

Lake Balboa Neighborhood Council Bylaws

Revised 12-3-08

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Article I. Name and Boundaries

The organization shall be known as the Lake Balboa Neighborhood Council, herein referred to as "The Council".

The Council's boundaries shall be as follows (See Appendix for map)

East San Diego Freeway also known as US Freeway 405
West White Oak Avenue from Victory Boulevard to Saticoy;
Louise Avenue from Saticoy Street to Roscoe Boulevard
North Saticoy Street from White Oak Avenue to Louise Avenue;
Roscoe Boulevard from Louise to US Freeway 405
South Victory Boulevard

The area known as the Sepulveda Dam Basin shall be a shared area. This area borders several other Neighborhood Council Districts and includes significant areas designated for public use. Some of these areas of public use include the Sepulveda Basin Wildlife Reserve, Sepulveda Dam SCCA Velodrome, Sepulveda Basin Recreational Area, Sepulveda Dam Model Airdrome Fields, Lake Balboa, Anthony C. Beilenson Park, Hjelte Sports Center, Pedlow Skateboard Park, as well as the Encino Golf Course.

Article II.

Purpose, Goals, and Objectives

Section 2.01

Purpose

The purpose of the LB Neighborhood Council (The Council) is to act as an advisory body on issues of concern to our Neighborhood Council and in the governance of the City of Los Angeles in accordance with Los Angeles City Ordinance Number 174006.

Section 2.02

Mission

To be a forum for the discussion and review of community issues and projects.

To advise government and private agencies on issues concerning the needs of The Council's stakeholders.

To build relationships in the community and encourage civic participation.

To monitor and facilitate public services and infrastructure investments.

To participate actively in the citywide Neighborhood Council System.

To provide an opportunity to engage a representative cross-section of The Council's stakeholders in local affairs.

Section 2.03

Policies

To inform the community of forthcoming projects and issues of concern.

To not participate in, or intervene in any political campaign on behalf of or in opposition to any candidate for public office.

To encourage community participation in all activities of The Neighborhood Council.

To practice civility and justice, impartiality and equality.

To prohibit discrimination against any individual or group in our operations on the basis of race, religion, color, creed, national origin, ancestry, gender, sexual orientation, age, disability, marital status, income, or political affiliation.

To abide by all applicable local, state, and federal laws and regulations and the provisions of the Los Angeles Governmental Ethics Ordinance, as set forth in Los Angeles Municipal Code Section 49.5.1 et. seq.

To follow Roberts Rules of Order, except as specifically provide herein, in conducting all proceedings of The Council, when not in conflict with the Brown Act, these bylaws, or any board ruled adopted, in that order.

To follow the Ralph M. Brown Act, Government Code section 54950 et. seq.

To establish procedures for communicating with all Neighborhood Council community Stakeholders on a regular basis in a manner ensuring that information is disseminated evenly and in a timely manner. [Plan, Article 3, Section 2(c)(iii)(3)]

Article III.**Stakeholders**

Membership in The Council will be open to all Community Stakeholders. Community Stakeholders are defined as any individuals who live, work, or own property within the boundaries of The Council area. In addition, community stakeholders include those who participate in a religious institution, educational institution, community organization, non-profit organization, neighborhood association, school/parent group, faith based group, senior group, youth group, arts association, service organization, boys and girls club, cultural group, or environmental group, within The Council area or any individual who declares a stake in the neighborhood and affirms the factual basis for it.

Article IV.

Board of Directors

Section 4.01

Composition

The Board of Directors (The Board) shall consist of seventeen (17) voting members, and such additional non-voting, ex-officio members as The Board determines to be necessary. Unless otherwise noted below, all members of The Board must be eighteen (18) years or older at the time of election. No single community stakeholder group shall comprise a majority of the board, unless extenuating circumstances are warranted and approved by DONE.

The Board shall consist of the following:

Six Residential Stakeholder Representatives (RSR). An RSR shall be any person whose primary residence or living space is located within The Council's boundaries whether in a home, apartment, condominium or other accommodations.

Three Business Stakeholder Representative (BSR). A BSR shall be any person who (1) owns a business (2) owns business, residential rental or real property; or (3) works within The Council's boundaries.

Three Organizational Stakeholder Representatives (OSR). An OSR shall be any person who participates in a religious institution, educational institution, community organization, non-profit organization, neighborhood association, school/parent group, faith based group, senior group, youth group, arts association, service organization, boys and girls club, cultural group, or environmental group.

One Youth Stakeholder Representative (YSR). A YSR shall be any person that meets the criteria for a RSR, BSR, or OSR AND is between their fourteenth birthday and seventeenth birthday at the time of the election. If less than eighteen (18) years of age, the youth board member shall be precluded and shall recuse him/herself from voting on matters regarding: the expenditure of public funds; the entering into of contracts or contractual matters of The Neighborhood Council; and determinations that will advise any third-party in City government on a contract, including the entry, renewal, or contract terms.

One Senior Stakeholder Representative (SSR). An SSR shall be any person that meets the criteria for a RSR, BSR, or OSR AND is older than fifty-five (55) years of age at time of election.

One At-Large Elected Stakeholder Representative (ALESR). An ALESR shall be any person that meets the criteria for an RSR, BSR, or OSR but does not wish to seek a seat within that category or who declares a stake in the neighborhood and affirms the factual basis for it.

Two At-Large Appointed Stakeholder Representatives (ALASR). The Board shall appoint the two (2) ALASR's with a two-thirds majority vote. The ALASR's shall be appointed within the first two meetings of the seats being vacant. If a two-thirds majority cannot be reached at the first two meetings, a simple majority shall only be required until the seats are filled. The appointments shall remain on the agenda until such time that the seats are filled.

Each appointment shall be for twelve (12) months, and any one person may only be appointed to a maximum of two (2) twelve (12) month terms. The ALASR's must meet the criteria for an RSR, BSR, or OSR. In making the appointments, The Board will appoint stakeholders who are not currently represented or are underrepresented on the board, in order to achieve and foster full representation.

Section 4.02

Executive Officers

The Board shall elect from among its members: President, First Vice President, Second Vice President, Secretary, Treasurer, and Communications Officer. Executive officers serve a one-year term. Executive officers are elected annually at the first board meeting following the completion of a general board election conducted by the City Clerk's Office in even numbered years and at the subsequent one-year anniversary mark of the executive officers' election in odd numbered years.

A meeting of The Board of Directors must be held within thirty (30) days of an election. Executive officers serve at the will of the Board and may be removed by a two-thirds vote of Board members once quorum is established at any Board meeting

(a) Duties

The Duties of the Officers shall be as follows:

President

The President shall be the principal executive officer of The Council and shall in general supervise and control all of the business and affairs of The Council. The President shall preside at all meetings of The Board. The voting ability of The President shall be governed by Robert's Rules of Order.

The President shall ensure that all books, reports and certificates required by law are properly kept in The Council records or filed with the appropriate agency. The President may sign, with the Secretary or any other proper officer of The Council authorized by The Board, any instruments that The Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by The Board. The President shall also have those additional duties incident to the office and those that may be prescribed by The Board from time to time.

First Vice President

In the absence of the President, the First Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The First Vice President shall perform such other duties as from time to time may be assigned to the First Vice President by the President or by The Board.

Second Vice President

In the absence of the President and First Vice President, the Second Vice President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Second Vice President shall perform such other duties as from time to time may be assigned to the Second Vice President by the President or by The Board.

Secretary

The Secretary shall prepare and keep the minutes of all meetings of The Board in the appropriate books; see that all notices are duly given in accordance with the Brown Act and provisions of these Bylaws or as required by law; be custodian of the records of The Council; keep a register of the post office address of each member furnished to the Secretary by such member; and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to the Secretary by the Chair or by The Board of Directors. The Secretary shall file any certificate required by any statute, federal or state. The Secretary shall present to the membership at any meetings any communications addressed to the Secretary of The Council. The Secretary shall attend to all correspondence of The Council.

Treasurer

The Treasurer shall have charge and custody of and be responsible for all funds of The Council; receive and give receipts for monies due and payable to The Council from any source whatsoever, and deposit all such monies in the name of The Council in such banks, trust companies, or other depository as shall be selected by The Board and approved by the Department of Neighborhood Empowerment. In general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to the Treasurer by the Chair or by The Board. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign checks issued upon it, excepting a petty cash fund as established by The Board.

The Treasurer shall render at each meeting of The Board and at such other times as The Board shall request, a written account of the finances of The Council and such report shall be physically affixed to the minutes of The Council of such meeting provided however, a written account need not be presented if there is no change from the last report in which case the Treasurer shall so state. The Treasurer shall keep a book of accounts according to Generally Accepted Accounting Principles that apply to a Neighborhood Council. This shall be made available for review by any appropriate agency of the City of Los Angeles in a timely manner and by any member of The

Council. The Treasurer shall submit account statements to the Department of Neighborhood Empowerment no less than once and no more than twice during the fiscal year, the date(s) to be prescribed by the Department of Neighborhood Empowerment.

All checks must be signed by the Treasurer. Checks and instruments of financial obligation under \$250 shall be signed by the Treasurer. Those checks and instruments of financial obligation in excess of \$250 must be signed by both the Treasurer and President, or other executive officer as determined by the board.

Communications Officer

The Communications Officer shall be responsible for outreach to maximize stakeholder awareness and involvement, and if directed by The Board, to oversee the establishment and maintenance of a Web site.

The Communications Officer will monitor and communicate to The Board information received through the Early Notification System.

Section 4.03

Financial Accountability

The Council will comply with all financial accountability requirements as specified by City Ordinance and in The Plan and as stated in the certification application. The Council will comply with all financial reporting requirements as prescribed by the Department of Neighborhood Empowerment.

The Council shall discuss its finances at a regularly scheduled meeting or special meeting, prior to submitting any required account statement to Department of Neighborhood Empowerment, in order to gather input from the Neighborhood Council community stakeholders.

The Council's book of accounts shall be open to all community stakeholders of The Council. The Board of Directors shall establish a process by which stakeholders can review The Council's book of accounts.

Funds will not be used for high risk or speculative investments.

Section 4.04

Ethics

The Board shall be subject to all applicable sections of the Los Angeles Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1 et. seq.). All applicable laws of local, state, and federal government shall be the minimum ethical standard for The Council and The Board.

Section 4.05**Vacant Board Seats**

The Board may appoint an individual to a vacant seat. That person must be a qualified Stakeholder for that particular seat. A simple majority of those members of The Board present shall be required for approval. This appointment shall last until The Board's meeting that immediately follows the next election. This activity shall be included on the agenda.

In the event that The Board is unable to establish a quorum due to the number of vacancies, then at a regularly noticed meeting, the existing board will act to fill the seats until a quorum is established, and no other action may be taken until a quorum exists.

Section 4.06**Term Limits**

Each term of office shall be for two years except those elected in 2007 (prior to elections being run by the Office of the City Clerk). Those board members terms shall be extended for one additional year.

There is no limit on the number of terms a person may hold office.

Section 4.07**Removal from Office**

Members of The Board may be removed by a two-thirds vote of the members present. Members may be removed for consecutive unexcused absences, violating the bylaws, violating board rules, violating the code of conduct, or the inability or failure to perform the duties of the office. Enforcement of this removal provision is subject to consultation with the Council's legal counsel, the Office of the City Attorney, throughout this removal process.

Article V.

Meetings

Section 5.01

Quorum

The quorum shall be a majority of The Board, excluding ex-officio members. A simple majority shall be required to take official action unless otherwise stated in the bylaws.

Section 5.02

Regular Meetings

Board meetings shall be held in a minimum of once per quarter and in a minimum of eight (8) different calendar months each year. Meetings shall be conducted in accordance with the Brown Act. Prior to any action, there shall be a period of public comment. The Board shall determine the length and format of the period as appropriate.

Section 5.03

Special Meetings

The President, First Vice President, Second Vice President, or five non-ex-officio members shall be allowed to call a Special Meeting. Notice of the Special Meeting shall be provided to all Board members a minimum of forty-eight (48) hours in advance of the meeting. Notice to The Board members may be provided via e-mail, in person, telephone, fax, regular mail, or a combination of these methods. The notice shall include the time, place, purpose, and the business to be transacted. No other business can be transacted except that for which the meeting was called. The meeting will be conducted in accordance with the Brown Act.

Section 5.04

Notification

Stakeholders shall be notified a minimum of three (3) days in advance of meetings and twenty-four (24) hours in advance of Special Meetings.

The Board shall use a variety of methods and means to insure that Stakeholders receive these notifications. At a minimum, these notices shall be posted at The Neighborhood Council's Public Notice Locations. Additionally, The Board may use the Early Notification System, the Department of Neighborhood Empowerment's WWW Site, The Neighborhood Council's WWW Site(s), press releases, e-mail listservs, and/or other appropriate means. Failure to receive a meeting notice will not invalidate the meeting.

Section 5.05

Reconsideration

The Board may reconsider and amend its actions. Only those individuals voting on the prevailing side of an action may bring a motion to reconsider that action. This motion must be seconded.

Actions or motions may not be reconsidered if they have been partially carried out, if the vote has caused something to be done that cannot be undone, when a contract has been made and the other party has been notified of the vote, or when some other parliamentary motion can obtain the same result.

A motion to reconsider may be brought up at the same meeting. This must be done immediately following the original motion. A motion may also be brought up at the next regularly scheduled meeting. A memorandum must be submitted to the Secretary or other individual responsible for preparing the agenda. This memorandum shall identify the reason(s) for reconsideration. The motion to reconsider shall then be added to the

agenda. If the motion succeeds, the original item shall once again be under discussion and The Board shall take another vote on the matter.

Article VI.

Grievance Procedures

In order to express concerns to The Board about its procedural matters, decisions, and actions individual stakeholders or groups of stakeholders may bring forward written grievances.

An ad-hoc grievance panel consisting of at least three (3) stakeholders appointed by the President and with the approval of The Board shall examine the issue and submit a written report and recommendation to the secretary within seventy-five (75) days of grievance notification. The matter shall be placed on the agenda of the next meeting. In accordance with the Ralph M. Brown Act, the matter shall not be discussed until that meeting.

In the event that a grievance cannot be resolved through this process, then the matter may be referred to the Department of Neighborhood Empowerment for consideration.

Article VII.

Elections and Voting

The rules and regulations promulgated by the City Clerk in conjunction with an election administered by the City Clerk shall take precedence over any inconsistent language in these bylaws

Section 7.01

Election Committee

The Board may establish an Election Committee at least 120 days prior to Election Day to provide assistance to the City Clerk in preparing for and conducting the bi-annual elections of the Board. The Election Committee's main role will be to conduct outreach. The Chair of the Election Committee shall serve as an Election Liaison to the City Clerk.

Section 7.02

Nominations

Candidates shall be self-nominated. This shall be done by completing a Candidate Filing Application provided by the City Clerk's Office. The completed application must be submitted to the City Clerk's Office. The application must be accompanied by a petition of no less than ten (10) and no more than fifty (50) stakeholders that are eligible to vote for that stakeholder. The petition shall be upon a form devised by the Elections Committee, in coordination with the City Clerk's Office. Biographies, no more than sixty (60) words in length, and occupation descriptions must be submitted along with the Candidate Filing Application to the City Clerk's Office.

Section 7.03

Regular Elections

The Council's election will be conducted by the City Clerk's Office every two years in the even-numbered year in accordance with the rules and regulations promulgated by the City Clerk. These regular bi-annual elections of the Board shall occur in the second (2nd) quarter of the calendar year. All outreach efforts will conform to the Citywide Election Procedures.

The vote shall be by official ballot. The election shall be so guarded and conducted as to detect fraud and preserve the purity and security of the ballot.

The ballot shall list the names of those individuals that have been appropriately qualified by the City Clerk's Office. These names shall appear in random order for each seat. In addition to the name of the candidate, the candidate's occupation may also appear. The occupation shall be limited to no more than forty (40) characters.

Candidates will have the opportunity to provide a brief biography (no more than sixty (60) words). These biographies will be put together in a document that will be made available at the polling place. The order of the biographies shall be the same as on the ballot.

No stakeholder shall be able to vote more than one ballot. No stakeholder may vote by proxy.

Those individuals with a plurality of votes shall be elected. In the event of a tie, the City Clerk's Office shall determine the tie breaking method.

All electors must be stakeholders of the Lake Balboa Neighborhood Council as defined previously within these Bylaws and in the following table showing position title and number of seats, whether elected or appointed, eligibility to run for the seat, and qualifications to vote for the seat. Excepting those voting for the Youth Stakeholder Representative (YSR), all voters must be eighteen (18) years of age or older at the time of election. Stakeholders between the ages of fourteen (14) and eighteen (18) may only vote for the election of the YSR. A separate ballot shall be provided for this purpose. Other stakeholders may not vote for the YSR.

For each category, voters shall be permitted to vote for as many candidates as there are open seats for that specific category.

BOARD POSITION	ELECTED OR APPOINTED?	STAKEHOLDER ELIGIBILITY FOR THE SEAT	QUALIFICATIONS TO VOTE FOR THE SEAT
A. Residential Stakeholder Representative (RSR) -- 6 Seats	Elected	Any person whose primary residence or living space is located within The Council's boundaries whether in a home, apartment, condominium or other accommodations, 18 years or older at the time of election.	Stakeholders 18 years of age and above.
B. Business Stakeholder Representative (BSR) -- 3 Seats	Elected	Any person who (1) owns a business; (2) owns business rental or real property; or (3) works within the Council's boundaries. 18 years or older at the time of election.	Stakeholders 18 years of age and above.
C. Organizational Stakeholder Representative (OSR) -- 3 Seats	Elected	Any person who participates in a religious institution, educational institution, community organization, non-profit organization, neighborhood association, school/parent group, faith based group, senior group, youth group, arts association, service organization, boys and girls club, cultural group, or environmental group within the Council's boundaries. 18 years or older at the time of election.	Stakeholders 18 years of age and above.
D. Youth Stakeholder Representative (YSR) -- 1 Seat	Elected	Any person that meets the criteria for RSR, BSR, or OSR AND is between their fourteenth birthday and seventeenth birthday at time of election.	Stakeholders between fourteen (14) and eighteen (18) years of age.
E. Senior Stakeholder Representative (SSR) -- 1 Seat	Elected	Any person that meets the criteria for RSR, BSR, or OSR AND is older than fifty-five (55) years of age at time of election.	Stakeholders 18 years of age and above.
F. At-Large Elected Stakeholder Representative (ALESR) -- 1 Seat	Elected	Any person that meets the criteria for RSR, BSR, or OSR but does not wish to seek a seat within that category or who declares a stake in the neighborhood and affirm the factual basis for it.	Stakeholders 18 years of age and above.
G. At-Large Appointed Stakeholder Representative (ALASR) -- 2 Seats	Appointed	Must meet the criteria for category RSR, BSR, or OSR.	Current Board members appoint with approval by 2/3 of Board members voting.

Article VIII.

Amendments

The Bylaws shall be amended to keep them in congruence with applicable local, state, and federal regulations and laws.

Amendments, changes, additions, or deletions to these Bylaws may be proposed by any Board member or by any stakeholder during the public comment period of the regular meetings of The Board.

A proposal to amend these Bylaws must then be formalized in writing and lodged with the Secretary or person responsible for preparing the agenda of The Board's meetings. The proposed amendment will then be placed on the agenda of the next meeting of The Board.

The Board shall then consider the proposed change. A two-thirds majority Board members present at the meeting shall be required for passage of the bylaw change. All changes will then be forwarded to the Department of Neighborhood Empowerment (DONE) for review and approval. Once approved by DONE, the changes in the Bylaws shall become immediately effective.

APPENDIX A
MAP

