

Encino Neighborhood Council Draft revision of Standing Rules as of 7/20/2021.

Explanation of Format: The current Standing Rules, which serve to clarify items in the Bylaws, , last revised in 2013, is out of order with respect to which section of the Bylaws each Standing Rules relates to. The current revision, in addition to clarifying and/or correcting Standing Rules, orders them in the same order as the various provisions of the Bylaws are ordered. So for example, immediately below is reference to the Bylaws Table of contents ending with "ARTICLE V GOVERNING BOARD.....6, Section 1. Composition". Immediately under that, "1. Unless..." refers to the first standing rule. This continues throughout the document to page ____ where the Standing Rules in old format are listed. For clarity, the Bylaws sections are highlighted green. Interspersed are some sections of further explanation which will be appendices to the Standing Rules.

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Section 1: Composition Unless the presiding officer appoints a parliamentarian at the commencement of the meeting, 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]

Section 2: Quorum

Section 3: Official Actions

1. The proposals and recommendation of the ENC shall be in the form of a Community Impact Statement (CIS). The CIS will include findings of fact, recommendations and a summary of the public input (i.e. speaker’s comments). Should there not be a consensus on an issue, then a Majority Statement and a Minority Statement will be included in the CIS. It shall be improper to submit the results of a majority vote of the ENC, without the required Statement of findings of fact, proposals and recommendations of the ENC.

**Executive Committee Supporting Document – ATTACHMENT A
Explanation of Vote Tally**

Standing Rules Amendment - Adding Item 1.I. to the current Standing Rules (2/3 Vote required)

1.I. Voting Tally - Eligible Votes for motions shall be counted in the manner exemplified by the City of Los Angeles <http://empowerla.org/neighborhood-council-voting-facts/example> dated January 21st, 2016.

"Example

A Neighborhood Council has 15 board seats and has a quorum of 9 board members to take action. Eleven board members are present, but only 9 are qualified to vote for an item before them because of training requirements. Based on the 3 ways a board can take action, here are the important numbers for the scenario:

1. Simple majority of board members present – Requires 6 votes to pass
2. Simple majority of board members present and voting – Requires 5 votes to pass
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If the final vote is 6 for, 3 against and 2 ineligible, then the motion only passes under the first 2 scenarios.

Remember, the required number of votes necessary can change between each agenda item. For instance, if in this scenario, the next item requires 2 board member recusals as well as the 2 ineligible board members, then some of the important numbers have shifted because only 9 board members are present now with 7 qualified to vote:

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If the final vote is 4 for, 3 against and 2 ineligible, then the motion still passes under the 2nd scenario, but not the 1st and 3rd.

Even though a board member is ineligible to vote, s/he still counts towards quorum and the number of board members present. S/he does not, however, count towards the number of board members voting. A recused board member does not count towards quorum or the number of board members present or the number of board members voting."

[Adopted 5/2018]

***Note: As of the 2020 Bylaws, Encino has selected option 2 per Article V sec 3 of the bylaws.

1. 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 council or committee of the council 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 the 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 meeting of the Council unless two-thirds (2/3) 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 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, 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 Council from entering or voting on the subject. [Adopted 7-26-06]

Section 4: Terms and Term Limits

Section 5: Duties and Powers

Adding in all select appointees and active appointments made by the ENC.

A. The Board, by majority vote, may select an ambassador for specific issues or representation at Neighborhood Council Alliances & Groups. The ambassador may be removed by majority vote. Such authorized ambassadors must vote in meetings outside of the ENC in the manner consistent with the ENC Board as expressed as a position or voted on a given issue.

B. If an issue has not been brought up for consideration and an official position by the ENC, the ambassador can vote and must report back to the Executive Committee. The Executive Committee shall report the position at the general board meeting in a manner of their choosing. If the Board deems to take an opposite position than voted on by the ambassador(s), the ambassador must immediately send notification to the Alliance or Group and notifying the board correcting the error. Such a list of ambassadors shall be kept by the executive board and listed by name and email address, date of their term, of all persons on the ENC Website.

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Section 1: Officers of the Board

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Section 3: Selection of Officers

Section 4: Officer Terms

Article VII COMMITTEES AND THEIR DUTIES..... 14

2. The Executive Committee shall consist of the 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 [Adopted 07/24/13].

BYL-21-03-0005 (or maybe under List of committee descriptions)?

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 Council office before posting notices to avoid conflicting meetings.

C. Committee recommendations shall be decided by majority vote of committee members present and voting. **Quorums see Bylaws Article 7, Section 2.** A minority report, if submitted, is to be provided with a written majority report when a recommendation is made to the Council. The vote count must be shown on the written recommendation. [Adopted 09/29/05; Amended 08/22/07]
ENC-EXE-08-001

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 (7) business days of the meetings. If the Committee does not meet once each calendar quarter, the Vice President may disband the Committee. [Adopted 03/22/06].

1. Exceptions: Bylaws and AD HOC Committees meet as needed. [Amended 03/12/2021]
1.1 File EXE-18-07-0001

Section 1: Standing Committees

A. List of Committees

1. Airport Committee
2. Bylaws Committee
3. Education Committee
4. Executive Committee
5. Finance Committee
6. Homelessness Committee
7. Outreach Committee
8. Parks & Environment Committee
9. Planning & Land Use Committee
10. Public Safety Committee
11. Traffic / Transportation Committee

Section 2: Ad Hoc

Section 3: Committee Creation and Authorization

Article VIII MEETINGS..... 16 :

1. A. Conduct Unless the Chairperson announces otherwise at the commencement of the meeting, the conduct of the meetings of the council 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]

F. Consent Items. The Agenda of the Council 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 Council. 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 and **seated Alternate Representatives** present. If there is an objection/**question or comment card** to an Item by a Representative **or Alternate Representative**, the "**pulled**" 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 Coynsent Item shall be available to the Representatives at the meeting. [Adopted 07/26/06] [Amended 03/05/2021]

Section 1: Meeting Time and Place

Section 2: Agenda Setting

All items within the subject matter purview of an existing committee shall be heard by that committee first prior to going to the full board.

Exception: If an item has exigent circumstances and/or "time is of the essence" issue, it may bypass the respective jurisdictional committee and be placed on the Executive Committee agenda as a Non-Consent Item.

Exception Challenge: Five Board Members in good standing may challenge such bypass by submitting written communication to the executive committee. Alternatively, any board member may raise an objection during the Full Board Meeting prior to its consideration with the vocal support of four other members. The item is immediately referred to the appropriate committee.

B. Public comment for items not on the council Agenda, including announcements, comments, or requests, shall be Aгенized as Public Comment ~~which shall follow Old Business and New Business~~. Public Comment speakers shall be limited to two minutes 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]. [Amended 3/12/2021]

B. The Council 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 Council may by majority vote of the Council Representatives voting defer a vote to the next regularly scheduled Council meeting or vote on the issue. [Adopted 9-29-05]

Executive Committee Supporting Document – ATTACHMENT B

All Motions / Agenda Items shall be codified in the following manner:

Encino NC Tracking System of Actions (if needed for Standing Rules 1.D.1)

A need has arisen for tracking and referral to current, future, and past motions to ease in the identification and proper conduct of business of the ENC. The Following Tracking System is proposed:

Actions taken and approved by the ENC will be assigned a label code of ENC-XXX-YR-MO-####.

Where ENC = Encino Neighborhood Council Board

Where XXX = to the committee that generated the action.

Where YR = to the last two digits of the year of its creation as it first appears on an agenda.

Where MO = the month the motion appeared on the agenda

Where #### = to the sequential action taken by a committee

Example:

EXE-18-07-0001 : "EXE" indicated the Action was created in the Executive Committee; "18" indicates the year (2018), "07" indicates the month (July), "0001" indicates the first action of the year for the committee

ENC-EXE-18-07-0001: "ENC" indicated the board has approved the action generated by the executive committee in July 2018 at their first action request.

Notes:

1. Committee Chairs are responsible for creating and tracking their individual counter of actions. These actions shall be stored in a continuity book kept by the presiding chair and handed off to the succeeding chair if there is a change in seats.

2. Current Committee Prefixes are:

EXE = Executive Committee, GOV = Governmental Affairs,
BYL = Bylaws Committee, EDU = Education Committee

FIN = Finance Committee, OUT = Outreach Committee

PAR = Parks Committee, PLU = Planning and Land Use Committee

PSA = Public Safety Committee, TRA = Traffic/Transportation Committee

New Committees will be assigned a prefix upon creation by the Secretary, or if not present, the sequential order of presiding executive committee members. Ad Hoc Committees will be given the Prefix "AXX" A = Ad Hoc, "XX" assigned as mentioned above.

3. Qualified initiatives will be assigned a YR-MO-#### by the same procedure as above with the prefix of "INI". Example: INI-18-07-0001

4. Once an action is passed by a committee or qualified under an initiative, and then passed by a legal vote of the board, the letters "ENC" is added to the front of the tag without any change to the remainder of the tag. Example: Board votes and passes action on item EXE-18-07-0001. Item is now ENC-EXE-18-07-0001.

[Adopted 6/2018]

Executive Committee Supporting Document – ATTACHMENT A

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[Adopted 5/2018]

Section 3: Notifications/Postings

- E. Copies of Agendas, Minutes, and other materials from meetings will be available for public inspection at the Encino Neighborhood Council and to the extent feasible be posted on the website: www.encinocouncil.org [Adopted 9/29/05] www.encinonc.org [Amended 03/05/21]
- F. Copying Costs for Requests for Copies of Records. Requested copies of public record 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 duplication the document(s). [Adopted 2-28-07]

E. At least seven days before the regular Council 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 Council Representatives and Alternates and such other interested persons as requested and as the Council directs. The Final Agenda for the regular Council meetings shall be posted at least 72 hours in advance ~~in Brown Act compliant, at outside~~ the Encino Chamber of Commerce ~~at 4933 Balboa Blvd, Encino, CA 91316, and NCsupport@lacity.org~~ 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 other public places as the council determines. All materials ~~emailed (electronically or otherwise), faxed,~~ or distributed to Council Representative 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 Council 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 09/29/05, Amended 07/26/06] [Amended 03/05/2021]

Section 4: Reconsideration

Article IX FINANCES..... 18

- 2. 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 Council. The intent of the program is to provide benefit to the Council’s geographic area. An expenditure for use not within the Council’s geographic boundaries (such as for schools that are located outside of the Council boundaries but serve Encino children) requires the Council to (i)make findings that the funds are not needed for projects of equal or greater new within the boundaries of the Council, (ii) be supported by a statement of need from the applicant, including disclosure of the participation of the Neighborhood Councils within whose boundary the applicant is located or provides services, (iv) be supported by a letter of acknowledgement from the applicant of the request for the assistance, and (v) he approved by DONE. [Adopted 8-22-07] ~~(Or we could put under Official Actions, Article V, Section 3)~~

Article X ELECTIONS..... 18

Section 1: Administration of Election

Section 2: Governing Board Structure and Voting

- I. **Governing Structure and Seat Eligibility**
Attachment B from Bylaws 2017 [Adopted 04/02/21] BYL-21-04-0006 (5,0,0)

Volunteer/Service Representative(elected): Active member, employee, or ongoing volunteer of a volunteer service group (including but not limited to a group serving seniors, youth or veterans that is located or regularly meets within the boundaries of the Encino Neighborhood Council, as well as the Encino-Tarzana Branch Library who is 18 years or older.

Area 1 Representative(elected): Resident in Area 1 who is 18 years or older.

Area 2 Representative(elected): Resident in Area 2 who is 18 years or older.

Area 3 Representative(elected): Resident in Area 3 who is 18 years or older.

Area 4 Representative(elected): Resident in Area 4 who is 18 years or older.

Area 5 Representative(elected): Resident in Area 5 who is 18 years or older.

Area 6 Representative(elected): Resident in Area 6 who is 18 years or older.

Area 7 Representative(elected): Resident in Area 7 who is 18 years or older.

Encino Property Owners Association Representative(selected): Member from the Encino Property Owners Association who is 18 years or older.

Homeowners of Encino Representative(selected): Member from the Homeowners who is 18 years or older.

Encino Chamber of Commerce Representative(selected): Member form the Encino Chamber of Commerce who is 18 years or older.

Youth Member(appointed): Resident within the ENC boundaries between 16 and 22 years of age at the time of appointment.

Selected organizational seat on the Board can only be filled by its respective organizational alternate.
(5,0,0) BYL-21-04-0007

ATTACHMENT B – Governing Structure and Voting Encino Neighborhood

Council – 22 Board Seats

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
At-Large Representatives Term: 2 Years	2	Elected	Stakeholders in the neighborhood and who are 18 years or older.	Stakeholders in the neighborhood and who are 18 years or older.
Apartment/Condo Representative Term: 2 Years	1	Elected	An owner or tenant of an apartment or condo within the boundaries of the Encino Neighborhood Council who is 18 years or older	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older.

Business Representatives Term: 2 Years	2	Elected	Persons who own business property, or who own or work at a business within the boundaries of the Encino Neighborhood Council who are 18 years of older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older
Education Representative Term: 2 Years	1	Elected	An officer, employee, ongoing volunteer or parent or guardian of a currently enrolled student at a public or private school located within the boundaries of the Encino Neighborhood Council who is 18 years or older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older
Park Advocate/Environment Representative Term: 2 Years	1	Elected	An active member with a park, recreation or environmental group is located or regularly meets within the boundaries of the Encino Neighborhood Council who is 18 years or older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older.

ENC Bylaws Approved 06302020

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
Planning and Land Use Representative Term: 2 Years	1	Elected	Stakeholder who lives, works, or owns property within the ENC boundaries who is knowledgeable in planning and land use matters and who is 18 years or older	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older.

Public Safety Representative Term: 2 Years	1	Elected	Member of a public safety organization that meets regularly within the boundaries of the Encino Neighborhood Council, as well as an organization (including but not limited to the West Valley Police Station) that has jurisdiction of an area within the boundaries of the Encino Neighborhood who is 18 years or older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older.
Religious Organization/Institution Representative Term: 2 Years	1	Elected	Member of, the clergy, employee, member or ongoing volunteer of a religious institution (including any religious school or organization of the religious institution) that is located within the boundaries of the Encino Neighborhood Council who is 18 years or older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older.
Volunteer/Service Representative Term: 2 years	1	Elected	Active member, employee, or ongoing volunteer of a volunteer service group (including but not limited to a group serving seniors, youth or veterans that is located or regularly meets within the boundaries of the Encino Neighborhood Council, as well as the Encino-Tarzana Branch Library who is 18 years or older.	Stakeholders who live, work, or own property in the neighborhood and who are 18 years or older
Area 1 Representative Term: 2 Years	1	Elected	Resident in Area 1 who is 18 years or older.	Stakeholders who reside in Area 1 and who are 18 years or older.
Area 2 Representative Term: 2 Years	1	Elected	Resident in Area 2 who is 18 years or older.	Stakeholders who reside in Area 2 and who are 18 years or older.
Area 3 Representative Term: 2 Years	1	Elected	Resident in Area 3 who is 18 years or older.	Stakeholders who reside in Area 3 and who are 18

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
				years or older.
Area 4 Representative Term: 2 Years	1	Elected	Resident in Area 4 who is 18 years or older.	Stakeholders who reside in Area 4 and who are 18 years or older.
Area 5 Representative Term: 2 Years	1	Elected	Resident in Area 5 who is 18 years or older.	Stakeholders who reside in Area 5 and who are 18 years or older.
Area 6 Representative Term: 2 Years	1	Elected	Resident in Area 6 who is 18 years or older.	Stakeholders who reside in Area 6 and who are 18 years or older.
Area 7 Representative Term: 2 Years	1	Elected	Resident in Area 7 who is 18 years or older.	Stakeholders who reside in Area 7 and who are 18 years or older.
Encino Property Owners Association Representative Term: 2 Years	1	Selected	Member from the Encino Property Owners Association who is 18 years or older	Encino Property Owners Association Board of Directors
Homeowners of Encino Representative Term: 2 Years	1	Selected	Member from the Homeowners of Encino who is 18 years or older	Homeowners of Encino Board of Directors
Encino Chamber of Commerce Representative Term: 2 Years	1	Selected	Member from the Encino Chamber of Commerce who is 18 years or older	Encino Chamber of Commerce Board of Directors
Youth Member Term: 2 Years	1	Appointed	Resident within the ENC boundaries between 16 and 22 years of age at the time of appointment	Appointed by the Board

Section 3: Minimum Voting Age

Section 4: Method of Verifying Stakeholder Status

Section 5: Restrictions on Candidates Running for Multiple Seats

Section 6: Other Election Related Language

H. Newly elected Representatives will not be seated pending the final result of a recount or an election challenge. The incumbent Representative will continue in their duly elected/appointed positions until all election challenges are resolved.

Article XI GRIEVANCE PROCESS..... 19

- Grievance Procedures [Adopted 11/23/05; Amended 03/22/06] (see also Bylaws Section XI)

- A. Any non-conflicted Stakeholder may serve on the AD HOC Grievance Panel (“Grievance Panel”) excluding Alternates and Representative of the Council.
- B. The President and the Vice President, or their designees, shall represent the Council in connection with the Grievance. In the event the President or the Vice President is conflicted, the other of them shall designate the Council Representative to participate in the Grievance processes. If both are conflicted, then the Executive Committee shall select the Council Representatives. Such designation shall be made within five (5) days of receipt of the Grievance.
- C. The Grievance Panel shall set a meeting date within ten (10) days of their appointment for the purpose of having 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 Council 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 Grievance Panel shall include in its report the positions of the parties and its recommendation to the council for proposed action on the Grievance.
- 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 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 the 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 DONE shall not be undertaken until the grievance process has been completed with a vote by the Council on the report of the Grievance Panel or the Council’s rejection of implementation of agreements reached in the Grievance process.
- F. The filing of a grievance shall not affect the action of the Council to which the grievance applies.
- G. The President shall report to the Executive Committee at its regular meetings the pending status of all open Grievances.

Article XII PARLIAMENTARY AUTHORITY..... 19

Article XIII AMENDMENTS..... 19

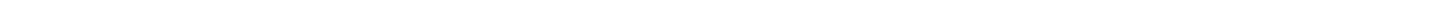
- G. Bylaws. At the first reading of a proposed bylaw amendment, no vote or action may be taken until the second reading; however, Council Members may comment or make suggestions regarding the proposed amendment. [Adopted 08/22/07]

Section 1: Code of Civility

- 4. Code of Civility. Council Representatives and alternates are encouraged to abide by the following Code of Civility to the best of their abilities.
 - a. Conduct oneself in a professional and civil manner at all times as representative of the council.
 - 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 Council meetings, functions, or events to engage in or threaten to engage in any verbal or physical attack on any other individual.
 - 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 Council, including bylaws, standing rules, the Brown Act, ethics rules, city ordinances, and the City Charter, and not knowingly violate any of the above.
 - j. To abide by the Council’s meeting procedures or rules in order to create a safe and effective environment for conducting business.
 - 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.

Section 2: Training

Section 3: Self-Assessment



STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through **03/12/2021**

[Standing Rules may be approved by the Council 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 Council Representatives voting]

1. A. Conduct Unless the Chairperson announces otherwise at the commencement of the meeting, the conduct of the meetings of the council 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]
- B. Public comment for items not on the council Agenda, including announcements, comments, or requests, shall be Aгенized as Public Comment ~~which shall follow Old Business and New Business~~. Public Comment speakers shall be limited to two minutes 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]. **[Amended 3/12/2021]**
- C. The Council 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 Council may by majority vote of the Council Representatives voting defer a vote to the next regularly scheduled Council meeting or vote on the issue. [Adopted 9-29-05]
- D. Copies of Agendas, Minutes, and other materials from meetings will be available for public inspection at the Encino Neighborhood Council and to the extent feasible be posted on the website: www.encinocouncil.org [Adopted 9/29/05] www.encinonc.org **[Amended 03/05/21]**
- E. At least seven days before the regular Council 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 Council Representatives and Alternates and such other interested persons as requested and as the Council directs. The Final Agenda for the regular Council meetings shall be posted at least 72 hours in advance **in Brown Act compliant, at outside** the Encino Chamber of Commerce **at 4933 Balboa Blvd, Encino, CA 91316, and NCsupport@lacity.org** 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 other public places as the council determines. All materials ~~emailed (electronically or otherwise), faxed,~~ or distributed to Council Representative 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 Council 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 09/29/05, Amended 07/26/06] **[Amended 03/05/2021]**

F. Consent Items. The Agenda of the Council 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 Council. 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 and seated Alternate Representatives present. If there is an objection/question or comment card to an Item by a Representative or Alternate Representative, the "pulled" 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 07/26/06] [Amended 03/05/2021]

G. Bylaws. At the first reading of a proposed bylaw amendment, no vote or action may be taken until the second reading; however, Council Members may comment or make suggestions regarding the proposed amendment. [Adopted 08/22/07]

H. Newly elected Representatives will not be seated pending the final result of a recount or an election challenge. The incumbent Representative will continue in their duly elected/appointed positions until all election challenges are resolved.

I. Governing Structure and Seat Eligibility

Attachment B from Bylaws 2017 [Adopted 04/02/21] BYL-21-04-0006 (5,0,0)

Volunteer/Service Representative(elected): Active member, employee, or ongoing volunteer of a volunteer service group (including but not limited to a group serving seniors, youth or veterans that is located or regularly meets within the boundaries of the Encino Neighborhood Council, as well as the Encino-Tarzana Branch Library who is 18 years or older.

Area 1 Representative(elected): Resident in Area 1 who is 18 years or older.

Area 2 Representative(elected): Resident in Area 2 who is 18 years or older.

Area 3 Representative(elected): Resident in Area 3 who is 18 years or older.

Area 4 Representative(elected): Resident in Area 4 who is 18 years or older.

Area 5 Representative(elected): Resident in Area 5 who is 18 years or older.

Area 6 Representative(elected): Resident in Area 6 who is 18 years or older.

Area 7 Representative(elected): Resident in Area 7 who is 18 years or older.

Encino Property Owners Association Representative(selected): Member from the Encino Property Owners Association who is 18 years or older.

Homeowners of Encino Representative(selected): Member from the Homeowners who is 18 years or older.

Encino Chamber of Commerce Representative(selected): Member from the Encino Chamber of Commerce who is 18 years or older.

Youth Member(appointed): Resident within the ENC boundaries between 16 and 22 year of age at the time of appointment.

Selected organizational seat on the Board can only be filled by its respective organizational alternate.
(5,0,0) BYL-21-04-0007

2. Committees. The Executive Committee shall consist of the 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 [Adopted 07/24/13].

BYL-21-03-0005

A.

12. Airport Committee
13. Bylaws Committee
14. Education Committee
15. Executive Committee
16. Finance Committee
17. Homelessness Committee
18. Outreach Committee
19. Parks & Environment Committee
20. Planning & Land Use Committee
21. Public Safety Committee
22. Traffic / Transportation Committee

- G. 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 Council office before posting notices to avoid conflicting meetings.

- H. Committee recommendations shall be decided by majority vote of committee members present and voting. **Quorums see Bylaws Article 7, Section 2.** A minority report, if submitted, is to be provided with a written majority report when a recommendation is made to the Council. The vote count must be shown on the written recommendation. [Adopted 09/29/05; Amended 08/22/07] **ENC-EXE-08-001**

- I. 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 (7) business days of the meetings. If the Committee does not meet once each calendar quarter, the Vice President may disband the Committee. [Adopted 03/22/06].

2. Exceptions: Bylaws and AD HOC Committees meet as needed. [Amended 03/12/2021]
1.1 File EXE-18-07-0001

3. Grievance Procedures [Adopted 11/23/05; Amended 03/22/06] (see also Bylaws Section XI)

- H. Any non-conflicted Stakeholder may serve on the AD HOC Grievance Panel ("Grievance Panel") excluding Alternates and Representative of the Council.

- I. The President and the Vice President, or their designees, shall represent the Council in connection with the Grievance. In the event the President or the Vice President is conflicted, the other of them shall designate the Council Representative to participate in the Grievance processes. If both are conflicted, then the Executive Committee shall select the Council Representatives. Such designation shall be made within five (5) days of receipt of the Grievance.
 - J. The Grievance Panel shall set a meeting date within ten (10) days of their appointment for the purpose of having 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 Council 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 Grievance Panel shall include in its report the positions of the parties and its recommendation to the council for proposed action on the Grievance.
 - K. 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 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 the 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.
 - L. An appeal to DONE shall not be undertaken until the grievance process has been completed with a vote by the Council on the report of the Grievance Panel or the Council's rejection of implementation of agreements reached in the Grievance process.
 - M. The filing of a grievance shall not affect the action of the Council to which the grievance applies.
 - N. 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 council or committee of the council 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 the 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 meeting of the Council unless two-thirds (2/3) 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 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, 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 Council from entering or voting on the subject. [Adopted 7-26-06]

5. Code of Civility. Council Representatives and alternates are encouraged to abide by the following Code of Civility to the best of their abilities.
 - a. Conduct oneself in a professional and civil manner at all times as representative of the council.
 - 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 Council meetings, functions, or events to engage in or threaten to engage in any verbal or physical attack on any other individual.
 - 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 Council, including bylaws, standing rules, the Brown Act, ethics rules, city ordinances, and the City Charter, and not knowingly violate any of the above.
 - j. To abide by the Council's meeting procedures or rules in order to create a safe and effective environment for conducting business.
 - 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.

6. Copying Costs for Requests for Copies of Records. Requested copies of public record 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 duplication the document(s). [Adopted 2-28-07]

7. Unless the presiding officer appoints a parliamentarian at the commencement of the meeting, 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]

8. 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 Council. The intent of the program is to provide benefit to the Council's geographic area. An expenditure for use not within the Council's geographic boundaries (such as for schools that are located outside of the Council boundaries but serve Encino children) requires the Council to (i) make findings that the funds are not needed for projects of equal or greater new within the boundaries of the Council, (ii) be supported by a statement of need from the applicant, including disclosure of the participation of the Neighborhood Councils within whose boundary the applicant is located or provides services, (iv) be supported by a letter of acknowledgement from the applicant of the request for the assistance, and (v) be approved by DONE. [Adopted 8-22-07]

9. The proposals and recommendation of the ENC shall be in the form of a Community Impact Statement (CIS). The CIS will include findings of fact, recommendations and a summary of the public input (i.e. speaker's comments). Should there not be a consensus on an issue, then a Majority Statement and a Minority Statement will be included in the CIS. It shall be improper to submit the results of a majority vote of the ENC, without the required Statement of findings of fact, proposals and recommendations of the ENC.

[Adopted 6/2018]

Executive Committee Supporting Document – ATTACHMENT A

Standing Rules Amendment - Adding Item 1.I. to the current Standing Rules (2/3 Vote required)

1.I. Voting Tally - Eligible Votes for motions shall be counted in the manner exemplified by the City of Los Angeles <http://empowerla.org/neighborhood-council-voting-facts/example> dated January 21st, 2016.

"Example

A Neighborhood Council has 15 board seats and has a quorum of 9 board members to take action. Eleven board members are present, but only 9 are qualified to vote for an item before them because of training requirements. Based on the 3 ways a board can take action, here are the important numbers for the scenario:

1. Simple majority of board members present – Requires 6 votes to pass
2. Simple majority of board members present and voting – Requires 5 votes to pass
3. Simple majority of the total board – Requires 8 votes to pass

If the final vote is 6 for, 3 against and 2 ineligible, then the motion only passes under the first 2 scenarios.

Remember, the required number of votes necessary can change between each agenda item. For instance, if in this scenario, the next item requires 2 board member recusals as well as the 2 ineligible board members, then some of the important numbers have shifted because only 9 board members are present now with 7 qualified to vote:

1. Simple majority of board members present – Requires 5 votes to pass
2. Simple majority of board members present and voting – Requires 4 votes to pass
3. Simple majority of the total board – Requires 8 votes to pass

If the final vote is 4 for, 3 against and 2 ineligible, then the motion still passes under the 2nd scenario, but not the 1st and 3rd.

Even though a board member is ineligible to vote, s/he still counts towards quorum and the number of board members present. S/he does not, however, count towards the number of board members voting. A recused board member does not count towards quorum or the number of board members present or the number of board members voting."

[Adopted 5/2018]

***Note: As of the 2020 Bylaws, Encino has selected option 2 per Article V sec 3 of the bylaws.

Executive Committee Supporting Document – ATTACHMENT B

Encino NC Tracking System of Actions (if needed for Standing Rules 1.D.1)

A need has arisen for tracking and referral to current, future, and past motions to ease in the identification and proper conduct of business of the ENC. The Following Tracking System is proposed:

Actions taken and approved by the ENC will be assigned a label code of ENC-XXX-YR-MO-####.

Where ENC = Encino Neighborhood Council Board

Where XXX = to the committee that generated the action.

Where YR = to the last two digits of the year of its creation as it first appears on an agenda.

Where MO = the month the motion appeared on the agenda

Where #### = to the sequential action taken by a committee

Example:

EXE-18-07-0001 : "EXE" indicated the Action was created in the Executive Committee; "18" indicates the year (2018), "07" indicates the month (July), "0001" indicates the first action of the year for the committee

ENC-EXE-18-07-0001: "ENC" indicated the board has approved the action generated by the executive committee in July 2018 at their first action request.

Notes:

1. Committee Chairs are responsible for creating and tracking their individual counter of actions. These actions shall be stored in a continuity book kept by the presiding chair and handed off to the succeeding chair if there is a change in seats.

2. Current Committee Prefixes are:

EXE = Executive Committee, GOV = Governmental Affairs,

BYL = Bylaws Committee, EDU = Education Committee

FIN = Finance Committee, OUT = Outreach Committee

PAR = Parks Committee, PLU = Planning and Land Use Committee

PSA = Public Safety Committee, TRA = Traffic/Transportation Committee

New Committees will be assigned a prefix upon creation by the Secretary, or if not present, the sequential order of presiding executive committee members. Ad Hoc Committees will be given the Prefix "AXX" A = Ad Hoc, "XX" assigned as mentioned above.

3. Qualified initiatives will be assigned a YR-MO-#### by the same procedure as above with the prefix of "INI". Example: INI-18-07-0001

4. Once an action is passed by a committee or qualified under an initiative, and then passed by a legal vote of the board, the letters "ENC" is added to the front of the tag without any change to the remainder of the tag. Example: Board votes and passes action on item EXE-18-07-0001. Item is now ENC-EXE-18-07-0001.