

Officers

Leonard J. Shaffer President
Eran Heissler 1st VP
Jon Reich 2nd VP
Harvey Goldberg Treasurer
Max Flehinger Exec. Secretary

Board Members

Allan Wertheim
Allen Adjamian
David Garfinkle
Esther Wieder
Joyce Greene
Kenneth Schwartz
Linda Safarian
Ornit Toren
Paul Lawler
Reuben Dori
Richard Silverman
Robin Correll
Scott Greenwood
Sukh Singh
Syed Hussaini
Warren Holden

CITY OF LOS ANGELES



TARZANA NEIGHBORHOOD COUNCIL BOARD MEETING AGENDA

Tuesday, February 24, 2015 7:00 PM
Tarzana Elementary School Auditorium
5726 Topeka Dr
Tarzana, CA 91356

TARZANA NEIGHBORHOOD COUNCIL

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The public is requested to fill out a “**Speaker Card**” to address the Board on any item of the agenda prior to the Board taking action on an item. Comments from the public on Agenda items will be heard only when the respective item is being considered. Comments from the public on other matters not appearing on the Agenda that is within the Board’s subject matter jurisdiction will be heard during the Public Comment period. Public comment is limited to 2 minutes per speaker, unless waived by the presiding officer of the Board.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 72 hours prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at (213) 978-1551 or by e-mail at done@lacity.org.

1. Call to Order, Roll Call, Welcoming Remarks and Pledge
2. Approval of minutes of January 27, 2015 meeting – **Action Item**
3. Remarks by representatives of public officials
4. Public Comments – Comments from the public on non-agenda items within the Board’s subject matter jurisdiction. Public comments are limited to two minutes per speaker.
5. **Committee and other Reports**
 - Outreach
 - Land Use
 - Budget
 - Transportation
 - Public Safety (3 minutes)
 - Rules
 - Energy & Environment (3 minutes)
 - Animal Welfare (3 minutes)
 - DWP MOU (3 minutes)
 - Budget Representative (3 minutes)
6. Discussion and motion: Approval of preliminary financial statements as of January 31, 2015
7. Discussion and motion: Approval of January 2015 expenditures for submission to DONE
8. Discussion and possible motion: Resolved: based on the recommendation of the TNC Budget Committee the TNC approves \$200.00 to support the VANC 12th Anniversary Mixer

9. Discussion and possible motion: Resolved: based on the recommendation of the TNC Budget Committee the TNC approves a request from Tarzana Elementary School for a NPG Grant for \$4,000 to help cover the cost of their Physical Education Program for the current school year ending June 2015.
10. Discussion and possible motion: Resolved: based on the recommendation of the TNC Budget Committee the TNC approves a request from the Community Relations section of West Valley LAPD to support the Baker to Las Vegas Run event by purchasing jackets for the participants and support group, which will include the Tarzana NC logo, for not more than \$1,500, to be classified as Outreach, Advertising.
11. Discussion and possible motion: Resolved: based on the recommendation of the TNC Budget Committee the TNC approves a NPG to the West Valley-Warner Center Chamber of Commerce Community Benefit Foundation for \$1,500 to be used as participation fees to be given to the six schools that are participation in the 2015 Earth Day Event.
12. Discussion and possible motion: Resolved: based on the recommendation of the TNC Budget Committee the TNC approves approve an increase in the cost of the Tarzana Welcome Sign to NTE \$1,700 from the current \$600, an increase of \$1,100. To be classified Outreach, Advertising, Tarzana Welcome Sign.
13. Discussion and possible motion: Resolved: Approve \$65.39 for the purchase of a digital recorder from Office Depot for recording TNC meetings and events.
14. Discussion and possible motion: Resolved: The President may appoint two TNC board members to participate in the Civic University sponsored by the Pat Brown Institute for Public Affairs at Cal State L.A. and the Office of Los Angeles Mayor Eric Garcetti
15. Discussion and possible monition: Resolved: Pursuant to the TNC standing rules the TNC Board approves the appointment of Jeff Mausner as chair of the Animal Welfare Committee.
16. Discussion and possible motion: Pursuant to TNC Bylaws Art XIII the following bylaws amendments are approved:

Article IV, E Finances

~~At least once each quarter, the President or other member of the Executive Committee other than the Treasurer, shall examine the Council's accounts and attest to their accuracy before submitting the documentation to the Department for further review.~~

Purpose – This bylaw is no longer needed because the monthly expense report is independently reviewed by the entire board.

Article V, 3

Official Actions. Unless otherwise specified in these bylaws or the Neighborhood Council's standing rules, actions of the Board of Governors shall be by a majority vote of the Board members in attendance present and voting at any meeting.

Purpose – Rosenberg's Rules that govern our parliamentary procedures makes it clear that except for votes requiring a super-majority an abstention counts for quorum only and not as a vote. The current bylaw is ambiguous because it could be interpreted to allow abstentions to be counted when only a simple majority is needed. This change also conforms to language in other articles of the TNC bylaws.

Article VI, 4 Officer Terms

Officer Terms. Officers shall serve for a one (1) year term unless sooner removed by a majority vote of the Board of Governors or by action of Article VI, 3. If, for some unforeseen reason, any newly elected Board is unable to immediately elect new officers pursuant to VI, 3 of these bylaws, then the previously elected officers shall serve until the election of their successors. If the previous President, 1st Vice President and 2nd Vice President are no longer eligible to serve, then members of the newly elected board shall be appointed as interim President and 1st Vice President as follows: the member with the greatest number of election votes will be interim President and the member with the next greatest number 1st Vice President. If the previously elected Treasurer is no longer to eligible to serve and it becomes necessary in order to carry on the business of the neighborhood

council before the Board is able to elect permanent officers the Interim President, or in his/her absence the interim 1st Vice President may appoint one of the newly elected board members as the interim Treasurer.

Purpose – If none of the outgoing officers were reelected to the board they would be ineligible to serve as interim officers

Article VII Committees

1. Standing Committees.

The Executive Committee shall consist of the Officers of the Board. At least three (3) members of the Executive Committee shall be present to conduct an Executive Committee meeting. The Executive Committee shall set the agenda for the Board meetings. It may recommend actions to the Board of Governors. Decisions of the Executive Committee shall be by a majority vote of those present. The President, with the approval of the Board may create standing committees to carry on the business of the Neighborhood Council.

Purpose – To provide a clear process for creating standing committees

Article X Elections

X, 2, B & C

~~B. Individuals claiming stakeholder status because of membership in a community based organization or by whatever other means, who do not “live, work or own property” within the Council boundaries, may run for and vote for the “reserved at large representatives” positions. Those stakeholders who live, work or own property in the neighborhood and those who declare a stake in the neighborhood as a community interest stakeholder shall be eligible to run for and vote for the two (2) reserved at large representative board seats.~~

~~C. Individuals whose stakeholder status is otherwise established because of their living, working or owning property within the Council boundaries, having the right to run for and vote for other Board positions as set out in these bylaws, shall not be qualified to vote for or run for either of the two (2) “reserved at large representatives” positions.~~

Purpose – The reserved at large representative became part of TNC’s bylaws when the factual basis stakeholder was created by the City Council. The factual basis stakeholder has been replaced by the community interest stakeholder which requires a substantial and ongoing interest in the community. The City Attorney’s opinion is that there must be at least one board position that all stakeholders, including the community interest stakeholders may both run for and vote for.

X, 6, B

Current

B. If more than one (1) position for a category of representative is open for election, they shall be filled numerically in accordance with the number of votes collected by each candidate. For example, if two (2) people run for the open North Area Representative, the one (1) with the greater number of votes will occupy position number one (1) and the one with the lesser number position number two (2). If there is a tie vote, ~~the position assignments will be determined by the flip of a two sided coin. The flip of the coin will be administered by a representative of the Los Angeles City Clerks office. the then current city wide election procedures.~~

Purpose – To avoid conflicts with the procedures promulgated by the city agency in charge of NC elections

Article XI Grievance Procedures

A. Any stakeholder may submit a grievance to a member of the Executive Committee or to the neighborhood council by US Mail, postage prepaid to the address on file with the Department of Neighborhood Empowerment.

B. All grievances shall be in writing and shall contain the following information:

1. A brief statement of the facts of the grievance, but in no event more than one type written page (12 pt. Times New Roman or larger font) or two hand written pages.
2. The ~~meeting date, time and place of the~~ where the conduct out of which the grievance arose.
3. The name and contact information of the person claiming to be aggrieved.

A grievance shall be valid if it states facts that involve a violation of the Council's bylaws, a standing rule or rules, the code of civility, a policy promulgated by appropriate City officials as previously defined in these bylaws or a violation of an applicable statute or ordinance. In no event shall a disagreement with legitimately determined policies or positions of the Council be considered a grievance for the purposes of this section. Grievances may not be filed against an individual board member.

C. The grievance shall be placed on the agenda at the next regular meeting of the Council if received at least two (2) weeks prior to the meeting date. If the grievance is received less than two (2) weeks prior to the next regular meeting date it shall be placed on the agenda of the following regular meeting.

~~D. At the meeting the Board shall, by majority vote determine if the grievance is valid. A grievance shall be valid if it states facts that involve a violation of the Council's bylaws, a standing rule or rules, the code of civility, a policy promulgated by appropriate City officials as previously defined in these bylaws or a violation of an applicable statute or ordinance. In no event shall a disagreement with legitimately determined policies or positions of the Council be considered a grievance for the purposes of this section.~~

~~If the grievance is determined to be valid, then the~~ The President, with the consent of the Board shall establish an ad hoc grievance committee comprised of three (3) stakeholders ~~board members excluding members of the Executive Committee, whose names are chosen randomly from a list of stakeholders who have previously agreed to serve as members of a grievance committee.~~

E. Within two (2) weeks of the committee's selection, the Executive Secretary, or in his/her absence, the Second Vice President, shall coordinate a time and place for the panel to meet with the person(s) submitting a ~~the~~ grievance to determine if the grievance is valid and if so, to discuss ways in which the dispute may be resolved. The Executive Secretary or Second Vice President shall not be present at any of the meetings of the committee.

Within thirty (30) days following such meeting, ~~a member of the committee shall prepare a written report to be forwarded by the Executive Secretary or the Second Vice President to the Board outlining the panel's~~ committee's collective determination regarding the validity of the grievance and any recommendations for resolving the grievance. The grievance shall be placed on the agenda for the next regular meeting of the Board if the report is received at least seven (7) days prior to the meeting date. If the report is received less than seven (7) days prior to the next regular meeting date it shall be placed on the agenda of the following regular meeting. The Board may receive a copy of the committee's report and recommendations prior to a Board meeting, but, in accordance with the Brown Act, the matter shall not be discussed among the Board members until it is heard publicly at the next regular Council meeting.

F. If the committee report upholds the grievance, the Board shall take appropriate steps to address the grievance and, if necessary take corrective action to resolve it. Such resolution shall be the subject of a regularly made motion which shall carry if approved of by a majority of those present and voting.

~~G. Board members are not permitted to file a grievance against another Board member or against the Council.~~

Purpose – To more expeditiously address grievances; to attempt to eliminate any appearance of unfairness in the handling of grievances; to help conform to the proposed citywide grievance procedures

Article XII Bylaws Amendments

Any Application for amendment of these bylaws shall be approved by two-thirds (2/3) vote of the ~~stakeholders in attendance at any Board meeting~~. However, no vote may be taken on any such Application unless the proposed amendment(s) have been posted on the Councils web site for at least thirty (30) days and that fact has been publicized by at least two (2) electronic mailings to the Councils E-mail list not less than seven (7) days apart and by posting at the Councils regular posting locations. The first email notification and location posting shall be contemporaneous with the posting on the web site. Such E-mail notifications and postings shall invite comment from the stakeholders, either in writing or by public comment at the Board meeting where the matter is on the agenda for Board approval.

Upon approval of such Application the Board of Governors shall pass a resolution by a majority vote approving the Application. Such Application for amendment of the bylaws and the resolution of the Board of Governors or minutes of the meeting where the resolution was passed shall then be forwarded to the Department of Neighborhood Empowerment, its successor or designee for approval. Upon notice of approval of the application for amendment of the bylaws by the Department of Neighborhood Empowerment, its successor or designee and/or the Board of Neighborhood Commissioners, their successor or designee, the amendment(s) shall become effective.

Purpose – Historically the TNC has counted the board members as stakeholders for the purpose of amending the bylaws. The proposed procedure will more accurately reflect how the amendments were passed and which board members actually voted for them. It requires a super majority of the board to pass any amendment. It does not relieve the board of its current obligation to inform TNC's stakeholders of any proposed amendments and allows any stakeholder who is concerned with one or more amendments two opportunities to address the board.

Attachment B

ATTACHMENT B – Governing Board Structure and Voting Tarzana Neighborhood Council – 21 Board Seats

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
North Area Representatives Term: 2 Years	3	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election and lives, works or owns property north of the Ventura Freeway.	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property north of the Ventura Freeway.
South Area Representatives Term: 2 Years	3	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election and lives, works or owns property south of the Ventura Freeway.	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property south of the Ventura Freeway.
Residential Renters Term: 2 Years	2	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who is a residential renter within the TNC boundaries.	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property within the TNC boundaries.

Homeowners Term: 2 Years	4	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who owns a home within the TNC boundaries.	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property within the TNC boundaries.
Business Representatives Term: 2 Years	3	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who owns a business or is employed within the TNC boundaries.	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property within the TNC boundaries .
At-Large Representatives Term: 2 Years	4	Elected	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property within the TNC boundaries .	Any stakeholder, other than a factual basis stakeholder, who is at least 18 years of age on the day of the election who lives, works or owns property within the TNC boundaries .
Reserved At-Large Representatives Term: 2 Years	2	Elected	Any stakeholder (commonly known as a factual basis stakeholder) who is at least 18 years of age on the day of the election. claiming stakeholder status because of membership in a community based organization or by whatever other means and who does not "live, work or own property" within the neighborhood council boundaries.	Any stakeholder (commonly known as a factual basis stakeholder) who is at least 18 years of age on the day of the election claiming stakeholder status because of membership in a community based organization or by whatever other means and who does not "live, work or own property" within the neighborhood council boundaries.

17. Discussion and possible motion: Resolved: The TNC Board approves the application for amending the bylaws as set forth above and directs that the application and a copy of this resolution or the minutes of this meeting be forwarded to the Department of Neighborhood Empowerment.
18. President's remarks
 - Code of Conduct on line
 - LANCC meeting
 - Public Safety Committee chair
 - Election committee
19. Board Member Comment - Comments from Board on subject matters within the Board's jurisdiction.
20. Future Agenda Items and other Calendar Events
21. Adjournment

For more information about the Tarzana Neighborhood Council visit our web site at www.tarzananc.org

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at our website by clicking on the following link: <http://www.tarzananc.org/board-meetings.php>, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact us at tnc@tarzananc.org or 818-921-4992.

Any materials that may be distributed to a majority of the Board less than 72 hours prior to the above scheduled meeting are available for review by the public at 19040 Vanowen Street, Reseda, CA 91335

Process for Reconsideration – Reconsideration of Board actions shall be in accordance with the Tarzana Neighborhood Council bylaws.