

STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through 1-23-14

[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 Standing Rules may be adopted, amended, or repealed by a two thirds (2/3) vote of the Council Representatives voting]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 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 Agendized as Public Comment, which shall follow Old Business and New Business. Public Comment speakers shall be limited to two minute each. The total Comment Period shall no 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 rime limit on any speaker. [Adopted 9-29-05]
- 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](http://www.encinocouncil.org). [Adopted 9-29-05]
- 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 at the Encino Chamber of Commerce, and a good faith effort shall be made to also post the agenda at the Encino Community Center, Encino Tarzana Branch of the Los Angeles Public Library, and such other public places as the Council determines. All materials mailed (electronically or otherwise), faxed, or distributed to Council Representatives and Alternates shall be similarly distributed in a timely manner to members of the public who have so requested receipt of same. A form for this purpose shall be made readily available to interested persons. Copies of the Agenda, Minutes, and other materials distributed to 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 9-29-05, amended 7-26-06]
- 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

STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through 1-23-14

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 present. If there is an objection to an Item by a Representative, the item shall be heard and acted upon under the report of the Committee that referred the item. Each consent item will be described in 20 words or less. Materials related to the Consent Item shall be available to the Representatives at the meeting. [Adopted 7-26-06]

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 8-22-07]

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

2. Committee

A. Executive Committee. 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 7/24/13].

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. 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 9-29-05; amended 8-22-07]

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

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

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 representatives 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.

STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through 1-23-14

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

E. An appeal to 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 effect 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.

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 a 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 representative, alternate or committee member to personally determine whether or not he or she has a conflict of interest. The board or committee may determine by a majority vote that an individual board or committee member should seek advice of the City Attorney as to whether or not a conflict exists as to a matter and if the board member refuses to seek advice, then the board member may not participate in the decision, including voting on the matter; in which case, the matter will be put over to the next regular of the Council unless two-thirds of the Representatives vote to hear the matter immediately. This rule does not affect the rights, obligations and remedies of the representative, alternate,

STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through 1-23-14

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, assumes the same risk. Expenditure of funds, voting on contracts, or voting on policies that may create contracts, present an entirely different set of ethical concerns under Government Code section 1090. Any board member concerned with a Government Code section 1090 violation should immediately contact the City Attorney, and if warranted, the City Attorney may issue an advice letter voiding the expenditure and preventing the Neighborhood 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.

STANDING RULES ADOPTED BY ENCINO NEIGHBORHOOD COUNCIL

As Amended Through 1-23-14

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

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 need within the boundaries of the Council, (ii) be supported by a statement of need from the applicant, including disclosure of the participation of other Neighborhood Councils within whose boundary the applicant is located or provides services, (iv) be supported by a letter of acknowledgment from the applicant of the request for the assistance, and (v) be approved by DONE. [Adopted 8-22-07]

9. The proposals and recommendations 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.