our community in a way that is tailored to provide opportunities for involvement in the decision-making process;
4. To encourage all Community Stakeholders to participate in activities of the Council;
5. To prohibit discrimination against any individual or group in our operations 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; and
6. To have fair, open, and transparent procedures for the conduct of all Council business.

ARTICLE III BOUNDARIES

The Council covers a geographic area described below.

Section 1: Boundary Description - The boundaries about the boundaries of adjacent Neighborhood Councils and include those areas of the City within the following lines of demarcation:

- | | | |
|--|--|-------------------------------|
| | 1. North – <u>Victory Boulevard;</u> | Deleted: [insert description] |
| | 2. East – <u>The 405 Freeway;</u> | Deleted: [insert description] |
| | 3. South – <u>Mulholland Drive;</u> and | Deleted: [insert description] |

4. **West** – Lindley Avenue to its terminus, then extends southwest (around the terminus of Lake Encino Drive), then southwest following the 91356/91316 zip code boundary (where the Avenida Orienta fire road meets Mulholland Drive).

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The boundaries of the Council are set forth on the Map of the Encino Neighborhood Council Boundaries, attached as Addendum A.

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Section 2: Internal Boundaries – Seven (7) geographical areas shown on Appendix "B".

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ARTICLE IV STAKEHOLDER

Neighborhood Council membership is open to all Stakeholders. "Stakeholders" shall be defined as those who live, work, or own property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it.

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Deleted: [this definition is from city ordinance and cannot be changed] Members of the Council shall be referred to as "Community Stakeholders." ¶

ARTICLE V BOARD OF DIRECTORS

The Board of Directors (hereinafter "the Board") shall be the governing body of the Council within the meaning of that term as set forth in the Plan.

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Deleted: Open to Stakeholders 18 years of age or older who owns a residence is located within the NC boundaries

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Section 1: Composition - The Board shall consist of twenty-one (21) Stakeholders elected, selected or appointed by the Board and/or Community Stakeholders. The composition of the Board shall be as follows:

1. Elected Organization Representatives and Alternates (9) – Open to One (1) Representative and Alternate Representative 18 years of age or older for each stakeholder category (other than as provided in Section 2, below and two (2) Business Representatives), as listed and designated in Appendix "A" attached hereto. All eligible Stakeholders may vote. Candidates must be an eligible stakeholder member of an organization fitting the category in which the candidate is running.

Deleted: Stakeholders 18 years of age or older who rent a residence located within the NC boundaries

2. Selected Organizational Representatives and Alternates (3) – Open to Three (3) Representatives and Alternates 18 years of age or older as designated on Appendix A, to be selected by the following organizations: Encino Chamber of Commerce, one (1) Representative and one (1) Alternate Representative, Encino Property Owner's Association, one (1) Representative and Alternate Representative, and Homeowners of Encino (1) Representative and Alternate Representative, by filing with the Council (i) a duly approved resolution and minutes, including the number of voting members present, attesting under penalty of perjury, to the selection of a Board Members as the organization's Representative and Alternate Representative to the Council at a duly noticed meeting of its Board of Directors, (ii) a print out from the Secretary of State Website showing the organization to be currently active and not dissolved; (iii) its current bylaws certified under penalty of perjury; and (iv) that The Secretary of the organization certify under penalty of perjury that the organization has not less than 150 dues paying members.

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3. Area Representatives and Alternates (7) – Open to One (1) Representative and Alternate 18 years of age or older elected from each of the seven (7) geographical

areas shown on Appendix "B" attached hereto by those stakeholders residing in each respective area as designated on Exhibit B. Candidates must be an eligible stakeholder residing in the area for which the candidate is running.

4. At Large Representatives, (2) – Open to Two (2) Stakeholders 18 years of age or older and Alternates elected by all eligible Stakeholders. Candidates must be an eligible Stakeholder.

5. Planning & Land Use Representative. Open to One (1) Representative and Alternate 18 years of age or older elected by those Stakeholders who live, work or own property within the Encino Neighborhood Council geographical boundaries. Candidates must be an eligible stakeholder who lives, works or owns property within the Encino Neighborhood Council geographical boundaries.

6. Alternate Representatives – The candidate receiving the second highest number of votes shall be the Alternate Representative. If the second highest vote recipient declines the position as Alternate, then it shall be offered to the next highest vote recipient and so on until an acceptance is received. The Alternate Representative shall be a voting member of the Council at any Council meeting from which the Representative is absent and, if a Representative resigns or is removed from office, the Alternate Representative shall become the Representative for the remainder of the Representative's elected term.

No single Stakeholder group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment ("Department").

Section 2: Quorum - The quorum shall be 11 members of the Board. No floating quorums are allowed.

Section 3: Official Actions - A simple majority vote by the Board members present, not including abstentions, at a meeting at which there is a quorum shall be required to take official action, unless specified otherwise in these Bylaws.

Section 4: Terms and Term Limits - Board members shall serve a: two (2) year term commencing after being seated. There are: no term limits.

Section 5: Duties and Powers - The primary duties of the Board shall be to govern the Council and to carry out its objectives. No individual member of the Board shall speak for the Board or otherwise publicly represent a Board position unless authorized to do so by official action of the Board. The Board may, by official action, delegate to any individual the authority to present before any public body a standing Council position previously adopted by the Board or a statement that the Council has had insufficient time to develop a position or recommendation on a matter before that body. Such authority may be revoked at any time by the Board.

Section 6: Vacancies – Vacancies on the Board shall be filled using the following procedure:

Deleted: Stakeholders 18 years of age or older who work or own a business or business property within the NC boundaries

Deleted: **Organizational Stakeholder Board Members**

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Deleted: **Senior Stakeholder Board Member (1)**

Deleted: Open to Stakeholders 65 years of age or older.

Deleted: 6. **Youth Board Member (1)** – Open to Stakeholders between the ages of 16 and 25. If less than eighteen (18) years of age, the Youth Board member shall be precluded from voting on matters regarding the expenditure of funds, contracts, or recommendations to enter into contracts.¶

¶ **At-Large Stakeholder Board Members (3)** – Open to Stakeholders at least 18 years of age.¶

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Deleted: OR □ Beginning in 2010, Board members may only serve [insert number] consecutive years on the Council Board

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Board Fills Vacancies

- a. Any Stakeholder interested in filling a vacancy on the Board shall submit a written application to the Board.
- b. The Board shall cause the matter to be placed on the agenda for the next regular meeting of the Board.
- c. If only one Stakeholder has made an application for a vacant seat, then a vote of the Board shall be taken and the applicant installed by majority vote of the Board. If more than one Stakeholder has made an application for an empty seat, then an open and fair vote shall be taken at the next regular meeting by all Stakeholders present. The vote shall be presided over by the Council and shall include one vote per Stakeholder.
- d. The candidate who wins shall fill the remaining term of the Board seat unless an election or selection occurs sooner.
- e. In no event shall a vacant seat be filled where a general election is scheduled to occur within 60 days of the date that a written application is presented to the Board.

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[select one]¶

Section 7: Absences - Any Board Member who misses three (3) unexcused regularly scheduled consecutive Neighborhood Council Board Meetings or, optionally, six (6), total Board Meetings during any twelve (12) month period will be automatically removed from the Board. Each Council Board Member absence shall be recorded in the Council's Meeting Minutes or other manner of Council record keeping, and that, upon missing the required number of Board Meetings for removal, the Council Presiding Officer shall notify the Board Member and provide notice to that Board Member that their seat has been declared vacant. Any meeting of the Neighborhood Council Board, scheduled and noticed as per the Brown Act, shall constitute a meeting for the purpose of determining Board Member attendance.

Deleted: The Board shall vote on the application at the meeting. If multiple applications for one seat have been submitted, the candidate with the most votes wins

Deleted: **President Fills Vacancies**¶
A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.¶

¶
President Fills Vacancies with Board Approval¶
A vacancy on the Board shall be filled by a Stakeholder who satisfies the eligibility requirements for holding the vacated Board seat. The President shall have the discretion to appoint the vacancy from any applicants or among any other qualified Stakeholders at any time, subject to a majority vote of the Board at a public meeting. The appointed applicant's term shall be limited to the term for the vacated seat.¶

Section 8: Censure - The Council can take action to publically reprimand a Board member for actions conducted in the course of Council business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action.

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Section 9: Removal of Board Members – The Council shall consult with the Office of the City Attorney throughout any Board removal process. Board members may be removed in the following ways:

- 1. **Petition by Stakeholders**– A Board member may be removed from office by the submission of a written petition to the Secretary, which includes: i) the identity of the Board member to be removed, ii) a description, in detail, of the reason for removal, and iii) the valid signatures of the greater of ten percent (10%) of the ballots cast in the last council election or not less than one hundred (100) Stakeholders.

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- a. Upon receipt of a written petition for removal, the Secretary shall cause the matter to be placed on the agenda for a vote of the Board at the next regular Council meeting.

b. Removal of the identified Board member requires a **a two-thirds (2/3) majority of the attending Board Members.**

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c. The Board Member who is the subject of the removal action shall have the right to deliver to Board Members a written statement about the matter and/or to speak at the Board Meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.

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Deleted: A Board Member may be removed from the Board for good cause, including, but not limited to, disruptive conduct; interfering with Council business; violations of the Bylaws, Operating Procedures or Code of Conduct following a Board Member's submission to the Board of a petition which includes: i) the identity of the Board Member to be removed, ii) states the reason for removal by identifying the violation of the internal rules or procedures and specifies the conduct of the person, and iii) contains the signatures of at least [select one] three (3) OR [insert number] Board members.¶

2. **Petition by Board** ~~Intentionally omitted.~~

If the vote for removal is affirmative, the position shall be deemed vacant and filled via the Council's vacancy clause.

Section 10: Resignation - A Board member may resign from the Council, and the position shall then 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.

Section 11: Community Outreach - The Council shall direct that a system of outreach be instituted to inform Stakeholders as to the existence and activities of the Council, including its Board elections, to find future leaders of the Council, and to encourage all Stakeholders to seek leadership positions within the Council. The Council shall have a standing Outreach Committee, which will report its activities and recommendations to the Board monthly at the regular Council meeting. The Council shall maintain a web site presence to disseminate information to Council Stakeholders and others interested in the Council.

In addition, the Board shall create, or shall cause to be created, a marketing plan to solicit participation from Stakeholders. The plan may include, for example, the creation of flyers, postcards, pamphlets and other related materials. It may also include e-mail blasts to various organizations including a regularly scheduled e-blast to local government officials and to the Chamber of Commerce, Neighborhood Watch, Home Owners' Association and other local organizations as determined by the Board.

Outreach also should be undertaken at public events and shall be coordinated with other Neighborhood Councils when appropriate.

¶
a. The petition shall be delivered simultaneously to all Board Members and the matter placed on the agenda and scheduled for a vote at the next regular Board Meeting.¶

¶
b. Removal of the identified Board member requires a [select one] two-thirds (2/3) majority OR majority of the attending Board Members. ¶

¶
c. The Board Member who is the subject of the removal action shall have the right to deliver to Board Members a written statement about the matter and/or to speak at the Board Meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter. ¶

¶
d. The Board member being re... [1]

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ARTICLE VI OFFICERS

Section 1: Officers of the Board - The officers of the Board ("Officers") shall include the following positions which all together comprise the Executive Committee: President, Vice President, Secretary, Treasurer and a Sergeant at Arms.

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

a. The President shall act as the chief executive of the Council and shall preside at all Council meetings. The President shall have the power to issue, modify and revoke executive orders to carry out resolutions of the Council or to implement the bylaws or standing rules. Executive orders shall be issued in writing and placed with the minutes of the Council and notice of thereof provided to all Representatives by the next meeting of the Council.

b. The Vice President shall serve in place of the President if the President is unable to serve and, in case of vacancy in the office of President, or in the case of the President's unavailability due to sickness, disability, death or resignation, the Vice President shall perform the duties of the President and when so acting shall have all the powers and perform such other duties as the Board or the Bylaws may prescribe. The Vice President shall be responsible for the oversight of all committees designated by the Board. The Vice President shall perform all other duties as the President or the Board may assign from time to time.

c. The Secretary shall keep minutes of all Board meetings. An Alternate Secretary may be appointed by the Board to serve in the absence of the Secretary, as needed. Unless the person serving as Alternate Secretary is already a Board member, he or she shall not have any of the rights of a Board member, including the right to vote on matters before the Council.

d. The Treasurer shall maintain the records of the Council's finances and books of accounts and perform other duties in accordance with the Council's Financial Management Plan and the Department's policies and procedures.

e. The Sergeant at Arms shall ensure that the Board's meetings are undertaken in an orderly and expeditious manner, including the calling of proper authorities should a physical altercation seem to be ensuing. The Sergeant at Arms shall also be the timekeeper for the Board, ensuring that all speakers speak within the required timeframes.

Section 3: Selection of Officers -

Officer positions shall be filled every two (2) years at the first official Board meeting following their election or selection in Board election years.

Section 4: Officer Terms - The Officers shall serve two (2) year terms and serve at the pleasure of the Board. They may stand for reelection every two (2) years.

ARTICLE VII COMMITTEES AND THEIR DUTIES

All Standing and Ad Hoc Committees shall be established by the Board. Suggestions for committees may come from Stakeholders or from members of the Board, and all such suggestions shall be voted upon by the Board.

Section 1: Standing Committees – The Standing Committees of the Council are: the Executive Committee, the Airport Committee, the Finance Committee, the Education Committee, the Outreach Committee, the Planning and Land Use Committee, The Parks Committee, the Traffic/Transportation Committee, the Bylaws Committee, the Public Safety Committee and such other committees established by the Board from time to time.

Section 2: Ad Hoc Committees – The Board may create Ad Hoc Committees as needed to deal with temporary issues.

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Section 3: Committee Creation and Authorization

- a. **Committee Authority** - All committee recommendations shall be brought back to the full Board for discussion and action. The rules and authority applicable to the Executive Committee and other Standing Committees in addition to that set forth in these Bylaws include all polices, rules and authority set forth in the Standing Rules adopted by the Board.
- b. **Committee Structure** – With the exception of the Executive Committee, Committee membership shall be open to all Stakeholders. Standing Committees shall be comprised of at least two (2) Board members and may include any interested Stakeholders. Ad Hoc Committees shall be comprised of five (5) or less Board members and may include any interested Stakeholders. Each committee shall consist of not more than nine (9) persons, provided that there shall not be more than five voting members that are Representatives and/or Alternates and shall, to the extent possible, include at least one voting member Stakeholder who is not an elected member of the Board. Each Board member shall join at least one committee by the second meeting of the Board after an Election. If more than nine stakeholders desire to serve on a committee, the Chairman shall select the individuals to serve and may designate up to three alternate committee members in order of priority to serve in the absence of a committee member.
- c. **Committee Appointment** – All Committee Chairs shall be appointed by the Vice President and confirmed by the Board. Only those Committee members who are Board members or Alternates are eligible to serve as Chairman of a committee. The Chairs shall keep a written record of Committee meetings and shall provide regular reports on Committee matters to the Board. No Alternate may be appointed to be a chairperson of a committee until all elected Board members on the committee have declined to become the chairperson. Each member of a committee shall continue until a successor is appointed, unless the committee is terminated. All committees shall run concurrently with the two (2) year election cycle and each member shall be eligible for reappointment as long as they remain eligible stakeholders.
- d. **Committee Meetings** – Committee meetings are subject to and shall be conducted in accordance with the dictates of the Brown Act. Minutes shall be taken at every Committee meeting. All committee work is to be reported to the Board and no actions can be taken on behalf of the Council without a vote by the Council.
- e. **Changes to Committees** - The Board may establish, disband or make changes as needed to any Standing or Ad Hoc committee. Any such action by the Board shall be noted in the Council meeting minutes. Vacancies in any committee may be filled by appointments made by the committee chairperson with the concurrence of the Vice President of the Council.
- f. **Removal of Committee Members** – Committee members may be removed if the member has two (2) unexcused absences or four (4) absences, whether or not excused, during the term of the Board election cycle.

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ARTICLE VIII MEETINGS

All meetings, as defined by the Ralph M. Brown Act (*California Government Code Section 54950.5 et seq.*), shall be noticed and conducted in accordance with the Act and all other applicable laws and governmental policy.

Section 1: Meeting Time and Place - All meetings shall be held within the Council boundaries at a location, date and time set by the Board. A calendar of regular meetings shall be established by the Board at its first regular meeting of each calendar year.

a. **Regular Meetings** - Regular Council meetings shall be held at least once per quarter and may be held more frequently as determined by the Board. Prior to any action by the Board, there shall be a period of public comment. The Board shall determine the length and format of the period as appropriate.

b. **Special Meetings** – The President or a majority of the Board shall be allowed to call a Special Council Meeting as needed.

Section 2: Agenda Setting –

The Executive Committee shall set the agenda for each Council meeting.

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Any Stakeholder may make a proposal for action by the Council by submitting a written request to the Secretary or during the public comment period of a regular Council meeting. The Secretary shall promptly refer the proposal to a Standing Committee or, at the next regular Council meeting, the Board shall either consider the proposal or create an Ad Hoc Committee to consider the proposal. The Council is required to consider the proposal at a Committee or Board meeting, but is not required to take further action on the proposal. Proposals made under the this subsection are subject to the rules regarding reconsideration

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The President shall set the agenda for each Council meeting.
AND can also include a stakeholder option, such as:

Section 3: Notifications/Postings – Notice of a regular meeting shall be a minimum of three (3) days (72 hours) in advance of the meeting and at least one (1) day (24 hours) in advance of a special meeting. At a minimum, notice shall be posted at the Council’s five (5) Public Notice Locations specified on the Posting Location Form filed with the Department, on its website (if applicable) and emailed out to Stakeholders if the Council maintains such a database. Regular and Special meeting agendas shall also be emailed to the Department.

Section 4: Reconsideration

The Board may reconsider or amend its actions through the following Motion for Reconsideration process:

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The Board may reconsider or amend its actions through a Motion for Reconsideration process defined in its standing rules.

a. Before the Board reconsiders any matter, the Board must approve a Motion for Reconsideration. The Motion for Reconsideration must be approved by official action of the Board. After determining that an action should be reconsidered, the Board has the authority to re-hear, continue, or take action on the item that is the subject of reconsideration within any limitations that are stated in the Motion for Reconsideration.

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- b. The Motion for Reconsideration must be brought, and the Board's approval of a Motion for Reconsideration must occur, either during the same meeting where the Board initially acted or during the Board's next regularly scheduled meeting that follows the meeting where the action subject to reconsideration occurred. The Council may also convene a special meeting within these specified time frames to address a Motion for Reconsideration.
- c. A Motion for Reconsideration may be proposed only by a member of the Board that previously voted on the prevailing side of the original action that was taken by the Board (the "Moving Board Member").
- d. The Moving Board Member may make the Motion for Reconsideration orally during the same meeting where the action that is the subject of reconsideration occurred, or by properly placing the Motion for Reconsideration on the agenda of a meeting that occurs within the allowed specified periods of time as stated above.
- e. In order to properly place the Motion for Reconsideration on the agenda of the subsequent meeting, the Moving Board Member shall submit a memorandum to the Secretary at least two (2) days in advance of the deadline for posting notices for the meeting. The memorandum must briefly state the reason(s) for requesting the reconsideration, and provide the Secretary with an adequate description of the matter(s) to be re-heard and the proposed action that may be adopted by the Board if the Motion for Reconsideration is approved.
- f. A Motion for Reconsideration that is properly brought before the Board may be seconded by any member of the Board.
- g. This reconsideration process shall be conducted at all times in accordance with the Brown Act.

ARTICLE IX FINANCES

- A. The Board shall review its fiscal budget and make adjustments as needed to comply with City laws and City administrative rules, and to keep in compliance with Generally Accepted Accounting Principles and the City's mandate for the use of standardized budget and minimum finding allocation requirements.
- B. The Board shall adhere to all rules and regulations promulgated by appropriate City officials regarding the Council's finances, where the term "appropriate City officials" means those officials and/or agencies of the City of Los Angeles who have authority over Neighborhood Councils.
- C. All financial accounts and records shall be available for public inspection and posted on the Council website, if available.

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D. Each month, the Treasurer shall provide to the Board detailed reports of the Council's accounts.

E. At least once each quarter, the President and at least one (1) other individual other than the Treasurer, who is designated by the Board, shall examine the Council's accounts and attest to their accuracy before submitting the documentation to the Department for further review.

ARTICLE X ELECTIONS

Section 1: Administration of Election - The Neighborhood Council's election will be conducted by the City Clerk every two (2) years in every even-numbered year in accordance with the rules and regulations promulgated by the City Clerk. The City Clerk will hold these elections between March and June of the even-numbered years. The rules and regulations developed by the City Clerk shall take precedence over any inconsistent language in the Council bylaws.

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

Section 3: Minimum Voting Age - All Community Stakeholders aged 18 and above shall be entitled to vote in the Neighborhood Council Elections.

Section 4: Method of Verifying Stakeholder Status

Voters will verify their Stakeholder status by providing documentation acceptable to the City Clerk – Election Division. Stakeholder status may also be established by means of declaring a stake (or interest) in the neighborhood and providing documentation acceptable to the City Clerk – Election Division supporting that declaration. Factual basis Stakeholders will also be required to provide a form of documentation to substantiate their factual basis claim.

Section 5: Restrictions on Candidates Running for Multiple Seats

A candidate shall declare their candidacy for no more than one (1) position on the Council Board during a single election cycle.

Section 6: Other Election Related Language Initiative. Upon written petition of stakeholders which describes in detail sufficient to satisfy the requirements of the Brown Act a policy or action within the jurisdiction of the Council and includes the signatures of the greater of 10% of the ballots cast in the last council election or not less than 100 Stakeholders, the policy or action shall be put to the vote of the Stakeholders in the next regularly scheduled Council election of Representatives. The affirmative vote of a majority of the Stakeholders voting in the elections shall be required to adopt the policy or action.

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 Voters will verify their Stakeholder status through written self-affirmation. Stakeholder status may also be established by means of declaring a stake (or interest) in the neighborhood and providing the facts to support that declaration.¶
OR¶

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 A candidate may declare their candidacy for more than one (1) position on the Council Board during a single election cycle.¶
If a candidate seeking multiple Board positions on the Council is declared the winning candidate for more than one of those positions, the candidate will be required to vacate all except one Board position within no more than three days from the day the elections are certified or from the day when any and all election recounts and challenges are resolved for your 2010 NC election, whichever date is later. These vacated positions shall be filled with the remaining candidate who received the most votes, or if none, via the vacancy clause. Where the candidate does not vacate all except one Board position by the deadline, the candidate will be stripped of all positions except for the position where the candidate received the most votes. ¶

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ARTICLE XI GRIEVANCE PROCESS

A. Any grievance by a Stakeholder must be submitted in writing to the Board. The Board shall then refer the matter to an ad hoc grievance panel comprised of five (5) Stakeholders in the South Valley Planning Area who are randomly selected by the Board secretary from a list of volunteers who have previously expressed an interest in serving from time-to-time on such a grievance panel. The Secretary will coordinate a time and a place for the panel to meet with the person(s) submitting a grievance and to discuss ways in which the dispute may be resolved.

B. Thereafter, a panel member shall prepare, within thirty (30) days, a written report to be forwarded by the Secretary of the Board outlining the panel's collective recommendations for resolving the grievance. Alternatively, an alternative dispute resolution process may be used. The Board may receive a copy of the panel's report and recommendations prior to any meeting by the Board, but the matter shall not be discussed among the Board members until the matter is heard at the next regular meeting of the Board pursuant to the Ralph M. Brown Act.

C. This formal grievance process is not intended to apply to Stakeholders who simply disagree with a position or action taken by the Board at one of its meetings. Those grievances can be aired at Board meetings. This grievance process is intended to address matters involving procedural disputes, e.g., the Board's failure to comply with the Board's Rules or these Bylaws, or its failure to comply with the City's Charter, the Plan, local ordinances, and/or State and Federal law.

Board members are not permitted to file a grievance against another Board member or against the Council.

ARTICLE XII PARLIAMENTARY AUTHORITY

The Council shall use the: Robert's rules of order when conducting Council meetings.

Additional rules and/or policies and procedures regarding the conduct of the Board and/or Council meetings may be developed and adopted by the Board.

ARTICLE XIII AMENDMENTS

A. Any Board member or Stakeholder may propose an amend to these Bylaws. The Board shall forward all proposals to a Bylaws Committee to review and to provide recommendations to the Board.

B. An amendment to these bylaws requires a two-thirds majority vote of the Board members present at a duly noticed general or special meeting. All changes shall then be forwarded to the Department for review and approval.

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A. 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.

B. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Board from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.

C. Within two (2) weeks of the panel's selection, the Board 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.

D. 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.

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Council rules of order when conducting Council meetings as set forth in its standing rules.

OR

Rosenberg's rules of order when conducting Council meetings. If Rosenberg's rules of order are

Deleted: Any Board member may propose an amendment to these Bylaws by requesting that the Secretary place the item on the agenda.

B. Any Stakeholder may propose an amendment to these Bylaws during the public comment period of a regular Council meeting.

Deleted: C. Any proposal to amend the Bylaws shall be formalized in writing and noticed on the agenda for public discussion and Board vote at the next regular Council meeting.

D

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Deleted: OR simple

C. No Bylaw Amendment shall be voted on until it has been read at two consecutive Board meetings.

E. Amendments shall not be valid, final or effective until approved by the Department. Once approved, any changes in the Bylaws shall become effective immediately.

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ARTICLE XIV COMPLIANCE

The Council, its representatives, and all Community Stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board of Directors as well as all local, county, state and federal laws, including, without limitation, the Plan for Citywide System of Government (hereinafter referred to as “the Plan”), the City Code of Conduct, the City Governmental Ethics Ordinance (*Los Angeles Municipal Code Section 49.5.1*), the Brown Act (*California Government Code Section 54950.5 et seq.*), the Public Records Act, the American Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest.

Deleted: Any Board member or Stakeholder may propose an amend to these Bylaws. The Board shall forward all proposals to a Bylaws Committee to review and to provide recommendations to the Board.

Section 1: Code of Civility – The Council, its representatives, and all Community Stakeholders shall conduct all Council business in a civil, professional and respectful manner.

Section 2: Training – All Board members shall take training in the fundamentals of Neighborhood Council, including, but not limited to, ethics, funding, workplace violence and sexual harassment trainings provided by the City within forty-five (45) days of being seated, or they will lose their Council voting rights.

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

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APPENDIX A

A. Nine Elected Organizational Representatives:

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One (1) Apartment/Condo Representatives

Two (2) Business Representatives, such as but not limited to,
Encino Business Improvement District
Encino Business Property Owners
Any employee, volunteer or business owner.

One (1) Public Safety Representative, such as but not limited to,
Encino Hospital
Neighborhood Watch Groups
West Valley Community Police Advisory Board

Deleted: Codewatch Representatives¶

Deleted: West Valley Gray Squad¶

One (1) Park Advocate/Environment Representative, such as but not limited to,
San Fernando Valley Audubon Society
Balboa Sports Authority Advisory Board
Encino Community Center PAB
Friends of Encino Park
The Japanese Garden Advisory Borad
Friends of Lake Balboa Park
Los Encinos State Historic Park PAB
Sepulveda Basin Off Leash Dog Park PAB
Sepulveda Basin Wildlife Areas Steering Committee
Sepulveda Garden Center Gardners

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Deleted: Mulholland Tomorrow ¶

Deleted: Users Group

One (1) Religious Organization/Institution Representatives, such as but not limited to,
Chabad of Encino
First Presbyterian Church of Encino
Holy Martyrs Armenian Church
Lady of Grace Church
St. Cyril Jerusalem Catholic Church
St. Nicholas Episcopal Church
Temple Ner Maarav
Torat Flayim
Valley Beth Shalom

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One (1) Volunteer/Service Group Representative, such as but not limited to,
Encino Little League
Friends of the Encino-Tarzana Library
Sisters of Social Service

One (1) Educational Representatives, such as but not limited to, PTSA and/or Boosters
Berkeley Hall School
Crespi Carmelite High School
The Curtis School

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Emelita Elementary School
Encino Elementary School
Friends of Lanai
Hesby Oaks School
Holy Martyrs Armenian School
Lady of Grace School
Lanai Road School
Los Encinos School
Lull Special Education Center
Milken Community High School
Temple Nei-Maarav Nursery School
Torat Hayim Nursery School St.
Cyril School
Valley Beth Shalom School

One (1) Planning and Land Use Representative

B. Three Selected (Non-elected) Organizational Representatives:

Two (2) Homeowner Group Representatives (by selection)

Encino Property Owners Association

Homeowners of Encino

One (1) Encino Chamber of Commerce Representative (by selection)

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APPENDIX B

Districts shall be roughly the same population size.

Area 1 Bounded by: Victory Boulevard (N) Burbank Boulevard (S) Lindley A venue (W) Balboa A venue (E)

Area 2 Bounded by: Victory Boulevard (N) Ventura Boulevard (S) Balboa Boulevard (W) 405 Freeway (E)

Area 3 Bounded by: Burbank Boulevard (N) Ventura Boulevard (S) Lindley A venue (W) White Oak Avenue (E)

Area 4 Bounded by: Burbank Boulevard (N) Ventura Boulevard (S) White Oak Avenue (W) Balboa Boulevard (E)

Area 5 Bounded by: Ventura Boulevard (N) Mulholland Drive (S) Lindley Avenue to its terminus, then extends southwest (around the terminus of Lake Encino Drive), then southwest following the 91356/91316 zip code boundary (where the Avenida Orienta fire road meets Mulholland Drive) (W) Louise Avenue to its terminus, then a line due south to Mulholland Drive (E)

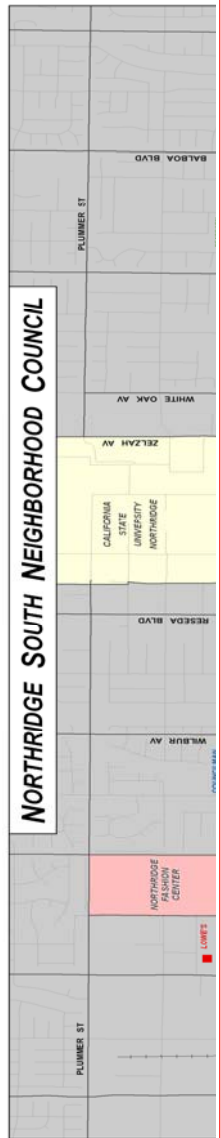
Area 6 Bounded by: Ventura Boulevard (N) Mulholland Drive (S) Louise Avenue to its terminus, then a line due south to Mulholland Drive (W) Libbit Avenue, Noeline Avenue, Darcia Place, Garvin Drive, Lanai Road, Hayvenhurst Drive, Ballina Drive, Ballina Canyon Road, Westfall Drive, Delivale Place, Calneva Drive (E)

Area 7 Bounded by: Ventura Boulevard (N) Mulholland Drive (S) Libbit Avenue, Noeline Avenue, Darcia Place, Garvin Drive, Lanai Road, Hayvenhurst Drive, Ballina Drive, Ballina Canyon Road, Westfall Drive, Dellvale Place, Calneva Drive (W) 405 Freeway (E)

[correct map to be inserted]

ATTACHMENT B

[template from last election to be inserted/update]



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A Board Member may be removed from the Board for good cause, including, but not limited to, disruptive conduct; interfering with Council business; violations of the Bylaws, Operating Procedures or Code of Conduct following a Board Member's submission to the Board of a petition which includes: i) the identity of the Board Member to be removed, ii) states the reason for removal by identifying the violation of the internal rules or procedures and specifies the conduct of the person, and iii) contains the signatures of at least **[select one] three (3) OR [insert number] Board members.**

a. The petition shall be delivered simultaneously to all Board Members and the matter placed on the agenda and scheduled for a vote at the next regular Board Meeting.

b. Removal of the identified Board member requires a **[select one] two-thirds (2/3) majority OR majority of the attending Board Members.**

c. The Board Member who is the subject of the removal action shall have the right to deliver to Board Members a written statement about the matter and/or to speak at the Board Meeting prior to the vote, but shall not be counted as part of the quorum, nor allowed to vote on the matter.

d. The Board member being removed must first have been censured by the Board once for the same action before a Petition by the Board for removal shall be considered by the Council.

[sample]

A. 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.

B. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Board from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.

C. Within two (2) weeks of the panel's selection, the Board 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.

D. 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.

E. 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.

F.

[select one]

Council rules of order when conducting Council meetings as set forth in its standing rules.

OR

Rosenberg's rules of order when conducting Council meetings. If Rosenberg's rules of order are silent on an issue, the Council shall refer to Robert's rules of order.

OR

BOARD POSITION	ELECTED OR	ELIGIBILITY TO RUN	ELIGIBILITY TO
<i>[Below find sample language for Stakeholder eligibility to run and vote for positions. Where the Stakeholder eligibility for the seat has not been defined, the default eligibility to establish candidacy for the position would be the Neighborhood Council's Stakeholder definition.]</i>			
President	Elected	Stakeholder	Community Stakeholder who is 13 years of age at the time of the election
Community-Based Organization Representative	Elected	Stakeholder who is at least 18 years of age at the time of the election, who is a member of a community based	Stakeholder who is 16 years of age.
At-large Representative	Elected	Any Stakeholder who is at least 18 years of age at the time of the election.	Any Stakeholder who is at least 18 years of age at the time of the election.
<i>[Below find sample language for candidacy and voter eligibility in districts.]</i>			

Homeowner Representative Area 3	Elected	Stakeholder who is 16 years of age or older who lives within Area 3 of the council boundaries, and owns and occupies their place of residence whether single- or multi-family	Homeowner Stakeholder who is 16 years of age or older who lives within Area 3. Must live and own place of residence.
<i>Sub-Area Representative At-large Stakeholder Seat</i>	Elected	Stakeholder who may be a resident of the Sub-area or any other Stakeholder category group in the Sub-area.	Community Stakeholder who is 13 at the time of the election.
<i>[Below find sample language for candidacy and voter eligibility for the factual basis position.]</i>			
Community Director	Elected	Stakeholder older than 18 years who lives, works, or owns property or those who declare a stake in the neighborhood and affirm the factual basis for it.	Stakeholder who lives, works, or owns property in the neighborhood and also those who declare a stake in the neighborhood and affirm the factual basis for it.