



WINNETKA NEIGHBORHOOD COUNCIL

PO Box 3692, Winnetka, CA 91306

(818) 648-6219

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RULES, ELECTIONS, & BY-LAWS COMMITTEE

Chair	Vice Chair			
JJ Popowich	Dwight Burgess	Jozef Essavi	Erick Lace	Open Seat

WINNETKA NEIGHBORHOOD COUNCIL

RULES, ELECTIONS, & BY-LAWS COMMITTEE SPECIAL MEETING AGENDA

Tuesday, June 16, 2007 – 6:30PM

Valley Village

20830 Sherman Way, Winnetka, CA 91306

The public is requested to fill out a “**Speaker Card**” to address the Rules, Elections, & By-Laws Committee on any agenda item before the Rules, Elections, & By-Laws Committee takes an action. Public comment is limited to 3 minutes per speaker, but the Rules, Elections, & By-Laws Committee has the discretion to modify the amount of time for any speaker. Before a vote on each item any member of the public who has not filled out a “**Speaker Card**” will be accorded 1 minute to make a statement. This period will not last longer than 5 minutes total.

The public may comment on a specific item listed on this agenda when the Rules, Elections, & By-Laws Committee considers that item. When the Rules, Elections, & By-Laws Committee considers the agenda item entitled “Public Comments,” the public has the right to comment on any matter that is within the Rules, Elections, & By-Laws Committee’s jurisdiction. In addition, the members of the public may request and receive copies without undue delay of any documents that are distributed to the Rules, Elections, & By-Laws Committee, unless there is a specific exemption under the Public Records Act that prevents the disclosure of the record. (Govt. Code § 54957.5)

The Winnetka Neighborhood Council holds its regular meetings on the second Tuesday of every month and may also call any additional required special meetings in accordance with its Bylaws and the Brown Act. The agenda for the regular and special meetings is posted for public review at **Limerick Avenue Elementary School**, 8530 Limerick Ave., Winnetka, 91306; **Fulton Cleaners**, 20109 Roscoe Street, Winnetka, 91306; **Express Pack & Ship**, 7657 Winnetka Ave., Winnetka, 91306; **Canoga Park Bowl**, 20122 Vanowen St., Winnetka, 91306 (near Bowling Shop); **Albertson’s Food and Drug Store**, 7224 Mason Ave.

The Winnetka Neighborhood Council complies with Title II of the Americans with Disabilities Act and does not discriminate on the basis of any disability. Upon request, the Winnetka Neighborhood Council will provide reasonable accommodations to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure the availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting the Neighborhood Council Secretary at (818) 648-6219, or please send an e-mail that states the accommodations that you are requesting to jedi_yoda@msn.com.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 Dias de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA AYUDA CON ESTA AGENDA, POR FAVOR LLAME A NUESTRA OFICINA AL (818) 648-6219.

1. Call to Order and Committee Members Roll Call.
2. Public Comments – Comments from the public on non-agenda items within the Committee’s subject matter jurisdiction.
3. Discussion and possible action to fill the seat on the committee vacated by Michael Ross. The seat may only be filled by a Board member as this is a closed committee.
4. Discussion and possible action on finalizing the WNC 2007 Election Procedures. This will include a discussion to fill out an Election Procedures questionnaire requested by the advising IEA to the South Valley Election Alliance Committee.
5. Discussion and possible action to select a new Election Administrator for the WNC 2007 Elections should the Chair of the Rules, Elections & By-Laws decide to recuse himself and run for re-election to the Board.

6. Discussion and possible action to modify the WNC By-Laws Article 8 (item 6) the “Reconsideration Section” with the following:

~~“The Board may reconsider and amend its action on items listed on the agenda at any time if that reconsideration takes place immediately following the original action or at the next regular meeting. The the Board, on either of these two days, shall: (1) Make a Motion for Reconsideration and, if approved, (2) hear the matter and Take an Action.~~

If the motion to reconsider an action is to be scheduled at the meeting following the original action, then two items shall be placed on the agenda for that meeting: (1) A Motion for Reconsideration on the described matter and (2) a {Proposed} Action should the motion to reconsider be approved. ~~Any Board member who has previously voted on the prevailing side of the original action taken can only~~ make a motion for reconsideration. *However, once a motion has been reconsidered and voted on, that motion must stand until after the Board has cycled through an election cycle.*

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. The aforesaid shall all be in compliance with the Brown Act”.

7. Discussion and possible action to modify the WNC By-Laws, Article 6 “Composition of the Board of Directors” with the following:

There shall be 15 Community Stakeholders on the Board of Directors. All committees, subcommittees and/or ad hoc committees shall be made up of members who are elected, selected, or appointed in a manner to be determined by the Board. No single Community Stakeholder group shall comprise a majority of the Certified Neighborhood Council’s governing body, unless *this occurs as a result of the natural election process extenuating circumstances are warranted and approved by DONE.*

~~Of the 15 Directors, 14 Eight Directors shall be adult stakeholders, over the age of 18, who are “At-Large” Directors elected by the Community Stakeholders from the membership. The 15th Director shall be a Youth Representative who is 16-18 years old, and a Community Stakeholder from the membership. Seven Directors shall be “Appointed” by the eight elected Directors, by majority vote of those present. One member from each of the four Neighborhood Watch organizations in Winnetka shall be appointed, one Youth Representative who is 16—18 years old, and two from any organization within the boundaries of the Winnetka Neighborhood Council. In following the above mentioned process the WNC will ensure that the seven appointed positions shall be representative of all geographic and stakeholder groups within the community.~~

~~**AMMENDMENT 1:** *If within 90 days after the “Election Day”, and after the Directors have exerted their best efforts, representatives from the Neighborhood Watch organizations in Winnetka cannot be appointed due to lack of nominees, those chairs shall be deemed to be ‘at large’ and open to any stakeholder desiring to be nominated.*~~

~~*If the Community cannot select 14 Directors and one Youth Director than the vacant seats shall be “Appointed” by the remaining Directors, by majority vote of those present. The Youth Director seat may only be filled by a Youth Representative who is 16-18 years old and a Community Stakeholder from the membership.*~~

8. Discussion and possible action to amend the WNC By-Laws, Article 9, “Principal Office” with the following

The principal office for the Winnetka Neighborhood Council shall be: ~~20218 Saticoy~~, 20830 Sherman Way, Winnetka, California 91306

9. Discussion and possible action to amend the WNC By-Laws, Article 7, “Election of the Board of Directors” with the following

Add item #3: *“There shall be no electioneering on the day of the election.”*

10. Discussion and possible action to amend the WNC By-Laws to add the following Article 15, “Use and Management of Electronic Media” (Note: This motion includes codification of email rules passed by the WNC Board at its April 2007 meeting)

1. *Website: The WNC Board, if it deems necessary and by action of the Board, may create a website as an Outreach tool. Any website created by the Board shall be managed by the Outreach & Events Committee which shall approve the posting of all information, with the exception of Board Agendas, Board Minutes, Committee Agendas, Committee Minutes, and Calendar items which shall be submitted by the respective Board member responsible for such postings and posted without question in the appropriate place on the website.*
2. *The WNC Board, may at its discretion select and hire a vendor to maintain the website and may by Board action direct that vendor to generate news articles for the website based on the agenda and minutes with the advice of the Outreach & Events Committee. Any vendor selected shall not use the website for personal gain, nor shall they interject personal opinion into any news item generated. The governance of the relationship between vendor and Board shall fall to the Outreach & Events Committee for review and recommendation and shall require a full Board action before being implemented.*
3. *No Board member shall use the WNC website for their own personal gain, nor will they use the website to present a biased view of any issue before the Board or considered by the Board.*
4. *Email: The WNC shall by Board action, allow the establishment of email addresses and mailboxes for the use of the WNC Board members. If so approved by the Board emails shall:*
 - a. *Be used for WNC official business only.*
 - b. *Not contain any offensive language, images, or audio-visual items.*
 - c. *Not be used by WNC Board members for campaign purposes.*
 - d. *Not be used by WNC Board members to support any candidate for any public office.*
 - e. *Not be used to provide for the appearance that any personal position taken by the email address holder represent the views, opinions, or decisions of the Board.*

Any dispute arising from this policy will be discussed in a public meeting by the Board and the Board's actions shall be deemed final.

11. Discussion and possible action to amend the WNC By-Laws with the addition of the following Article:

Article 16: Oath of Office

Each WNC Board member shall be sworn into office at the next regular meeting of the Board following an election, or at the Board meeting in which they are appointed by the President of the Board, or the presiding officer of the meeting if the President is not available, using the following Oath of Office:

"I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California and the Charter of the City of Los Angeles, the Winnetka Neighborhood Council By-Laws, and that I will faithfully discharge the duties of the Winnetka Neighborhood Council according to the best of my ability so help me God."

12. Discussion and possible action to amend the WNC Board Rules, Section 1: Organization with the following addition:

"E. The WNC may, by Board action, create Liaison (and if appropriate an Alternate Liaison) positions to other organizations and bodies with the purpose of representing the WNC before that body. A Liaison may be any Community Stakeholder selected by the Board. Each Liaison (and/or Alternate) shall be selected by a majority vote of all the Directors present at the meeting at which the Liaison is to be selected at. The Liaison shall serve for a term of 1 year. A Liaison (and/or Alternate) can be relieved from their duty by a vote of a majority of Directors present at the meeting at which the removal item appears on an agenda. A Liaison (and/or Alternate) shall have the following abilities:

1. *Under the direction and authorization of the Board shall be empowered to speak for the Board at a meeting of the body that they are selected to be a Liaison to.*
2. *If the body is a voting body, the Liaison shall be empowered to cast a vote on behalf of the WNC, so long as the Board has considered the vote and passed a resolution directing the Liaison to vote in a particular manner.*
3. *The Liaison shall be required to make a minimum of a verbal report to the Board meeting following each meeting of any body they are appointed to represent the WNC to. The Liaison may, at their or the Board's discretion, submit a written report in lieu of a report at a Board meeting.*
4. *Shall be expected to attend the meeting of the body they are selected to a Liaison to, or if unable attend shall notify the Board President, Secretary, and if so appointed the Alternate Liaison in sufficient time to arrange for another Board member to attend if necessary.*

13. Committee Business –

- A. Comments on Committee Member’s own activities/ brief announcements.
- B. Brief response to statements made or questions posed by persons exercising their general public comment rights.
- C. Introduction of any new issues for consideration by the Committee at its next meeting/request that the item be placed on the next meeting’s agenda.
- D. Requests for Committee Members to research issues and report back to the Committee at a future time.

14. Adjournment

PROCESS FOR RECONSIDERATION

The Board may reconsider and amend its action on items listed on the agenda if that reconsideration takes place immediately following the original action or at the next regular meeting. The Board, on either of these two days, shall: (1) Make a Motion for Reconsideration and, if approved, (2) hear the matter and Take an Action.

If the motion to reconsider an action is to be scheduled at the meeting following the original action, then two items shall be placed on the agenda for that meeting: (1) A Motion for Reconsideration on the described matter and (2) a {Proposed} Action should the motion to reconsider be approved. A Board member who has previously voted on the prevailing side of the original action taken can only make a motion for reconsideration.

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. The aforesaid shall all be in compliance with the Brown Act.

PROCESS FOR FILING A GRIEVANCE

Any grievance by a Stakeholder must be submitted in writing to the Secretary of the Board of Directors. The Secretary shall then within no more than 30 days refer the matter to an ad hoc grievance panel comprised of 3 Stakeholders who are randomly selected by the Council secretary from a list of Stakeholders who have previously expressed an interest in serving from time-time on such a grievance panel. The Secretary will coordinate a time and a place, not to exceed 10 days for the panel to meet with the person(s) submitting a grievance and to discuss ways in which the dispute may be resolved.

Thereafter, a panel member shall promptly prepare a written report to be forwarded by the Secretary to the Board to be heard at the next board meeting outlining the panels’ collective recommendations for resolving the grievance. The Board of Directors may receive a copy of the panel’s report and recommendations prior to any meeting by the Board, but the matter shall not be discussed among the Board members until the matter is heard at the next regular meeting of the Board pursuant to the Ralph M. Brown Act.

This formal grievance process is not intended to apply to Stakeholders who simply disagree with a position or action taken by the Board at one of its meetings. Those grievances can be aired at the Board meetings. This grievance process is intended to address matters involving procedural disputes, e.g., the Board’s failure to comply with the Board Rules or these By-Laws, or its failure to comply with the City’s Charter, the Plan, local ordinances, and/or State and federal law.

In the event that a grievance cannot be resolved through this grievance process, the complainant has the right to appeal the matter to the Department of Neighborhood Empowerment for consideration or dispute resolution.