



# CENTRAL SAN PEDRO NEIGHBORHOOD COUNCIL

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## **PUBLIC NOTICE OF MEETING**

Central San Pedro Neighborhood Council  
Rules and Bylaws Committee Meeting Agenda  
San Pedro Library  
931 S. Gaffey Street, San Pedro 90731  
Tuesday, November 29<sup>th</sup>, 2016  
Time: 6:30pm – 8:00pm

1. 6:30 pm. Call to Order / Committee Roll Call / Attendee Introductions
2. Public Comment
3. Point of Information – Proposed bylaws changes voted on (and approved) by the board in September are not yet approved by DONE. The proposed bylaws changes tonight are for sections not proposed for change in the September submission.
4. Proposed bylaws changes, as attached. (Action Item – Motion to forward each to the board can be taken separately or as one motion).
5. Updated / Additional CeSPNC Standing Rules sections, **as attached**. (Action Item – Motion to forward each to the board can be taken separately or as one motion)
6. Discussion of additional proposed changes (Possible Action Items – Motions to forward to the board) (Proposed changes must be provided in writing by the meeting's Call to Order with original paragraphs, proposed deletions stricken-through, and proposed additions identified. )
7. Adjournment – ETC 8:00pm

**PUBLIC INPUT AT NEIGHBORHOOD COUNCIL MEETINGS** – The public can address the Committee on any agenda item before the Committee takes an 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 will be heard during the General Public Comment period. Please note that under the Brown Act, the Committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future Committee meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the Committee Chair.

**PUBLIC POSTING OF AGENDAS**– Central San Pedro Neighborhood Council agendas are posted for public review as follows:

• San Pedro Public Library, 931 S. Gaffey Street • Random Lengths News, 1300 S. Pacific Avenue • [www.centrosanpedro.org](http://www.centrosanpedro.org)

• You can also receive our agendas via email by subscribing to L.A. City's Early Notification System at: <http://www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.htm>

**THE AMERICAN WITH DISABILITIES ACT** -- 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, listening devices, or other auxiliary aids and/or services may be provided upon request. Please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by contacting us at (310) 918-8650.

**PUBLIC ACCESS OF RECORDS** -- In compliance with government code section 54957.5, non-exempt writings that are distributed to all or a majority of the Board members in advance of a meeting may be viewed at our website by clicking on the following link: [www.centralsanpedro.org](http://www.centralsanpedro.org), at a location given in the item number of the agenda 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 the Central San Pedro Neighborhood Council at 310-918-8650.

**RECONSIDERATION AND GRIEVANCE PROCESS:** For information on the Northwest San Pedro Neighborhood Council's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the CeSPNC Bylaws. The Bylaws are available at our Board meetings and our website [http:// http://sanpedrocity.org/bylaws-committee/](http://http://sanpedrocity.org/bylaws-committee/)

**SERVICIOS DE TRADUCCION** Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte a the SLNC Secretary, al 310-918-8650 o por correo electrónico [info@centralsanpedro.org](mailto:info@centralsanpedro.org) para avisar al Concejo Vecinal.

Proposed Bylaws Changes (submitted 11-5-2016)

- a. Article V – Section 2: “Nine (9) members of the Governing Board shall constitute a quorum, even when vacancies of the board exist. **No floating quorums are allowed.**”
- b. Article V – Section 8: Delete and replace as follows: “**Censure - The Council can take action to publically reprimand a Board member for actions conducted in the course of Council business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action.**”
- c. Article V – Section 9: Delete and replace as follows: “**Removal of Governing Board Members – The Council shall consult with the Office of the City Attorney throughout any Board removal process. Board members may be removed in the following ways:**

**1. 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 **[select one] □ fifty (50) OR □ [insert number] Stakeholders.**

- a. 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.
- b. Removal of the identified Board member requires a **[select one] □ majority of the attending Board members (default) OR □ a two-thirds (2/3) majority of the attending Board Members.**
- c. 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.
- d. 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 Council.

**2. 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 **[select one] □ three (3) OR □ [insert number] Board members.**

- a. 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.
- b. Removal of the identified Board member requires a **[select one] □ two-thirds (2/3) majority OR □ majority of the attending Board Members.**
- c. 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.
- d. 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

Council.

If the vote for removal is affirmative, the position shall be deemed vacant and filled via the Council's vacancy clause.

(Proposed Updates) STANDING RULES of the Central San Pedro Neighborhood Council  
(submitted on 10-30-2016)

Standing rules shall supplement the official bylaws and may be revised at any time by a majority vote of the Board. When in conflict, the council bylaws shall take precedence.

**1) Procedure for board/committee discussions on proposed motions**

The following procedure shall be administered by the chair or whomever is running the meeting to the best of their ability:

- a) On any proposed motion, the motion shall be made and seconded.
- b) The maker of the original motion shall explain the nature and purpose of the motion within two minutes. Public comment shall follow **in accordance with Section 4 below**.
- c) Chair shall declare public comment closed and call on the board/committee members, starting from their far left **and if requested by a raised hand**, to provide any relevant comments for one minute per member. **Board/committee members may ask questions; stakeholders may answer questions if permitted by the chair, but may not ask questions and must address the chair at all times**. At the conclusion of this, the chair shall ask if there are any follow up questions or comments and begin again at their far left, allowing 1 minute each.
- d) At the discretion of the chair, one-minute public comment rebuttals can be solicited, as well as one-minute counter-rebuttals by board members mentioned or referred to.
- e) Chair shall then close comments, **state the body's readiness to vote** and ~~shall~~ take the vote.

**2) Civility at Meetings**

Chair shall warn anyone, stakeholder, guest or board member, who is out of line 2 times. A preliminary warning, and a second advising they could be asked to leave. A final warning shall ask them to leave. Should they refuse to leave, the chair shall declare a recess and call for removal.

**Per CA Government Code Section 54957.9 , the Brown Act does permit some leeway in dealing with disruptions during council meetings:**

*“In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.” (Government Code Section 54957.9)*

The important point to bear in mind is that mere disruption, including heckling, booing, and applauding, is not enough to clear the room. The meeting must be disrupted by such conduct, and the disruption must be so pervasive that removal of those creating the disruption is insufficient to regain order.

### **3) Pledge of Allegiance at Board Meetings**

Because all stakeholders have something that brings us together in the midst of everything else that divides us, and as political and cultural issues may separate us, the United States Flag and the Pledge of Allegiance binds us together. Therefore, each regular and special board meeting shall begin with the reciting of the Pledge of Allegiance, and proper respects given. While all stakeholders have the right to not join in the recital, non-participating meeting attendees shall remain silent during the recital or be subject to a warning as prescribed under Standing Rules Section 2, Code of Civility.

### **4) Public Comment**

Public wishing to speak to the Governing Board must fill out a Speaker Card and be required to provide his/her name, business or organization affiliation (if any), whether they are a paid speaker and who paid him/her to speak, and the agenda item number they wish to address. Incomplete Speaker Cards may be discarded at the chair's discretion. Public Comment on agenda items should take place prior to board discussion, but may be granted individually by the chair afterwards to specific non-board members to answer specific questions.

### **5) Moments of Silence**

The CeSPNC will allow meetings to be dedicated to the memory of community members, as signified by a moment of silence before adjourning. Board members should notify the presiding chair prior to the meeting's call to order if they wish to offer such a memorial.

### **6) Responsibilities of Board liaisons**

Board-appointed Liaisons (aka Public Representatives) to other public bodies are expected to regularly and proactively report to the CeSPNC Board on activities and issues pertaining to those organizations; help keep communication between the two organizations open and transparent; actively identify issues of mutual concern and develop proposals for Board action; and advocate in good faith for official Board positions and recommendations. The Liaison may not vote to endorse or otherwise publicly represent a position on an issue without prior Board authorization.

### **7) Required Training for non-Board committee members**

All voting members of NC committees are required to sign and abide by the Department of Neighborhood Empowerment's (DONE) Code of Conduct. All Committee Chairs and Vice Chairs must take all training required of the Board as mandated by DONE.

### **8) Board Member Use of Title/Position**

No officer or member of the Neighborhood Council Governing Board or any of its committees shall represent him/herself as speaking on behalf of the Council or committee, or committing the Council or Committee to an action, unless s/he has been authorized to do so by the Neighborhood Council Governing Board, or by the Executive Committee when approval by the full Governing Board would not be timely. Members are permitted to do research and make exploratory calls in their official capacity without express approval of the Governing Board, so long as they do not commit the Council to action. Such authorization may be limited or revoked at any time by the Governing Board.

### **9) Committee Chairs' Authority to Reserve Meeting Spaces**

Committee Chairs and Vice-chairs are authorized to arrange for meeting spaces so long as no cost is incurred.

## **10) Limited Number of Board Members on Each Committee**

In order to comply with the City Attorney's interpretation of the Brown Act, no more than four members of the Governing Board may vote or participate in any committee, although more may observe. If more than four board members attend a committee meeting, then each board member in attendance at the meeting must declare themselves as participant(s) or observer(s), and the distinction shall be noted in the minutes. The CeSPNC Board recommends to the Committee Chairs that Board Members be recognized in the order of arrival, unless the Committee Chair, acting on the will of the committee membership, has a good reason to include a particular Board Member. To be an observer means one can only listen, and cannot be recognized by the Chair to speak, cannot participate in any discussion, and cannot vote. If the Committee Chair desires to have more than four Board Members participate in discussions and voting, then the Committee Chair should contact the CeSPNC Co-chairs and work to set up a joint meeting of the committee and CeSPNC Governing Board.

## **11) Committees Requested to Meet at Least Once per Quarter**

All committees are required to meet at least once per quarter. The Chair of a committee not meeting this requirement will be asked to explain why the committee has not met. A committee that does not meet once in a quarter and does not have a meeting scheduled for the fourth consecutive month will be reviewed for removal at the next Governing Board meeting.

## **12) Excused Absences Defined**

Absences shall be deemed "excused" with prior notice to the Secretary and Co-Chairs via email or, if not possible, a phone message left on the Board Secretary's voice mail in the event of (a) Board member's or family member's illness; (b) a death in the Board member's family, (c) attendance at an alternate function as an official CeSPNC representative, or (d) work/school/civic conflict. The Board President and the Secretary have the authority to send a notice to any Board member who has two (2) consecutive unexcused absences to make them aware of the potential attendance violation for missing a third consecutive meeting.

## **13) Community Impact Statements**

The President, the Secretary, and one board chair from each of the Outreach and Land Use and Planning committees will be granted password access to the Early Notification System to submit Community Impact Statements (CIS).

## **14) Policy on Communication of Official Positions to Government Agencies**

### **a) Definition of "Official Position"**

Any advisory opinion, guidance, or recommendation adopted by a majority vote of the Central San Pedro Neighborhood Council Governing Board shall be considered an "Official Position" of the council. No opinion, guidance, or recommendation offered to any governmental agency, body or official by a Governing Board member shall indicate that it is the Council's Official Position unless it has been adopted by a majority vote of the Board.

### **b) Signing Policy**

Governing Board members and Committees seeking adoption of an Official Position by the Governing Board are encouraged to submit the motion in the form of a completed letter, detailing the position and supporting arguments and any recommendation(s) for action, to the appropriate government agency(-ies) or individual(s). Letters shall include the signature(s) and title(s) of the author(s) followed by the phrase, "On Behalf of the Central San Pedro Neighborhood Council Governing Board." If adopted, this letter, in full, shall be considered the Official Position of the Central San Pedro Neighborhood Council and signed by the Secretary of Board certifying that it represents the Board's position.

c) Responsibility for Delivery of Positions to City Agencies

Official Positions offered to the City shall be delivered by the Committee or individuals working on its behalf. The Secretary of the Governing Board shall be deemed authorized to post any letter approved by the Board.

d) Permission to Draft Summary Statements

All committees are authorized to draft and deliver documents detailing Official Positions of the Governing Board to the appropriate city agency(-ies) or individual(s) as necessary. Such documents may include Community Impact Statements, summary letters, position papers or other documents. The Committee shall not deliver a summary of any position unless it has been previously adopted by the Board. Such documents shall be submitted on the Central San Pedro Neighborhood Council letterhead (except when submitted through an electronic webform).

e) Statements Reported to Governing Board

All summary statements/documents/papers drafted, adopted, and delivered to the City by the Committee should be included in the Committee's subsequent report to the Governing Board. Should the Board alter or amend the statement(s) or document(s) as submitted, a revised statement/document shall be submitted in a timely manner.

f) Communication of Official Positions in Public Comment

A sitting Governing Board member or Committee Chair is encouraged to communicate Official Positions of the Central San Pedro Neighborhood Council in public comment before the relevant City agency. Any individual who represents the Official Position of the Central San Pedro Neighborhood Council before any governmental body is requested to notify the Chair of the Governmental Affairs Committee so that the appearance can be noted in the Committee's monthly report to the Board. [Note: All stakeholders, including Board members, are encouraged to provide their personal views in public comment before city agencies, and to note whether the CESPNC supports their position on the issue(s).]

**15) Motions forwarded by Committees**

Motions forwarded from committees shall include the voting record of all committee members present, and be properly submitted to the Board Secretary at least 3 hours prior to the Agenda setting meeting in the following format: "The (XXX) Committee recommends to the Central San Pedro Neighborhood Council Governing Board the following motion(s):"

Committee approved motions properly forwarded in accordance with this section shall be automatically added to the Board and Stakeholder Agenda under the appropriate committee item listed in section 16 below without the need for an approval vote at the Agenda Setting Meeting.

**16) Standard Agenda Items for Board and Stakeholder Meetings**

The following topics shall automatically be considered part of every monthly Board and Stakeholder Meeting, and shall not need to be approved for inclusion at the Agenda Setting Meeting. The numbering of all items after Public Comment (#4) may be adjusted at the Agenda Setting meeting.

1. 6:30 pm. Call to Order, Pledge of Allegiance and Roll Call
2. Opening Remarks, Recognition of Dignitaries and Special Recognitions
3. Approval of any unapproved Meeting Minutes (Action Item)
4. Public Comment on Non Agenda Items
5. Public Safety Reports
6. Reports from Board Liaisons
7. Reports from Public Officials/Representatives
8. Finance Committee Report
  - a. Consideration of the following forwarded committee motions:
    - i. Motion to approve MER and Monthly Bank Statement (Action Item)
    - ii. (Forwarded motions)
9. Outreach and Communication Committee Report

10. Land Use and Planning Committee Report
11. Port Relations Committee Report
12. Election Committee Report
13. Sustainability Committee Report
14. Homelessness Committee Report
15. Parks Committee Report
16. Business Committee Report
17. Ad hoc Committee Reports
18. President's Report – Proposed Committee Appointments, President Activity, etc.
19. Adjournment