

January 19, 2023

Dear Raquel Beltran, DONE General Manager, BONC, Deputy City Attorney Ayelet Feiman, and City Councilmember John Lee:

The NHWNC Bylaws were approved by the L.A. Department of Neighborhood Empowerment (DONE) on June 7, 2022. The North Hills West Neighborhood Council (NHWNC) is currently defending itself against a Grievance because DONE says that the NHWNC did not do something which is not in the NHWNC Bylaws. The NHWNC Bylaws require that three NHWNC Board Members request that a censure consideration be agenzized so that it may be discussed and voted upon. DONE says that the “movant(s)” of a censure motion must be named in the agenzized censure item. However, nowhere in the Bylaws does it state that the identity of those three Board Members must be disclosed to agenzize the matter. In fact, the word “movant” is non-existent in the DONE-approved NHWNC Bylaws, and also non-existent in the BONC Censure policy provided to the NHWNC following initiation of a Censure process. This caused controversy, confusion and frustration, and contributed to the NHWNC having to respond to a Grievance that might otherwise have been avoided. The NHWNC acted in good faith regarding the censure motion considered at its October 20, 2022 Board meeting, precisely because DONE approved the NHWNC Bylaws. DONE retroactively created or applied a rule that is not in the Bylaws they themselves approved.

DONE erred in revisions it made to the NHWNC Bylaws that it approved on June 7, 2022, and should remedy this situation by holding the NHWNC harmless from defending itself from any procedural Grievance arising from its reliance on its DONE-approved Bylaws. We respectfully request that DONE dismiss the Grievance lodged against the NHWNC.

If the Grievance is allowed, the NHWNC does not believe it is possible to convene a fair and unbiased Grievance panel, given the unfavorable light that has been placed on the NHWNC at such citywide meetings as the BONC meetings of November 1st and 21st, 2022, whereby a number of people made public accusations against the NHWNC in an apparent attempt to try this Grievance in the court of public opinion.

Although all these people said they spoke to BONC as private individuals, the impact of their statements, because of the various and multiple roles they play within the citywide Neighborhood Council system, will make it impossible for the NHWNC to get a fair and unbiased panel.

In addition, the ability of Stakeholders to request removal of a Board Member was unilaterally deleted by DONE from the 2018 NHWNC Bylaws, without the NHWNC's knowledge, with no explanation from DONE, and despite the NHWNC's attempt to retain this provision in the Bylaws that DONE approved on June 7, 2022.

To address problems in the DONE-approved Bylaws of June 7, 2022, the NHWNC discussed, at its January 19, 2023 General Board Meeting, agendized items 14 through 17 (see below) inclusive, to discuss and approve Bylaws request changes. An extract of the wording for these agenda items is attached to this letter. One of the items regards which Board Members can request that a censure consideration be agendized. The DONE-approved June 7, 2022 NHWNC Bylaws are currently in conflict with themselves over this because the Bylaws make it impossible for a censure motion to be agendized. The result of this is that neither the Board nor Stakeholders have the ability to consider censuring or removing a Board Member.

Your attention to this matter is of utmost importance to our Neighborhood Council so that we can continue the work of serving our Stakeholders.

Sincerely,

North Hills West Neighborhood Council

Attachment: NHWNC Board-approved Bylaws Change Requests

CC: City Councilmember John S. Lee councilmember.lee@lacity.org

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BONC commission@empowerla.org

NHWNC Bylaws approved June 7, 2022

<https://www.nhwnc.net/wp-content/uploads/2022/06/NHWNC-Approved-Bylaws-6.7.2022.pdf>

NHWNC General Board Meeting 1/19/23 Agenda items 14-17:

14. Discussion and possible action to seek BONC (L.A. Board of Neighborhood Commissioners) and DONE (L.A. Dept. of Neighborhood Empowerment) approval to add the word "movant(s)" to NHWNC Bylaws Article V Governing Board, Section 8 Censure, first paragraph regarding the Censure 30-day notice.

Explanation: the word "movant(s)" does not exist in the DONE-approved June 7, 2022 NHWNC Bylaws; it also does not exist in the BONC Censure policy provided to the NHWNC. This has caused controversy, confusion and frustration, and contributed to the NHWNC having to respond to a Grievance that might otherwise have been

avoided.

15. Discussion and possible action to seek BONC (L.A. Board of Neighborhood Commissioners) and DONE (L.A. Dept. of Neighborhood Empowerment) approval to remove the following sentence from NHWNC Bylaws Article V Governing Board, Section 8 Censure, first paragraph: “Those Board members shall not constitute a majority of the quorum of any Neighborhood Council body, such as a committee.”

Explanation: that sentence makes it impossible for the NHWNC to Censure a Board Member.

16. Discussion and possible action to seek BONC (L.A. Board of Neighborhood Commissioners) and DONE (L.A. Dept. of Neighborhood Empowerment) approval to remove the following sentence from NHWNC Bylaws Article V Governing Board, Section 9 Removal of Governing Board Members, first paragraph: “Those Board members shall not constitute a majority of the quorum of any Neighborhood Council body, such as a committee.”

Explanation: that sentence makes it impossible for the NHWNC to Remove a Board Member.

17. Discussion and possible action to seek BONC (L.A. Board of Neighborhood Commissioners) and DONE (L.A. Dept. of Neighborhood Empowerment) approval to re-include in NHWNC Bylaws Article V Governing Board, Section 9 Removal of Governing Board Members, the following wording previously removed by DONE:

Petition by Stakeholders – A Stakeholder may submit a petition to remove a Board member to any Board member. It shall include: i) the identity of the Board member to be removed, ii) a sufficient summary description of the reason for removal, and iii) the valid signatures of one hundred and fifty (150) Stakeholders. The petition must clearly state the summary information (Items i, ii) as stated above on each signature page. Legible original signed petitions must be presented to the Board for review upon request. Stakeholders may be contacted to verify signature validity.

1. A petition must be submitted so as to be received via USPS Certified Mail, via email and/or hand delivered to a Board member at least fourteen (14) days prior to the next regularly scheduled General Board meeting. The matter shall be placed on the agenda for a vote of the Board at the next regular NHWNC General Board meeting.
2. Alternatively, a Stakeholder may present a petition for removal during the public comment (non agendized items) opportunity at a regularly scheduled General Board meeting. Petitions delivered in this fashion will be agendized for the next regularly scheduled General Board meeting.

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 allowed to vote on the matter.

4. Removal of the identified Board member requires a 2/3 majority of the attending Board members.

Explanation: the wording was in the 2018 NHWNC Bylaws; DONE removed it from the Bylaws in 2020. In 2022 the NHWNC submitted a Bylaws change request to re-include it. The NHWNC again requests that the above wording be re-included in the NHWNC Bylaws as it was in the 2018 Bylaws, with the only change being to reduce the number of Stakeholders required from 150 (then) to 100 (current request).

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