

# STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD **BOARD** As Amended Through 8-22-07

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[Standing Rules may be approved by the **Board** to supplement the administration of the Bylaws. Such rules shall be in addition to the Bylaws and shall not be construed to change or replace any Bylaws. If there is a conflict between a provision of the Bylaws and a Standing Rule, the Bylaws shall govern. Standing Rules may be adopted, amended, or repealed by a two-thirds (2/3) vote of the **Board** Representatives voting]

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## 1. **Board Meetings.**

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A. Conduct. Unless the **President** announces otherwise at the commencement of the meeting, (i) the conduct of meetings of the **Board** and committees shall be governed by Roberts Rules of Order Revised as articulated in the City of Los Angeles Department of Neighborhood Empowerment Board Orientation Packet's "The Basic Rules of Parliamentary Procedure For Neighborhood Councils"; [Adopted 9-29-05] and (ii) the Sergeant at Arms shall be the parliamentarian for the meeting to provide interpretations of parliamentary procedure as requested from time to time by the presiding officer. [Adopted 12-6-06]

B. Public Comment. Public comment for items not on the **Board** Agenda, including announcements, comments, or requests, shall be Agendized as Public Comment, which shall follow Old Business and New Business. Public Comment speakers shall be limited to two minute each. The total Comment Period shall not last more than ten minutes. At the conclusion of all business, if time allows, the presiding officer may, at his or her discretion, open another Comment Period. The Agenda shall include Board member Comment which shall be limited to one minute per person. The Chair may impose a reasonable time limit on any speaker. [Adopted 9-29-05]

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C. Fairness. The **Board** shall make every reasonable effort to host at least two positions of equal time for every issue on which a vote is expected. In the event no alternate point of view is presented, the **Board** may by majority vote of the **Board** Representatives voting defer a vote to the next regularly scheduled **Board** meeting or vote on the issue. [Adopted 9-29-05]

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D. Agenda. Copies of Agendas, Minutes, and other materials from meetings will be available for public inspection at the Encino Neighborhood **Board** and to the extent feasible be posted on the website: www.encino**Board**.org. [Adopted 9-29-05]

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E. Notice. At least seven days before the regular **Board** meeting, the Proposed Agenda (which shall be subject to revision at the discretion of the President up to 72 hours prior to the meeting) shall be mailed (including electronic mail) or faxed to all **Board** Representatives and Alternates and such other interested persons as requested and as the **Board** directs. The Final Agenda for the regular **Board** meetings shall be posted at least 72 hours in advance at the Encino Chamber of Commerce, and a good faith effort shall be made to also post the agenda at the Encino Community Center, Encino/Tarzana Branch of the Los Angeles Public Library, and such

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other public places as the Board determines. All materials mailed (electronically or otherwise), faxed, or distributed to Board Representatives and Alternates shall be similarly distributed in a timely manner to members of the public who have so requested receipt of same. A form for this purpose shall be made readily available to interested persons. Copies of the Agenda, Minutes, and other materials distributed to Board Representatives and Alternates shall be made available to the public at each meeting. A copy of each item for the current meeting shall be placed in a clearly marked binder which shall be readily available for public review. [Adopted 9-29-05, amended 7-26-06]

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F. Consent Items. The Agenda of the Board may have as an item following the approval of the minutes an Item denoted "Consent Items". Consent Items shall consist of recommended actions of a routine nature passed unanimously by a committee for referral to the Board. The presiding officer will ask if there are any objections to the Consent Items, if there are none, they shall be deemed unanimously adopted by the affirmative vote of all Representatives present. If there is an objection to an Item by a Representative, the item shall be heard and acted upon under the report of the Committee that referred the item. Each consent item will be described in 20 words or less. Materials related to the Consent Item shall be available to the Representatives at the meeting. [Adopted 7-26-06]

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G. Bylaws. At the first reading of a proposed bylaw amendment no vote or action may be taken until the second reading; however, Board Members may comment or make suggestions regarding the proposed amendment. [Adopted 8-22-07]

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H. Voting. At Board meetings only voting Board Representatives and Alternates shall be seated at the table. In the event that a Voting Alternate is seated at the table and the Board Representative is subsequently present, the Alternate shall return to the floor; they can voice on any matter as permitted for public comment and not as part of the Board comments. Newly elected Representatives will not be seated pending the final results of a recount or an election challenge. The incumbent Representatives will continue in their duly elected/appointed positions until all election challenges are resolved

**2 Committees.**

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A. Executive Committee. The Executive Committee shall consist of the officers of the Board. Two Representatives at large shall be appointed as standby alternates one and two (on a rotating basis as much as possible) by the President (or presiding officer in the absence of the President) for each meeting of the Executive Committee and be eligible to vote in the order designated in absence of one or more officers of the Board. The Executive Committee shall have the authority to set the agenda and scheduling for each Board meeting. The Executive Committee may also discuss and make recommendations to the Board akin to any other committee. Meetings of the Executive Committee may be called by the President, or presiding officer in the absence of the President or any two officers. A quorum for the Executive Committee shall be a majority of the elected officers (excluding any office that is then permanently vacant) and two at large Representatives. In the determination of the Executive Committee that there is not time to defer approval of an appropriation to the next Board meeting,

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the Executive Committee shall have authority to approve on behalf of and in place and stead of the Board, any monetary expenditure not exceeding \$500.00.

B. Procedures. Committee meetings scheduled back to back should be avoided with a strong preference to have only one meeting scheduled per day and not to have meetings during normal work hours. Committee Agendas should show the committee members. Committee Chairs shall coordinate the meeting dates through the Board office before posting notices to avoid conflicting meetings. Committee recommendations shall be decided by majority vote of committee members present and voting. A minority report, if submitted, is to be provided with a written majority report when a recommendation is made to the Board. The vote count must be shown on the written recommendation. [Adopted 9-29-05; amended 8-22-07]

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C. Funding Requests. The chair of any committee requesting an appropriation of Encino Neighborhood Council (ENC) funds is solely responsible for obtaining all information, providing all documentation, and securing the approvals required by the City of Los Angeles, prior to the distribution of any ENC funds for that request.

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D. Meetings. Committees must meet at least once each calendar quarter at specified periodic times and written minutes or reports of the meetings must be filed with the Board within seven business days of the meetings. If the Committee does not meet once each calendar quarter, the Vice President may disband the Committee. [Adopted 3-22-06]

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E. Vice Chairs. A Vice Chair of a committee may be selected by the Chair of a Committee with the approval of the Vice President, to act as temporary chair of the committee in the absence of the Committee Chair.

**3. Grievance Procedures.** [Adopted 11-23-05; amended 3-22-06]

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A. Any non-conflicted Stakeholder may serve on the ad hoc grievance panel (Grievance Panel”) excluding Alternates and Representatives of the Board.

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B. The President and the Vice-President, or their designees, shall represent the Board in connection with the Grievance. In the event the President or the Vice-President is conflicted, the other of them shall designate the Board representatives to participate in the Grievance processes. If both are conflicted, then the Executive Committee shall select the Board Representatives. Such designation shall be made within five (5) days of receipt of the Grievance.

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C. The Grievance Panel shall set a meeting date within ten (10) days of their appointment for the purpose of have a hearing on the grievance, at which sufficient time shall be set aside to have the aggrieved parties present their concerns and for response by the Board representatives and other interested parties. The Grievance Panel shall endeavor to encourage the resolution of the grievance by agreement of the parties. If agreement is not possible the

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Grievance Panel shall include in its report the positions of the parties and its recommendation to the Board for proposed action on the Grievance.

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D. In the event that the Grievance Panel is unable to be selected (there being a lack of five persons who have previously indicated a willingness to serve on the Grievance Panel) or the parties were unable to reach agreement, then the matter may shall be referred to mediation with a professional mediator, preferably who is willing to act on a pro bono basis. It shall be the responsibility of the Secretary (or if the Secretary is conflicted, the President, or if both are conflicted, the Executive Committee) to select the mediator. The mediation shall be held within ten (10) days of the selection of the mediator. The mediator shall be selected within five (5) days of the receipt of the grievance if a Grievance Panel is not able to be selected by the Secretary or within five (5) days of the Grievance Panel reporting that the parties did not reach agreement at the hearing. In the event a Grievance Panel has not been selected or the parties have not been able to reach agreement through the Grievance Panel process and a mediation has not been commenced by the next regularly scheduled Executive Committee meeting more than ten (10) days after the time for the Secretary to select a mediator, the Executive Committee shall cause within five (5) days a mediation to be opened with the City Attorney Dispute Resolution Program or any of its affiliated participating programs (213) 485-8324,

E. An appeal to Department of Neighborhood Empowerment shall not be undertaken until the grievance process has been completed with a vote by the Board on the report of the Grievance Panel or the Board's rejection of implementation of agreements reached in the Grievance process.

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F. The filing of a grievance shall not effect the action of the Board to which the grievance applies.

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G. The President shall report to the Executive Committee at its regular meetings the pending status of all open Grievances.

**4. Conflict of Interest** A representative, alternate or committee member who is concerned that he or she may have a conflict of interest in connection with a matter before the Board or a committee of the Board is encouraged to consult (but is not required to do so) the City Attorney. If a person receives advice that there is a conflict of interest, the board member shall recuse themselves from participating in the decision. Absent an opinion of the City Attorney, it is the responsibility of representative, alternate or committee member to personally determine whether or not he or she has a conflict of interest. The board or committee may determine by a majority vote that an individual board or committee member should seek advice of the City Attorney as to whether or not a conflict exists as to a matter and if the board member refuses to seek advice, then the board member may not participate in the decision, including voting on the matter; in which case, the matter will be put over to the next regular of the Board unless two-thirds of the Representatives vote to hear the matter immediately. This rule does not affect the rights, obligations and remedies of the representative, alternate, committee member and any other persons resulting from a representative, alternate or committee member's failure to declare a

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conflict of interest in connection with the matter voted upon. A board member who does not seek advice of the City Attorney assumes the risk of their behavior and may be subject to civil or criminal liability without the indemnification protections offered by the City Charter. Similarly, someone who "personally determines" their own conflict, assumes the same risk. Expenditure of funds, voting on contracts, or voting on policies that may create contracts, present an entirely different set of ethical concerns under Government Code section 1090. Any board member concerned with a Government Code section 1090 violation should immediately contact the City Attorney, and if warranted, the City Attorney may issue an advice letter voiding the expenditure and preventing the Neighborhood Board from entering or voting on the subject. [Adopted 7-26-06]

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**5. Code of Civility. Board Representatives and alternates are encouraged to abide by the following Code of Civility to the best of their abilities:**

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A. Conduct oneself in a professional and civil manner at all times as a representative of the Board.

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B. Treat each member of the board 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, to demonstrate esteem and deference for colleagues and the public.

D. Under no circumstances during Board meetings, functions, or events to engage in or threaten to engage in any verbal or physical attack on any other individual.

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E. Communicate ideas and points of view clearly, and allow others to do the same without interruption.

F. To Not use language that is abusive, threatening, obscene, or slanderous, including using profanities, insults, or other disparaging remarks or gestures.

G. Derogatory language about an individual's ethnicity, race, sexuality, age, disability, or religion is not acceptable.

H. To take responsibility for your own actions, and work to fulfill your role and responsibilities as specified in the bylaws

I. To attempt to abide by the applicable laws that govern the Board, including bylaws, standing rules, the Brown Act, ethics rules, city ordinances, and the City Charter, and not knowingly violate any of the above.

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J. To abide by the Board's meeting procedures or rules in order to create a safe and effective environment for conducting business.

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K. Promote and enforce a safe meeting environment at all times. At moments when members of the public become disruptive and violate these rules of civility that we have pledged to follow, to join fellow board members in demanding that the persons conduct themselves in a respectful and orderly manner even if you agree with the point of view that is being expressed.

L. Seek to present information truthfully, and will not knowingly misrepresent, mischaracterize, or misquote information received from others.

M. Pledge to truly listen to and hear other points of view.

N. Practice the art of being able to disagree without being disagreeable.

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**6. Copying Costs for Requests for Copies of Records.** Requested copies of public records will be produced at a charge of One Dollar (\$1.00) per request, plus ten cents (\$.10) for each page, plus the actual costs of staff time in excess of the first thirty (30) minutes for retrieving and duplicating the document(s). [Adopted 2-28-07]

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**7. Funding Priorities.** In allocating funding for community projects the highest priority shall first be given to expenditures that would be for use within the boundaries of the Board. The intent of the program is to provide benefit to the Board's geographic area. An expenditure for use not within the Board's geographic boundaries (such as for schools that are located outside of the Board boundaries but serve Encino children) requires the Board to (i) make findings that the funds are not needed for projects of equal or greater need within the boundaries of the Board, (ii) be supported by a statement of need from the applicant, including disclosure of the participation of other Neighborhood Boards within whose boundary the applicant is located or provides services, (iv) be supported by a letter of acknowledgment from the applicant of the request for the assistance, and (v) be approved by DoNE. [Adopted 8-22-07]

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