

Grass Roots Venice Neighborhood Council Bylaws Committee Meeting

Minutes 12-12-05 (DRAFT)

1. Meeting called to order at 7:05 pm
2. Bylaws Committee Members present – LJ Carusone (Committee Chair) presiding, Colette Bailey, David Moring, Eileen Pollack Erickson, Greg Fitchitt, Ivan Spiegel, Joe Murphy, Lisa M. Ezell, Marty Evry, Steve Freedman, Stewart Oscars, Thomas O'Meara. Absent – David Buchanan, Jodi Gusek, Susan Rennie. Also attending – Naomi Nightingale, CJ Cole, Challis Macpherson, Kelley S. Willis, Dante Cacace, Dennis Hathaway.
3. Minutes from 12-07-05 meeting were not reviewed. The chair clarified that the voting members of the committee are: LJ Carusone (Committee Chair), Colette Bailey, David Buchanan, David Moring, Eileen Pollack Erickson, Greg Fitchitt, Ivan Spiegel, Jodi Gusek, Joe Murphy, Lisa M. Ezell, Marty Evry, Steve Freedman, Stewart Oscars, Susan Rennie, and Thomas O'Meara.
4. Introductions
5. Presentation by Jamiko R. Bell (Jamiko.bell@lacity.org) and Deanna Stevenson (Deanna.stevenson@lacity.org) of **DONE** on the **DONE** review of two sets of bylaws amendments submitted to **DONE** in May and June of 2004 and identified in the discussion as the **Feist** and **Board** amendments. The **Board** amendments were received by **DONE** but without stakeholder approval. The **Feist** amendments were then received by **DONE** with stakeholder approval of all except the last amendment which failed to obtain the requisite 2/3 vote. Then the 2004 election was held at which time the **Board** amendments received stakeholder approval. The election was later declared invalid, but the **Board** amendments were determined to be valid. Since the **Feist** amendments became effective before the **Board** amendments, the **Board** amendments apply to the Bylaws as amended by the **Feist** amendments and therefore take precedence where the **Feist** and **Board** amendments are in conflict. Since there was no Board capable of acting on the resulting amended Bylaws, **DONE**, with **BONC** approval, withheld certification of both the **Feist** and **Board** amendments. Thus, the September 10/11 2005 GRVNC elections were conducted under the terms of the GRVNC Bylaws as they existed prior to the **Feist** and **Board** amendments.

Jamiko and Deanna distributed a strikethrough version of the Bylaws as amended by first the **Feist** (orange print) and then the **Board** (blue print) amendments. **DONE** has not certified the Bylaws as amended by

the **Feist** and **Board** amendments. The parts of the amendments that are in pink print are parts that will not be approved by **DONE**.

Jamiko reviewed Bylaws as amended and noted that effective parts of both the **Feist** and **Board** amendments were in direct conflict with one another. Jamiko and Deanna both strongly recommended that the Bylaws Committee take the time necessary to carefully review and consider revisions of the Bylaws and not operate under haste or undue pressure.

In the discussion that followed, it became clear that immediate certification by **DONE** and **BONC** of the Bylaws as amended would cause ongoing confusion in the conduct of business by the GRVNC and would be counterproductive to the efforts of the GRVNC Bylaws Committee.

6. Committee Discussion Begins

Ivan: This Committee intends to clean up all of the Bylaws and adding the confusion that consideration of these amendments will create is counter-productive. Can we postpone certification of the amendments?

Jamiko: No.

Ivan: So how do we proceed? Is a single issue change OK? Is the postponement of the election date from June to September (submitted and approved by the ExCom already) OK?

Jamiko: The postponement is OK.

Ivan: What is the deadline regarding elections? When must we complete our work?

Jamiko: 140 days prior to an election is the deadline. The Bylaws and the amendments can be considered simultaneously.

Kelley: '140' is a new figure to me. Where does that come from?

Jamiko: From the **Citywide Election Procedures** adopted Feb 2005 by the City Council.

Steve: Can you explain why **DONE** will not approve the pink language (underlined below) on page 3 which is:

"Work" will be defined as any employment for pay. Volunteer work performed without pay will not qualify an individual for stakeholder status.

Jamiko: The City Attorney has determined that "work" includes "volunteerism". This doesn't mean that election procedures cannot be

adopted that place limitations on this such as requiring evidence of 90 days of service or other such limits. Five minutes of service can be determined to be inadequate to qualify as a stakeholder.

David: Why will **DONE** not approve the pink language (underlined below) on page 13 which is:

If more than two candidates are running for an Office, voting shall be by Instant Run Off Voting (IRV) ...

Jamiko: It's not specified in the **Citywide Election Procedures** where other methods are pretty carefully described and dealt with. However, she's not sure that it is precluded and will ask the City Attorney about it.

Joe: Can we get a copy of the **Citywide Election Procedures** you're referring to?

Jamiko: Yes. It is online in pdf format.

Denis: The orange paragraph I on page 13 was not passed at the stakeholder election and should not be included as an amendment. It reads:

I. Absentee Voting. Under no circumstances will Absentee Voting be allowed.

Jamiko: I will remove it from the final version.

Tom: What is the effective date of these amendments?

Jamiko: As soon as the revised version is delivered.

Naomi: Where there is conflict, how do we resolve it to move forward?

Jamiko: You may want to strike it. As long as you are not in election mode, you can continue to function. It does not preclude the GRVNC from continuing to operate.

Lisa: Do the other Neighborhood Councils in LA have different ways of holding elections? Do they have different criteria for determining who can vote? The last election seemed more complicated than other elections.

Jamiko: The more you seek to restrict who can vote, the more complicated it gets. Venice made it complicated. You can handle elections by ballot, include or exclude absentee voting, use a show of hands, etc. You cannot restrict who can vote to residents only.

Lisa: It seems that a person could vote in more than one neighborhood council election, then.

Jamiko: Yes. A person can qualify as a stakeholder by being a resident on one neighborhood and a property owner in another and an employee in a third and can vote in all three. Live, work, own property.

Marta: Palms has Instant Run Off Voting.

Jamiko: Yes. But now you have the **Citywide Election Procedures** and that takes priority.

Ivan: We actually do have elections coming up since we have to fill a vacancy resulting from the resignation of a Board member. How do we handle that with these amendments? It becomes very confusing.

Jamiko: Perhaps **DONE** can delay certification of the amendments – she needs to think about it – she understands how confusing the amendments make it for the Bylaws Committee and the **GRVNC** to move forward.

CJ: Can we go back to the original and start from scratch?

Jamiko: No. But she encourages the committee to make the Bylaws as simple as possible – the simpler the better. She understands the problem of the amendments and points out that it has to be dealt with now or later.

Steve: **DONE** has encouraged a thorough look at the Bylaws?

Jamiko: Yes.

Steve: So could we replace all of it?

Jamiko: Yes. That's OK.

Stewart: What is “expeditiously” in the context of your certification of the amendments?

Jamiko: She will talk with Parker and Greg about this dilemma. She thinks they will be able to cooperate by postponing certification to allow the Committee to do its work efficiently. She strongly advises against doing its work quickly since that leads to bad decisions and more problems.

David: Are we perhaps “parading horrors”? We may be able to work with the amendments as they are presented in the **DONE** draft. Town hall meeting can be held separately.

Marta: The Bylaws say that the timeline has to be more than 30 days, which means that David's scenario is not practical. It is possible to get the changes done by March.

Jamiko: Take the time to do it well. The election procedures you drafted are very good.

Marta: If we submit revisions in March or April, can **DONE** hold off until then? Perhaps ask the Board to do it?

Tom: Two points:

1. Regarding **DONE** concern about IRV – it seems appropriate to allow Neighborhood Councils to be experiments in democracy, so it seems appropriate to allow IRV. A thought to consider.
2. If you read the language of the proposed amendments, you can conclude that there is no conflict.

Jamiko: We have asked people to choose between, for instance, determining qualification of stakeholder by self-affirmation vs requiring proof. Rules & Elections Committee can determine how to confirm election for vacancy.

General discussion about Tom's 2nd point resulted in initial general concurrence but subsequent consensus that it was not the best way to handle the amendments.

Jamiko: Let the Board decide. Make a request to **DONE** to withhold certification of the amendments. She understands the dilemma and believes **DONE** will cooperate.

General discussion about the impact of the Brown Act on email exchanges between members of the Bylaws Committee. Jamiko suggested that it was OK if it did not involve members of the Board.

Committee discussion ends.

10. Committee reminded of next meeting on Wednesday, Jan. 4, 2006 at 7pm at the Extra Storage Space meeting room. The agenda for the 01-04-06 meeting, per consensus at the 12-07-05 meeting, is:

Discuss board composition, stakeholder definitions, elections.
Discuss "values".

11. Motion to adjourn by Joe, seconded by Stewart, passed unanimously.