

**EMPOWERMENT CONGRESS
SOUTHWEST AREA
NEIGHBORHOOD DEVELOPMENT COUNCIL
BYLAWS**

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**ARTICLE I
NAME**

The name of this Neighborhood Council is the Empowerment Congress Southwest Area Neighborhood Development Council (“ECSWANDC” or “Council”).

**ARTICLE II
PURPOSE**

The **PURPOSE** of the Council is to provide a forum for Stakeholders to address issues concerning our neighborhood and quality of life. The Council shall participate as a body on issues concerning our neighborhood and regarding the governance of the City of Los Angeles (“City”) in a transparent, inclusive, collaborative, accountable and viable manner.

A. The **MISSION** of the Council is:

1. To provide an inclusive and open forum for public discussion of issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a City wide nature;
2. To advise the City on issues of interest to the Council, including City governance, the needs of the Council, the delivery of City services to the Council area, and other matters of a City wide nature;
3. To initiate, execute and support projects for the physical, social and cultural improvement of the Council area; and
4. To facilitate communication between the City and Community Stakeholders on issues of concern to the community and/or the Stakeholders.

B. The **POLICY** of the Council is:

1. To respect the diversity, dignity, and expression of views of all individuals, groups, and organizations within the community and/or involved in the Council;
2. To remain non-partisan with respect to political party affiliation and inclusive in our operations including, but not limited to, the process of electing or selecting the Board, Officers, and committee members, as hereinafter set forth;
3. To utilize the Early Notification System (ENS) to inform the Council and Community Stakeholders of matters involving the City and our community in a way that is tailored to provide opportunities for involvement in the decision-making process;
4. To encourage all Community Stakeholders to participate in activities of the Council;

5. 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, homeowner/renter status, or political affiliation; and
6. To have fair, open, and transparent procedures for the conduct of all Council business.

ARTICLE III BOUNDARIES

Section 1: Boundary Description - The Council covers a geographic area described below.

A. **North** Florence Ave. south side between Van Ness Ave on the west and Vermont Ave on the east.

B. **East** Vermont Ave, west side between Florence Ave and 87th St / Manchester Ave alley; Normandie Ave, west side between 87th St / Manchester alley and 95th St. Halldale Ave between 95th St and Century Blvd; La Salle Ave between Century Blvd and 104th St; Western Ave between 104th and 108th St, all along city/county lines.

C. **South** Century Blvd between Van Ness Ave and Gramercy Place; 108th St between Gramercy Place and Western Ave; 104th St between Western Ave and La Salle Ave; Century Blvd between La Salle Ave and Halldale ; 95th St between Halldale Ave and Normandie Ave; 87th St / Manchester alley between Normandie Ave and Vermont.

D. **West** Van Ness Ave between Florence Ave and Century Blvd, along city lines; Gramercy Place between Century Blvd and 108th St.

The boundaries of the Council are set forth on the Map of the Empowerment Congress South West Area Neighborhood Council, attached as Attachment A.

Section 2: Internal Boundaries – Not applicable.

ARTICLE IV STAKEHOLDER

Neighborhood Council membership is open to all Stakeholders. “Stakeholders” shall be defined as those who live, work or own real property in the neighborhood and also to 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’s boundaries and who may be in a community organization such as, but not limited to, educational, non-profit and/or religious organizations. Members of the Council shall be referred to as “Community Stakeholders.”

ARTICLE V GOVERNING BOARD

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 (“Plan”).

Section 1: Composition – The Board will consist of twelve (12) Stakeholders elected, selected or appointed by the Board and/or Community Stakeholders. The composition of the Board shall be as follows:

A. **Homeowner Stakeholder Board Members (3)** – Open to Stakeholders eighteen (18) years of age or older who owns a residence located within the Council boundaries.

B. **Renter Stakeholder Board Members (2)** – Open to Stakeholders eighteen (18) years of age or older who rent a residence located within the Council boundaries.

C. **Business Stakeholder Board Members (2)** – Open to Stakeholders eighteen (18) years of age or older who work or own a business or business property within the Council boundaries.

D. **Organizational Stakeholder Board Members (3)** – Open to Stakeholders eighteen (18) years of age or older 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 or girls club, cultural group, or environmental group within the Council boundaries.

E. **Youth Board Member (1)** – Open to Stakeholders between the ages of sixteen (16) and twenty-five (25). If less than eighteen (18) years of age, the Youth Board member shall be precluded from voting on matters regarding the expenditure of funds, contracts, or recommendations to enter into contracts.

F. **At-Large Stakeholder Board Members (1)** – Open to Stakeholders at least eighteen (18) years of age.

All Stakeholders may vote for all of the Board seats, but no single Stakeholder group shall hold a majority of Board seats unless extenuating circumstances exist and are approved by the Department of Neighborhood Empowerment (“Department”).

Section 2: Quorum - The quorum shall be seven (7) members of the Board. No floating quorums are allowed.

Section 3: Official Actions - A simple majority vote by the Board members present, including

abstentions, at a meeting at which there is a quorum shall be required to take official action, unless specified otherwise in these Bylaws.

Section 4: Terms and Term Limits - Board members shall serve a two (2) year term commencing after being seated. Board members may only serve two (2) consecutive terms or four (4) consecutive years on the Council Board.

Section 5: 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 that body. Such authority may be revoked at any time by the Board.

The Board shall: (1) provide leadership on the ECSWANDC, (2) plan community meetings, events and activities, (3) monitor issues within the ECSWANDC boundaries, (4) participate in ongoing projects, events and activities, (5) attend scheduled community and planning meetings and such additional duties as may be adopted by official action of the Board:

A. At-Large Representative: Shall post notices of all ECSWANDC meetings covered by the Brown Act; serve on committees and perform other duties as directed by the Chairperson and identify and monitor issues within the ECSWANDC boundaries.

B. Youth Board Member: Shall coordinate all youth activities and assist with youth meetings.

Section 6: Vacancies - Vacancies on the Board shall be filled using the following procedure:

A. Any Stakeholder interested in filling a vacancy on the Board shall submit a written application to the Secretary

B. The Secretary shall cause the matter to be placed on the agenda for the next regular Board.

C. The Board shall vote on the application at the meeting. If multiple applications for one (1) seat have been submitted, the candidate with the most votes wins.

Section 7: Absences - Any Board Member who misses three (3) regularly scheduled consecutive ECSWANDC Board meetings during any twelve (12) month period shall automatically be removed from the Board. Each Board Member's absence shall be recorded in the Council's meeting minutes or other manner of Council record keeping, and that, upon missing the required number of Board meetings, the Chairperson shall provide notice to the Board Member that the seat has been declared vacant and place on the agenda the removal of the Board Member at a regular or special Board meeting.

Section 8: Censure - The Board can take action to publically reprimand a Board member for actions conducted in the course of Board business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action, and the City Attorney shall be consulted during the censure process.

Section 9: Removal of Governing Board Members - The Board shall consult with the Office of the City Attorney throughout any Board member removal process. Board members may be removed in the following ways:

A. Petition by Stakeholders - A Board member may be removed from office by the submission of a written petition to the Secretary, which includes: i) the identity of the Board member to be removed, ii) a description, in detail, of the reason for removal, and iii) the valid signatures of twenty-five (25) Stakeholders.

1. Upon receipt of a written petition for removal, the Secretary shall cause the matter to be placed on the agenda for a vote of the Board at the next regular Council meeting.
2. Removal of the identified Board member requires a majority vote of the attending Board members.
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.

B. 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, Operating Procedures or Code of Conduct 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 majority of the attending Board members.
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 Board.

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 Board member may resign from the Council and the position shall then be deemed vacant. Any member of the Board who ceases to be a Stakeholder is required to submit his or her resignation to the Board for discussion and action at a Board meeting. Removal of the Board member requires a majority of the attending Board members.

Section 11: Community Outreach - The Board shall direct that a system of outreach be instituted to inform Stakeholders as to the existence and activities of the Council, including its Board elections, to find future leaders of the Council, and to encourage all Stakeholders to seek leadership positions within the Council.

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 website presence to disseminate information to Council Stakeholders and others interested in the Council.

Outreach also should be undertaken at public events and shall be coordinated with other Neighborhood Councils when appropriate.

ARTICLE VI OFFICERS

Section 1: Officers of the Board - The officers of the Board ("Officers") shall include the following positions, which all together comprise the Executive Committee: Chairperson, Co-Chairperson, Secretary and Treasurer.

Section 2: Duties and Responsibilities

A. Chairperson: Shall preside over all regular and special meetings of the ECSWANDC and the Executive Committee; appoint committees with the approval of a majority of the Board; represent the ECSWANDC before other agencies and organizations as directed by or coordinated with the Board.

B. Co-Chairperson: Shall perform the duties of the Chairperson in the absence of the Chairperson, serve as an ex-officio member of committees and any other duties as directed by the Chairperson.

C. Secretary: Shall keep minutes of all Board meetings. Prepare and distribute agenda for each meeting of the ECSWANDC. Perform all duties regarding the official correspondence of the ECSWANDC; and maintain and update all official Council documents.

D. Treasurer: Shall maintain the records of the Council's finances and books of accounts and perform other duties in accordance with the Council's Financial Management Plan and the policies and procedures of the Department. The Treasurer shall make a report to the Board on the ECSWANDC finances at every regular meeting of the Board.

Section 3: Selection of Officers - Officer positions shall be filled annually by majority vote of the Board members present at the first official Board meeting following their election or selection in Board election years and at the subsequent one (1) year anniversary mark of the Officers election.

Section 4: Officer Terms - The Officers shall serve two (2) year terms and serve at the pleasure of the Board. They may stand for reelection every two (2) years.

ARTICLE VII COMMITTEES AND THEIR DUTIES

All Standing and Ad Hoc Committees shall be established by the Board. Suggestions for committees may come from Stakeholders or from members of the Board, and all such suggestions shall be voted upon by the Board.

Section 1: Standing Committees - The Standing Committees of the ECSWANDC are: The Executive Committee, The Outreach and Communications Committee, The Planning and Land Use Committee, The Budget and Finance Committee and The Bylaws and Procedures Committee.

Section 2: Ad Hoc Committees - The Board may create Ad Hoc Committees as needed to deal with temporary issues.

Section 3: Committee Creation and Authorization

A. **Committee Authority** - All committee recommendations shall be brought back to the full Board for discussion and action.

B. **Committee Structure** - With the exception of the Executive Committee, Committee members shall be appointed by the Chair and ratified by the Board. Standing Committees shall be comprised of at least two (2) Board members and may include any interested Stakeholders. Ad Hoc Committees shall be comprised of three (3) or less Board members and may include any interested Stakeholders.

C. Committee Appointment - Only Committee members who are Board members are eligible to serve as Chairman of a committee. The Chairs shall keep a written record of Committee meetings and shall provide regular reports on Committee matters to the Board.

D. Committee Meetings - Committee meetings are subject to and shall be conducted in accordance with the dictates of the Brown Act. Minutes shall be taken at every Committee meeting.

E. Changes to Committees - The Board may establish, disband or make changes as needed to any Standing or Ad Hoc committee. Any such action by the Board shall be noted in the Council meeting minutes.

F. Removal of Committee Members - Committee members may be removed in the same manner in which they were appointed.

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 - All meetings shall be held within the Council boundaries at a location, date and time set by the Board. A calendar of regular meetings shall be established by the Board at its first regular meeting of each calendar year.

A. Regular Meetings - Regular Council meetings shall be held at least once per quarter and may be held more frequently as determined by the Board. Prior to any action by the Board, there shall be a period of public comment. The Board shall determine the length and format of the period as appropriate.

B. Special Meetings - The Chair or a majority of the Board shall be allowed to call a Special Council Meeting as needed.

Section 2: Agenda Setting - The Executive Committee shall set the agenda for each Council meeting.

In addition, any Stakeholder may make a proposal for action by the Council by submitting a written request to the Secretary or during the public comment period of a regular Council meeting. The Secretary shall promptly refer the proposal at the next regular Council meeting, and the Board shall consider the proposal. The Board is required to consider the proposal at a Committee or Board meeting, but is not required to take further action on the proposal. Proposals made under this subsection are subject to the rules regarding reconsideration

Section 3: Notifications/Postings - Notice of a regular meeting shall be a minimum of three (3) days (72 hours) in advance of the meeting and at least one (1) day (24 hours) in advance of a special meeting. At a minimum, notice shall be posted at the Council's posting locations filed

with the Department, on its website (if applicable) and emailed out to Stakeholders if the Council maintains such a database. Regular and Special meeting agendas shall also be emailed to the Department.

Section 4: Reconsideration - The Board may reconsider or amend its actions through the following Motion for Reconsideration process:

A. Before the Board reconsiders any matter, the Board must approve a Motion for Reconsideration. The Motion for Reconsideration must be approved by official action of the Board. After determining that an action should be reconsidered, the Board has the authority to re-hear, continue, or take action on the item that is the subject of reconsideration within any limitations that are stated in the Motion for Reconsideration.

B. The Motion for Reconsideration must be brought, and the Board's approval of a Motion for Reconsideration must occur, either during the same meeting where the Board initially acted or during the Board's next regularly scheduled meeting that follows the meeting where the action subject to reconsideration occurred. The Board may also convene a special meeting within these specified time frames to address a Motion for Reconsideration.

C. A Motion for Reconsideration may be proposed only by a member of the Board that previously voted on the prevailing side of the original action that was taken by the Board (the "Moving Board Member").

D. The Moving Board Member may make the Motion for Reconsideration orally during the same meeting where the action that is the subject of reconsideration occurred, or by properly placing the Motion for Reconsideration on the agenda of a meeting that occurs within the allowed specified periods of time as stated above.

E. In order to properly place the Motion for Reconsideration on the agenda of the subsequent meeting, the Moving Board Member shall submit a memorandum to the Secretary at least two (2) days in advance of the deadline for posting notices for the meeting. The memorandum must briefly state the reason(s) for requesting the reconsideration, and provide the Secretary with an adequate description of the matter(s) to be re-heard and the proposed action that may be adopted by the Board if the Motion for Reconsideration is approved.

F. A Motion for Reconsideration that is properly brought before the Board may be seconded by any member of the Board.

G. This reconsideration process shall be conducted at all times in accordance with the Brown Act.

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 Chairperson 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 - The Council's election will be conducted pursuant to any and all City ordinances, policies and procedures pertaining to Neighborhood Council elections.

Section 2: Governing Board Structure and Voting - The number of Board seats, the eligibility requirements for holding any specific Board seats, and which Stakeholders may vote for the Board seats are noted in Attachment B.

Section 3: Minimum Voting Age - All Community Stakeholders aged sixteen (16) years old and above shall be entitled to vote in the Neighborhood Council Elections.

Section 4: Method of Verifying Stakeholder Status - Voters will verify their Stakeholder status through written self-affirmation.

Section 5: Restrictions on Candidates Running for Multiple Seats - A candidate shall declare their candidacy for no more than one (1) position on the Council Board during a single election cycle.

Section 6: Other Election Related Language - Not applicable.

**ARTICLE XI
GRIEVANCE PROCESS**

A. Any grievance by a Stakeholder must be submitted in writing to the Board, who shall cause the matter to be placed on the agenda for the next regular Council meeting.

B. At that meeting, the Board shall refer the matter to an Ad Hoc Grievance Panel comprised of three (3) Stakeholders randomly selected by the Board from a list of Stakeholders who have expressed an interest in serving from time-to-time on such a panel.

C. Within two (2) weeks of the panel's selection, the Board shall coordinate a time and place for the panel to meet with the person(s) submitting a grievance to discuss ways in which the dispute may be resolved.

D. Within two (2) weeks following such meeting, a member of the panel shall prepare a written report to be forwarded by the Secretary to the Board outlining the panel's collective recommendations for resolving the grievance. The Board may receive a copy of the panel'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.

E. This grievance process is intended to address matters involving procedural disputes, such as the Board's failure to comply with Board Rules or these Bylaws. It is not intended to apply to Stakeholders who merely disagree with a position or action taken by the Board at one of its meetings, which grievances may be aired publicly at Council meetings.

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

**ARTICLE XII
PARLIAMENTARY AUTHORITY**

The Council shall use the Standard Parliamentary Procedure when conducting Council meetings. Additional rules and/or policies and procedures regarding the conduct of the Board and/or Council meetings may be developed and adopted by the Board.

ARTICLE XIII AMENDMENTS

- A. Any Board member may propose an amendment to these Bylaws by requesting that the Secretary place the item on the agenda.
- B. Any Stakeholder may propose an amendment to these Bylaws during the public comment period of a regular Council meeting.
- C. Any proposal to amend the Bylaws shall be formalized in writing and noticed on the agenda for public discussion and Board vote at the next regular Council meeting.
- D. An amendment to these Bylaws requires a simple majority of the Board members present at a duly noticed general or special meeting. All changes shall then be forwarded to the Department for review and approval.
- E. Amendments shall not be valid, final or effective until approved by the Department. Once approved, any changes in the Bylaws shall become effective immediately.

ARTICLE XIV COMPLIANCE

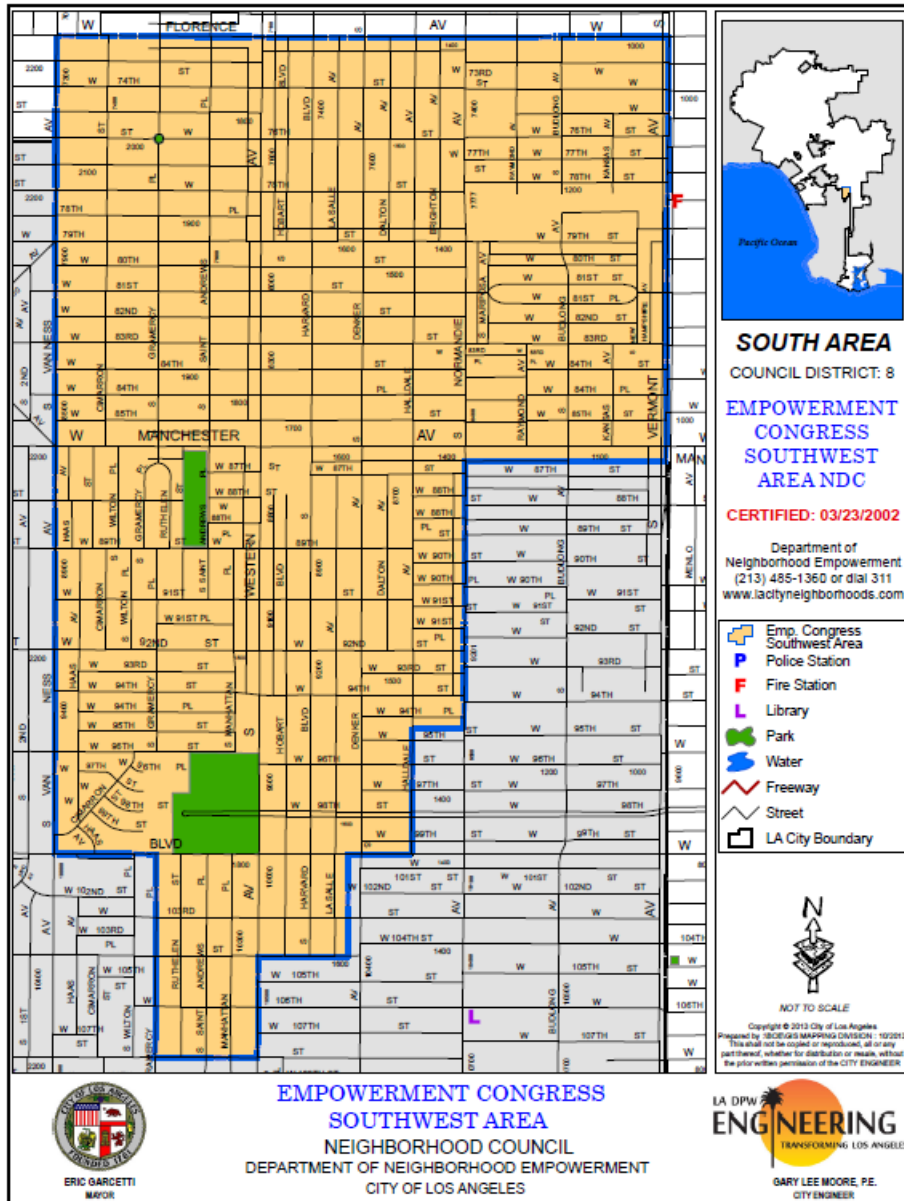
The Council, its representatives, and all Community Stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board as well as all local, county, state and federal laws, including, without limitation, the Plan, the City Code of Conduct, 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 – The Council, its representatives, and all Community Stakeholders shall conduct all Council business in a civil, professional and respectful manner.

Section 2: Training – All Board members shall take training in the fundamentals of Neighborhood Councils, including, but not limited to, ethics, funding, workplace violence and sexual harassment trainings provided by the City within forty-five (45) 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 Empowerment Congress Southwest Area Neighborhood Development Council



ATTACHMENT B – Governing Board Structure and Voting

Empowerment Congress Southwest Area Neighborhood Development Council – 12 Board Seats

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
Homeowner Representatives Term: 2 Years	3	Elected	Stakeholder who is at least 18 years of age or older who owns a residence located within the ECSWANDC boundaries.	Stakeholder who is 16 years of age at the time of the election.
Renter Representatives Term: 2 Years	2	Elected	Stakeholder who is at least 18 years of age or older who rents a residence located within the ECSWANDC boundaries.	Stakeholder who is 16 years of age at the time of the election.
Business Representatives Term: 2 Years	2	Elected	Stakeholder who is at least 18 years of age or older who works or owns a business or business property located within the ECSWANDC boundaries.	Stakeholder who is 16 years of age at the time of the election.
Organizational Representatives Term: 2 Years	3	Elected	Stakeholders who is 18 years of age or older 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 or girls club, cultural group, or environmental group within the ECSWANDC boundaries.	Stakeholder who is 16 years of age at the time of the election.
At Large Area Representatives Term: 2 Years	1	Elected	Stakeholder who is at least 18 years of age at the time of the elections.	Stakeholder who is 16 years of age at the time of the election.
Youth Representative Term: 2 Years	1	Elected	Stakeholder who is between the ages of 16 and 25 within the ECSWANDC boundaries.	Stakeholder who is 16 years of age at the time of the election.