

# **ENCINO NEIGHBORHOOD COUNCIL BYLAWS**

**APPROVED JUNE 30, 2017**

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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:

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 abut the boundaries of adjacent Neighborhood Councils (except for the publicly owned lands of the Sepulveda Basin, which is shared with the Lake Balboa Neighborhood Council) and include those areas of the City within the following lines of demarcation:

- A. **North:** Victory Boulevard;
- B. **East:** 405 Freeway;
- C. **South:** Mulholland Drive; and
- D. **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)

The boundaries of the Council are set forth in Attachment A - Map of Encino Neighborhood Council.

**Section 2: Internal Boundaries** – Seven (7) geographical areas shown on Attachment A and are:

- A. **Area 1 bounded by:** Victory Boulevard (N)  
Burbank Boulevard (S)  
Lindley Avenue (W)  
Balboa Boulevard (E)
- B. **Area 2 bounded by:** Victory Boulevard (N)  
Ventura Boulevard (S)  
Balboa Boulevard (W)  
405 Freeway (E)
- C. **Area 3 bounded by:** Burbank Boulevard (N)  
Ventura Boulevard (S)  
Lindley A venue (W)  
White Oak Avenue (E)
- D. **Area 4 bounded by:** Burbank Boulevard (N)  
Ventura Boulevard (S)  
White Oak Avenue (W)  
Balboa Boulevard (E)

**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)

**F. 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)

**G. 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)

#### **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 as a community interest stakeholder, defined as a person who affirms a substantial and ongoing participation within the Neighborhood Council's boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

#### **ARTICLE V GOVERNING BOARD**

The Board of Directors ("Board") shall be the governing body of the Council within the meaning of that term as set forth in the Plan for a Citywide System of Neighborhood Councils ("Plan").

**Section 1: Composition** - The Board shall consist of twenty-two (22) Stakeholders (including one non-voting Youth Member) elected, selected or appointed by the Board and/or Community Stakeholders. Candidates must be an eligible Stakeholder who lives, works, or owns property within the Encino Neighborhood Council Boundaries or who is a member of an organization fitting the category in which the candidate is running as more specifically described in Subsections 1A-G

herein below and in the Standing Rules “Qualifying Organizations and Institutions.” The composition of the Board shall be as follows:

- A. Elected Organization Representatives and Alternates (8)** - Open to a Representative and Alternate Representative eighteen (18) years of age or older for each stakeholder category below:
1. One (1) Apartment/Condo Representatives who is an owner or tenant of an apartment or condo within the boundaries of the Encino Neighborhood Council.
  2. Two (2) Business Representatives, who own business property, owns or works at a business within the boundaries of the Encino Neighborhood Council.
  3. One (1) Educational Representative, who is 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.
  4. One (1) Park Advocate/Environment Representative who is an active member with a park, recreation or environmental group that is located or regularly meets within the boundaries of the Encino Neighborhood Council.
  5. One (1) Public Safety Representative, who is a 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 Council.
  6. One (1) Religious Organization/Institution Representatives, who is a 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.
  7. One (1) Volunteer/Service Group Representative, who is an 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.
- B. Selected Organizational Representatives and Alternates (3)** - Open to one (1) Representative and Alternate Representative eighteen (18) years of age or older to be selected from each of the following organizations:
1. Encino Chamber of Commerce
  2. Encino Property Owners Association
  3. Homeowners of Encino

Candidates must file 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,
- (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 one hundred and fifty (150) dues paying members.

- C. **Area Representatives and Alternates (7)** - Open to one (1) Representative and Alternate eighteen (18) years of age or older elected from each of the seven (7) geographical areas by those stakeholders residing in each respective area as designated on Attachment A. Candidates must be an eligible stakeholder residing in the area for which the candidate is running.
- D. **At Large Representatives and Alternates (2)** - Open to two (2) Representatives and two (2) Alternates eighteen (18) years of age or older elected by all eligible stakeholders including community interest stakeholders.
- E. **Planning and Land Use Representative and Alternate** - Open to one (1) Representative and Alternate eighteen (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 Council geographical boundaries and who is knowledgeable in planning and land use matters.
- F. **Alternate Representatives** - The Alternate 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 shall become the Representative for the remainder of the Representative's elected term. If at any Board meeting, a Representative who is absent either (a) has no designated Alternate or (b) has an Alternate who is also absent, then the president or presiding officer may, with the approval of a majority of the members entitled to vote at the meeting, designate an existing Alternate for any other Representative to serve and vote during the meeting in place of the absent Representative. In such an instance, the seat of any absent Representative temporarily becomes an At-Large Seat.
- G. **Non-Voting Youth Member** - The Board by majority vote shall appoint a person living within the Encino Neighborhood Council boundaries who shall at the time of the appointment be between 16 and 22 years of age. The person so designated shall have the same rights as a Board member except will not be able to vote and shall not be counted in determining a quorum.

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 eleven (11) members of the Board. No floating quorums are allowed.

**Section 3: Official Actions** - A simple majority vote by the Board members present, including abstentions, which act as a "no" vote 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:

- 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 (1) 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 (1) 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 (1) 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 sixty (60) days of the date that a written application is presented to the Board.

**Section 7: Absences** - Any Representative who misses four (4) total regularly scheduled Board meetings during any twelve (12) month period after the most recent Board election will be automatically removed from the Board. Each Representative absence shall be recorded in the Council's meeting minutes or other manner of Council record keeping, and, upon missing the required number of Board meetings for removal, the Council Presiding Officer shall notify the Representative and provide notice to that Representative that their seat has been declared vacant. Any regular meeting of the Board, scheduled and noticed as per the Brown Act, shall constitute a meeting for the purpose of determining Representative attendance.

**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 Board meeting. Censures shall be placed on the agenda for discussion and action. The Council shall consult with the Office of the City Attorney throughout any Censure process.

**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:

- A. **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 Stakeholders.
1. 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.
  2. Removal of the identified Board member requires a two-thirds (2/3) majority of the attending Board members.
  3. 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.

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

- B. **Petition by Board** - 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 five (5) Board members.
1. 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.
  2. Removal of the identified Board member requires a two-thirds vote of the attending Board members.
  3. 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.

4. 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.

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' Associations 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.

## **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, and Treasurer,

**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 Board members 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 at the first official Board meeting following their election or selection in Board election years, and at the subsequent one (1) year anniversary mark of the Officers' election in Board non-election years.

**Section 4: Officer Terms** - The Officers shall serve one (1) terms .They may stand for reelection annually.

## **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: Executive Committee, Bylaws Committee, Education Committee, Finance Committee, Outreach Committee, Parks Committee, Planning and Land Use Committee, Public Safety Committee, and the Committee, the Traffic/Transportation 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. Ad hoc committees that include non-board member stakeholders shall be agendized and noticed in keeping with the Brown Act.

### Section 3: Committee Creation and Authorization

- A. **Committee Authority** - All committee recommendations shall be brought back to the full Board for discussion and action. ,
- B. **Committee Structure** - - With the exception of the Executive Committee, Committee membership shall be open to all Board members and 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 (5) voting members that are Representatives and/or Alternates and shall, to the extent possible, include at least one (1) voting member Stakeholder who is not an elected member of the Board. Each Representative or Alternate shall join at least one (1) committee by the second meeting of the Board after an Election. If more than nine (9) persons desire to serve on a committee, the Chairperson shall select the individuals to serve and may designate up to three (3) alternate committee members in order of priority to serve in the absence of a voting committee member.
- C. **Committee Appointment** - All Committee Chairs shall be appointed by the Vice President and confirmed by the Board. Only Board members may be appointed to serve as Chairperson of a Committee except: Only Board members may be appointed to serve as Chairperson of a Committee except: (i) if all elected Representatives have declined to serve to be the Chair of a Committee in which event an Alternate may be appointed and (ii) if all Alternates have also declined to be the Chair, a stakeholder may be appointed. The Chairs shall keep a written record of Committee meetings and shall provide regular reports on Committee matters to the Board. 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. **Priority in Appointment of Committee Members** - Committee chairs shall appoint members of their Committee with priority to both voting members and alternates who are not serving on any other Committee.
- G. **Removal of Committee Members** – Committee members may be removed if the

member has three (3) consecutive absences during the current two year term.

## **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, the Neighborhood Council Agenda Posting Policy, 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.

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 this subsection are subject to the rules regarding reconsideration.

**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 ten percent (10%) of the ballots cast in the last council election or not less than one hundred (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

**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 done in accordance with the Brown Act and the Neighborhood Council Agenda Posting Policy.

**Section 4: Reconsideration** - The Board may reconsider or amend its actions through the following Motion for Reconsideration process:

- 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.
- 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.

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 Council's election will be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council elections.

**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 eighteen (18) and above shall be entitled to vote in the Council elections.

**Section 4: Method of Verifying Stakeholder Status** - Voters will verify their Stakeholder status by providing acceptable documentation.

**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**- Alternates are selected in the following manner: the candidate receiving the second highest number of votes at the election (or third or fourth highest number of votes for the two (2) Business and At-Large positions) shall be the Alternates. 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 Standing Rules shall specify organizations and institutions that qualify under Article V Section 1A for Elected Organizational seats and included in Attachment B. Any revisions shall be made at least four (4) months before an election for Board seats.

## **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.

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

### **ARTICLE XII PARLIAMENTARY AUTHORITY**

The Council shall use 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 and shall be included in the Standing Rules.

### **ARTICLE XIII AMENDMENTS**

- A. Any Board member or stakeholder may propose an amendment 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 (2/3) 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.
- C. No Bylaw Amendment shall be voted on until it has been read at two (2) consecutive regular monthly Board meetings.
- D. Amendments shall not be valid, final or effective until approved by the Department in writing. Once approved, any changes in the Bylaws shall become effective immediately.

### **ARTICLE XIV COMPLIANCE**

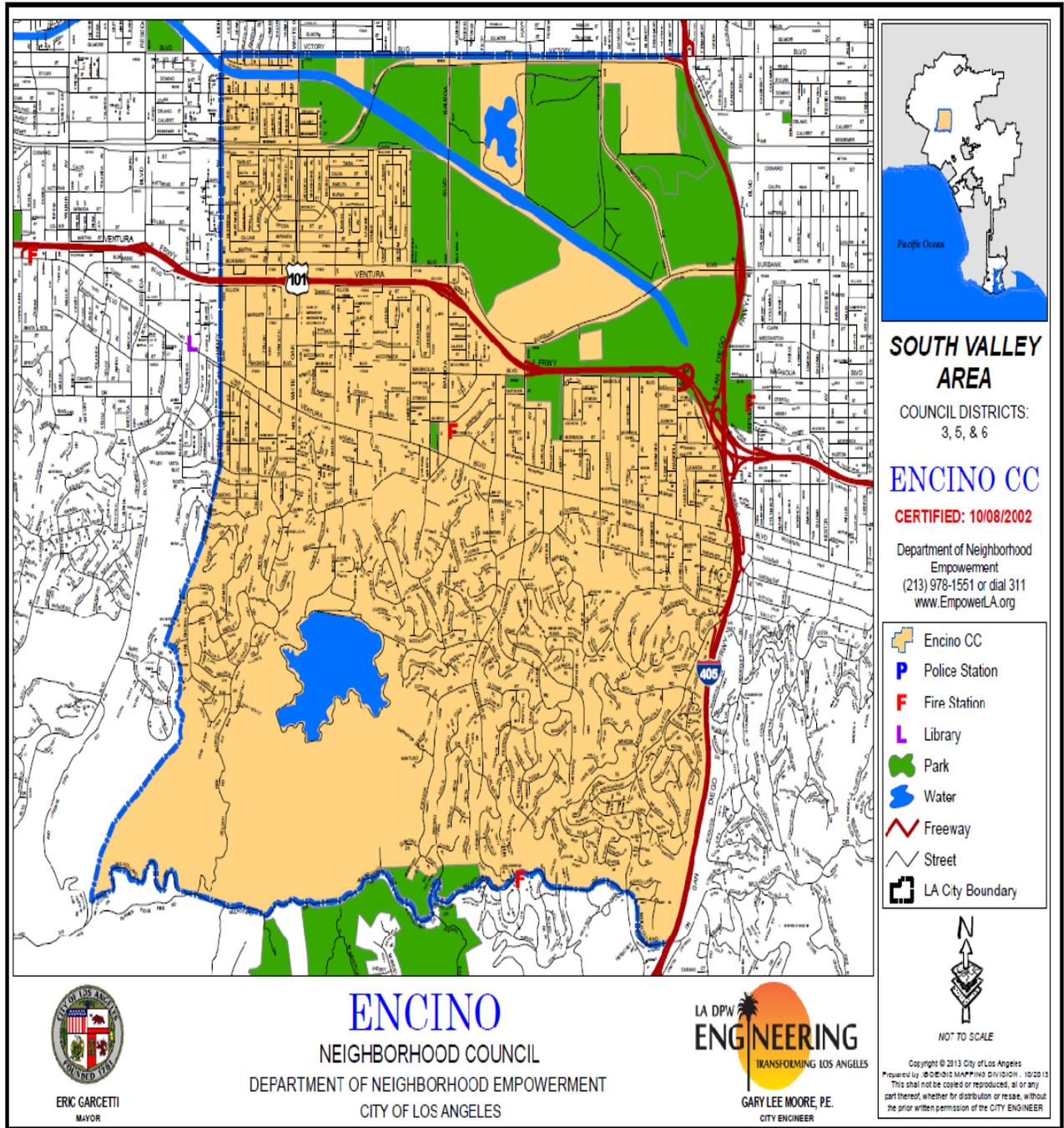
The Council, its representatives, and all community stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board of Directors as well as all local, county, state and federal laws, including, without limitation, the Plan, the City Code 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.

**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. Board members will abide by the Commission's Neighborhood Council Board Member Code of Conduct Policy.

**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 required by the City within forty-five (45) days of being seated, or they will lose their Council voting rights. All board members must take ethics and funding training prior to making motions and voting on funding related matters

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

# ATTACHMENT A – Map of Encino Neighborhood Council



## ATTACHMENT B – Governing Structure and Voting

### Encino Neighborhood Council – 21 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

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
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.
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.

<b>BOARD POSITION</b>	<b># OF SEATS</b>	<b>ELECTED OR APPOINTED?</b>	<b>ELIGIBILITY TO RUN FOR THE SEAT</b>	<b>ELIGIBILITY TO VOTE FOR THE SEAT</b>
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 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