

RESOLUTION

Be it resolved that the Board of Neighborhood Commissioners is endorsing and making a formal recommendation to the Department of Neighborhood Empowerment and the Los Angeles City Council related to the establishment of a standard and system-wide Grievance Policy and Process for Neighborhood Councils.

Neighborhood Council System Grievance Policy and Process

WHEREAS, Section 902 (b) Article IX of the new Charter and Section 22.805 of the Los Angeles Administrative Code provides that the Board of Neighborhood Commissioners shall be responsible for setting and overseeing policy, approving contracts and leases and promulgating rules and regulations,

WHEREAS, it is the responsibility of the Board of Neighborhood Commissioners to periodically review the citywide system of Neighborhood Councils, conduct public hearings to seek input from the various constituencies regarding various concerns, issue and problems to be addressed, and to develop policies to improve the program,

WHEREAS, the Plan for a Citywide System of Neighborhood Councils calls for Neighborhood Councils to include a grievance procedure within their bylaws, but does not provide any uniform guidelines for the implementation of a grievance procedure,

WHEREAS, at the direction of Los Angeles City Council, the Neighborhood Council Review Commission was established and charged with reviewing the system of Neighborhood Councils and to recommend changes that would improve the workings of the system,

WHEREAS, in 2007, the Neighborhood Council Review Commission transmitted to Los Angeles City Council its final report, including a proposed model for a Regional Mediation Authority Grievance and Conflict Resolution Process,

WHEREAS, the Los Angeles City Council has directed the Department of Neighborhood Empowerment to present the Council with a plan for implementing a system-wide standardized process for handling grievances,

WHEREAS, it is the intention of the Board of Neighborhood Commissioners to fully exercise its advisory role as it relates to the establishment of a standard and system-wide process for handling grievances,

NOW, THEREFORE, IT BE RESOLVED that the Board of Neighborhood Commissioners endorses and recommends that the Neighborhood Council grievance process should be standardized by City Council ordinance and should, at a minimum, include the requirements set forth herein:

BOARD OF NEIGHBORHOOD COMMISSIONERS ENDORCEMENTS AND RECOMMENDATIONS ON A STANDARD AND SYSTEM-WIDE NEIGHBORHOOD COUNCIL GREIVANCE PROCESS

Definition of a Grievance— Grievances are intended to address only those Neighborhood Council Board actions that are in violation of the official rules and regulations that govern and apply to Neighborhood Councils. Disputes by Stakeholders who simply disagree with official actions taken by the Board or have complaints against individual Board Members are not considered grievances.

Neighborhood Council Resolution of Grievances – Neighborhood Councils shall have 60 days to resolve a grievance; if a Neighborhood Council does not resolve a grievance matter within 60 days, the matter may be forwarded to a Regional Grievance Panel for final resolution; furthermore, if a Neighborhood Council fails to respond or take any actions towards the resolution of a grievance within 30 days, the matter may be forwarded to a Regional Grievance Panel for final resolution.

Establishment and Authority of Regional Grievance Panels— Grievances that cannot be resolved at the Neighborhood Council level shall be forwarded to Regional Grievance Panels who will be authorized to hear and adjudicate grievances. City Planning areas shall be used to determine the boundaries for each of the Regional Grievance Panels.

Membership of Regional Grievance Panels— To promote system-wide inclusion, diversity and participation, each Neighborhood Council shall elect one Board Member or Stakeholder from their area to serve as the pool of representatives that will sit on the Regional Grievance Panels. No selected representative of a Regional Grievance Panel shall hear or act upon a grievance matter related to their Neighborhood Council or to the Neighborhood Council that selected them to be a Grievance Panel representative.

Training Program for Regional Grievance Panels— A mediation and dispute resolution training program must be developed for the Regional Grievance Panel process and all representatives must complete the training before being allowed to hear or act upon a grievance matter.

Resolution Timeline for Regional Grievance Panels – Regional Grievance Panels shall have 45 days to resolve and make a final determination on grievances filed with a Regional Grievance Panel. Regional Grievance Panels cannot hear any matters that have not first been submitted to Neighborhood Councils for resolution; Regional Grievance Panels shall not hear matters that have not gone through a grievance process at the Neighborhood Council level, unless the Neighborhood Council has failed to respond or take any action on a grievance within 30 days.

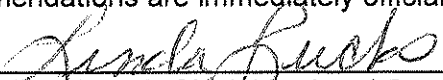
Resolution and Enforcement of Grievance Panel Findings – The determination of the Regional Grievance Panel shall be considered final and the Department of Neighborhood Empowerment shall be given the authority to monitor and ensure that Neighborhood Councils comply with the final determination of the Regional Grievance Panel.

Role of Board of Neighborhood Commissioners – In almost all cases, the determination of the Regional Panel shall be considered final. Appeals to the Board of Neighborhood Commissioners will only be considered upon the Department of Neighborhood Empowerment confirmation of intentional malfeasance on the part of a Regional Grievance Panel; The Department of Neighborhood Empowerment is authorized to determine whether an appeal will be forwarded to the Board of Neighborhood Commissioners and the Board of Neighborhood Commissioners reserves the right to hear or not hear appeals; The Board of Neighborhood Commissioners will be authorized to establish a third-party or process (e.g. administrative judge, mediator, ad-hoc hearing council, etc.) to hear and adjudicate the appeal on behalf of the Board of Neighborhood Commissioners based on policy guidelines approved by the Board of Neighborhood Commissioners and the City Council.

Grievance Process Bylaws Incorporation - Upon approval and adoption of a standard and system-wide Neighborhood Council grievance process, Neighborhood Councils shall have 45 days to incorporate the grievance language into their bylaws through their amendment process.

These endorsements and recommendations are immediately official upon adoption

Moved by:



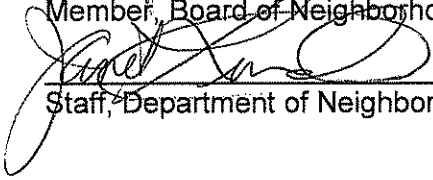
Member, Board of Neighborhood Commissioners

Seconded by:



Member, Board of Neighborhood Commissioners

Witnessed by:



Staff, Department of Neighborhood Empowerment

VOTES:

Ayes: 5
Nays: 0

DATE: 9/6/11