



agenda

**COASTAL  
SAN PEDRO**  
NEIGHBORHOOD COUNCIL

locally listening & leading ...  ..

## BOARD AND STAKEHOLDER MEETING AGENDA

Monday 16 December 2019 6:30 PM

CABRILLO MARINA COMMUNITY BUILDING  
2965 Via Cabrillo-Marina (*see map below*)  
San Pedro, CA 90731

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. Public comment may be limited in time or number of speakers. Those wishing to make comment, but not wanting to speak publicly, may submit written communications to the Board.

1. Voluntary opportunity to say the Pledge of Allegiance.
  2. Public comment on non-agenda items.
  3. Call to order and roll call.
  4. Board member comment on non-agenda items. *[May include comment on Board members' own activities/brief announcements; brief response to statements made or questions posed by persons exercising their general public comment rights or asking questions for clarification; introduction of new issues for consideration by the Board at its next meeting; or requests for research and a report back to the Board.]*
  5. Approval of prior meeting minutes.
  6. Reports from government agency representatives — LA Police Department, Port Police, Council District 15, Port of LA, LA Unified School District, US Congress, State Assembly, Department of Neighborhood Empowerment, NC Budget Advocate, others.
  7. Presentation by County of Los Angeles on White Point Park Concept Plan. *[15 minutes]*
  8. Motion requesting Recreation and Parks to prepare a plan to remove debris in Sunken City.
  9. Motion opposing any use of Coastguard Building as a residence.
  10. Motion regarding Coastal Development Permits for 2837 Kerckhoff Ave & 2843 Kerckhoff Ave.
  11. Request for enforcement in Coastal San Pedro Parks.
  12. Resolution regarding audit of Proposition HHH.
  13. Motion regarding use of renewable fuels by Los Angeles Department of Water and Power.
  14. Motion regarding City action on closure or relocation of Rancho Liquid Propane Gas facility at 2110 Gaffey Street in San Pedro.
  15. Motion regarding proposals by the Board of Neighborhood Commissioners.
  16. Committee reports.
  17. Treasurer's report.
- Budget and Finance (Consent Calendar)*
18. Approval of Monthly Expenditure Reports for November.
  19. Approval of Monthly Expenses, including approval of Treasurer's payment of all recurring Neighborhood Council expenses including (but not limited to) Lloyd Staffing, The Mailroom, Angels Gate Cultural Center meeting expenses, vendor(s) for meeting refreshments, and office supplies.
  20. Approval of funding requests received from committees.
  21. Appointments of committee officers, committee members, and Board representatives.
  22. Announcements.
  23. Public comment on non-agenda items.
  24. Adjournment.

**8. Motion requesting Recreation and Parks to prepare a plan to remove debris in Sunken City.**

*Sunken City ad hoc Committee*

*Whereas*, the “Sunken City” slides began over 90 years ago and has continued intermittently ever since, and considerable quantities of hazardous debris and materials—both natural and man-made—continue to threaten the site, and

*Whereas*, the City of Los Angeles funded a 2016 geological study of the Sunken City Slide Area (hyperlink) which concluded that there is imminent danger from falling debris, and

*Whereas*, people can legally walk on the beach beneath the slide and ascend into the slide area, and people routinely access the upper slide area even though Recreation and Parks and the City of Los Angeles has fenced and posted the street-level boundaries of the site for no trespassing, and

*Whereas*, wave action continues to undercut the cliff base, causing episodic rockfalls and slides, and weathering and erosion steadily weaken and undercut the foundations underneath the remnant roadbed, sidewalks, and other infrastructure, which will at some point inevitably cascade down to the beach area below, and

*Whereas*, when debris slides and falls, it presents a grave risk of physical harm, even death, not just to persons illegally trespassing into the blufftop area of “Sunken City” but also to anyone legally walking along the shoreline below, now

*Therefore*, the Coastal San Pedro Neighborhood Council requests that Recreation and Parks and the City of Los Angeles recognize the imminent threat to life and within 90 days prepare and communicate to this Neighborhood Council and other relevant agencies a plan to promptly and expeditiously remove the hazardous debris that currently presents a clear and present danger in “Sunken City.”

**9. Motion opposing any use of Coastguard Building as a residence.**

*Coastline and Parks Committee*

*Resolved*, the Coastal San Pedro Neighborhood Council strongly opposes use of the Coastguard building as a primary residence for any city employee, even on a temporary basis.

**10. Motion regarding Coastal Development Permits for 2837 Kerckhoff Ave & 2843 Kerckhoff Ave.**

*Planning and Land Use Committee*

The Coastal San Pedro Neighborhood Council Board recommends approval of the Coastal Development Permits for the two adjacent projects at 2837 Kerckhoff Ave and 2843 Kerckhoff Ave, with the following conditions:

the facade materials and color schemes are different for each one; and

the landscape includes native plants as described in the San Pedro Urban Greening Plan.

**11. Request for enforcement in Coastal San Pedro Parks.**

*Planning and Land Use Committee*

*Whereas* there has been a noticeable increase in late night partying and noise in the Gaffey Overlook Park as well as all Coastal San Pedro Parks,

*Therefore*, the Coastal San Pedro Neighborhood Council Board requests that the Park Rangers and the Los Angeles Police Department enforce the 10:30 pm Park closure hours.

**12. Resolution regarding audit of Proposition HHH.**

*Homelessness Committee*

*Resolved*, the Coastal San Pedro Neighborhood Council recognizes the audit completed by Ron Galperin on Proposition HHH and requests that the City respond to the findings and recommendations of this audit within 30 days from the date of this motion.

### **13. Motion regarding use of renewable fuels by Los Angeles Department of Water and Power.**

*Whereas* the Coastal San Pedro Neighborhood Council filed Motions supporting Los Angeles Department of Water and Power's transition to 100% Renewable Fuels and that the Renewable Energy Study (currently in work) establish the goal of 100% Renewable Energy by 2030 (reference Council File 16-0243).

*Therefore, be it resolved*, the Coastal San Pedro Neighborhood Council requests the City of Los Angeles and the Los Angeles Department of Water and Power ensure that agreements, amendments, and or contracts with any power generation plants include the requirement to operate on 100% Renewable fuels (reference Council File 13-0340).

### **14. Motion regarding City action on closure or relocation of Rancho Liquid Propane Gas facility at 2110 Gaffey Street in San Pedro.**

*See attachments from Los Angeles Board of Education and Northwest San Pedro Neighborhood Council*

*Whereas* the Coastal San Pedro Neighborhood Council has serious concern regarding the safety of the Rancho Liquid Propane Gas facility at 2110 Gaffey Street in San Pedro.

*Whereas* the Los Angeles Board of Education filed by unanimous vote the Resolution 027-15/16 on January 12, 2016 directing "the Superintendent to immediately submit (the) Resolution to the City officials, as well as other Federal, State and local agencies to request their support in relocating the Facility."

*Whereas* the Northwest San Pedro Neighborhood Council filed several Motions documenting NWPNC's constituents' concerns regarding the Rancho Liquid Propane Gas facility, including the June 10, 2016 letter stating, in summary, "On February 8, 2016, the Northwest San Pedro Council (NWPNC) passed a motion concerning the relocation of the Rancho LPG Facility located in San Pedro, CA in support of the LAUSD's Resolution. . . The Northwest San Pedro Neighborhood Council fully supports the LAUSD Board of Education in its stance on the relocation of the Rancho LPG butane and propane storage tanks," and, "With its close proximity to schools, homes, and recreational centers, the Northwest San Pedro Neighborhood Council views continued operation of the Rancho LPG storage facility as intolerable and politically reckless. The Northwest San Pedro Neighborhood Council urgently requests that City Officials, as well as Federal, State, and local agencies, see to the immediate relocation of the Rancho LPG facility away from our community."

*Therefore be it resolved*, the Coastal San Pedro Neighborhood Council (CSPNC) requests the office of Councilman Joe Buscaino and the City of Los Angeles reply no later than the March 2020 CSPNC Board Meeting scheduled for March 23, 2020 with the plan to respond to constituents' requests that the Rancho Liquid Propane Gas facility at 2110 Gaffey Street in San Pedro be closed or relocated to a more suitable site to reduce the hazard currently imposed on thousands of Harbor area residents.

### **15. Motion regarding proposals by the Board of Neighborhood Commissioners.**

*See attachments listing four proposals before the Board of Neighborhood Commissioners*

The Coastal San Pedro Neighborhood Council opposes the proposals now before the Board of Neighborhood Commissioners (BONC) and calls on the local BONC commissioner and other commissioners of the area to oppose and vote no.

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](http://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.

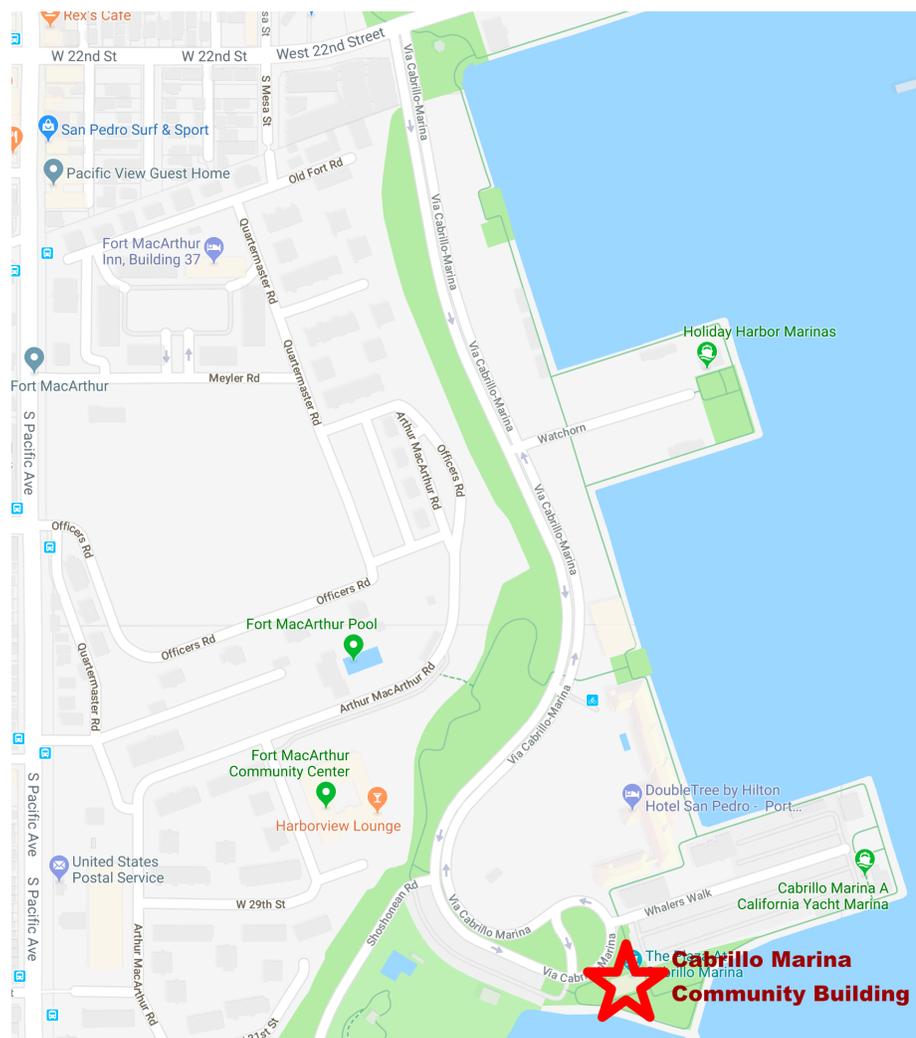
**THE AMERICAN WITH DISABILITIES ACT** — As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request will provide reasonable accommodation to ensure equal access to its programs, services, and activities. 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](mailto:board@cspnc.org) para avisar al Concejo Vecinal.



**MOTIONS/RESOLUTIONS PRESENTED TO  
THE LOS ANGELES CITY BOARD OF EDUCATION FOR CONSIDERATION**

**SUBJECT:** Supporting the Relocation of the Rancho Liquefied Petroleum Gas (LPG) Facility Located in San Pedro, California (Res- 027-15/16)

**DATE NOTICED:** 01-12-16, 10am

**PRESENTED FOR ACTION:** 01-12-16

**PRESENTED BY:** Dr. Vladovic, Dr. McKenna,  
Dr. Rodriguez

**MOVED/SECONDED BY:** Dr. Vladovic /  
Dr. Rodriguez

**MOTION:**

**RESOLUTION:** x

Whereas, The United States Department of Labor's Occupational Safety and Health Administration (OSHA) states that butane poses health factors causing the following potential symptoms: drowsiness, narcosis, asphyxia, cardiac arrhythmia, and frostbite from contact with liquid;

Whereas, The Centers for Disease Control and Prevention describes butane as a colorless gas with gasoline-like or natural gas odor and lists butane as a chemical hazard that targets the central nervous system through exposure from inhalation and/or contact with skin or eyes;

Whereas, Butane is a gas that is typically shipped as a liquefied gas under its vapor pressure, which makes it easily flammable and under prolonged exposure to fire or intense heat the container may rupture violently;

Whereas, In 1973, Petrolane developed the property located at 2110 N. Gaffey St. San Pedro, CA 90731 into a storage facility for liquid petroleum gas, which currently stores butane and small amounts of propane;

Whereas, The Facility sits adjacent to the Palos Verdes earthquake fault, which was not identified when the Facility was originally constructed;

Whereas, In 2008, Rancho LPG Holdings LCC purchased Petrolane;

Whereas, Rancho LPG stores butane and small amounts of propane at the Facility in two 12.5 million-gallon refrigerated tanks and five 60,000-gallon horizontal storage tanks;

Whereas, The Facility is regulated by many local, state and federal enforcement agencies including the U.S Environment Protection Agency (EPA), U.S. Department of Occupational Safety and Health Administration, U.S. Department of Homeland Security, U.S. Department of Transportation, U.S. Environment Cal/EPA, California Emergency Management Agency, California Department of Toxic Substances Control, the South Coast Air Quality Management District, the Los Angeles County Fire Department , the City of Los Angeles Fire Department, the Los Angeles Police Department, and the City of Los Angeles Bureau of Sanitation Industrial Waste Management Division, among several other agencies;

Whereas, Federal, State and local agencies have established regulations governing such facilities in the interest of protecting the public against excessive risk of injury, illness, or death, whether the result of normal operations, or by the occurrence of industrial accidents;

**SUBJECT:** Supporting the Relocation of the Rancho Liquefied Petroleum Gas (LPG) Facility Located in San Pedro, California (Res- 027-15/16)

Whereas, The operation of the Facility predates the more stringent health-protective land use statutes enacted in recent years and it may be operating under conditional use permits that require periodic review to ensure the safety of continued operations;

Whereas, Three LAUSD educational sites are in close proximity of the Facility including Taper Avenue Elementary School, Johnston Community Day School, and the Vic and Bonnie Christensen Science Center; and

Whereas, The proximity of the Facility to the surrounding schools and community may pose a hazard in the case of a spill potentially causing a vapor fire, pool fire and boiling liquid evaporative vapor explosion (BLEVE); now, therefore, be it

Resolved, That the Governing Board of Los Angeles Unified School District hereby supports the efforts for the relocation of the Facility to an area where it does not pose any harm to students and their families;

Resolved further, That the Board directs the Office of Environmental Health and Safety (OEHS), in coordination with the Office of the General Counsel, to work in collaboration with regulatory agencies to monitor and comment on any new requests for permits or modifications to any existing permits or land-use entitlements for the Facility; and, be it finally

Resolved, That the Board directs the Superintendent to immediately submit this Resolution to the City officials, as well as other Federal, State and local agencies to request their support in relocating the Facility.

AYES                      NOES                      ABSTAIN                      ABSENT

<b>Ms. Garcia</b>	<b>X</b>			
<b>Dr. McKenna</b>	<b>X</b>			
<b>Ms. Ratliff</b>	<b>X</b>			
<b>Dr. Rodriguez</b>	<b>X</b>			
<b>Mr. Schmerelson</b>	<b>X</b>			
<b>Dr. Vladovic</b>	<b>X</b>			
<b>Mr. Zimmer</b>	<b>X</b>			
<b>TOTAL</b>	<b>7</b>			

**ACTION: ADOPTED BY CONSENT VOTE**



# Northwest **San Pedro** Neighborhood Council

"Your Community Voice"

June 10, 2016

Dr. Richard Vladovic  
Office of LAUSD  
333S. Beaudry Avenue, 24th Floor  
Los Angeles, C 90017

Mr. Gene Seroka  
Port of Los Angeles  
425 S. Palos Verdes Street  
San Pedro, CA 90731

Councilman Joe Buscaino  
638 S. Beacon St., Suite 552  
San Pedro, CA 90731

Port of Los Angeles High School (POLA)  
250 W, 5th Street  
San Pedro, CA 90731

Christopher Downing  
Area Superintendent, Local District South  
Office of LAUSD  
333S. Beaudry Avenue, 24th Floor  
Los Angeles, C 90017

Mayor Eric Garcetti  
200 N. Spring Street  
Los Angeles, CA 90012

Dear Representatives:

Re: Letter of Support for LAUSD Resolution on Relocation of Rancho LPG

On February 8, 2016, the Northwest San Pedro Council (NWSPNC) passed a motion concerning the relocation of the Rancho LPG Facility located in San Pedro, CA in support of the LAUSD's Resolution. The wording of the motion follows:

**On January 12th, 2016, the Los Angeles Unified School District (LAUSD) Board of Education unanimously passed a resolution titled, "Supporting the Relocation of the Rancho Liquefied Petroleum Gas (LPG) Facility Located in San Pedro."**

**The Northwest San Pedro Neighborhood Council fully supports the LAUSD Board of Education in its stance on the relocation of the Rancho LPG butane and propane storage**



**Ray Regalado**  
President

**Laurie Jacobs**  
Vice President

**Sarah Valdez**  
Treasurer

**Cynthia Gonyea**  
Secretary

**tanks. The Rancho LPG facility stores butane and propane in two 12.5 million-gallon refrigerated tanks and five 60,000-gallon horizontal storage tanks.\* Butane and propane gas are odorless and colorless.**

**According to The United States Department of Labor's Occupational Safety and Health Administration (OSHA), these substances can cause drowsiness, narcosis, asphyxia, and cardiac arrhythmia upon exposure. Geological factors, risky transportation, and vulnerability to terrorist activity further exacerbate the exceedingly hazardous nature of the propane and butane stored at the Rancho LPG facility.**

**\*The Rancho LPG facility sits adjacent to the Palos Verdes Fault. Also, according to David Wulf, Director of Infrastructure Security Compliance Division of the U.S Department of Homeland Security, at a meeting organized by then Senator Henry Waxman on 9/11/14 at Peck Park auditorium the Rancho LPG storage facility is identified as a high-risk terrorist target. (as reported in the Daily Breeze article of 9/11/14)**

**\*Operation of the Rancho LPG facility predates the rigorous, health-protective land use statuses enacted in recent years.**

**With its close proximity to schools, homes, and recreational centers, the Northwest San Pedro Neighborhood Council views continued operation of the Rancho LPG storage facility as intolerable and politically reckless. The Northwest San Pedro Neighborhood Council urgently requests that City Officials, as well as Federal, State, and local agencies, see to the immediate relocation of the Rancho LPG facility away from our community.**

NWSPNC hopes that you will support our position and would appreciate hearing back from you on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Ray Regalado". The signature is fluid and cursive, with the first name "Ray" and last name "Regalado" clearly distinguishable.

Ray Regalado, NWSPNC President  
on behalf of the NWSPNC Board

**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 by 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.

**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 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.

“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 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 be 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.

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.

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