



## **Regular Meeting of the Board**

**Wednesday, March 25, 2015 7:00–9:00 P.M.**

### **American Jewish University**

**15600 Mulholland Drive, Room 223, Main Campus, 2<sup>nd</sup> Floor, Bel Air, CA 90077**

Accessible from the west side of Casiano Road; park at lower parking (Lot 1) below the security kiosk

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Notice of Meetings. The agenda is physically posted for public review at Bel Air Foods (formerly “Bel Air Market”), 2323 Roscomare Rd., 90077, Glen Center Postal Service 2934 1/2 N Beverly Glen Cir 90077, Laurel Canyon Country Store 2108 Laurel Canyon Blvd, 90046, Glen Market, 1603 N Beverly Glen Blvd., 90077 and/or Bel Air Bar & Grill, 662 North Sepulveda Blvd., 90049. The agendas are also posted to the [babnc.org](http://babnc.org) website and sent to those who have signed up for Early Notification System with the City of Los Angeles.

Public Comment. **The public is welcome to speak.** The meeting is being audio taped. Any person wishing to speak must fill out a Speaker Card and submit it to the presiding officer of the Council. A separate card should be filled out for each item on the Agenda. Comments on items not on the Agenda will be heard during the Public Comment. Public Comment is limited to 3 minutes per speaker unless waived by presiding officer. Please refrain from speaking unless and until the presiding officer calls your name to speak.

### **1. Call to Order**

### **2. Roll Call**

Notwithstanding the BABCNC Bylaws, per approval of the Los Angeles Department of Neighborhood Empowerment (DONE), the quorum necessary for BABCNC to conduct business is 12 members.

### **3. Pledge of Allegiance**

### **4. Adoption of the March 25, 2015 Agenda**

## **5. Approval of the February 25, 2015 Minutes**

Copies of the February 25, 2015 Minutes have been circulated with the draft agenda (Attachment A).

## **6. Public Comment**

BABCNC welcomes public comment on any topic that is not on the adopted agenda. Each speaker will be limited to three minutes.

## **Reports of Officers**

### **7. President's Report – *Travis Longcore***

#### **a. Representatives of Elected Officials and Agencies**

- i. *Captain Evangelyn Nathan and Captain Tina Nieto, West Los Angeles Police Station*
- ii. *Senior Lead Officer Chris Ragsdale, West Los Angeles Police Station*
- iii. *Janet Turner, Field Representative, Congressman Ted Lieu, 33<sup>rd</sup> District*
- iv. *Noah Muhlstein, Planning Deputy, Council District 5*
- v. *Jay Greenstein, Council District 5, will introduce two to three speakers from the D.W.P. regarding the Regulator Station Bypass Line Project at Charing Cross and Hilgard.*

#### **b. Authorization to Submit Community Impact Statements**

Discussion and possible action authorizing four or five BABCNC Board members to submit Community Impact Statements.

#### **c. Code of Conduct Compliance**

All Board members are required to sign the Code of Conduct form at the DONE website. Please reference <http://empowerla.org/code-of-conduct/>

#### **d. Nomination of *Maureen Smith*, as an At-Large representative, to the Board.**

President nominates *Maureen Smith* as an At-Large member of BABCNC in a non-represented area of Bel Air (Attachment B).

### **8. Vice President's Report – *Nickie Miner***

### **9. Secretary's Report – *Robin Greenberg***

### **10. Treasurer's Report – *Alan Fine***

#### **a. Approval of February 2015 Expenditure Report**

Consideration of February 2015 expenditure report and bank statement (Attachment C).

#### **b. Budget Package (1<sup>st</sup> 3 due July 1, 2015 & 4<sup>th</sup> item due September 1, 2015) – *Alan, Robin***

Discussion of preparation of budget package. Due July 1: Strategic Plan, Council Outreach Survey, and Council Budget. Due September 1: Self-Assessment.

## Reports of Committees

### 11. Planning & Land Use Committee Report – *Michael Kemp, Chair*

#### a. Update on 03/10/2015 PLU Meeting

#### b. **320 North Carolwood** ZA 2014-3242-F

To allow an 8' wall, 8'5" gates, pilasters, and 15' hedge in the required front yard setback in lieu of the 3'6" allowed by code.

Motion: BABCNC takes the position of "take no exception" to the applicant's request as so noted in the case above.

#### c. **880 Stone Canyon Road** ZA 2014-3229- ZAD ZAA

Demolish existing sfd and construct a new 2 story, 7715 s.f. SFD with a 5,715 s.f. basement (including 1,506 s.f. underground garage), pool, and 897 s.f. accessory building. Project requires 8 retaining walls & 2,581 cubic yards of non-exempt grading.

Motion: The BABCNC recommends that the City of Los Angeles Zoning Administrator deny the application as presented.

#### d. **8413 Grandview Drive** ZA 2014-2854

Pursuant to section 12.24-x.21, a ZAD to allow the construction of a new 4-story, 2,588 sq ft on a substandard street that is not improved up to 20' from the driveway apron to the boundary of the hillside, and pursuant to section 12.28, a ZAA to allow an elevated pedestrian bridge within the required front yard setback

Motion: The BABCNC recommends that the City of Los Angeles Zoning Administrator deny the application as presented.

#### e. **778, 780 & 800 Tortuoso** AA 2014-4545

Lot line adjustment between 4 neighboring parcels

Motion: The BABCNC takes the position of "take no exception" to the applicant's request as so noted in the case above.

#### f. **800 North Sepulveda** ZA 2014-2201 (CUB)

Note: the BABCNC at its November 2014 Meeting voted to oppose this application.

Update on case: Applicant has withdrawn their request for a CUB approval as of March 10, 2015.

#### g. **Community Impact Statement in support of Council File 14-0656, Interim Control Ordinance regarding additional restriction on Mansionization (Attachment D)**

Motion: BABCNC adopts the Community Impact Statement as submitted.

### 12. Public Safety/Disaster Preparedness Committee – *Chuck Maginnis, Chair*

#### a. Report from the 03/18/15 meeting

### 13. Outreach and Education Committee – *Robin Greenberg, Chair*

#### a. **BABCNC Tote Bags**

Motion to authorize expenditure of \$612.38 for tote bags with BABCNC's logo for use at outreach events.

**14. Bylaws & Rules Committee – *Larry Leisten, Chair***

- a. Consideration of revision to the Bylaws (Attachments E.1, E.2 & E.3)**

**15. Ad Hoc Committee on Budget and Finance – *Jamie Hall, Chair***

- a. Report from the committee**

**16. Ad Hoc Committee on Mansionization – *Gary Plotkin, Chair***

- a. Laurel Canyon ICO/Moratorium**  
Consideration of motion supporting Laurel Canyon Interim Control Ordinance and/or moratorium to preserve status quo in Laurel Canyon while a new Specific Plan/Overlay is being prepared.

**Reports of Representatives**

**17. West Los Angeles Regional Alliance of Councils (WRAC) – *Robin Greenberg***

- a. Update and Possible Actions regarding the March 18, 2015 meeting**

**18. Community-Police Advisory Board (C-PAB) Report – *Robert Ringler***

- a. Report on C-PAB Meeting of March 24, 2015**  
Next C-PAB Meeting: Tuesday April 21, 2015 at 7:00 P.M. at the West Los Angeles Community Police Station, 1663 Butler Avenue.

**19. Traffic Committee Report – *Robert Ringler***

- a. Report on Traffic Committee of March 11, 2015**  
Next LAPD West Bureau Traffic Committee: Wednesday May 13, 2015 at 8:30 A.M. at the West Los Angeles Community Police Station, 1663 Butler Avenue.

**20. Santa Monica Mountains Conservancy Report – *Travis Longcore***

- a. Update from Santa Monica Mountains Conservancy**

**21. Budget Reps' Report on Budget Advocates – *André Stojka & Nickie Miner***

- a. Report from Budget Representatives**

**22. Unfinished Business**

- a. Red Flags – *Jamie Hall, Cassandra Barrere & Dan Palmer***  
Update on status of signs and poles to accompany red flags to be deployed in BABCNC territory under red flag conditions.
- b. Google Apps: Status – *Jamie Hall***  
Update on use of Google Apps for BABCNC email services.

## **23. New Business**

### **a. Neighborhood Council Civic University Certificate Program**

Discussion and possible action to select two board members, 1 woman and 1 man, to attend the Neighborhood Council Civic University certificate program on or about April 2nd, April 8<sup>th</sup>, and April 15th. Selected board members must commit to attending all three classes and work on a project to address an issue in their community.

## **24. Good of the Order**

Members of the Board have the opportunity to report any item of interest to the Council.

## **25. Adjourn**

**UPCOMING MEETING – Wednesday April 22, 2014 at AJU**

**ATTACHMENT “B”**

**MOTION TO APPROVE MAUREEN SMITH**

**AS MEMBER OF BEL AIR-BEVERLY CREST NEIGHBORHOOD COUNCIL**

WHEREAS, the Bylaws of the Bel Air-Beverly Crest Neighborhood Council (“BABCNC” or “Council”) currently in effect are those revisions approved December 17, 2012, by Department of Neighborhood Empowerment of the City of Los Angeles, and adopted by this Board November 28, 2012;

WHEREAS, Article 6.1 of said Bylaws identifies the residential groups having Membership on the Board of the Council, including Bel Air Association (BAA), for the purpose of representing Stakeholders living, working or owning property within the territorial boundaries claimed by BAA, as those boundaries are described on a map on file in the office of the BABCNC;

WHEREAS, Article 6.7 provides a procedure for the Board to appoint a new Board Member due to a vacancy;

WHEREAS, over the past 3 years BAA has chosen to no longer participate on the Board, even after numerous requests to return to the Council to participate in and contribute to Council matters;

WHEREAS, during the course of these past few years the Stakeholders living within the territory claimed by BAA have been without representation on the Board to address matters impacting their immediate neighborhood and community;

WHEREAS, the Bylaws of the Council will soon be amended and designate the territory previously claimed by BAA as a “district” of the Council, subject to the public election of one Board Member by its Stakeholders;

WHEREAS, upon approval by the Board of Neighborhood Commissioners of newly amended Bylaws, and until a public election is held to elect Board Members to these “district,” the Board of the Council will be empowered to appoint a Member to represent a “district” until such time of public election;

WHEREAS, Maureen Levinson, a Stakeholder living within the territorial boundaries previously claimed by BAA, has come before the Council over the past year to participate in and contributed to Board Meetings toward the goal of addressing matters that otherwise would not come before the Board due to a lack of participation by BAA in representing Stakeholders within its claimed territory;

NOW THEREFORE, the BOARD of the Council does hereby find:

1. Stakeholders living, working or owning property within the territory claimed by BAA deserve and are in urgent need of representation on the Board of the Council;
2. A immediate need exists on the Board to fill a void on the Board for a representative to represent Stakeholders living within the territory previously claimed by BAA;
3. Maureen Levinson is a qualifying Stakeholder living within territory within the territorial boundaries not presently represented on the Council;

AND IT HEREBY MOVED AND RESOLVED THAT:

4. The President of the Board has the power to nominate, and the Board has the power to ratify, the appointment of Maureen Levinson to the Board to represent Stakeholders living, working or owning property within the territory previously claimed by BAA, until such time as a public election is held for such “district” under newly adopted Bylaws.



ATTACHMENT "C"

## Department of Neighborhood Empowerment

Reporting Month: FEBRUARY MONTHLY EXPENDITURE REPORT  
 NC Name: Bel Air-Beverly Crest Submitted: 3/22/2015 13:41:08

Budget Fiscal Year: 2014-2015

FILL IN ALL THE UNSHADED (WHITE) FIELDS (Must be submitted to the Department within 10 days of Board Approval along with documentation and hard copy)

EXPENDITURES BY LINE ITEM (for more than 12 expenditures, you may continue entering on page 3 of this worksheet - see below)

A	Date / Item / Service Description	BUDGET CATEGORY	VENDOR	INVOICE NUMBER	OUT OF STATE VENDOR	1099 Reportable	TOTAL
1	Bank Charge	OPERATIONS	Union Bank	N/A			\$3.00
2	Staffing Services	OUTREACH	Lloyd Staffing	6-612442/3/4			\$482.63
3	Staffing Services	OPERATIONS	Lloyd Staffing	6-612442/3/4			\$482.62
4	Website Maintenance	OUTREACH	Aaron DeVandry	BABCNC20	<input checked="" type="checkbox"/>		\$250.00
5	Meeting Refreshments	OPERATIONS	Irene Sandler	N/A			\$52.75
6	Staffing Services	OUTREACH	Lloyd Staffing	6-612558/9			\$386.10
7	Staffing Services	OPERATIONS	Lloyd Staffing	6-612558/9			\$386.10
8	Boad Name Placards	OPERATIONS	LA Press	N/A			\$105.14
9	Meeting Refreshments	OPERATIONS	Trader Joe's	N/A			\$7.08
10	Meeting supplies	OPERATIONS	RiteAid	N/A			\$6.52
11							
12							
SUBTOTAL: Expenditures by Line Item (May include totals on page 3, if entered)							\$2,161.94
B	CUMULATIVE EXPENDITURES FROM PRIOR MONTHS						
C	OUTSTANDING COMMITMENTS						
	C 1. Outstanding Checks (checks that have been issued, but have not yet cleared the account)						
	C 2. Rent/Lease						
	C 3. Contractual Services						
	C 4. Large Purchases						
	C 5. Neighborhood Purpose Grants (pending or in process)						
	C 6. Temporary Staffing Services						
	C 7. Storage						
	C 8. Other Outstanding Commitments ==> Description: February Website Maintenance						
SUBTOTAL: Outstanding Commitments							\$250.00
D	Total Expenditures & Commitments						
E	Total Adjustments by Department (such as use taxes assessed, credits from prior fiscal years, etc)						
F	Approved Budget 2014-2015						
G	Balance of Budget						
							\$1,794.40
							\$17,658.83
							\$37,000.00
							\$19,341.17





Reporting Month:	FEBRUARY
NC Name:	Bel Air-Beverly Crest

MONTHLY CASH RECONCILIATION			
Beginning Balance (A)	Funds Deposited (B)	Total Available (C) = (A+B)	Cash Spent this Month (D)
\$841.40	\$3,158.60	\$4,000.00	\$2,161.94
			Remaining Balance (E) = C - D
			\$1,838.06

MONTHLY BUDGETARY ANALYSIS				
Category Identifier	Budget Category	Adopted Budget (A)	Total Spent this Month (B)	Total Spent in Prior Months (C)
100	Operations	\$14,750.00	\$1,043.21	\$6,940.74
200	Outreach	\$14,250.00	\$1,118.73	\$6,761.75
300	Community Improvement	\$4,000.00	\$0.00	
400	NPG	\$3,000.00	\$0.00	
500	Elections	\$1,000.00	\$0.00	
900	Unallocated		\$0.00	
	TOTAL	\$37,000.00	\$2,161.94	\$13,702.49
				Unspent Budget Balance (D) = A - B - C
				\$6,766.05
				\$6,369.52
				\$4,000.00
				\$3,000.00
				\$1,000.00
				\$0.00
				\$21,135.57

### NEIGHBORHOOD COUNCIL DECLARATION

We, the Treasurer and Signer of the above indicated Council, declare that the information presented on this form is accurate and complete, and will furnish additional documentation to the Department of Neighborhood Empowerment upon request.

Treasurer Signature		Signer's Signature	
Print Name	Alan G. Fine	Print Name	Robert A. Ringler
Date		Date	
NC Additional Comments			

Revision Date 1-26-15

Reporting Month:	FEBRUARY
NC Name:	Bel Air-Beverly Crest





# STATEMENT OF ACCOUNTS

UNION BANK  
CENTURY CITY 0206  
PO BOX 512380  
LOS ANGELES CA 90051-0380

Page 1 of 2  
Statement Number: 0053624540  
01/31/15 - 02/27/15

**Telephone Banking**  
For 24-hour Automated Direct Service  
800-238-4486  
800-826-7345(TDD)  
Representatives are available  
Monday through Saturday

To open additional accounts,  
or apply for loans, call your  
banking office at 310-551-8900

You may also access your account online  
at [unionbank.com](http://unionbank.com)

Thank you for banking with us  
since 2014

**BEL AIR BEVERLY CREST NEIGHBORHOOD COUNCIL**  
IL  
200 N SPRING ST FL 20  
LOS ANGELES CA 90012-4801

- Merchant Services has a variety of secure processing solutions that are compliant with cardholder security standards. Get up to \$300 in rebates when you apply and are approved for a new Merchant Services account by 3/31/15. Call or stop by a branch office or see [unionbank.com/merchantoofferUB](http://unionbank.com/merchantoofferUB) for details.

## Business Basics Checking Summary

Account Number: 0053624540

Days in statement period: 28

Balance on 1/31	\$	836.40
Additions		3,470.55
Subtractions		-2,416.14
Checks		-1,987.45
Payments		-316.47
Purchases		-112.22
Balance on 2/27	\$	1,890.81
Statement Average Ledger		3,279.99
Balance		

We waived your service charge this statement period.

## Additions

Date	Description/Location	Reference	Amount
2/2	CITY OF LOS ANGE EFT PAYMT PPD *****0735	55351403	\$ 3,158.60
2/5	OFFICE DEPOSIT # 0000628090	76494679	309.95
2/12	MONTHLY SERVICE CHARGE REV	90300399	2.00
Total			\$ 3,470.55

## Checks

Number	Date	Reference	Amount	Number	Date	Reference	Amount
5016	2/18	07557636	965.25	5019*	2/24	07614014	772.20
5017	2/25	06831308	250.00				
Total							\$ 1,987.45

\* Checks missing in sequence. Out of sequence check numbers may also be located in the Payments section of your statement.

## Payments online and electronic banking

Date	Description/Location	Reference	Amount
2/6	UB CHECKING TRANSFER 150206 XXXXXX4888 0130	60372733	\$ 309.95
2/27	UB ATM ADJ STAR PPD 581740966218064	54721238	6.52
Total			\$ 316.47

**Purchases** ATM card and Debit card™ purchases

<i>Date</i>	<i>Description/Location</i>	<i>Reference</i>		<i>Amount</i>
2/23	LA PRESS P 5476 WILSHIRE B LOS ANGELES CA	70507837	\$	105.14
2/25	TRADER JOE 263 S LA BREA LOS ANGELES CA	70552613		7.08
<b>Total</b>			\$	<b>112.22</b>

**Information and Banking Office Services****For each monthly statement period your account includes:**

- Unlimited free Information Services calls to 24-hour Automated Direct Service
- Banking office Information Services calls are \$0.00
- Banking office deposits are \$0.00

**For the current monthly statement period you made:**

1 banking office deposit.

Your account was not charged for information and banking office services during the statement period.



Building A Better Community

[www.babcnc.org](http://www.babcnc.org)

PO Box 252007, Los Angeles, CA 90025

Tel: (310) 479-6247; Fax: (310) 479-0458



March 25, 2015

Honorable City Council  
c/o Office of the City Clerk  
Los Angeles City Hall  
200 North Spring Street, Room 395  
Los Angeles, CA 90012

VIA EMAIL:

Re: **Council File # 14-0656 - Community Impact Statement**

The Bel Air Beverly Crest Neighborhood Council requests that the following Community Impact Statement be attached to Council File 14-0656, regarding the Interim Control Ordinance.

We, Travis Longcore, and Robin Greenberg, declare that we are the President and Secretary respectfully of the Bel Air Beverly Crest Neighborhood Council, and that this Community Impact Statement is based on the action taken at the regularly scheduled Board of Directors meeting on March 25, 2015, when the Bel Air Beverly Crest Neighborhood Council adopted the following motion by a vote of \_\_\_\_yes, \_\_\_\_no, \_\_\_\_abstaining and directed that a Community Impact Statement be filed reflecting its position.

**Motion:** Therefore let it be resolved that the The Bel Air Beverly Crest Neighborhood Council affirms its support for the Interim Control Ordinance protections within our borders as outlined in the Planning & Land Use Management Committee motion 14-0656, as presented by Councilmember Paul Koretz and seconded by Councilmember Mike Bonin, and urges the Los Angeles City Council to proceed with swift adoption of the subject proposed ordinance, and to consider the following comments.

Be it so noted, the Bel Air-Beverly Crest Neighborhood Council is deeply concerned about existing and future development of residential property in the hillside communities in Los Angeles. This construction, currently on a massive scale, and often by speculating land developers, has resulted in a substantial burden on the surrounding communities. We feel that the proposed ICO is a good first step in addressing building regulations that need to be reviewed and updated to reflect advanced technology in building in hillside areas; and market conditions that result in single family houses on a scale outpacing larger commercial projects.

Respectfully,

Travis Longcore, President

Robin Greenberg, Secretary

OFFICERS

President  
**Travis Longcore, Ph.D.**  
Vice President  
**Nickie Miner**  
Treasurer  
**Alan Fine**  
Secretary  
**Robin Greenberg**

COMMITTEES

Executive  
Bylaws, Rules and Elections  
Planning and Land Use  
Outreach and Education  
Public Safety/Disaster Preparedness  
Traffic Committee

STAKEHOLDER GROUPS

Bel-Air Crest Master Association  
Bel Air Ridge Association  
Benedict Canyon Association  
Casiano Estates Association  
Faith-Based Institutions  
Holmby Hills Homeowners Association  
Laurel Canyon Association

Residents of Beverly Glen  
Roscomare Valley Association  
Santa Monica Mountains Conservancy  
Save Our Strip  
Members at Large  
Private Schools  
Public Schools



**ATTACHMENT E-1 TO AGENDA**

**Proposed BABCNC Revisions Dated ~~11/03/12~~0/201~~5~~4 Redline**

**BY-LAWS  
OF THE  
BEL AIR-BEVERLY CREST  
NEIGHBORHOOD COUNCIL**

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## **ARTICLE I**

### **NAME**

The name of this neighborhood council of the City of Los Angeles (the “City”) shall be the Bel Air–Beverly Crest Neighborhood Council, which hereinafter may also be referred to as the “BABCNC” or “Council.”

## **ARTICLE II**

### **PURPOSE**

The Mission of the Council shall be:

(i) To provide an inclusive open forum for public discussion of issues concerning City governance, the needs of this neighborhood council, the delivery of City services to the stakeholders of this neighborhood council, and matters of a City-wide nature; and

(ii) To advise the City concerning City governance, the needs of this neighborhood council, the delivery of City services to the Stakeholders of this neighborhood council, and matters of a City wide nature.

The Policy of this Council shall be upon the following tenets:

(i) Non-Discrimination. It shall be the policy of this Council 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 or political affiliation.

(ii) Dignity. To respect the dignity and expression of viewpoints of all individuals, groups, and organizations involved in this Council.

(iii) Inclusiveness and Non-Partisanship. To remain non-partisan and inclusive in our operations including, but not limited to, the election process for governing body and committee members.

(iv) Early Notification System. To utilize the Early Notifications System to inform our stakeholders of matters involving the city of Los Angeles (and our community) in a way that is tailored to provide opportunities for involvement in the decision-making process.

(v) Participation. To encourage all Stakeholders to participate in all activities of this Council

(vi) Transparency. To have fair, open and transparent procedures for the conduct of Council business.

## ARTICLE III

### BOUNDARIES

**Section 1: Boundary Description.** The area included in the BABCNC is defined by the following boundaries: (a) on the west by I-405 between Mulholland Drive and Sunset Boulevard, (b) on the north by Mulholland Drive between I-405 and Laurel Canyon Boulevard, (c) on the south by Sunset Boulevard between I-405 and Laurel Canyon Boulevard, and (d) on the east by Laurel Canyon Boulevard between Mulholland Drive and Sunset Boulevard. The area so defined excludes the incorporated limits of the City of Beverly Hills.

**Section 2: Internal Boundaries.** Not Applicable.

## ARTICLE IV

### STAKEHOLDER

Neighborhood Council membership shall be open to all Stakeholders who have attained at least 18 years of age. "Stakeholders" shall be defined as those who live, work or own real property within the territorial boundaries of the Council, and also 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 boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.~~also those declares a stake in the territory of the Council and affirm the factual basis for it.~~

A Stakeholder Group shall mean individually or severally each of the homeowner associations or groups, business enterprises, community based organizations, educational or faith-based institutions.

## ARTICLE V

### GOVERNING BOARD

The Board of Directors ("the 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 (the "Plan").

**Section 1: Composition.** The Board shall consist of twenty-~~seven-nine~~ (279) Members elected, selected or appointed by the composition of Stakeholder Groups comprising the Board and/or directly elected by Stakeholders at a public election.

Stakeholder Groups shall be categorized into the following subcategories for purposes of achieving diversity, reflective of the characteristics of the BABCNC, and inclusiveness of groups less inclined to seek representation on the Council.

(a) Privately Appointed Residential Stakeholder Groups – Minimum Size

~~Residential-Appointed Residential~~ Stakeholder Groups may be represented on the BABCNC by individual homeowner associations or individual residential groups comprising ~~of~~ no ~~less~~ fewer than one hundred (100) residential units. Those individual homeowner associations or individual residential groups comprising of ~~less-fewer~~ than 100 units may seek representation through representation with either:

- (i) a neighboring homeowner association or residential group, also with ~~less~~ fewer than 100 units, so the combined units represented comprise of more than 100 units; or
- (ii) -a neighboring homeowner association or residential group with more than 100 units with existing representation on the BABCNC.

No Overlapping Boundaries. To ensure the integrity of representation of each Appointed Residential Stakeholder Group, the territorial boundaries of each Appointed Residential Stakeholder Group shall be defined, and the territory of each Residential Stakeholder Group shall not overlap another.

(b) Publicly Elected Residential District ~~Area~~ Representatives

Residential Stakeholders residing within geographical areas of the Council territory not otherwise represented by ~~Privately Selected-Appointed~~ Residential Group Representatives may also be represented by Elected Residential District Representatives elected at a public election conducted and administered by ~~the City Clerk or an Independent Election Administrator designated by~~ the City.

For a current listing of homeowner associations, residential groups, and geographical residential areas having representation on the BABCNC as a Residential Stakeholder Group please see [www.babcnc.org](http://www.babcnc.org), which shall reflect the official Membership of the BABCNC on file with the Secretary.

(c) Appointed Non-Residential Stakeholder Groups



Appointed nNon-residential Stakeholder Groups shall consist of any group or institution having a stake in the BABCNC and shall include, but not be limited to the following categories:

- (i) Custodians of Open Space
- (ii) Private Educational Institutions
- (iii) Faith-Based Institutions
- (iv) ~~Commercial or Office Enterprise District Areas~~
- (v) ~~Representatives of Employee Groups~~

For a current listing of non-residential Stakeholder Groups having representation on the BABCNC please see [www.babcnc.org](http://www.babcnc.org), which shall reflect the official Membership of the BABCNC on file with the Secretary.

(d) Elected Non-Residential Stakeholder Groups

- (i) Public Educational Institutions
- (ii) Commercial or Office Enterprise Districts

(e) Member-at-Large

At least one seat on the Board of the BABCNC shall be reserved for a Member At-Large. The Member-at-Large shall represent all ~~geographic areas of the , as well as~~ those individuals who live, work or own real property within the territorial boundaries of the Council and also those who declare a stake in the neighborhood as a Community Interest Stakeholder and affirm a substantial and ongoing participation within the Neighborhood Council boundaries. Members At-Large shall be elected at a public election conducted and administered ~~by the City Clerk or an Independent Election Administrator designated~~ by the City.

(f) No Majority Stakeholder Group

No single Stakeholder Group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment (the “Department” or “Empowerment”).

(g) Biennial Update of Membership

The BABCNC shall conduct a survey of its Member Stakeholder Groups representation at the beginning of the fourth quarter every other year, and complete such survey no later than November 30<sup>th</sup>, for purposes of validating representation of Stakeholders on the BABCNC.

Any Stakeholder Group not responding to the survey, indicating renewed interest in continued participation on the BABCNC by February 28<sup>th</sup> of the year following completion of the survey shall be removed from the list of Members on file with the Secretary.

#### (h) Alternate Board Member Representation

Each Appointed Residential Stakeholder Group shall have the right to elect or select alternate representatives for each of their Board Member seats (“Alternative Board Members”) so that the Appointed Residential Stakeholder Groups may be adequately represented at a Board Meeting in the event one or more of its ~~elected or selected~~appointed Representatives cannot attend a Board Meeting. Each Stakeholder Group desirous of ~~electing or selecting~~appointing an Alternate Board Members shall do so in accordance with their own procedures ~~electing or selecting~~appointing regular Board Members, and may do so at anytime and notify the Secretary, in writing, of the names of the Alternate Board Members. Each Alternate Board Member shall comply with the same Ethics Requirement as provided under Article XIV, Compliance, Section 2: Training, and agree to the Code of Conduct Policy found at Empowerment’s website at <http://empowerla.org/code-of-conduct/>.

### **Section 2: Quorum**

The presence at any Regular or Special Meeting of ~~fourteen-fifteen~~ (15) or more Board Members shall constitute a quorum for the purpose of transacting of business of the Council.

### **Section 3: Official Actions**

Board Action. Notwithstanding a quorum obtained at a Meeting, and majority vote received as described in the following paragraph, no ~~less-fewer~~ than ~~seven-eight (78)~~ or nine (9) Members must vote in the affirmative for the Board to take official action.

Majority Vote. All matters subject to a vote of the Board shall be determined by a majority vote of those Members ~~present voting~~, unless otherwise provided in these Bylaws. Voting may be by show of hands except that any Member may request a vote by any other manner adopted pursuant to these Bylaws, Department policies, and consistent with the Brown Act.

Open Meetings. All meetings of the Board are open to the public. All meeting procedures shall be in accordance with the State of California open meeting procedures that apply to neighborhood councils under the Brown Act, and Board of Neighborhood Commissioner policies, including the posting of notices and any other public communication in public places or through electronic media.

Special Meetings. A Special Meeting of the Board for a specific reason may be called at any time by either (a) any two officers of the Board, or (b) petition of a twenty-five percent (25%) of the Board Members, and in accordance with the Brown Act.

#### **Section 4: Terms and Term Limits**

Appointed Stakeholder Groups~~Representatives~~. Board Members representing Appointed Stakeholder Groups are elected to terms and governed by term limits established in accordance with the bylaws, rules and practices of their respective Stakeholder Group, but such terms shall ~~be subject to the provisions of Section 1 (e) above~~ not exceed two years.

Members-at-Large. Each Member-at-Large is elected to two-year term in accordance with the election schedule set forth by the City Clerk or the Department.

#### **Section 5: Duties and Powers**

Board 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 it. Such authority may be revoked at any time.

#### **Member Duties and Responsibilities.**

- (a) Duty to Attend Meetings. Each Member of the BABCNC has a duty to attend Meetings on a regular basis, but it is also understood that a Member cannot make every Meeting due to uncontrollable circumstances.
- (b) Duty to Represent Constituency. Each Member of the BABCNC shall be responsible for maintaining periodic contact with representatives of the respective Member's constituent Stakeholder Group or its individual Stakeholders. Such communications shall involve reporting back to the constituent Stakeholder representative or individual Stakeholders the work of the BABCNC; ~~and to as well as~~ solicit issues such representatives or individual Stakeholders ~~issues~~ would like to see addressed by the BABCNC.

#### **Section 6: Vacancies**

Vacancies on the Board shall be filled using the following procedure:

Appointed Residential Stakeholder Groups~~Member~~. The Stakeholder Group by which such Member was ~~elected or selected~~ appointed shall immediately notify the Secretary of a



vacancy of a Board seat upon knowledge of such vacancy. The Stakeholder Group shall move to fill the vacancy by appointing another Member to the Board. If such vacancy identify and elect or select an immediate replacement is not filled within 90 days of notice of such vacancy, such seat shall be converted to an elected At-Large position to be filled at the next election. The President shall nominate, and the Board shall elect such new Member at the next scheduled publicly noticed meeting of the the Board to fill such vacated seat until such time of the next election.

Publicly Elected Members, Including At-Large Members. In event of resignation, or the creation of a vacant seat following ~~the a~~ public election where no candidates run for such seats, the President shall nominate, and the Board shall elect, ~~such a~~ new Member or Member-at-Large at the next scheduled publicly noticed meeting of the Board.

### **Section 7: Absences**

In light of the duty of a Member described under Section 5(a), minimum attendance for each Board Member shall be no less than one (1) Meeting per quarter of a calendar year. Attendance by an Alternate Board Member of the Member's Stakeholder Group shall not constitute an absence. Failure to meet this minimal attendance requirement will result in removal of the Member as provided under Section 9 below.

### **Section 8: Censure**

- (a) Procedure. The Council may initiate 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, but may only be accomplished after contacting and working under the advisement of the Office of the City Attorney.
- (b) Violation of Bylaws. Subject to the paragraph (a) above, i~~t~~ shall be within the power of the BABCNC to censure a Member for material violation of these Bylaws whereby. Any a Member may introduce a motion to censure another Member for violation of the Bylaws. Censure shall only occur as described under Article V, Section 3 upon the motion receiving a majority vote of Members present.
- (c) Violation of Code Civility. Subject to the paragraph (a) above, it shall be within the power of the BABCNC to censure a Member for violation of the Code of Civility whereby a Member may introduce a motion to censure another Member for violation of the Code of Civility. Censure shall only occur as described under Article V, Section 3.
- (d) Due Process. Any Member who is the subject to motion for censure shall have the right to a hearing before the BABCNC at the next Regular Meeting or Special Meeting of the BABCNC. At such meeting, the Member shall have the specific right to defend against such censure action. No vote shall be taken on such motion until the hearing has been concluded.

## **Section 9: Removal**

- (a) Absences. As provided in Section 7 above, a Member, or an Alternate Board Member in the instance of a Member representing an Appointed-Residential Stakeholder Group, shall be required to attend at least one Meeting per quarter ~~of~~ each calendar year. ~~Upon~~ Following absence from three (3) consecutive Regular Board Meetings, the Secretary shall notify the Member in writing that ~~individual-his/her~~ Membership on the BABCNC Board will be revoked if the ~~Member~~he/she does not attend ~~the next~~ Regular Board Meeting of the BABCNC, ~~or Meeting immediately thereafter within the next two (2) Meetings of the Board.~~
- (b) Contingent Removal - Failure to Maintain Ethics ~~Period-Requirement~~ over a Protracted Period. Any Board Member who has failed to complete the Ethics Requirement within a reasonable time as set forth in the Standing Rules shall be immediately removed from the Board. At the option of the Board, such ~~removed-Board~~ Member so removed may be reinstated as a Board Member upon timely presentment of evidence of meeting the Ethics Requirement.
- (c) 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; Standing Rules; or the City's Code of Civility as referenced under Article V, Section 1, 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 three (3) 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 (2/3) majority of Board Members present.
  - 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 Member may resign at any time by giving written notice to the Secretary with an effective date. ~~In the case of a Member representing an Appointed Residential~~ The Stakeholder Group, ~~the Appointed Residential Stakeholder Group~~ will notify the BABCNC Board of the ~~election or selection~~ appointment of a replacement in a writing delivered to the Secretary, pursuant to Section 6 of this Article.

### **Section 11: Community Outreach**

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.

## **ARTICLE VI**

### **OFFICERS**

#### **Section 1: Officers of the Board**

The Officers of the Board shall consist of a President, a Vice-President, a Secretary, and a Treasurer. In addition, the Council shall recognize the following offices in order to allow the experience and knowledge of past presidents to advise Officers of the Board

Immediate Past President. The BABCNC shall have an ex-officio position of Immediate Past President that entitles the current outgoing President, if he so chooses, to hold a seat on the Executive Committee, which is advisory in nature only. The term of Immediate Past President shall extend until the next outgoing President chooses to assume the position of Immediate Past President.

Past President. ~~If t~~The outgoing Immediate Past President, continues to serve as an appointed or elected Member of the Board, he/she shall have the option to ~~continue to also serve the Board and then the~~ Executive Committee, ~~as long as so desired, as a "Past President,"~~ in the same advisory capacity as the Immediate Past President.

## **Section 2: Duties and Powers**

### **1. President**

The President shall have general supervision, direction, and control of all business and activities of the Board subject to Board approval. The President shall preside over all meetings of the Board and shall be an ex-officio member of all Committees.

### **2. Vice-President**

The Vice-President shall perform the duties of the President at any time the President is unwilling or unable to perform those duties and such other duties as deemed necessary or appropriate by the President. The Vice President shall be specifically charged with the management of Committees, ensuring that the duties and responsibilities of each Committee are carried out on a regular basis and that issues of the Committees are adequately represented on the agenda of Regular Meetings.

### **3. President and Vice President Survey Duty**

The President and Vice President shall be responsible for carrying out a survey of the BABCNC community as more fully described under Article V, Section 1 (e): Biennial Update of Membership.

### **4. Secretary**

The duties of Secretary shall include the duties typically that of a corresponding secretary and recording secretary.

#### **a. Recording Secretary**

Duties as recording secretary shall include, but not be limited to: (i) the recording and maintaining of all minutes of Board Meetings; (ii) preservation all BABCNC records and documents; and (iii) maintain current Membership records.

#### **b. Corresponding Secretary**

Duties as corresponding secretary shall include but not be limited to: (i) performing all general correspondence of the Board such as the posting of electronic notice of all Board meetings and Committee Meetings; (ii) ensuring that communication and information is disseminated evenly and in a timely manner to all Members and Stakeholders; (iii) providing notice to all Members and Stakeholders of the time and location of all meetings of the Board at least 72 hours in advance.

### **5. Treasurer**



The Treasurer:

(a) Shall maintain the BABCNC book of accounts and establish a system of financial accountability including the accounting of such funds as may become the responsibility of the BABCNC and that all accounting comply with applicable local, state, and federal laws in accordance with the requirements set forth by the City of Los Angeles Department of Neighborhood Empowerment (DONE), shall and report on the finances of the Council at Regular Meetings.

(b) Ensure that the Council's accounting books are open and available to all Stakeholders.

(c) Submit an account statement to DONE at least once a year or when requested otherwise.

(d) Prepare an annual budget for expenditures to be approved by the Board and submitted to DONE for approval each year.

#### 6. Assistant Treasurer

The position of Assistant Treasurer shall be established to assist the Treasurer in carrying out the duties as described under paragraph 5 above. It will be the option of the Board, with consultation of the Treasurer, to determine whether the position of Assistant Treasurer need be filled by a Member of the Board on a continuous basis. If the Board cannot fill the position, the Board may opt to retain a professional to assist the Treasurer, but such individual, not a Board Member, may not hold the position of Assistant Treasurer.

#### 6.7. Compensation

No Officer shall receive any compensation for any service rendered on behalf of the Council.

### **Section 3: Selection of Officers**

Each Officer shall be elected by a majority vote of the Board present by ~~written ballot~~ a show of hands at a Board meeting held during the first quarter of each calendar year. Newly elected Officers shall assume office immediately following the Meeting at which the election of Officers is held.

#### Termination

Any Officer may be removed from office for cause and replaced by another Representative by a majority vote of the Board ~~present-voting~~ subject to the requirements set forth under

Article V, Section 3, at duly noticed Meeting that affords the removed Officer due process. "For Cause" includes, but is not limited to, missing three consecutive Board Meetings and three Executive Committee meetings, the improper handling of Council money, or the improper application of accounting procedures.

#### **Section 4: Officer Terms**

Each ~~O~~fficer shall serve a term of one (1) year or until election of a successor. No individual may hold a particular office of the BABCNC for more than the later of:

- a. five (5) consecutive years in ~~any~~; or
- b. in event a successor to replace such individual is not available at expiration of the maximum term, such term may be extended but only until such time a successor is willing assume such office.

#### **Vacancy**

Following a declaration by the Board that an office has been vacated, such vacancy may be filled by a majority vote of the Members present-voting, subject to the requirements set forth under Article V, Section 3, at a Board Meeting in accordance with the manner set forth herein and consistent with the Brown Act. Each Officer so elected shall hold office for the remainder of the original term or until election of a successor.

## **ARTICLE VII**

### **COMMITTEES AND THEIR DUTIES**

#### **Section 1: Standing**

The BABCNC shall have the following Standing Committees whose responsibilities are described hereunder whose description follows later under Section 4 of this Article: (i) Executive Committee; (ii) Planning and Land Use Committee; (iii) Bylaws, ~~and~~ Rules and Elections Committee; (iv) Public Safety and Disaster Preparedness Committee; (~~iv~~) Public Works and Telecommunications Committee; (~~vi~~) Outreach and Education Committee; and (~~vii~~) Traffic Committee; (viii) Budget and Finance Committee.

#### **Section 2: Ad Hoc**

Each Ad Hoc Committee shall be established as a temporary committee to review and make recommendations on specific issues as directed by the Board. Ad Hoc Committee meetings shall be run by the Chair of the Committee appointed by the President. Minutes, reports and recommendations by such committees shall be delivered to the Secretary as they are issued.

Ad hoc committees will be comprised of less than a quorum of the governing body as a whole.

### **Section 3: Committee Creation and Authorization**

#### **1. Establishment of Committees**

A new Standing Committee or Ad Hoc Committee may be established at any Board Meeting by a motion supported by a majority of Board Members ~~present~~voting.

#### **2. Membership on Committees**

##### **(1) Standing Committees**

- a. Election. Upon establishment of a Standing Committee, and each year thereafter, the Board shall move to elect members to each Standing Committee, and membership shall only be conferred upon receiving a majority vote of Board Members present.
- b. Term. The term of membership on each Standing Committee shall be for period of at least one year, but no more than two years.
- c. Re-Election. During the second quarter of each calendar year, those members on Standing Committees whose term of such Standing Committee is more than one year, but less than two years, must be reelected by a majority vote of Board Members present to continue membership on such Standing Committee.
- d. Candidacy. Candidacy for membership shall be open to all Stakeholders. Committee membership shall only be conferred upon receiving a majority vote of Board Members present.
- e. Chair Position. ~~The~~ Chair of ~~each Standing~~ Committee ~~shall be~~ nominated by the President and elected by a majority of Board Members ~~present~~voting at a Meeting at which such committee is established.

##### **(2) Ad Hoc Committees**

- a. Election. Upon establishment of an Ad Hoc Committee the Board shall move to elect members to an Ad Hoc Committee. Membership shall only be conferred upon receiving a majority vote of Board Members ~~present~~voting.

- b. Term. The term of membership on an Ad Hoc Committee shall be for period of no more than one year.
- c. Re-establishment. At the end of one year's term, existence of an Ad Hoc Committee shall be terminated unless a re-vote to continue the work of an Ad Hoc Committee is held and a majority vote of Board Members ~~present-voting~~ vote to continue the Ad Hoc Committee for a period of no more than one year.
- d. Re-Election. Upon receiving a majority vote to continue the work of an Ad Hoc Committee, the Board shall move to elect or re-elect members to an Ad Hoc Committee. Membership shall only be conferred upon receiving a majority vote of Board Members ~~present~~voting.
- e. Chair Position. Chair of ~~the-an Ad Hoc~~ Committee shall be nominated by the President and elected by a majority of Board Members ~~present-voting~~ at a Meeting at which such committee is established.

### 3. Committee Meetings

Committee meetings shall be run by the Chair of the Committee. All ~~Standing~~ Committee meetings, and meetings of Ad Hoc Committee whose membership constitutes more than a quorum of the Board, or include non-Board members, shall be open to the public. Notice of all committee meetings shall be posted 72 hours in advance of a regularly scheduled meeting and 24 hours in advance of a special meeting.

### 4. Authorization and Purpose

#### a. Executive Committee

The Executive Committee shall consider those issues pertaining to all Board financial matters and the distribution and allocation of Board funds. In addition, the Executive Committee shall advise on the administration, operations and management of the Council.

#### b. Planning and Land Use Committee

The Planning and Land Use Committee shall consider those issues pertaining to land development.

#### c. Bylaws, Rules and Elections Committee



The Bylaws, Rules and Elections Committee shall consider those issues pertaining to the continual study, interpretation, guidance and presentation of proposed changes to the Bylaws of the Board and Standing Rules. All proposed changes are to be presented to the full Board for its review and approval by a majority vote. In addition, the Committee shall be responsible coordination of all City election requirements for the election or selection of Board Members, as well as the election of Board officers.

d. Public Safety and Disaster Preparedness Committee

The Public Safety and Disaster Preparedness Committee shall consider those issues pertaining to police, fire, and emergency medical services.

e. Public Works and Telecommunications Committee

The Public Works and Telecommunications Committee shall consider those issues pertaining to water, gas, electric and sewage lines; telecommunication infrastructure; and public rights-of-way and easements.

f. Outreach and Education Committee

The Outreach and Education Committee shall consider those issues pertaining to outreach to our communities, educational institutions and faith based organizations.

g. Traffic Committee

The Traffic Committee shall consider those issues pertaining to traffic including the flow of traffic, safety, enforcement, congestion, parking, traffic lights and related street signs within the territorial boundaries of Council.

h. Budget and Finance Committee

The Budget and Finance Committee shall consider how the Council should best appropriate funds on deposit in its account and funds it receives annually from the City, and shall advise the Board of its responsibilities under Article IX herein, and shall work closely with the Treasurer in carrying out such advisory duties.

## ARTICLE VIII

## MEETINGS

~~The requirements imposed by The Ralph M. Brown Act (California Government Code § 54950 et seq.), "The Brown Act," upon public governmental bodies such as this Council shall be adhered to in all respects as to its Meetings, its Officers and its Board Members. No provisions of these Bylaws shall be interpreted as inconsistent with the Brown Act.~~  
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 and all other applicable laws and governmental policy.

### **Section 1: Meeting Time and Place**

#### 1. Regular Meetings

The Board shall meet at regular intervals, but not less frequently than once per calendar quarter. All meetings shall be held at a location, date and time set by the Board.

#### 2. Special Meetings

A Special Meeting of the Board may be call should exigent circumstances arise requiring the Board to meet at a date and time prior to its next Regular Meeting.

### **Section 2: Agenda Setting**

The President shall have lead responsibility for setting the Board agenda, which shall be published in accordance with the Brown Act, and subject to Board input in accordance with the following procedure:

- (a) No ~~less-fewer~~ than seven (7) days prior to a Regular Meeting the President shall email ~~each-~~  
all Board Member for the purpose of soliciting input for items to be included on the agenda;
- (b) Each Board Member shall have forty-eight (48) hours from the time the President distributes the email to respond to the request for agenda items;
- (c) The President shall consult with the Vice President of the Board and one Committee Chair, which Committee Chair shall be identified in the Standing Rules, prior to finalizing the agenda for publication in accordance with the Brown Act;
- (d) At the outset of each Regular Meeting, the President shall seek additional comment to the agenda from the Board, prior to amendment and final approval by the Board;
- (e) The Board may only table items, and may not add items not previously listed on the published agenda;

- (f) The procedure described in the subsection shall not apply to Special Meetings of the Board. Agendas for Special Meetings shall be established at time they are called by the two Officers calling for the Special Meeting or set forth in the petition signed by twenty-five percent (25%) of the Board Members as described under Section 3.

### **Section 3: Notifications/Postings**

#### **1. Regular Meetings**

Notice of all Regular Meetings of the Board and of its Committees shall be posted at no less than five (5) public places, which specific locations shall be specified (i) on the Department's Public Notice Location Log on file with the City and (ii) listed at the website of the Council located at [www.babenc.org](http://www.babenc.org). Such notices shall also be distributed by email to the addresses of all Representative Members of the Board, Stakeholder Groups, and any individual Stakeholder of the Council providing such email address to the Secretary. The Secretary shall give notice of the time and location of all meetings of the Board at least 72 hours in advance. The Board will also comply with the Board of Neighborhood Commissioners Posting Policy.

#### **2. Special Meetings**

The Secretary shall provide notice of any Special Meeting not later than 24 hours in advance of a Special Meeting in the same manner as set forth under Paragraph 1 above.

### **Section 4: Reconsideration**

The Board may reconsider and amend its action on items listed on the agenda if the reconsideration takes place immediately following the original action or at the next Regular Meeting. The Board, on either of these two occasions shall:

- (i) Make a Motion for Reconsideration; and if approved
- (ii) Hear the matter and take an action.

If the Motion for Reconsideration of an action is to be scheduled at the next meeting following the original action, then the following two items shall be placed on the agenda for that meeting:

- (i) A Motion for Reconsideration on the described matter; and
- (ii) A Proposed Action should the Motion for Reconsideration be Approved

A Motion for Reconsideration may only be made by a Board Member who has previously voted on the prevailing side of the original action. If a Motion for Reconsideration is not made on the date the action was taken, then a Board Member on the prevailing side of the action must submit a memorandum to the Secretary identifying the matter to be reconsidered and a brief description of the reason(s) for requesting reconsideration at the next Regular Meeting.

## **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**

Appointed Residential Stakeholder Groups. ~~Election or selection of~~ Appointment of Members representing each Appointed Residential Stakeholder Group of the Council is left to the particular election or selection process of each Appointed Residential Stakeholder Group.

Appointed Non-Residential Stakeholder Groups. Members representing those Appointed Non-Residential Stakeholder Groups identified under Article V, Section 1(c) shall be appointed by the Board at a Regular Meeting whereby the Board will comply with City noticing requirements providing ample time for:

- i. the Board to solicit candidates for such positions;
- ii. interested Stakeholder to respond by submitting a statement of candidacy for such position;
- ~~iv-iii.~~ vetting by the Board of such candidates;
- ~~v-iv.~~ public campaigning by vetted candidates to the respective Stakeholder constituency; and
- ~~vi-v.~~ public noticing of the Meeting at which such Appointment will take place providing the public opportunity to provide comment to the Board prior to appointing candidates to such positions.

Elected Residential District Representatives, Elected Non-Residential Stakeholder Group Representatives, and At-Large Members. Election of ~~At-Large Members~~ the foregoing Members of the Board, as further described under Article V, Sections 1, subparagraphs (b), (d) and (e) shall be at a public election ~~held biennially under administration by the City Clerk or an Independent Election Administrator, as determined each election year by the City or the Department~~ conducted and administered by the City.

#### **Section 2: Governing Board Structure and Voting**

The Board is comprised of twenty-~~five~~-nine (~~25~~29) seats. Each Member or Stakeholder Group is assigned at least one (1) seat, with each seat having one (1) vote.



1. Appointed Stakeholder Group Representation. The number of additional seats representing Appointed Stakeholder Groups on the Council is dependent upon the number of Appointed Stakeholder Groups, identified as having a stake in the BABCNC territory, willing to actively participate on the Council by regular attendance at Board and committee Meetings.

a. Residential Stakeholder Group Apportionment.

The number of additional seats apportioned a residential Stakeholder Group will be dependent upon the relative size of the number of residential units within the territory represented by such residential Stakeholder Group.

Each residential Stakeholder Group comprising of no less than 500 dwelling units will be apportioned one (1) additional seat for a total of two (2) seats.

Those residential Stakeholder Groups comprising of no less than 1,000 dwelling units will be apportioned a second additional seat for a total of three (3) seats.

Those residential Stakeholder Groups comprising of no less than 2,000 dwelling units will be apportioned a third additional seats for a total of (4) seats.

~~The largest of Stakeholder Groups may be apportioned more than one (1) seat, to complete a Board of twenty five (25) members~~

b. Non-Residential Stakeholder Group Apportionment. Each non-residential Stakeholder Group will be apportioned one (1) seat.

2. Publicly Elected Representation. Each publicly elected Residential District and each publicly elected non-residential Stakeholder Group will be apportioned one (1) seat.

3. At-Large Representation. The number of seats reserved for At-Large Members ~~is no less~~shall be at least than two (2) seats. The number of seats apportioned to At-Large Members is dependent upon the number of Stakeholder Groups responding affirmatively to the biennial survey described under Section 1(e) of Article V.

~~It is the intent of the Council to add At large positions to represent non-represented geographic areas of Council territory as the result of decisions by organized residential Stakeholder Groups (i.e. HOAs) to not participate on the Council, as well as other geographic areas not previously represented, including commercial areas situated within Council territory. Once elected, At Large Members cannot be removed should a Stakeholder Group subsequently decide to participate.~~

### **Section 3: Minimum Voting Age**

The election of Members-at-Large shall be open to all Stakeholders who are at least eighteen ~~(18)~~ 18 years of age.

### **Section 4: Method of Verifying Stakeholder Status**

Voters will verify their Stakeholder status by providing acceptable documentation. Stakeholder status may also be established by means of declaring a stake (or interest) in the Council and providing documentation supporting that declaration.

### **Section 5: Restrictions on Candidates Running for Multiple Seats**

A candidate shall declare their candidacy for no more than one (1) ~~position~~seat on the Council Board during a single election cycle.

### **Section 6: Other Election Related Language**

Not Applicable.

## ARTICLE XI

### GRIEVANCE PROCESS

The grievance process of the Council shall be compliant with the City's newly adopted Grievance Policy. All grievances shall be submitted in writing to the Secretary before the next scheduled Agenda Setting Committee meeting for consideration and placement on the official agenda for the next scheduled Board Meeting. The process of grievance resolution shall be encompassed in the Standing Rules to be adopted by the Board, and consisted with the City's new policy.

~~Potential remedies for grievances against Board Members are censure as well as removal from the Board as provided, under Article V, Section 8 and Section 9, respectively.~~

## ARTICLE XII

### PARLIAMENTARY AUTHORITY

#### 1. Rules

Except for rules adopted in the By-Laws, *Robert's Rules of Order, Revised Version*, shall apply in the conduct of all Meetings of the Board.

#### 2. Parliamentarian

A Parliamentarian shall be appointed by the President and shall, as requested by the President or any Board officer, ensure that *Robert's Rules of Order Revised Version* are followed during the course of all meetings.

## ARTICLE XIII

### AMENDMENTS

#### 1. Board Adoption

These By-Laws shall be amended by a two-thirds (2/3) majority vote of the Board Members present a Meeting on a proposed amendment distributed to Board Members for their consideration no less than 72 hours before said Meeting.

#### 2. Not Effective Until Approved by the Department

Upon adoption, such amendment to these By-Laws shall be submitted to the Department for approval and shall not be effective and be valid until receiving such written approval from the Department.

## 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 for Citywide System of Government (hereinafter referred to as “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

Incorporated under this section is the Code of Civility adopted by the Council at its Regular Meeting held on September 26, 2012

The Bel Air Beverly Crest Neighborhood Council adopts the City's ~~DONE~~ Code of Civility collectively and individually, and in addition that code of civility adopted by the Board individually and collectively as set forth in greater detail in the Standing Rules of the Council. ‡The members of the Governing Board of the Bel Air Beverly Crest Neighborhood Council agree to abide by this Code of Civility to ensure that the Council's business is conducted in a respectful, courteous, and effective manner, and in a way that will generate respect and credibility for our Neighborhood Council.

#### ~~A. Meetings~~

~~All sign in sheets shall state that furnishing of any information is voluntary.~~

~~Speaker cards shall have an 'in lieu of speaking' option and shall become part of the permanent record. Choice of the 'in lieu of speaking' option means that opposition or support will be tallied and the tally shall be announced to the board prior to any action by the board; comments may or may not be read out loud.~~

~~The Bel Air Beverly Crest meeting agendas shall contain the following statement:~~

~~“In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board members in advance of a meeting may be viewed at~~

### ~~1. Code of Civility~~

- ~~a. Collectively and individually, the members of the Board of Officers of the BABCNC agree to abide by the following Code of Civility to ensure that our BABCNC’s business is conducted in a respectful and courteous manner, and in a way that will generate respect and credibility for our Bel Air Beverly Crest Neighborhood Council.~~
- ~~b. The freedom to express one’s views about public matters is a cornerstone of the democratic process. The BABCNC welcomes the diverse views and opinions of our board members and stakeholders as they relate to the issues before us without fear of litigation. In order for these discussions to be meaningful and effective, we must treat others with respect and dignity.~~

~~We collectively and individually agree to abide by the following Code of Civility to the best of our abilities:~~

- ~~1. I will conduct myself in a professional and civil manner at all times as a representative of the Bel Air Beverly Crest Neighborhood Council.~~
- ~~2. I will treat each member of the board, staff and members of the public with respect at all times, regardless of an individual’s opinion, ethnicity, race, sexuality, gender, age, disability, or religion.~~
- ~~3. Even in the face of disagreement or differences of opinion, I will demonstrate esteem and deference for my colleagues and the public.~~
- ~~4. Under no circumstances during Neighborhood Council meetings, functions, or events will I engage in or threaten to engage in any verbal or physical attack on any other individual.~~
- ~~5. I will commit to communicate my ideas and points of view clearly, and allow others to do the same without interruption.~~
- ~~6. I will not use language that is abusive, threatening, obscene, or slanderous, including using profanities, insults, or other disparaging remarks or gestures.~~
- ~~7. Derogatory language about an individual’s ethnicity, race, sexuality, gender, age, disability, or religion is not acceptable.~~
- ~~8. I will take responsibility for my own actions, and will work to fulfill my role and responsibilities as specified in the bylaws.~~



~~9. I will commit to learn the applicable laws that govern Neighborhood Councils, including bylaws, standing rules, the Brown Act, ethics rules, city ordinances, and the City Charter, and will not knowingly violate any of the above. I will commit to uphold the bylaws.~~

~~10. I will abide by the Neighborhood Council's meeting procedures or rules in order to create a safe and effective environment for conducting business.~~

~~11. I will promote and enforce a safe meeting environment at all times. At moments when members of the public, and or Board members become disruptive and violate the rules of civility that we have pledged to follow, I will join my fellow board members in demanding that the persons conduct themselves in a respectful and orderly manner even if I agree with the point of view that is being expressed.~~

~~12. I will seek to present information truthfully, and will not knowingly misrepresent, mischaracterize, or misquote information received from others.~~

~~13. I pledge to truly listen to and hear other points of view.~~

~~14. I will practice the art of being able to disagree without being disagreeable.~~

~~15. If I find myself representing my personal interests before my community's interests, I will publicly disclose the differences and recuse myself from voting on such matters and leave the room.~~

~~16. I will commit to good faith efforts to resolve any grievances that come before the board as or when specified in the bylaws and standing rules.~~

~~17. I owe it to my fellow board members, the public, stakeholders, and the decision makers who we are trying to influence to make the best possible effort to understand the issues before me. I will "do my homework".~~

## **~~2. Code of Ethics~~**

~~Any member of the Board of Officers of the BABCNC who has a financial or material pecuniary interest (insert definition of term) in an item, as defined by State, Federal or local laws, shall recuse themselves from voting on any item in question.\*~~

~~Any Board member who has not received a certificate of completion for the mandated ethics training within 55 days of taking office, whether by appointment or election, will be prohibited from voting on any Board or Committee issues land use issues or financial expenditures of any city funds effective.~~

## **~~3. Rules of Decorum~~**

- a. ~~Rules of Decorum.~~ During a meeting of the Bel Air Beverly Crest Neighborhood Council or any of its Standing or Ad Hoc Committees, there is the need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council or Committee has an opportunity for its deliberative process. While any meeting of the BABCNC or any of its Standing or Ad Hoc Committees is in session, the following rules of decorum shall be observed. All remarks shall be addressed to the Council or Committee as a whole and not to any single member, unless in response to a question from a member. Persons addressing the Council or Committee shall not make personal, impertinent, unduly repetitive, slanderous or profane remarks to the Council or Committee, any member of the Council or Committee, staff or general public, nor utter loud, threatening, personal or abusive language, nor engage in any other disorderly conduct that disrupts, disturbs or otherwise impedes the orderly conduct of any Council or Committee meeting. No person in the audience at a Council or Committee meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council or Committee meeting. Signs, placards, banners, or similar items shall not be permitted at any time in the Council or Committee meeting room. Unless addressing the Council or Committee or entering or leaving the Council or Committee meeting room, all persons in the audience shall remain sitting in the seats provided. No person shall stand or sit in the center aisle, nor shall the doorways be blocked. The Chair of the Council or Committee, with the assistance of a Police Officer of the Los Angeles Police Department, shall be responsible for maintaining the order and decorum of meetings, as set forth more fully below.
- b. ~~Enforcement of Decorum of Speakers and Audience.~~ The Chair may request that a member of the audience or a person speaking during a public comment period who is violating the rules of decorum, comply immediately. If, after receiving a warning from the Chair, a person persists in violating the rules of decorum, the Chair shall order him or her to leave the Council or Committee meeting. Any person so ordered removed shall be excluded from further attendance at the meeting from which he or she has been removed, unless permission to attend is granted upon motion adopted by a majority vote of the Council or Committee. If that person does not remove himself or herself, the Chair may request a Police Officer of the Los Angeles Police Department to remove that person from the Council or Committee meeting room pursuant to his or her lawful authority as a peace officer.
- c. ~~Penalties.~~ Any person who has been ordered removed from a meeting may be charged with a violation of Penal Code Section 403, or other appropriate Penal Code or Los Angeles Municipal Code sections. The Council or Committee by majority vote may prohibit a person removed on the basis of disruptive conduct from addressing the Council and its Committees for up to 30 days. The length of time of the prohibition shall be based on the number and severity of prior incidents of disruptive conduct.

## **B. Principles of Representation**

~~I. The Board trusts and expects Board Officers and Committee Members to adhere to the following principles of representation:~~

~~a. No Board Officer or Committee Member, unless authorized in writing by the board of the BABCNC to do so, may in any way:~~

~~(i) Use the BABCNC logo or letterhead or stationery for any purpose; or~~

~~(ii) Claim to represent the BABCNC in any forum except:~~

- ~~• to present, verbatim, motions that have been considered and acted upon by the Board and which have not been subsequently repealed by the Board or superseded by a subsequent motion of the Board; and~~
- ~~• to correct misunderstandings or to respond to questions related thereto.~~

~~b. Any Board Officer or Committee Member may identify themselves as such in any forum. If doing so in support of or in opposition to a matter being considered in a non-BABCNC forum, s/he shall make clear that s/he is representing her/himself personally and is not representing the BABCNC or a BABCNC Committee. If the Board has considered and acted upon a motion dealing with a matter under consideration in a non-BABCNC forum, the nature and disposition of the motion considered by the Board shall be disclosed.~~

## **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 provided by the City within fifty-five (55) days of being seated, or they will lose their Council voting rights.

### **Ethics Requirement**

~~The BABCNC shall be subject to all sections of the City of Los Angeles Governmental Ethics Ordinance that apply to the BABCNC (L.A. Municipal Code Section 49.5.1 et seq. and Federal and State of California ethics standards) (the “Ethics Requirement”).~~

~~The Standing Rules of the BABCNC, hereby incorporated by reference, shall set forth the obligations of Members to comply with the Ethics Requirement as well as the procedure for due process to enforce such requirement.~~

### ~~Alternative Board Members.~~

~~Alternate Board Members shall be under the same obligation as regular Board Members to comply with the City's Ethics Training requirements.~~

- ~~(1) Each Alternative Board Member shall complete the City's Ethic Training within three (3) months of election or selection and every two (2) years thereafter.~~
- ~~(2) An Alternative Board Member shall have the power to cast a vote on behalf of the Stakeholder Group provided:~~
  - ~~a. the Alternative Board Member is in compliance with paragraph (1) above; and~~
  - ~~b. the regular Board Member has provided written notice to the Secretary that the designated Alternative Board Member will be attending the next scheduled Board (or Committee) Meeting no less than 24 hours before commencement of said Board (or Committee) Meeting.~~
- ~~(3) Alternative Board Members who are not in compliance with paragraph (2) above may nevertheless participate in a Board (or Committee) discussion in place of the absent regular Board Member, but shall not be permitted to cast a vote on any matter that comes before the Board (or Committee). An Alternative Board Member ineligible to vote shall not be counted towards meeting a quorum necessary to conduct business of the Board (or the Committee).~~

### Conflicts of Interest

~~Board Members will recuse themselves from matters in which they have an actual, potential conflict of interest. It will be the responsibility of each Board Member to identify such conflicts, and to discuss the issue with the City Attorney to identify all potential conflicts before taking any action on such matter.~~

### **Section 3: Self-Assessment**

Every year, the Council shall conduct a self assessment pursuant to Article VI, Section 1 of the Plan.

~~The President and Vice President shall conduct a self assessment of the BABCNC community pursuant to Article IV, Section of the Plan.~~

## **ATTACHMENT A – MAP OF NEIGHBORHOOD COUNCIL**

[Provided on Next Page]



- LEGEND
- Freeway
  - Major Highway Class II
  - Secondary
  - Collector
  - Proposed
  - Local



## GENERALIZED CIRCULATION BEL AIR - BEVERLY CREST





## ATTACHMENT B – GOVERNING BOARD AND VOTING

For a more detailed description of Governing Board Structure and Voting, see Article X, Section 2 of these Bylaws, which explain the present indeterminate governance of the Council with respect to apportionment of votes among Stakeholder Groups and At-Large positions. In the interest of full disclosure, below is a best estimate of the present apportionment of seats on the Council, which it hopes to restructure. As described under Section 2 of Article X, as the number of Stakeholder Groups who wish to participate on the Council is known, the number of seats apportioned to large Stakeholder Groups and At-Large Positions will be revised in order to fill all twenty-nine (29) seats on the Board of the Council.

### Appointed Residential Stakeholder Groups    Number of Seats (Votes)

• Bel-Air Crest HOA	1
• Bel-Air Ridge HOA	1
• Benedict Canyon HOA	<u>34</u>
• Casiano Estates <del>and Casiano Bel-Air</del> HOAs	1
• <u>Laurel Canyon Association</u>	3
• <u>Holmby Hills HOA</u>	<u>1</u>
• Residents of Beverly Glen	2
• Roscomare Valley Association	2

### Elected Residential District Areas

• <u>Bel-Air District</u>	<u>2</u>
• <u>Bel-Air Glen District</u>	<u>1</u>
• <u>Beverly Park Estates District</u>	<u>1</u>
• <u>Franklin Canyon/Coldwater/Mulholland/Crest District</u>	<u>1</u>
• <u>North of Sunset District</u>	<u>1</u>

### Appointed Non-Residential Stakeholder Groups

• Faith-Based Institutions	1
• Private K-6 Schools	1
• Private 7-12 Schools	1
• Open Space (Santa Monica Mountains Conservancy)	1

### Elected Non-Residential Groups

• <u>Public K-12 Schools</u>	<u>1</u>
• <u>Commercial Areas</u>	<u>1</u>



**ATTACHMENT E-2 TO AGENDA**

**Proposed BABCNC Revisions Dated 03/20/2015**

**BY-LAWS  
OF THE  
BEL AIR-BEVERLY CREST  
NEIGHBORHOOD COUNCIL**

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## **ARTICLE I**

### **NAME**

The name of this neighborhood council of the City of Los Angeles (the “City”) shall be the Bel Air–Beverly Crest Neighborhood Council, which hereinafter may also be referred to as the “BABCNC” or “Council.”

## **ARTICLE II**

### **PURPOSE**

The Mission of the Council shall be:

(i) To provide an inclusive open forum for public discussion of issues concerning City governance, the needs of this neighborhood council, the delivery of City services to the stakeholders of this neighborhood council, and matters of a City-wide nature; and

(ii) To advise the City concerning City governance, the needs of this neighborhood council, the delivery of City services to the Stakeholders of this neighborhood council, and matters of a City wide nature.

The Policy of this Council shall be upon the following tenets:

(i) Non-Discrimination. It shall be the policy of this Council 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 or political affiliation.

(ii) Dignity. To respect the dignity and expression of viewpoints of all individuals, groups, and organizations involved in this Council.

(iii) Inclusiveness and Non-Partisanship. To remain non-partisan and inclusive in our operations including, but not limited to, the election process for governing body and committee members.

(iv) Early Notification System. To utilize the Early Notifications System to inform our stakeholders of matters involving the city of Los Angeles (and our community) in a way that is tailored to provide opportunities for involvement in the decision-making process.

(v) Participation. To encourage all Stakeholders to participate in all activities of this Council

(vi) Transparency. To have fair, open and transparent procedures for the conduct of Council business.



## **ARTICLE III**

### **BOUNDARIES**

**Section 1: Boundary Description.** The area included in the BABCNC is defined by the following boundaries: (a) on the west by I-405 between Mulholland Drive and Sunset Boulevard, (b) on the north by Mulholland Drive between I-405 and Laurel Canyon Boulevard, (c) on the south by Sunset Boulevard between I-405 and Laurel Canyon Boulevard, and (d) on the east by Laurel Canyon Boulevard between Mulholland Drive and Sunset Boulevard. The area so defined excludes the incorporated limits of the City of Beverly Hills.

**Section 2: Internal Boundaries.** Not Applicable.

## **ARTICLE IV**

### **STAKEHOLDER**

Neighborhood Council membership shall be open to all Stakeholders who have attained at least 18 years of age. “Stakeholders” shall be defined as those who live, work or own real property within the territorial boundaries of the Council, and also 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 boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations.

A Stakeholder Group shall mean individually or severally each of the homeowner associations or groups, business enterprises, community based organizations, educational or faith-based institutions.

## **ARTICLE V**

### **GOVERNING BOARD**

The Board of Directors (“the 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 (the “Plan”).

**Section 1: Composition.** The Board shall consist of twenty-nine (29) Members elected, selected or appointed by the composition of Stakeholder Groups comprising the Board and/or directly elected by Stakeholders at a public election.

Stakeholder Groups shall be categorized into the following subcategories for purposes of achieving diversity, reflective of the characteristics of the BABCNC, and inclusiveness of groups less inclined to seek representation on the Council.

(a) Appointed Residential Stakeholder Groups – Minimum Size

Appointed Residential Stakeholder Groups may be represented on the BABCNC by individual homeowner associations or individual residential groups comprising no fewer than one hundred (100) residential units. Those individual homeowner associations or individual residential groups comprising of fewer than 100 units may seek representation through representation with either:

- (i) a neighboring homeowner association or residential group, also with fewer than 100 units, so the combined units represented comprise of more than 100 units; or
- (ii) a neighboring homeowner association or residential group with more than 100 units with existing representation on the BABCNC.

No Overlapping Boundaries. To ensure the integrity of representation of each Appointed Residential Stakeholder Group, the territorial boundaries of each Appointed Residential Stakeholder Group shall be defined, and the territory of each Residential Stakeholder Group shall not overlap another.

(b) Elected Residential District Representatives

Residential Stakeholders residing within geographical areas of the Council territory not otherwise represented by Appointed Residential Group Representatives may also be represented by Elected Residential District Representatives elected at a public election conducted and administered by the City.

For a current listing of homeowner associations, residential groups, and geographical residential areas having representation on the BABCNC as a Residential Stakeholder Group please see [www.babcnc.org](http://www.babcnc.org), which shall reflect the official Membership of the BABCNC on file with the Secretary.

(c) Appointed Non-Residential Stakeholder Groups

Appointed non-residential Stakeholder Groups shall consist of any group or institution having a stake in the BABCNC and shall include, but not be limited to the following categories:

- (i) Custodians of Open Space
- (ii) Private Educational Institutions
- (iii) Faith-Based Institutions

For a current listing of non-residential Stakeholder Groups having representation on the BABCNC please see [www.babcnc.org](http://www.babcnc.org), which shall reflect the official Membership of the BABCNC on file with the Secretary.

(d) Elected Non-Residential Stakeholder Groups

(i) Public Educational Institutions

(ii) Commercial or Office Enterprise Districts

(e) Member-at-Large

At least one seat on the Board of the BABCNC shall be reserved for a Member At-Large. The Member-at-Large shall represent all those individuals who live, work or own real property within the territorial boundaries of the Council and also those who declare a stake in the neighborhood as a Community Interest Stakeholder and affirm a substantial and ongoing participation within the Neighborhood Council boundaries. Members At-Large shall be elected at a public election conducted and administered by the City.

(f) No Majority Stakeholder Group

No single Stakeholder Group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment (the “Department” or “Empowerment”).

(g) Biennial Update of Membership

The BABCNC shall conduct a survey of its Member Stakeholder Groups representation at the beginning of the fourth quarter every other year, and complete such survey no later than November 30<sup>th</sup>, for purposes of validating representation of Stakeholders on the BABCNC.

Any Stakeholder Group not responding to the survey, indicating renewed interest in continued participation on the BABCNC by February 28<sup>th</sup> of the year following completion of the survey shall be removed from the list of Members on file with the Secretary.

(h) Alternate Board Member Representation

Each Appointed Residential Stakeholder Group shall have the right to elect or select alternate representatives for each of their Board Member seats (“Alternative Board Members”) so that the Appointed Residential Stakeholder Groups may be adequately represented at a Board Meeting in the event one or more of its appointed Representatives cannot attend a Board Meeting. Each Stakeholder Group desirous of appointing an Alternate Board Member shall do so in accordance with their own procedures for appointing regular Board Members, and may do so at anytime and

notify the Secretary, in writing, of the names of the Alternate Board Members. Each Alternate Board Member shall comply with the same Ethics Requirement as provided under Article XIV, Compliance, Section 2: Training, and agree to the Code of Conduct Policy found at Empowerment's website at <http://empowerla.org/code-of-conduct/>.

## **Section 2: Quorum**

The presence at any Regular or Special Meeting of fifteen (15) or more Board Members shall constitute a quorum for the purpose of transacting of business of the Council.

## **Section 3: Official Actions**

**Board Action.** Notwithstanding a quorum obtained at a Meeting, and majority vote received as described in the following paragraph, no fewer than eight (8)[ *or nine (9)*] Members must vote in the affirmative for the Board to take official action.

**Majority Vote.** All matters subject to a vote of the Board shall be determined by a majority vote of those Members voting, unless otherwise provided in these Bylaws. Voting may be by show of hands except that any Member may request a vote by any other manner adopted pursuant to these Bylaws, Department policies, and consistent with the Brown Act.

**Open Meetings.** All meetings of the Board are open to the public. All meeting procedures shall be in accordance with the State of California open meeting procedures that apply to neighborhood councils under the Brown Act, and Board of Neighborhood Commissioner policies, including the posting of notices and any other public communication in public places or through electronic media.

**Special Meetings.** A Special Meeting of the Board for a specific reason may be called at any time by either (a) any two officers of the Board, or (b) petition of a twenty-five percent (25%) of the Board Members, and in accordance with the Brown Act.

## **Section 4: Terms and Term Limits**

**Appointed Stakeholder Groups.** Board Members representing Appointed Stakeholder Groups are elected to terms and governed by term limits established in accordance with the bylaws, rules and practices of their respective Stakeholder Group, but such terms shall not exceed two years.

**Members-at-Large.** Each Member-at-Large is elected to two-year term in accordance with the election schedule set forth by the City Clerk or the Department.

## **Section 5: Duties and Powers**

Board 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 it. Such authority may be revoked at any time.

### **Member Duties and Responsibilities.**

- (a) Duty to Attend Meetings. Each Member of the BABCNC has a duty to attend Meetings on a regular basis, but it is also understood that a Member cannot make every Meeting due to uncontrollable circumstances.
- (b) Duty to Represent Constituency. Each Member of the BABCNC shall be responsible for maintaining periodic contact with representatives of the respective Member's constituent Stakeholder Group or its individual Stakeholders. Such communications shall involve reporting back to the constituent Stakeholder representative or individual Stakeholders the work of the BABCNC; and to solicit issues such representative or individual Stakeholders would like to see addressed by the BABCNC.

## **Section 6: Vacancies**

Vacancies on the Board shall be filled using the following procedure:

Appointed Residential Stakeholder Groups. The Stakeholder Group by which such Member was appointed shall immediately notify the Secretary of a vacancy of a Board seat upon knowledge of such vacancy. The Stakeholder Group shall move to fill the vacancy by appointing another Member to the Board. If such vacancy is not filled within 90 days of notice of such vacancy, such seat shall be converted to an elected At-Large position to be filled at the next election. The President shall nominate, and the Board shall elect such new Member at the next scheduled publicly noticed meeting of the Board to fill such vacated seat until such time of the next election.

Publicly Elected Members, Including At-Large Members. In event of resignation, or the creation of a vacant seat following a public election where no candidates run for such seats, the President shall nominate, and the Board shall elect, a new Member or Member-at-Large at the next scheduled publicly noticed meeting of the Board.

## **Section 7: Absences**

In light of the duty of a Member described under Section 5(a), minimum attendance for each Board Member shall be no less than one (1) Meeting per quarter of a calendar year. Attendance

by an Alternate Board Member of the Member's Stakeholder Group shall not constitute an absence. Failure to meet this minimal attendance requirement will result in removal of the Member as provided under Section 9 below.

### **Section 8: Censure**

- (a) Procedure. The Council may initiate 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, but may only be accomplished after contacting and working under the advisement of the Office of the City Attorney.
- (b) Violation of Bylaws. Subject to the paragraph (a) above, it shall be within the power of the BABCNC to censure a Member for material violation of these Bylaws whereby a Member may introduce a motion to censure another Member for violation of the Bylaws. Censure shall only occur as described under Article V, Section 3.
- (c) Violation of Code Civility. Subject to the paragraph (a) above, it shall be within the power of the BABCNC to censure a Member for violation of the Code of Civility whereby a Member may introduce a motion to censure another Member for violation of the Code of Civility. Censure shall only occur as described under Article V, Section 3.
- (d) Due Process. Any Member who is the subject to motion for censure shall have the right to a hearing before the BABCNC at the next Regular Meeting or Special Meeting of the BABCNC. At such meeting, the Member shall have the specific right to defend against such censure action. No vote shall be taken on such motion until the hearing has been concluded.

### **Section 9: Removal**

- (a) Absences. As provided in Section 7 above, a Member, or an Alternate Board Member in the instance of a Member representing an Appointed Residential Stakeholder Group, shall be required to attend at least one Meeting per quarter each calendar year. Following absence from three (3) consecutive Regular Board Meetings, the Secretary shall notify the Member in writing that his/her Membership on the BABCNC Board will be revoked if he/she does not attend a Regular Board Meeting of the BABCNC within the next two (2) Meetings of the Board.
- (b) Contingent Removal - Failure to Maintain Ethics Requirement over a Protracted Period. Any Board Member who has failed to complete the Ethics Requirement within a reasonable time as set forth in the Standing Rules shall be immediately removed from the Board. At the option of the Board, such Member so removed may be reinstated as a Board Member upon timely presentment of evidence of meeting the Ethics Requirement.
- (c) 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; Standing Rules; or the City's Code of Civility as referenced under Article V, Section 1, 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 three (3) 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 (2/3) majority of Board Members present.
- 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 Member may resign at any time by giving written notice to the Secretary with an effective date. In the case of a Member representing an Appointed Residential Stakeholder Group, the Appointed Residential Stakeholder Group will notify the BABCNC Board of the appointment of a replacement in a writing delivered to the Secretary, pursuant to Section 6 of this Article.

#### **Section 11: Community Outreach**

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.

## ARTICLE VI

### OFFICERS

#### **Section 1: Officers of the Board**

The Officers of the Board shall consist of a President, a Vice-President, a Secretary, and a Treasurer. In addition, the Council shall recognize the following offices in order to allow the experience and knowledge of past presidents to advise Officers of the Board

Immediate Past President. The BABCNC shall have an ex-officio position of Immediate Past President that entitles the current outgoing President, if he so chooses, to hold a seat on the Executive Committee, which is advisory in nature only. The term of Immediate Past President shall extend until the next outgoing President chooses to assume the position of Immediate Past President.

Past President. If the outgoing Immediate Past President, continues to serve as an appointed or elected Member of the Board, he/she shall have the option to also serve on the Executive Committee, in the same advisory capacity as the Immediate Past President.

#### **Section 2: Duties and Powers**

##### 1. President

The President shall have general supervision, direction, and control of all business and activities of the Board subject to Board approval. The President shall preside over all meetings of the Board and shall be an ex-officio member of all Committees.

##### 2. Vice-President

The Vice-President shall perform the duties of the President at any time the President is unwilling or unable to perform those duties and such other duties as deemed necessary or appropriate by the President. The Vice President shall be specifically charged with the management of Committees, ensuring that the duties and responsibilities of each Committee are carried out on a regular basis and that issues of the Committees are adequately represented on the agenda of Regular Meetings.

##### 3. President and Vice President Survey Duty

The President and Vice President shall be responsible for carrying out a survey of the BABCNC community as more fully described under Article V, Section 1 (e): Biennial Update of Membership.

#### 4. Secretary

The duties of Secretary shall include the duties typically that of a corresponding secretary and recording secretary.

##### a. Recording Secretary

Duties as recording secretary shall include, but not be limited to: (i) the recording and maintaining of all minutes of Board Meetings; (ii) preservation all BABCNC records and documents; and (iii) maintain current Membership records.

##### b. Corresponding Secretary

Duties as corresponding secretary shall include but not be limited to: (i) performing all general correspondence of the Board such as the posting of electronic notice of all Board meetings and Committee Meetings; (ii) ensuring that communication and information is disseminated evenly and in a timely manner to all Members and Stakeholders; (iii) providing notice to all Members and Stakeholders of the time and location of all meetings of the Board at least 72 hours in advance.

#### 5. Treasurer

The Treasurer:

(a) Shall maintain the BABCNC book of accounts and establish a system of financial accountability including the accounting of such funds as may become the responsibility of the BABCNC and that all accounting comply with applicable local, state, and federal laws in accordance with the requirements set forth by the City of Los Angeles Department of Neighborhood Empowerment (DONE), shall and report on the finances of the Council at Regular Meetings.

(b) Ensure that the Council's accounting books are open and available to all Stakeholders.

(c) Submit an account statement to DONE at least once a year or when requested otherwise.

(d) Prepare an annual budget for expenditures to be approved by the Board and submitted to DONE for approval each year.

#### 6. Assistant Treasurer

The position of Assistant Treasurer shall be established to assist the Treasurer in carrying out the duties as described under paragraph 5 above. It will be the option of the Board, with consultation of the Treasurer, to determine whether the position of Assistant Treasurer need be filled by a Member of the Board on a continuous basis. If the Board cannot fill the

position, the Board may opt to retain a professional to assist the Treasurer, but such individual, not a Board Member, may not hold the position of Assistant Treasurer.

#### 7. Compensation

No Officer shall receive any compensation for any service rendered on behalf of the Council.

### **Section 3: Selection of Officers**

Each Officer shall be elected by a majority vote of the Board present by a show of hands at a Board meeting held during the first quarter of each calendar year. Newly elected Officers shall assume office immediately following the Meeting at which the election of Officers is held.

#### Termination

Any Officer may be removed from office for cause and replaced by another Representative by a majority vote of the Board voting, subject to the requirements set forth under Article V, Section 3, at duly noticed Meeting that affords the removed Officer due process. "For Cause" includes, but is not limited to, missing three consecutive Board Meetings and three Executive Committee meetings, the improper handling of Council money, or the improper application of accounting procedures.

### **Section 4: Officer Terms**

Each Officer shall serve a term of one (1) year or until election of a successor. No individual may hold a particular office of the BABCNC for more than the later of:

- a. five (5) consecutive years in; or
- b. in event a successor to replace such individual is not available at expiration of the maximum term, such term may be extended but only until such time a successor is willing assume such office.

#### Vacancy

Following a declaration by the Board that an office has been vacated, such vacancy may be filled by a majority vote of the Members voting, subject to the requirements set forth under Article V, Section 3, at a Board Meeting in accordance with the manner set forth herein and consistent with the Brown Act. Each Officer so elected shall hold office for the remainder of the original term or until election of a successor.

## **ARTICLE VII**

### **COMMITTEES AND THEIR DUTIES**

#### **Section 1: Standing**

The BABCNC shall have the following Standing Committees whose responsibilities are described hereunder whose description follows later under Section 4 of this Article: (i) Executive Committee; (ii) Planning and Land Use Committee; (iii) Bylaws, Rules and Elections Committee; (iv) Public Safety and Disaster Preparedness Committee; (v) Public Works and Telecommunications Committee; (vi) Outreach and Education Committee; and (vii) Traffic Committee; (viii) Budget and Finance Committee.

#### **Section 2: Ad Hoc**

Each Ad Hoc Committee shall be established as a temporary committee to review and make recommendations on specific issues as directed by the Board. Ad Hoc Committee meetings shall be run by the Chair of the Committee appointed by the President. Minutes, reports and recommendations by such committees shall be delivered to the Secretary as they are issued. Ad hoc committees will be comprised of less than a quorum of the governing body as a whole.

#### **Section 3: Committee Creation and Authorization**

##### **1. Establishment of Committees**

A new Standing Committee or Ad Hoc Committee may be established at any Board Meeting by a motion supported by a majority of Board Members voting.

##### **2. Membership on Committees**

###### **(1) Standing Committees**

- a. Election. Upon establishment of a Standing Committee, and each year thereafter, the Board shall move to elect members to each Standing Committee, and membership shall only be conferred upon receiving a majority vote of Board Members present.
- b. Term. The term of membership on each Standing Committee shall be for period of at least one year, but no more than two years.
- c. Re-Election. During the second quarter of each calendar year, those members on Standing Committees whose term of such Standing Committee is more than one

year, but less than two years, must be reelected by a majority vote of Board Members present to continue membership on such Standing Committee.

- d. Candidacy. Candidacy for membership shall be open to all Stakeholders. Committee membership shall only be conferred upon receiving a majority vote of Board Members present.
- e. Chair Position. The Chair of each Standing Committee shall be nominated by the President and elected by a majority of Board Members voting at a Meeting at which such committee is established.

## (2) Ad Hoc Committees

- a. Election. Upon establishment of an Ad Hoc Committee the Board shall move to elect members to an Ad Hoc Committee. Membership shall only be conferred upon receiving a majority vote of Board Members voting.
- b. Term. The term of membership on an Ad Hoc Committee shall be for period of no more than one year.
- c. Re-establishment. At the end of one year's term, existence of an Ad Hoc Committee shall be terminated unless a re-vote to continue the work of an Ad Hoc Committee is held and a majority vote of Board Members voting vote to continue the Ad Hoc Committee for a period of no more than one year.
- d. Re-Election. Upon receiving a majority vote to continue the work of an Ad Hoc Committee, the Board shall move to elect or re-elect members to an Ad Hoc Committee. Membership shall only be conferred upon receiving a majority vote of Board Members voting.
- e. Chair Position. Chair of an Ad Hoc Committee shall be nominated by the President and elected by a majority of Board Members voting at a Meeting at which such committee is established.

## 3. Committee Meetings

Committee meetings shall be run by the Chair of the Committee. All Standing Committee meetings, and meetings of Ad Hoc Committee whose membership constitutes more than a quorum of the Board, or include non-Board members, shall be open to the public. Notice of all committee meetings shall be posted 72 hours in advance of a regularly scheduled meeting and 24 hours in advance of a special meeting.



#### 4. Authorization and Purpose

##### a. Executive Committee

The Executive Committee shall consider those issues pertaining to all Board financial matters and the distribution and allocation of Board funds. In addition, the Executive Committee shall advise on the administration, operations and management of the Council.

##### b. Planning and Land Use Committee

The Planning and Land Use Committee shall consider those issues pertaining to land development.

##### c. Bylaws, Rules and Elections Committee

The Bylaws, Rules and Elections Committee shall consider those issues pertaining to the continual study, interpretation, guidance and presentation of proposed changes to the Bylaws of the Board and Standing Rules. All proposed changes are to be presented to the full Board for its review and approval by a majority vote. In addition, the Committee shall be responsible coordination of all City election requirements for the election or selection of Board Members, as well as the election of Board officers.

##### d. Public Safety and Disaster Preparedness Committee

The Public Safety and Disaster Preparedness Committee shall consider those issues pertaining to police, fire, and emergency medical services.

##### e. Public Works and Telecommunications Committee

The Public Works and Telecommunications Committee shall consider those issues pertaining to water, gas, electric and sewage lines; telecommunication infrastructure; and public rights-of-way and easements.

##### f. Outreach and Education Committee

The Outreach and Education Committee shall consider those issues pertaining to outreach to our communities, educational institutions and faith based organizations.

##### g. Traffic Committee

The Traffic Committee shall consider those issues pertaining to traffic including the flow of traffic, safety, enforcement, congestion, parking, traffic lights and related street signs within the territorial boundaries of Council.

h. Budget and Finance Committee

The Budget and Finance Committee shall consider how the Council should best appropriate funds on deposit in its account and funds it receives annually from the City, and shall advise the Board of its responsibilities under Article IX herein, and shall work closely with the Treasurer in carrying out such advisory duties.

## **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 and all other applicable laws and governmental policy.

#### **Section 1: Meeting Time and Place**

1. Regular Meetings

The Board shall meet at regular intervals, but not less frequently than once per calendar quarter. All meetings shall be held at a location, date and time set by the Board.

2. Special Meetings

A Special Meeting of the Board may be call should exigent circumstances arise requiring the Board to meet at a date and time prior to its next Regular Meeting.

#### **Section 2: Agenda Setting**

The President shall have lead responsibility for setting the Board agenda, which shall be published in accordance with the Brown Act, and subject to Board input in accordance with the following procedure:

- (a) No fewer than seven (7) days prior to a Regular Meeting the President shall email all Board Member for the purpose of soliciting input for items to be included on the agenda;
- (b) Each Board Member shall have forty-eight (48) hours from the time the President distributes the email to respond to the request for agenda items;

- (c) The President shall consult with the Vice President of the Board and one Committee Chair, which Committee Chair shall be identified in the Standing Rules, prior to finalizing the agenda for publication in accordance with the Brown Act;
- (d) At the outset of each Regular Meeting, the President shall seek additional comment to the agenda from the Board, prior to amendment and final approval by the Board;
- (e) The Board may only table items, and may not add items not previously listed on the published agenda;
- (f) The procedure described in the subsection shall not apply to Special Meetings of the Board. Agendas for Special Meetings shall be established at time they are called by the two Officers calling for the Special Meeting or set forth in the petition signed by twenty-five percent (25%) of the Board Members as described under Section 3.

### **Section 3: Notifications/Postings**

#### **1. Regular Meetings**

Notice of all Regular Meetings of the Board and of its Committees shall be posted at no less than five (5) public places, which specific locations shall be specified (i) on the Department's Public Notice Location Log on file with the City and (ii) listed at the website of the Council located at [www.babcnc.org](http://www.babcnc.org). Such notices shall also be distributed by email to the addresses of all Representative Members of the Board, Stakeholder Groups, and any individual Stakeholder of the Council providing such email address to the Secretary. The Secretary shall give notice of the time and location of all meetings of the Board at least 72 hours in advance. The Board will also comply with the Board of Neighborhood Commissioners Posting Policy.

#### **2. Special Meetings**

The Secretary shall provide notice of any Special Meeting not later than 24 hours in advance of a Special Meeting in the same manner as set forth under Paragraph 1 above.

### **Section 4: Reconsideration**

The Board may reconsider and amend its action on items listed on the agenda if the reconsideration takes place immediately following the original action or at the next Regular Meeting. The Board, on either of these two occasions shall:

- (i) Make a Motion for Reconsideration; and if approved
- (ii) Hear the matter and take an action.

If the Motion for Reconsideration of an action is to be scheduled at the next meeting following the original action, then the following two items shall be placed on the agenda for that meeting:

- (i) A Motion for Reconsideration on the described matter; and
- (ii) A Proposed Action should the Motion for Reconsideration be Approved

A Motion for Reconsideration may only be made by a Board Member who has previously voted on the prevailing side of the original action. If a Motion for Reconsideration is not made on the date the action was taken, then a Board Member on the prevailing side of the action must submit a memorandum to the Secretary identifying the matter to be reconsidered and a brief description of the reason(s) for requesting reconsideration at the next Regular Meeting.

## **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**

Appointed Residential Stakeholder Groups. Appointment of Members representing each Appointed Residential Stakeholder Group of the Council is left to the particular election or selection process of each Appointed Residential Stakeholder Group.

Appointed Non-Residential Stakeholder Groups. Members representing those Appointed Non-Residential Stakeholder Groups identified under Article V, Section 1(c) shall be appointed by the Board at a Regular Meeting whereby the Board will comply with City noticing requirements providing ample time for:

- i. the Board to solicit candidates for such positions;
- ii. interested Stakeholder to respond by submitting a statement of candidacy for such position;
- iii. vetting by the Board of such candidates;
- iv. public campaigning by vetted candidates to the respective Stakeholder constituency; and
- v. public noticing of the Meeting at which such Appointment will take place providing the public opportunity to provide comment to the Board prior to appointing candidates to such positions.

Elected Residential District Representatives, Elected Non-Residential Stakeholder Group Representatives, and At-Large Members. Election of the foregoing Members of the Board, as further described under Article V, Sections 1, subparagraphs (b), (d) and (e) shall be at a public election conducted and administered by the City.

#### **Section 2: Governing Board Structure and Voting**

The Board is comprised of twenty-nine (29) seats. Each Member or Stakeholder Group is assigned at least one (1) seat, with each seat having one (1) vote.

1. Appointed Stakeholder Group Representation. The number of additional seats representing Appointed Stakeholder Groups on the Council is dependent upon the number of Appointed Stakeholder Groups, identified as having a stake in the BABCNC territory, willing to actively participate on the Council by regular attendance at Board and committee Meetings.

- a. Residential Stakeholder Group Apportionment.

The number of additional seats apportioned a residential Stakeholder Group will be dependent upon the relative size of the number of residential units within the territory represented by such residential Stakeholder Group.

Each residential Stakeholder Group comprising of no less than 500 dwelling units will be apportioned one (1) additional seat for a total of two (2) seats.

Those residential Stakeholder Groups comprising of no less than 1,000 dwelling units will be apportioned a second additional seat for a total of three (3) seats.

Those residential Stakeholder Groups comprising of no less than 2,000 dwelling units will be apportioned a third additional seats for a total of (4) seats.

b. Non-Residential Stakeholder Group Apportionment. Each non-residential Stakeholder Group will be apportioned one (1) seat.

2. Publicly Elected Representation. Each publicly elected Residential District and each publicly elected non-residential Stakeholder Group will be apportioned one (1) seat.

3. At-Large Representation. The number of seats reserved for At-Large Members shall be at least than two (2) seats. The number of seats apportioned to At-Large Members is dependent upon the number of Stakeholder Groups responding affirmatively to the biennial survey described under Section 1(e) of Article V.

### **Section 3: Minimum Voting Age**

The election of Members-at-Large shall be open to all Stakeholders who are at least eighteen (18)18 years of age.

### **Section 4: Method of Verifying Stakeholder Status**

Voters will verify their Stakeholder status by providing acceptable documentation. Stakeholder status may also be established by means of declaring a stake (or interest) in the Council and providing documentation supporting that declaration.

### **Section 5: Restrictions on Candidates Running for Multiple Seats**

A candidate shall declare their candidacy for no more than one (1) seat on the Council Board during a single election cycle.

### **Section 6: Other Election Related Language**

Not Applicable.

## **ARTICLE XI**

### **GRIEVANCE PROCESS**

The grievance process of the Council shall be compliant with the City's newly adopted Grievance Policy. All grievances shall be submitted in writing to the Secretary before the next scheduled Agenda Setting Committee meeting for consideration and placement on the official agenda for the next scheduled Board Meeting. The process of grievance resolution shall be encompassed in the Standing Rules to be adopted by the Board, and consisted with the City's new policy.

## **ARTICLE XII**

### **PARLIAMENTARY AUTHORITY**

#### 1. Rules

Except for rules adopted in the By-Laws, *Robert's Rules of Order, Revised Version*, shall apply in the conduct of all Meetings of the Board.

#### 2. Parliamentarian

A Parliamentarian shall be appointed by the President and shall, as requested by the President or any Board officer, ensure that *Robert's Rules of Order Revised Version* are followed during the course of all meetings.

## **ARTICLE XIII**

### **AMENDMENTS**

#### 1. Board Adoption

These By-Laws shall be amended by a two-thirds (2/3) majority vote of the Board Members present a Meeting on a proposed amendment distributed to Board Members for their consideration no less than 72 hours before said Meeting.

#### 2. Not Effective Until Approved by the Department

Upon adoption, such amendment to these By-Laws shall be submitted to the Department for approval and shall not be effective and be valid until receiving such written approval from the Department.

## **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 for Citywide System of Government (hereinafter referred to as “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**

Incorporated under this section is the Code of Civility adopted by the Council at its Regular Meeting held on September 26, 2012

The Bel Air Beverly Crest Neighborhood Council adopts the City’s Code of Civility collectively and individually, and in addition that code of civility adopted by the Board individually and collectively as set forth in greater detail in the Standing Rules of the Council. The members of the Governing Board of the Bel Air Beverly Crest Neighborhood Council agree to abide by this Code of Civility to ensure that the Council’s business is conducted in a respectful, courteous, and effective manner, and in a way that will generate respect and credibility for our Neighborhood Council.

#### **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 provided by the City within fifty-five (55) days of being seated, or they will lose their Council voting rights.

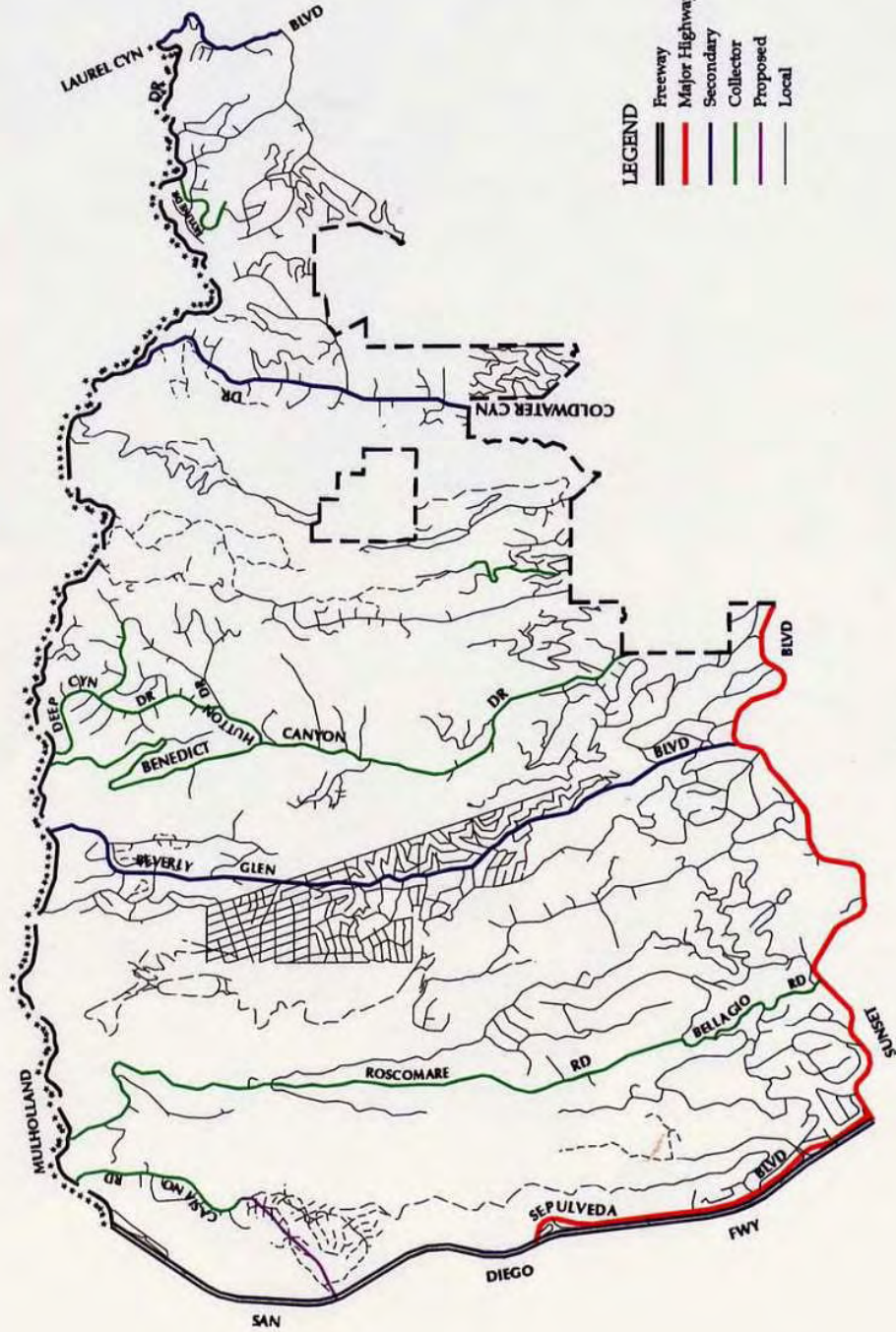
#### **Section 3: Self-Assessment**

Every year, the Council shall conduct a self assessment pursuant to Article VI, Section 1 of the Plan.

### **ATTACHMENT A – MAP OF NEIGHBORHOOD COUNCIL**

[Provided on Next Page]





- LEGEND**
- Freeway
  - Major Highway Class II
  - Secondary
  - Collector
  - Proposed
  - Local

# GENERALIZED CIRCULATION BEL AIR - BEVERLY CREST



## ATTACHMENT B – GOVERNING BOARD AND VOTING

For a more detailed description of Governing Board Structure and Voting, see Article X, Section 2 of these Bylaws, which explain the present indeterminate governance of the Council with respect to apportionment of votes among Stakeholder Groups and At-Large positions. In the interest of full disclosure, below is a best estimate of the present apportionment of seats on the Council, which it hopes to restructure. As described under Section 2 of Article X, as the number of Stakeholder Groups who wish to participate on the Council is known, the number of seats apportioned to large Stakeholder Groups and At-Large Positions will be revised in order to fill all twenty-nine (29) seats on the Board of the Council.

### Appointed Residential Stakeholder Groups    Number of Seats (Votes)

• Bel-Air Crest HOA	1
• Bel-Air Ridge HOA	1
• Benedict Canyon HOA	4
• Casiano Estates HOA	1
• Laurel Canyon Association	3
• Holmby Hills HOA	1
• Residents of Beverly Glen	2
• Roscomare Valley Association	2

### Elected Residential District Areas

• Bel-Air District	2
• Bel-Air Glen District	1
• Beverly Park Estates District	1
• Franklin Canyon/Coldwater/Mulholland/Crest District	1
• North of Sunset District	1

### Appointed Non-Residential Stakeholder Groups

• Faith-Based Institutions	1
• Private K-6 Schools	1
• Private 7-12 Schools	1
• Open Space (Santa Monica Mountains Conservancy)	1

### Elected Non-Residential Groups

• Public K-12 Schools	1
• Commercial Areas	1

<u>At-Large Members</u>	2
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### ATTACHMENT E.3

Dear Board:

Attached please find redline as well a clean copy of new Proposed Revisions of BABCNC Bylaws to be adopted by the Board at this Wednesday's meeting. To assist you in identifying the salient changes to the Bylaws since the Council's last adoption in April of last year, in response to comments received from Empowerment (including from the Office of the City Attorney), as well as recent developments of increased participation by new Stakeholders in our Council Meetings and affairs, I offer the following bullet points. This will save most Board Members the time, if they do not have, from pouring over each detailed changes, which you are, of course, free to do.

Please note the following substantive changes:

- Increase in Board size from 27 to 29 Members. This is a result of adding additional representation for Bel-Air district, and additional At-Large seat.
- Increase in quorum from 14 to 15, as result of increase in Board size per above.
- Change in voting from majority of those present to majority of those voting. [Abstentions do not count in determining majority]
- DISCUSSION: Change in minimum # of affirmative votes received for Board action from 8 to 9 due to increase in Board size to 29. This language is highlighted in yellow in both documents, and will be subject to Board discussion, as the decision is truly a policy decision of the Board. Therefore, Board input and discussion is warranted to assess Board policy.
- Removal of "Representative of Employee Groups" from non-residential category as categories listed "must" be included as recognized Stakeholder Group. Employee representation is achieved through At-Large and/or Commercial or Office Enterprise District seats.
- Each Member & Alternate Member must agree to City's Code of Conduct in addition to completing Ethics Requirement
- Change in description of "Selected" representatives to "Appointed."
- Majority of Compliance language has been deleted at direction of Empowerment, and will be moved to Standing Rules. Remaining language is per Citywide Template with some minor exceptions, such as referencing code of conduct in Standing Rules, which Board has previously agreed to abide by.

- Additional language under Article X, Elections, to more fully described process by which residential and non-residential Stakeholder Groups will either be elected under supervision of City, or appointed. Appointed Residential Stakeholder Group representatives will be appointed by the boards of the respective Appointed Residential Stakeholder Groups. Appointed non-residential Members, will be appointed by the Board of the Council at a regular Meeting with noticing requirements to make such appointments as open and transparent to the public as possible (i.e. as if a public election administered by City).

Table of Contents to be finalized following Board adoption prior to submittal to Empowerment for City approval.

See you all, Wednesday. Please reserve all comments until Wednesday's Meeting.

/s/Larry

Larry Leisten, Elected At-Large Representative  
Bel Air-Beverly Crest Neighborhood Council  
Chair, BABCNC Bylaws, Rules & Elections Committee