



agenda

COASTAL SAN PEDRO NEIGHBORHOOD COUNCIL

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Administrative Operations Committee Meeting

Chair: Dean Pentcheff pentcheff@gmail.com

Monday 13 January 2020 6:00 — 7:00 PM

Angels Gate Cultural Arts Center — Building G
3601 S. Gaffey Street
San Pedro, CA 90731

(see below for map and directions to the meeting place)

The public is invited to speak on issues of general interest during the public comment periods at the beginning and end of the meeting. Comments on specific agenda items will be heard only when those items are considered. To ensure that all are heard, a time limit on public speakers may be set. Those wishing to make comment, but not wanting to speak publicly, may submit written communications to the Board.

1. Call to order.
2. Public comment on non-agenda items.
3. Discussion and possible motions regarding proposed actions of the Board of Neighborhood Commissioners (BONC) including, but not limited to, the following four BONC motions:
 - Proposal for removal of Board Members
 - Proposal for censure of Board Members
 - Proposed comprehensive mediation and dispute resolution process
 - Proposed required Neighborhood Council leadership orientation*[BONC proposals are attached]*
4. Public comment on non-agenda items.
5. Adjournment.

For more information, please call 310-918-8650; write to CSPNC, 1840 S. Gaffey Street #34, San Pedro, CA 90731; or visit the Coastal San Pedro Neighborhood Council website at www.cspnc.org.

PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS — The public can address the Board on any agenda item before the Board takes an action on an item. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the agenda will be heard during the General Public Comment period. Please note that under the Brown Act, the Board is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Committee or Board meeting.

STATE OF CALIFORNIA PENAL CODE SECTION 403 (Amended by Stats. 1994, Ch. 923, Sec. 159. Effective January 1, 1995.) — Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.

THE AMERICAN WITH DISABILITIES ACT — As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services please make your request at least 3 business days (72 hours) prior to the meeting by contacting the CSPNC secretary at 310-918-8650.

PUBLIC ACCESS OF RECORDS — In compliance with government code section 54957.5, non-exempt writings that are distributed to all or a majority of the Board members in advance of a meeting may be viewed at 1840 S Gaffey St, San Pedro, CA 90731, at our website: <http://www.cspnc.org>, or at a scheduled meeting. In addition if you would like a copy of any record related to an item on the Agenda, please contact the Coastal San Pedro Neighborhood Council at 310-918-8650.

PUBLIC POSTING OF AGENDAS — Coastal San Pedro Neighborhood Council agendas are posted for public review as follows: 1840 S Gaffey St, San Pedro, CA 90731 and <http://www.cspnc.org> You can also receive our agendas via email by subscribing to L.A. City's Early Notification System at: <http://www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.htm>

RECONSIDERATION AND GRIEVANCE PROCESS — For information on the Coastal San Pedro Neighborhood Council's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the CSPNC Bylaws. The Bylaws are available at our Board meetings and our website <http://www.cspnc.org>

SERVICIOS DE TRADUCCION — Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte a the CSPNC Secretary, al 310-918-8650 por correo electrónico board@cspnc.org para avisar al Concejo Vecinal.

Note: Enter at Gaffey Street entrance to Angels Gate Park (just south of 36th St. and north of the Korean Bell). Immediately turn right to go up the hill to the Angels Gate Cultural Center. Turn left to reach Building G.



Proposed Removal Policy

Whereas the Board of Neighborhood Commissioners has conducted a number of Town Hall meetings around the City;

Whereas the Board of Neighborhood Commissioners has been told of many instances where Neighborhood Councils have experienced repeated disruptive conduct by Neighborhood Council board members;

Whereas Neighborhood Councils have often had to rely on other governmental agencies to address these situations;

Whereas Neighborhood Councils have experienced instances where efforts, including Censure have failed to resolve such situations;

Whereas any process for addressing these situations should be uniform and predictable across the entire Neighborhood Council system;

Whereas the Board of Neighborhood Commissioners desires to institute a policy that includes openness, fairness, and a proper degree of procedural due process and that provides consistent guidelines;

NOW THEREFORE, IT IS RESOLVED THAT the Board of Neighborhood Commissioners establishes this policy for the Removal of offending Neighborhood Council Board members:

POLICY NUMBER 2019 –

Any Board member may be removed by the Board for cause, following a good faith determination by the Board that the member has engaged in conduct that is contrary to rules and regulations applicable to the Board or that impedes the orderly business of Board operations. A Board member shall not be subject to removal under this Section unless the member has been censured at least once pursuant to the Censure Policy. Grounds for removal include, but are not limited to, persistent disruptive conduct at meetings, violations or abuses of the Board's bylaws or rules, violations of the Code of Conduct, acting on behalf of the Board without authorization, and misuse or abuse of the censure or removal processes. The Board shall use the following procedure when removing a Board member:

1. A motion to remove a Board member may be initiated by (3) Board members. The proposed motion shall be delivered to any officer of the Board or a specific officer or member of the Board as may be specified in the bylaws or standing rules of the Neighborhood Council. The motion shall be in writing and provide the specific facts and grounds for the proposed removal action including the date and specific conduct relied upon for the motion. The motion shall not be conclusionary-, eg "for alleged violations of the Code of Conduct", but shall be a factual statement that describes conduct only and is not intended to embarrass or humiliate the board member. The motion to remove shall also include a copy of the prior censure motion and the date it was passed.

2. The Board member, group of Board members or committee responsible for writing the agenda shall list and briefly describe the motion on the agenda -of the next regular or special Board meeting scheduled at least thirty (30) days following the delivery of the proposed removal motion.

3. The Board member subject to removal shall be given a minimum of thirty (30) days prior written notice, which may include email sent to the last email address on file with the Neighborhood Council, of any meeting at which a motion to remove will be heard. The notice shall provide the specific facts and grounds for the proposed removal as specified in 1 above. The Board shall also provide a copy of the notice to the Department of Neighborhood Empowerment a minimum of thirty (30) days prior to any meeting at which a motion to censure will be considered.

4. The Board member subject to removal shall be given reasonable time to be heard at the meeting, either orally or in writing, prior to the Board's vote on a motion for removal.

5. The Board shall decide whether or not the Board member should be removed by an affirmative vote of two-thirds (2/3) of the Board members. The Board member who is the subject of the removal motion shall not be allowed to vote. For the purpose of the removal motion, abstentions shall not be counted as votes.

6. In no event shall a motion to remove a board member be heard by the Neighborhood Council within sixty (60) days of the next election or selection.

7. The Board of Neighborhood Commissioners shall review a Neighborhood Council's removal decision if requested to do so by the affected Board member. Once the request is made for the Board of Neighborhood Commissioners to review the decision to remove, the Neighborhood Council voting to remove the board member may not fill the vacancy created by the removal until the Board of Neighborhood Commissioners has made a decision on whether the removal was proper or the Board of Neighborhood Commissioners declines to review the matter. The Commission's decision whether to hear or decline the removal review shall be sent in writing to the requestor within 30 days after the request for review is delivered.

a. The request must in writing and must be delivered to the Executive Assistant of the Commission or, in the absence of an Executive Assistant, to the President of the Commission within thirty (30) days of the date of the action by the Neighborhood Council to remove the Board member.

b. The request must state the basis for the review. The request shall not cite or present any evidence not considered by the Neighborhood Council, but must address only procedural deficiencies.

c. If the Commission agrees to hear the review it will be placed on the agenda of a regular or special meeting within sixty (60) days of receipt of the request for review.

d. At the review the Commission will determine if the facts as presented support the removal motion and if the procedures set out in this policy were correctly applied.

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- e. If the Commission determines that there were either procedural deficiencies, the Commission may either reinstate the Board member or return the matter to the Neighborhood Council for further consideration.
 - f. If the Commission returns the matter for further consideration and the Neighborhood Council does not act within sixty (60) days of the Commission's decision the Board member will be considered reinstated.

DRAFT

Proposed Censure Policy

Whereas the Board of Neighborhood Commissioners has conducted a number of Town Hall meetings around the City;

Whereas the Board of Neighborhood Commissioners has been told of many instances where Neighborhood Councils have experienced repeated disruptive conduct by Neighborhood Council board members;

Whereas Neighborhood Councils have often had to rely on other governmental agencies to address these situations;

Whereas Neighborhood Councils have experienced instances where efforts to resolve such situations have not been effective;

Whereas any process for addressing these situations should be uniform across the entire Neighborhood Council system;

Whereas the Board of Neighborhood Commissioners desires to institute a policy that includes openness, fairness, and a proper degree of procedural due process and that provides consistent guidelines;

NOW THEREFORE, IT IS RESOLVED THAT the Board of Neighborhood Commissioners establishes this policy for the Censure of offending Neighborhood Council Board member:

POLICY NUMBER 2019 -

The purpose of the censure process is to place a Board member on notice of misconduct and to provide the Board member with an opportunity to correct the misconduct. The Board may censure any Board member at a regular or special meeting open to the public following a good-faith determination by the Board that the member has engaged in conduct that is contrary to rules and regulations applicable to the Board or that impedes the orderly business of Board operations. Grounds for censure include, but are not limited to, persistent disruptive conduct at meetings, violations or abuses of the Board's bylaws or rules, violations of the Code of Conduct, acting on behalf of the Board without authorization, and misuse or abuse of the censure or removal process. The Board shall use the following procedure when censuring a Board member:

1. A motion to censure a Board member may be initiated by (3) Board members. The motion shall be delivered to any officer of the Board or a specific officer member of the Board as may be specified in the bylaws or standing rules of the Neighborhood Council. The motion shall be in writing and provide the specific facts and grounds for the proposed censure including the date and specific conduct relied upon for the motion. The motion shall not be accusatory, eg "for alleged violations of the Code of Conduct" but shall be a factual statement that describes conduct only and is not intended to embarrass or humiliate the board member.
2. The Board member, group of Board members or committee responsible for promulgating the agenda shall include the motion on the agenda of the next regular or special Board meeting scheduled at least thirty (30) days following the delivery of the proposed censure motion.

3. The Board member subject to censure shall be given a minimum of thirty (30) days prior written notice, which may include email sent to the last email address on file with the Neighborhood Council, of any meeting at which the motion to censure will be considered. The notice shall provide the specific facts and grounds for the proposed censure as specified in 1 above. The Board shall also provide a copy of the notice to the Department of Neighborhood Empowerment a minimum of thirty (30) days prior to the meeting at which the motion to censure will be considered.

4. The Board member subject to censure shall be given a reasonable opportunity to be heard at the meeting, either orally or in writing, prior to the Board's vote on a motion of censure.

5. The Board shall decide by a majority vote of those present and voting whether or not the Board member should be censured. The Board member who is the subject of the censure motion shall not be counted as part of the majority present and voting and shall not be allowed to vote. For the purpose of censure motion, abstentions shall not be counted as votes.

6. In no event shall a motion to censure a board member be heard by the Neighborhood Council within thirty (30) days of the next scheduled Board election or selection.

[Note: this disjoint text is included in the filed draft.]

“for constant loud interruptions of other Board members and the use of racial and ethnic slurs intended to intimidate and silence them”.

2. The Board member, group of Board members or committee responsible for promulgating the agenda shall include the motion on the agenda of the next regular or special Board meeting scheduled at least thirty (30) days following the delivery of the proposed censure motion.

3. The Board member subject to censure shall be given a minimum of thirty (30) days prior written notice, which may include email sent to the last email address on file with the Neighborhood Council, of any meeting at which the motion to censure will be considered. The notice shall provide the specific facts and grounds for the proposed censure as specified in 1 above. The Board shall also provide a copy of the notice to the Department of Neighborhood Empowerment a minimum of thirty (30) days prior to the meeting at which the motion to censure will be considered.

4. The Board member subject to censure shall be given an opportunity to be heard at the meeting, either orally or in writing, prior to the Board’s vote on a motion of censure.

5. The Board shall decide by a majority vote of those present and voting whether or not the Board member should be censured. The Board member who is the subject of the censure motion shall not be counted as part of the majority present and voting and shall not be allowed to vote. For the purpose of censure motion, abstentions shall not be counted as votes.

6. In no event shall a motion to remove a board member be heard by the Neighborhood Council within thirty (30) days of the next scheduled Board election or selection

Proposed Resolution by the Board of Neighborhood Commissioners
Comprehensive Mediation and Dispute Resolution Process
November 26, 2019

WHEREAS, Neighborhood Council board members have conflicts with each other;

WHEREAS, board members are frustrated, unable to act, and stakeholders feel left out of decision-making process and sometimes ignored or disenfranchised;

WHEREAS, the Department of Neighborhood Empowerment has seen an increasing number of intra-council complaints and has limited tools to resolve differences or may no longer be a neutral party;

WHEREAS, grievances are for Board actions and not individual board member actions against another board member;

NOW, THEREFORE, BE IT RESOLVED that the Board of Neighborhood Commissioners requests that the Department of Neighborhood Empowerment develop an outline for and implement a comprehensive mediation and dispute resolution process for Neighborhood Councils that integrates existing resources from the City, County, or nonprofit organization. This may include developing a budget request and a formal Memorandum of Understanding with the City Attorney's Dispute Resolution Program, the County of LA's Dispute Resolution Program, or with an independent contractor.

AND IT IS ALSO RESOLVED that the Board of Neighborhood Commissioners will request in writing that the City's HEALTH, EDUCATION, NEIGHBORHOODS, PARKS, ARTS, AND RIVER COMMITTEE agendaize this item for discussion and action including a budgetary request and report back from the Department on progress.

**Proposed Resolution by the Board of Neighborhood Commissioners
Neighborhood Council Leadership Orientation
November 26, 2019**

WHEREAS, as an elected representative of the community, Neighborhood Council leaders represent the diversity of ideas in their community and are expected to lead with integrity in the City of Los Angeles;

WHEREAS, the City of Los Angeles is committed to inclusivity as a key principle guiding the work of City staff and representation;

WHEREAS, Neighborhood Council board members are required to take mandatory ethics and financial training every two years when board members are informed of their roles and responsibilities as an elected representative of their neighborhood;

WHEREAS, the Department of Neighborhood Empowerment (The Department), City Clerk, and City Attorney conducts workshops and forums to inform board members in their role as elected representatives, organizers and advocates of his/her community;

WHEREAS, businesses, nonprofits, and government agencies have a detailed orientation process for new employees and volunteers;

WHEREAS many Neighborhood Council board members need to expand their leadership skills through advanced training in communication, coalition building, conflict resolution; and dealing with the aspects of positive interpersonal relationships, that bring about an atmosphere of inclusiveness, understanding, and empathy that helps to cope with challenges and develops those critical skills for the proper functioning of a neighborhood council board;

NOW, THEREFORE, IT IS RESOLVED that the Board of Neighborhood Commissioners (the Commission) establish a policy on Neighborhood Council Leadership Orientation.

POLICY NUMBER: 2019 – 1

The Board of Neighborhood Commissioners recommends that:

1. The Department review, update, and re-publish the Neighborhood Council Handbook as a an orientation packet for all Board members. The Commission recommends that the Department include details on how to ensure that Neighborhood Councils are inclusive of and ensure participation of under-represented and diverse populations. The Department should provide and certify receipt of this Handbook after a Board member has been elected or appointed and publicly list that on the website.

2. The Department develop a Leadership Academy, held every other year after elections and modeled after the successful Civic U programs, for executive board members (President/Chair, Vice President/Vice-Chair, Treasurer, Secretary, and any other duly appointed or elected executive board members) and for those board members interested in a leadership role.

AND IT IS ALSO RESOLVED that:

1. The Department, in coordination with the City Clerk and City Attorney, develop a document that shall be affirmed by candidates or appointed Neighborhood Council board members, whether elected or appointed, acknowledging that they understand the roles and responsibilities of Neighborhood Council board members and will educate themselves on and follow all applicable laws. The "Neighborhood Council Candidate/Appointee Affirmation" shall be required as part of the City Clerk's candidate certification process. Board members running for re-election shall also re-affirm. The Department shall collect affirmation from board appointments and publicly list who has affirmed.
2. The "Planning 101" Training developed the City of Los Angeles Department of Planning as part of the NC Reforms to ensure understanding of and compliance of land use laws and conflicts of interest, shall be required for all appointed and confirmed members of each Neighborhood Council's planning and land use committee. Committee members who do not complete the training within 60 days from the date of their confirmation as a committee member shall not be eligible to vote on motions or recommendations on planning, zoning, or land use.