

**BYLAWS FOR**  
*Community and Neighbors for Ninth District Unity*  
**Approved: January 26, 2014**

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### **Article I NAME**

Upon certification, the name of the Neighborhood Council shall be *Community td Neighbors for Ninth District Unity (CANNDU or Council)*, an officially recognized advisory council hereby part of the Los Angeles Citywide system of Neighborhood Councils.

### **Article II PURPOSE**

A. The PURPOSE of CANNDU is to participate as an advisory body on issues of concern to our Neighborhood Council and in the governance of the City of Los Angeles.

B. The MISSION of this Council is:

1. To provide an inclusive open forum for public discussion of issues concerning City governance, the needs of this neighborhood council, the delivery of City services to this neighborhood council, and on matters of a Citywide nature.
2. To advise the City of Los Angeles on issues concerning City governance, the needs of this Council, the delivery of City services to CANNDU, and on matters of a Citywide nature.

C. The POLICY of this Council shall be:

1. To respect the dignity and expression of viewpoints of all individuals, groups, and organizations involved in this Council.
2. To remain non-partisan and inclusive in our operations including, but not limited to, the election process for governing body and committee members.
3. To utilize the Early Notification System to inform our neighborhood council of matters involving the City of Los Angeles (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 all activities of this 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, homeowner/renter status, income, or political affiliation.
6. To have fair, open, transparent procedures for the conduct of Council business.

### **Article III BOUNDARIES**

CANNDU includes a geographic area that has a minimum of 20,000 residents.

**Section 1: Boundary Description** – The boundaries are described as follows:

- A. **North:** Slauson Avenue between 110 Freeway and Central Ave.
- B. **East:** Central Avenue between Slauson Avenue and 84<sup>th</sup> Street
- C. **South:** 84<sup>th</sup> Street between 110 Freeway and Central Avenue

D. **West:** 110 Harbor Freeway between Slauson Ave. and 84<sup>th</sup> Street

The boundaries of the Council are set forth in Attachment A - Map of Community and Neighbors for Ninth District Unity.

**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.

#### **Article V GOVERNING BOARD**

The Board of Directors (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 shall consist of nine (9) Stakeholders elected, selected or appointed by the Board and/or Community Stakeholders. The composition of the Board shall be as follows:

- Chair
- Vice-Chair
- Corresponding Secretary
- Communications Secretary
- Parliamentarian
- Treasurer
- Two (2) At Large Seats
- Community Interest At-Large Seat

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 five (5) 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 hold a staggered four (4) year term. In order to encourage diversity of Stakeholder participation, no Board member shall serve more than eight (8) consecutive years on the Board. Serving on the Interim Board does not count toward this period of service.

For the election to be held in April - June 2008, the following seats are up for election: Chair, Corresponding Secretary, Parliamentarian, Community Interest At-Large, and At-Large 2.

For the election to be held in April - June 2010, the following seats are up for election: Vice-Chair, Communications Secretary, Treasurer and At-Large Seat 1.

The seats elected in 2008 will be up for election in 2012, 2016, etc and the seats up for election in April - June 2010 will be up for election in 2014, 2018, etc.

**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.

**Section 6: Vacancies** – A vacancy on the Board shall be filled by the following procedure:

- A. Any Stakeholder(s) interested in filling a vacant seat on the Board shall submit a written application to the Corresponding Secretary.
- B. The Corresponding Secretary shall then ensure that the matter is placed on the agenda for the next regular meeting of the Board.
- C. If only one (1) Stakeholder has submitted an application for a vacant seat, then a vote of the Board shall be taken and the applicant installed by majority vote of the Board. If more than one (1) Stakeholder has made application for an empty seat, then an open and fair vote shall be taken at the next regular meeting by all Stakeholders present, except for the presiding Chair. The vote shall be presided over by the Board and shall include one (1) vote per Stakeholder. In the case of a tie, the presiding Chair shall cast the tie-breaking vote.
- D. When a vacant seat is filled by the aforementioned process, that seat shall be filled only until the next general election is held to fill all seats on the Board. In no event shall a vacant seat be filled where the election to fill all seats on the Board is scheduled to be held within ninety (90) days from the date the applicant (Stakeholder proposing to fill the vacancy) tenders a written application to the Secretary.

**Section 7: Absences** – Intentionally left blank.

**Section 8: Censure** – Intentionally left blank.

**Section 9: Removal of Governing Board Members** – A Board member may be removed by the submission of a written petition which (1) identifies the Board member to be removed, (2) described

in detail the reason for removal, and (3) includes the signature of fifty (50) registered Stakeholders. The Corresponding Secretary shall then have the matter placed on the agenda for a vote of the Board at the next regular meeting of the Board. A vote of “No Confidence” by five (5) members of the Board shall be necessary to remove the identified Board member forthwith. The Board member that is the subject of the removal action may not take part in the vote on this matter, but will be allowed to speak at the meeting to the Board prior to the vote. If an adequate number of Board members are not present to take a vote on removal, the matter shall be placed on the agenda for next regular meeting, and every meeting thereafter until such time as a vote is taken.

**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** – CANN DU will establish a procedure for communicating with all of its stakeholders on a regular basis in a manner ensuring information is disseminated in an even and timely manner.

The Board shall direct that a system of outreach be instituted to find and obtain nominees for subsequent election to the Board. The Board may choose to design such a system through the committee process. The purpose of this outreach is to put forth a reasonable effort to inform and give every Stakeholder desiring to participate on the Board an opportunity to become a Board member. To this end, a period of at least sixty (60) days prior to any election shall be given to prospective Board members for purpose of soliciting Stakeholder support.

## **Article VI    OFFICERS**

**Section 1: Officers of the Board** – There shall be six (6) officers of the Board of CANN DU: Chair, Vice Chair, Corresponding Secretary, Communication Secretary, Treasurer, and Parliamentarian.

**Section 2: Duties and Powers** – The duties of the Officers are as follows and also include such additional duties as may be adopted by official action of the Board:

- A. **Chair.** The Chair shall be the Executive Officer of CANN DU and chair of the Board. The Chairperson shall be responsible for the general oversight of CANN DU. The Chair shall set the agenda for and preside over all CANN DU meetings. If the Chairperson is temporarily unable to perform the duties of office, the Vice-Chair shall assume the duties.
  
- B. **Vice Chair.** The Vice-Chair is responsible to coordinate and prioritize issues of concerns from the community to be brought before CANN DU. The Vice-Chair will confer with Chair regarding agenda items. Also, it shall be the responsibility of the Vice-Chair to assume the duties of the Chair as described above when the Chair is temporarily unable to perform his/her duties of office.

- C. **Corresponding Secretary.** The Corresponding Secretary shall record the minutes of CANNDU; meetings and maintain the historical records. The Recording Secretary shall make CANNDU records available to the public as required by law and shall also handle incoming and outgoing correspondence.
- D. **Communications Secretary.** The Communications Secretary oversees all communications with CANNDU members and media communications and the posting of CANNDU notices for the public.
- E. **Parliamentarian.** The duties of the Parliamentarian will be to ensure that all official meetings of the CANNDU and its governing Board run in accordance with the Brown Act, Robert Rules of Order, and these bylaws. When there is a vote on the floor, the Parliamentarian will make sure the vote is constituted of all registered members of Board members, as appropriate, of the CANNDU that are present. The Parliamentarian will also be responsible to determine whether or not quorums of Board members and/or members are present at all official and special meetings of CANNDU to conduct business.
- F. **Treasurer.** The Treasurer will be responsible for maintaining all accounting records and for providing monthly reports to CANNDU. Reports shall include a monthly balance sheet, income statement, and cash flow statement. The Treasurer shall ensure the safekeeping of all financial records, including, but not limited to, bank records and accounts information. In addition, the Treasurer shall have charge and custody of, and be responsible for all funds and securities of CANNDU; establish and maintain an appropriate bookkeeping system according to Generally Accepted Accounting Principles (GAAP); and ensure that there are at least three (3) authorized signers and follow Department funding policies and procedures. In general, perform all duties incident for the office of Treasurer and such other duties as may be required by law, by these Bylaws, or by the Department, which may be assigned from time to time by the Board.

**Section 3: Selection of Officers** – Officer positions are elected during the elections of the Council.

**Section 4: Officer Terms** – The Officers shall serve four (4) year terms at the pleasure of the Board. They may stand for reelection.

## **Article VII COMMITTEES AND THEIR DUTIES**

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 Council are in the Council Standing Rules.

**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** – The Board shall appoint Stakeholders to committees, sub-committees, and/or ad hoc committees by a majority vote. These by-laws shall be amended to reflect the institution of any permanent or standing committee(s). All other committees established or disbanded shall be noted in the minutes by the secretary. All committee recommendations shall be brought back to the full Board for discussion and action.

### **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. The Board shall hold as many meetings as it desires, but shall hold meetings at a minimum of one (1) time per calendar quarter.

**Section 2: Agenda Setting** – The Chair shall set the agenda for each Council meeting.

**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 seven (7) public notice 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 and amend its action on items listed on the agenda if that reconsideration takes place immediately following the original action or at the next regular meeting. The Board, on either of these two (2) days, shall: (1) Make a Motion for Reconsideration and, if approved, (2) hear the matter and Take an Action. If the motion to reconsider an action is to be scheduled at the next meeting following the original action, then two (2) items shall be placed on the agenda for that meeting: (1) Motion for Reconsideration on the described matter and (2) a (Proposed) Action should the motion to reconsider be approved. A motion for reconsideration can only be made by a Board member who has previously voted on the prevailing side of the original action taken. If a motion for reconsideration is not made on the date the action was taken, then a Board member on the prevailing side of the action must submit a memorandum to the Secretary identifying the matter to be reconsidered and a brief description of the reason(s) for requesting reconsideration at the next regular meeting. The aforesaid shall all be in compliance 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 President 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.

F. The Council will not enter into any contracts or agreements except through the Department.

## **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 eighteen (18) years old and above shall be entitled to vote in the 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 XII GRIEVANCE PROCESS**

A. Any grievance by a Stakeholder must be submitted in writing to the Board. The Board shall then refer the matter to an ad hoc grievance panel comprised of at least (3) three Stakeholders who are appointed by the Board. The grievance panel will coordinate a time and a place for the panel to meet with the person(s) submitting a grievance and to discuss ways in which the dispute may be resolved.

- B. Thereafter, a panel member shall promptly prepare a written report to be forwarded by the Secretary of 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 any meeting by the Board, but the matter shall not be discussed among the Board members until the matter is heard at the next regular meeting of the Board pursuant to the Ralph M. Brown Act.
- C. This formal grievance process is not intended to apply to Stakeholders who simply disagree with a position or action taken by the Board at one of its meetings. Those grievances can be aired at Board meetings. This grievance process is intended to address matters involving procedural disputes, e.g., the Board's failure to comply with Board Rules or these Bylaws. In the event that a grievance cannot be resolved through this grievance process, then the matter may be referred to the Department for consideration or dispute resolution in accordance with the Plan. Board members are not permitted to file a grievance against another Board member or against the Council.

## **Article XII PARLIAMENTARY AUTHORITY**

Where the Board has not adopted its own rules for conducting its meetings, the Board shall follow Robert's Rules of Order. The Rules of the Board that have been formally adopted and set forth in writing shall, unless contrary of State or federal law, take precedent where there is a conflict with Robert's Rules of Order. All committee meetings shall be governed by any written rules adopted by the Board for conduct of meetings, or by Roberts Rules of Order, where no Board rule applies. Other rules for the conduct and decorum of the Board meetings shall be established by the Board and reflected in the Rules for the Conduct of CANN DU meetings in accordance with the Brown Act.

## **Article XIII AMENDMENTS**

Amendments, changes, additions or deletions to these Bylaws may be proposed by the Board or any Stakeholder(s) during the public comment period of a regular meeting of the Board. A proposal to amend these Bylaws must then be formalized in writing and then lodged with the Corresponding Secretary or person responsible for preparing the agenda for the next regular meeting. The proposed amendment will be placed on the agenda for public discussion at a subsequent regular meeting of the Board. In order for the Board to address the proposed amendment, the Board must first vote by a two-thirds (2/3) majority vote in order to consider the proposed Bylaw amendment. A recommendation for amendment or adjustment of these Bylaws must also be two-thirds (2/3) majority vote of the entire number of the Board. Thereafter, and within fourteen (14) days after a vote recommending adjustment or amendment to the Bylaws, a Bylaws Amendment Application shall be submitted to the Department for review and approval in accordance with the Plan. 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 of Directors as well as all local, county, state and federal laws, including, without limitation, the Plan for Citywide System of Government (hereinafter referred to as "the Plan"), the City Code of Conduct, the City Governmental Ethics Ordinance (*Los Angeles Municipal Code Section 49.5.1*), the Brown

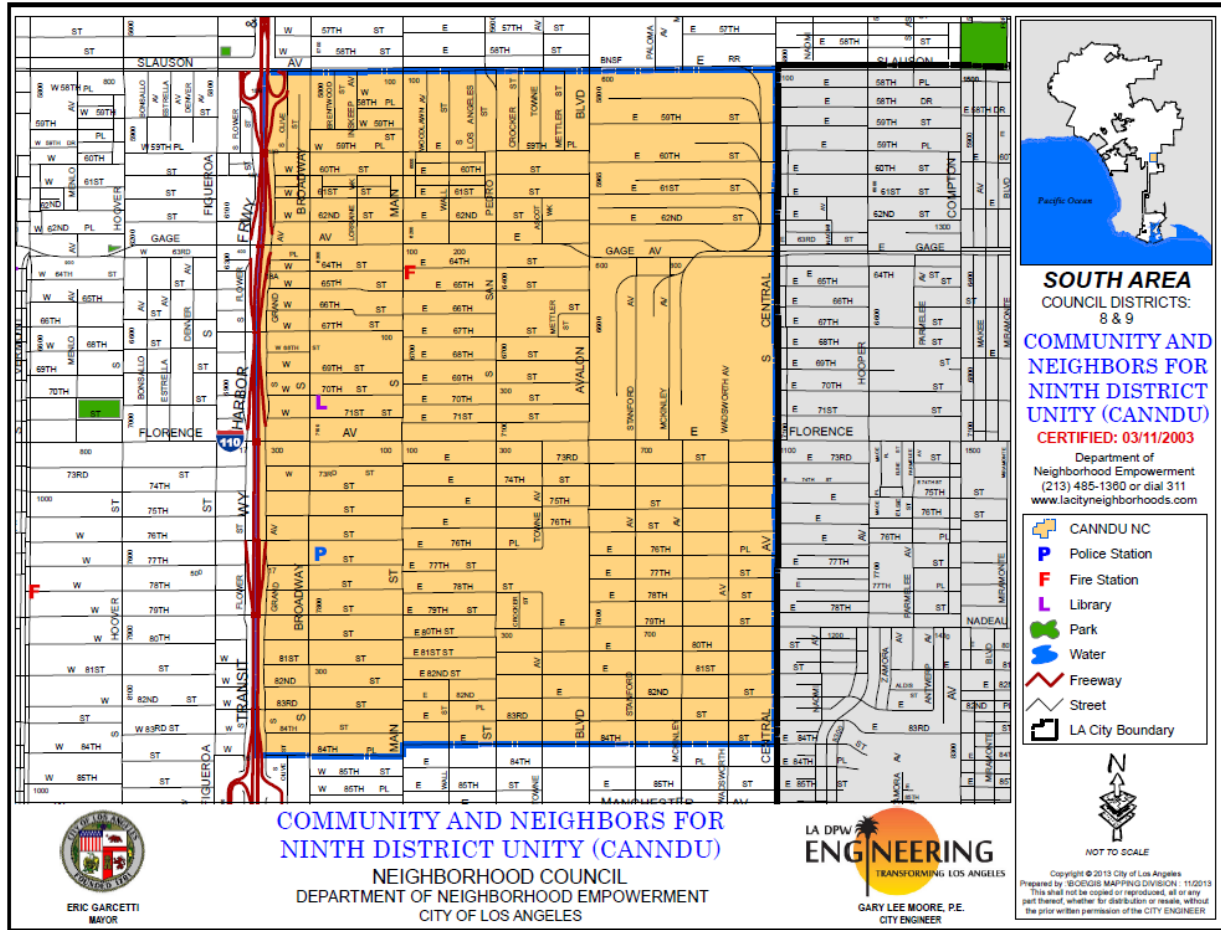
Act (*California Government Code Section 54950.5 et seq.*), the Public Records Act, the American Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest.

**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 Council, 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 Community and Neighbors for Ninth District Unit



## ATTACHMENT B – Governing Board Structure and Voting

### Community and Neighbors for Ninth District Unity – 9 Board Seats

BOARD POSITION	# OF SEATS	ELECTED OR APPOINTED?	ELIGIBILITY TO RUN FOR THE SEAT	ELIGIBILITY TO VOTE FOR THE SEAT
Chair Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Vice-Chair Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Corresponding Secretary Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Communications Secretary Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Treasurer Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Parliamentarian Term: 4 Years	1	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
At-Large Representatives Term: 4 Years	2	Elected	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.	Stakeholders who live, work or own property in the neighborhood and who are 18 years or older.
Community Interest At-Large Representatives Term: 4 Years	1	Elected	Stakeholders who are 18 years or older.	Stakeholders who are 18 years or older.