REVISED

CITY OF LOS ANGELES
CALIFORNIA

BOARD OF NEIGHBORHOOD COMMISSIONERS

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BONGHWAN (BH) KIM, MPA
GENERAL MANAGER

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BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING AGENDA

TUESDAY, MAY 1, 2012 – 6:00 P.M.

PORT OF LOS ANGELES HIGH SCHOOL
MULTI-PURPOSE ROOM
250 WEST 5TH STREET
SAN PEDRO, CA 90731

The public is requested to fill out a "**Speaker Card**" to address the Board on any agenda item before the Board 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 that are within the Board's jurisdiction will be heard during the Public Forum period. Public comment is limited to 15 minutes maximum. No individual speaker will be allowed more than 2 minutes, unless presiding officer of the Board decides differently. The agenda is posted for public review in Main Street Lobby of City Hall East at 200 North Main Street and at 20th Floor, City Hall, 200 North Spring Street, Los Angeles. 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. Report(s) related to an agenda item will be available for review at www.EmpowerLA.org. Sign language interpreters, assisted 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 3 business days (72 hours) prior to the meeting by contacting the Commission Executive Assistant at (213) 978-1551 OR toll-free at 3-1-1.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR A LA OFICINA 3 días de trabajo (72 horas) ANTES DEL EVENTO. SI NECESITA ASISTENCIA CON ESTA NOTIFICACION, POR FAVOR LLAME A NUESTRA OFICINA AL (213) 978-1551.

1. Introduction (5 minutes)

2. Call to Order and Commission roll call. (1 minute)

3. Approval of the Minutes of the Regular Meeting of April 16, 2012. (3 minutes)

4. Greetings from Office of Councilmember Joe Buscaino. (3 minutes)

5. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than two minutes. (15 minutes)

6. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, Neighborhood and Community Services. (10 minutes)

7. General Manager's Report (10 minutes)

    1. Briefing on Departmental activities.
        a. Update on ethics compliance
        b. Update on Neighborhood Councils in exhaustive efforts
        c. Update on Council for Councils

    2. Staffing, budget and other operational matters.

8. Discussion and possible action by the Commission sending a communication to City Council regarding the Mayor's proposed 2012-2013 budget for the Department of Neighborhood Empowerment and Neighborhood Councils, including providing a recommendation from the Commission on the proposed layoff of two positions at the Department of Neighborhood Empowerment. (See the Mayor's Proposed Budget at http://mayor.lacity.org/Issues/BalancedBudget/index.htm.) (20 minutes)

9. Presentation and discussion with the Outreach Ad Hoc Committee regarding devising and implementing a citywide publicity and outreach campaign to raise awareness of Neighborhood Councils and encourage participation by stakeholders. Possible action by the Commission in approving a Resolution recommending areas for outreach and increased stakeholder participation in the Neighborhood Council system. (20 minutes)

10. PUBLIC HEARING: The Commission would like to hear from Neighborhood Councils regarding establishing a set of standards to guide Neighborhood Council operations and provide a uniform measure of competence for Neighborhood Council officers, board members and volunteers. (Click on the link to view a copy of the document.) (http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/Neighborhood Council Standards_v1_draft_.pdf) (60 minutes)

11. Discussion with various Harbor area Neighborhood Council representatives who wish to report concerns, operations, and best practices. Neighborhood Council representatives should complete their questionnaire in advance of the meeting. This matter will last a maximum of 20 minutes and the time will be divided among those representatives wishing to speak. (20 minutes)

12. Commission Business – Comment from Commissioners on subject matters within the Board's jurisdiction. (20 minutes)

    1. Comment on Commissioners' own activities/brief announcements.
    2. Brief response to statements made or questions posed by persons exercising their general public comment rights/ask staff questions for clarification.
    3. Introduce new issues for consideration by the Commission at its next meeting and direct staff to place on the agenda.
    4. Ask staff to research issues and report back to the Commission at a future time.

13. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than two minutes. (15 minutes)

14. Adjourn

Future Board of Neighborhood Commissioners Meetings (INFORMATION ONLY)
(Please note: The items listed below are tentative and may be subject to change. You are encouraged to visit the City's website at www.lacity.org and subscribe to the Commission's agendas through the Early Notification System.)

- Regular meeting on Monday, May 21, 2012, at the City Hall, 10th Floor Conference Center, Room 1050, 200 North Spring Street, Los Angeles, CA 90012.
- Regular meeting on Tuesday, June 5, 2012, at Ramona Hall Community Center, 4580 North Figueroa, Los Angeles, CA 90065.
- Regular meeting on Monday, June 18, 2012, at the City Hall, 10th Floor Conference Center, Room 1050, 200 North Spring Street, Los Angeles, CA 90012.
- Regular meeting on Tuesday, July 3, 2012, in the West Planning area in the Neighborhood Council Westchester Playa area.

FINALIZATION OF BOARD ACTION:
Per City Charter Section 245, the Board's determination shall become final at the expiration of the next five meeting days of the Council during which the City Council has convened in regular session, unless the City Council acts within that timeframe by a two-thirds vote to bring the action before them or to waive review of the action.

EXHAUSTION OF ADMINISTRATIVE REMEDIES:
If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence on these matters delivered to this agency at or prior to the public hearing. California Code of Civil Procedure Section 1094.6 governs the time in which a party may seek judicial review of this determination. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5 only if the petition for Writ of Mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision became final.

RECONSIDERATION:
The Commission may make a **MOTION TO RECONSIDER** and alter its action taken on any item listed on this agenda at any time during this meeting, or make a **MOTION TO RECONSIDER** at its next regular meeting as indicated below:

If the Commission moves and approves a Motion for Reconsideration at the *initial* meeting wherein an action was taken, then the underlying item may be reconsidered at that time.

If the Commission moves and approves a Motion for Reconsideration at *the next regular meeting* then consideration of the item may *only* occur at this regularly scheduled meeting if the item for consideration has been placed on that meeting's agenda. If the underlying

item for reconsideration has not been placed on the agenda for that next regular meeting, then it shall be considered at a subsequent meeting pursuant to the Ralph M. Brown Act.

PUBLIC ACCESS OF RECORDS

"In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board of Neighborhood Commissioners in advance of their meetings, may be viewed at the office of the Department of Neighborhood Empowerment, located at City Hall, 20TH Floor, 200 North Spring Street, Los Angeles, California 90012, by clicking on the Department's website at http://www.EmpowerLA.org or at the Commission meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact Janet Lindo, Executive Administrative Assistant, at (213) 978-1551 or via e-mail: janet.lindo@lacity.org."

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BONGHWAN (BH) KIM, MPA
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MINUTES

BOARD OF NEIGHBORHOOD COMMISSIONERS

REGULAR MEETING

MONDAY, APRIL 16, 2012 – 1:00 P.M.

CITY HALL, 10TH FLOOR CONFERENCE CENTER ROOM 1070, 200 NORTH SPRING STREET LOS ANGELES, CA 90012

COMMISSIONERS PRESENT
Daniel Gatica, President
Carlene Davis

Douglas Epperhart
Linda Lucks
Leonard Shaffer

ABSENT
Karen Mack
Paul Park

DEPARTMENT STAFF PRESENT
BongHwan (BH) Kim, General Manager
Janet Lindo, Executive Administrative Assistant

CITY ATTORNEY REPRESENTATIVE
Darren Martinez, Deputy City Attorney
Capri Maddox, Deputy City Attorney

1. Introduction (5 minutes)

ACTION: **President Gatica gave the introduction.**

2. Call to Order and Commission roll call. (1 minute)

ACTION: President Gatica, called the meeting to order at 1:10 p.m. Commission roll was called by Janet Lindo, Executive Administrative Assistant.

3. Approval of the Minutes of the Regular Meeting of April 3, 2012. (Click on the link to view a copy of the document.)

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(http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/04-03-12_DRAFT_MEETING_MINUTES.pdf) (3 minutes)

ACTION: Commissioner Lucks moved that the Minutes of the Regular Meeting of April 3, 2012, be approved as written. Commissioner Epperhart seconded the Motion.
Vote: Ayes – 5
Nays – 0
Motion passes unanimously.

4. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than two minutes. (15 minutes)

ACTION: Public comments received from: Glenn Bailey.

5. Verbal update from a representative of the Office of the Mayor Antonio Villaraigosa, Neighborhood and Community Services. (10 minutes)

ACTION: None.

6. General Manager's Report (10 minutes)

    1. Briefing on Departmental activities.
        a. 2012-13 Neighborhood Council Elections
    2. Staffing, budget and other operational matters.

ACTION: None.
Public comments received from: Jay Handal.

7. Discussion and possible action sending a communication to City Council in support of the Neighborhood Council Budget Advocate's white paper to the Mayor and the City Council regarding the Budget Advocate's recommendations on the City's Fiscal Year 2012-13 budget for the Department and Neighborhood Councils. (Click on the link to view a copy of the document.) (http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/NCBA_White_paper_032712.pdf) (20 minutes)

ACTION: Commissioner Epperhart moved the following: Resolved, the Board of Neighborhood Commissioners urges the City Council to restore neighborhood councils' annual funding to $50,000 each for the 2012-13 fiscal year and provide additional funds to the Department of Neighborhood Empowerment so it may adequately assist neighborhood councils with their elections. Commissioner Lucks seconded the motion.

Commissioner Epperhart amended the motion to instruct the Executive Administrative Assistant to prepare a letter to the City Council, include the City Council File, and sign the letter on behalf of the Commissioners and send it to the City Council. Commissioner Lucks seconded the motion.

Vote: Ayes – 5
Nays – 0
Motion passes unanimously.

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Commissioner Shaffer moved an amendment to the motion as follows: Based on the criteria sent out in Appendix A, Neighborhood Council Budget Advocates White Paper, and the requirements of the upcoming 2012-13 Neighborhood Council elections, the Board of Neighborhood Commissioners urges the City Council to restore Neighborhood Councils' annual funding to $50,000 each for the 2012-13 fiscal year and provide additional funds in an amount not less than $650,000 to the Department of Neighborhood Empowerment so it may adequately assist Neighborhood Councils with their elections. Commissioner Epperhart seconded the Motion.

Vote: Ayes – 5
Nays – 0
Motion passes unanimously.

Public comments received from: Glenn Bailey, Jay Handal, and Dan Wiseman.

8. Presentation by the City Attorney's Office and discussion regarding the City Attorney's Draft Ordinance to Amend the Los Angeles Administrative Code Regarding Neighborhood Council Elections, Council File No. 11-1912. (Click on the link to view a copy of the document.) (http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/Rpt&Ord_2012_NC_Elections_040512.pdf) (20 minutes)

ACTION: None.
Public comments received from: Glenn Bailey, Jay Handal, Ivan Spiegel, and Dan Wiseman.

9. Presentation and discussion with the Outreach Ad Hoc Committee regarding devising and implementing a citywide publicity and outreach campaign to raise awareness of Neighborhood Councils and encourage participation by stakeholders. Possible action by the Commission in approving a Resolution recommending areas for outreach and increased stakeholder participation in the Neighborhood Council system. (20 minutes)

ACTION: None.
Public comments received from: Glenn Bailey, and Dan Wiseman.

10. PUBLIC HEARING: The Commission would like to hear from Neighborhood Councils regarding establishing a set of standards to guide Neighborhood Council operations and provide a uniform measure of competence for Neighborhood Council officers, board members and volunteers. (Click on the link to view a copy of the document.) (http://done.lacity.org/dnn/portals/0/documents/LEARN/About_the_commision/Neighborhood Council Standards_v1_draft_.pdf) (60 minutes)

ACTION: None.
Public comments received from: Glenn Bailey.

11. Discussion and possible action regarding the Commission's Rules of Order and the Commission's Operating Policies and Procedures, including a discussion on amending, creating, or refining the Commission's procedures on how its committees present motions or resolutions to the Commission. The recommendation is that all resolutions to be considered by the Board of Neighborhood Commissioners shall be

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submitted in writing to the board secretary no later than 24 hours prior to the time of the meeting at which the resolution is scheduled to be heard. (20 minutes)

ACTION: None.

12. Commission Business – Comment from Commissioners on subject matters within the Board's jurisdiction. (20 minutes)

    1. Comment on Commissioners' own activities/brief announcements.
    2. Brief response to statements made or questions posed by persons exercising their general public comment rights/ask staff questions for clarification.
    3. Introduce new issues for consideration by the Commission at its next meeting and direct staff to place on the agenda.
    4. Ask staff to research issues and report back to the Commission at a future time.

ACTION: None.

13. General Public Comments - Comments from the public on non-agenda items within the Board's subject matter jurisdiction. This agenda item will last a total of 15 minutes and no individual speaker will be allowed more than two minutes. (15 minutes)

ACTION: No public comments were received.

14. Adjourn

ACTION: Commissioner Epperhart moved that the meeting be adjourned at 3:28 p.m. Commissioner Davis seconded the Motion.

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TRAINING & EDUCATION

Rule:

1. NC's must acknowledge and agree that they will abide by any applicable provisions of the City's Governmental Ethics Ordinance, as set forth in Los Angeles Municipal Code, as well as all applicable federal state and local government. (Admin Code 22.810.1(b)(2)(E))

Standards and Best Practices for Following the Rule:

- NC's should maintain current records to confirm that all NC Board Members have fulfilled their regular ethics training requirements.

- NC's should implement rules whereby NC Board Members who do not fulfill their mandatory training requirements within a certain time period are barred from participating in NC meetings and decision-making.

MEETINGS

Rules:

1. All NC meetings must be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making. *(Charter Sec. 906(a)(6))*.

2. NC's must have transparent operations and adopt fair and open procedures for the conduct of business. *(Plan Article II, Sec. 3)*

3. Each NC must:

    - Meet at least once per quarter

    - Obey the open meeting requirements of the Brown Act, including posting meeting notices in public places, through emails, or DONE's web page

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- Have established procedures to communicate with NC stakeholders on a regular basis, in a manner that ensures information is disseminated throughout, and in a timely manner

- Have established procedures for the meetings that establish:

    - # of board members that constitute a majority and a quorum

    - # of votes by which an NC can take action

    - the manner in which an action by the NC can be reconsidered

  (Admin Code 22.810.1(b)(2)(C)(iv); Plan Art. III, Sec. 2(c)(iii))

4. NC's must follow the requirements below for posting Board and committee meeting agendas:

    - Post the meeting agenda in 5 to 7 physical locations that adhere to the Brown Act's requirements regarding the accessibility of the posting site and the time line for posting agendas

    - If an NC has a website or stakeholder email database, post and send out agendas through these channels

    - Submit a copy of an agenda for a regular or special meeting to DONE

    - Inform DONE of the physical posting sites, website and stakeholder database for approval by DONE.

      (BONC Policy #: 2010-02)

<u>Standards and Best Practices for Following the Rules:</u>

- NC's should ensure that all NC Board Members are trained and familiar with the requirements of the Brown Act.

- NC's should make copies of the Brown Act Pamphlet available to NC Board Members and the public at Board Meetings.

- NC's should ensure all of the required procedures have been adopted and copies of the procedures are readily available to NC Board Members and the public.

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- NC's should document all of the outreach procedures used to publicize Board meetings.

- NC's should attempt to identify and quantify the stakeholders that are reached through each of the outreach methods.

- NC's should choose physical locations that are most effective for reaching the most diverse interest and stakeholder groups in the NC region.

- NC's should develop and regularly maintain a website and stakeholder email database.

INCLUSIVE AND REFLECTIVE OF THE COMMUNITY

Rules:

1. NC's must reflect the diverse interests within their area and is inclusive and open to all community stakeholders. *(Charter Sec. 906(a)(3); Plan Art. II Sec. 1)*

2. No single community stakeholder group may comprise a majority of the members of the NC. Stakeholder groups are individuals who: a) live, b) work, c) own property, or d) declares a stake in the NC and affirms a factual basis for it. *(Plan Art III, Sec. 2(c)(ii)(2)(a)); Plan Art. II, Sec. 1)*

Standards and Best Practices for Following the Rules:

- NC board members should reflect, and be representative of, the following categories of groups within their NC boundaries:
    - Neighborhoods
    - Ethnicities
    - Race
    - Gender

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- Age
- Homeowners and renters, and
- Sexual orientation

- NC's should focus their external communication efforts to reach all of the above groups for elections and participation at Board meetings and special events.

- NC's should specially designate board seats for each of the identified stakeholder groups to ensure no one group represents a majority.

- NC's should focus their external communication efforts to reach all of the identified stakeholder groups for elections and participation at Board meetings and special events.

COMMUNICATIONS

Rule:

1. NC's must establish procedures for communicating with all NC community stakeholders on a regular basis in a manner ensuring that information is disseminated evenly and in a timely manner. *(Charter Sec. 906(a)(4); Plan Art. III, Sec. 2(c)(iii)(3))*

Standards and Best Practices for Following the Rule:

- NC's should communicate with stakeholders on a regular basis (at least four times per year).
- NC communications should reach the largest number of stakeholders possible. Special attention should be paid to groups and areas that are typically underserved by traditional media.
- NC's should use a variety of communication methods, including direct and indirect media; electronic (email and web), published (newsletter and fliers); outdoor (banners); and print and broadcast media (news releases).
- NC's should provide communication content that is relevant, providing stakeholders with facts about issues of concern and possible action by city government.

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- NC communications should occur in a timely manner, allowing stakeholders enough time to learn about issues provide feedback to the neighborhood council.

FINANCE

Rules:

1. NC's must have a system of financial accountability that governs its use of funds. *(Charter Sec. 906(a)(5)*

2. Each NC must:

    - Prescribe a method for keeping a book of accounts that complies with applicable local, state, and federal laws
    - Discuss its finances at a regularly scheduled or special meeting, prior to submitting an account statement to DONE in order to gather input from its community stakeholders
    - Ensure that its book of accounts are open to all community stakeholders
    - Establish a process by which its members can review its book of accounts
    - Ensure that a Treasurer is appointed at all times who will maintain its book or accounts and submit account statements to DONE

    (Plan Art. III, Sec. 2(d))

Standards and Best Practices for Following the Rules:

- NC's should adopt an annual budget that conforms to DONE rules.
- NC's should report regularly on its finances at board meetings.
- NC's should be current with quarterly audits.
- NC's should comply with rules and regulations promulgated by DONE and other relevant city departments.
- NC's should have a budget and finance committee that meets regularly.

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- NC's should ensure that at least two members of the NC Board (Treasurer and Assistant Treasurer) have received training from DONE on accounting and financial management

- NC's should appoint individuals who have accounting or financial management experience to the Treasurer and Assistant Treasurer positions

ELECTIONS

Rules:

1. NC's have control over allocating board member seats, determining the voting rights of different categories of stakeholders, and establishing other voting procedures that are consistent with laws and City procedures. *(Plan Art. V, Sec. 2)*

2. NC's cannot adopt board structures or voting systems that limit broad participation by community stakeholders. *(Plan Art. V, Sec. 2)*

Standards and Best Practices for Following the Rules:

- NC's must make elections must be open to all stakeholders.

- NC's are free to allocate governing board seats so long as no one stakeholder category holds a majority of seats.

- NC's are free to determine which members of the board stakeholders may vote for and which seats they may be elected to.

- NC's should have procedures that are transparent and easy to understand without the need for a great deal of interpretation.

- NC election procedures must have some method for resolving challenges

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- Elections should be the opportunity for participation by as diverse a slate of candidates as possible.

- Elections should be conducted in such as way as to encourage participation by all stakeholders.

- In order to effectuate the prior two standards NC's should explore ways to diversify the election experience (eg – Vote by Mail; I-Net voting; Town hall; Multiple balloting days; Multiple balloting locations)

- To effectuate all of the above NCs must engage in effective outreach aided by those City agencies that have the ability to do so

BYLAWS

Rules:

1. NC's must adopt fair and open procedures for the conduct of their business. *(Charter Sec. 904(g))*

2. At a minimum, NC bylaws must provide for:
    - The method by which their officers are chosen
    - NC membership to be open to everyone who lives, works or owns property in the area (stakeholders)
    - Assurances that the members of the NC will reflect the diverse interests within their area
    - A system through which the NC will communicate with stakeholders on a regular basis;
    - A system for financial accountability of NC funds
    - Guarantees that all meetings will be open and public, and permit, to the extent feasible, every stakeholder to participate in the conduct of business, deliberation and decision-making

    (Charter Sec. 906(a))

3. NC bylaws must also include the following:
    - NC name

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- Definitions of stakeholders and governing body members
- Meeting procedures that reflect the requirements of the Meetings section above
- Grievance procedures

(Plan Art. III, Sec. 2(c))

Standards and Best Practices for Following the Rules:

- NC's should adopt the wireframe as developed by the Bylaws Task Force and approved by the Commission for organizing bylaws content and standardizing language**.**
- NC bylaws should cover those subjects that are expected to remain unchanged over time (e.g. – officers; standing committees or the method by which committees may be formed; meetings; terms of governing board members and officers; duties of officers; etc).
- For those subjects that may be expected to change, be revised or be updated over time bylaws should contain broad language and concepts (e.g. – posting locations; meeting locations; specific ethical standards not covered by law or other official rules; board member duties and authorities, etc).
- NC's should also use the following guidelines to adopt governing rules:
    - Rules should govern specific subjects that may be expected to change, be revised or be updated over time or on a frequent basis.
    - Rules should govern subjects that the NC board may, for matters of convenience or expediency suspend, giving it the ability to act where it otherwise might have to delay action or take an action that is unfair to board members or stakeholders.
    - Rules should, where permitted, be used to expand upon and, if necessary clarify the bylaws
    - Rules should not be used to punish or exclude certain classes of, or specific, board members or stakeholders
    - Rules should be subject to approval by the entire board

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