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2021年7月19日

致: Eli Lipmen主席, 鄰里委員會董事會成員們

來自: Raquel Beltrán, 總經理

主題: 行為守則規定修改建議

BACKGROUND:

背景介紹:

Over the years, the Board of Neighborhood Commissioners became aware of a rise in relationship and board dynamic challenges involving Neighborhood Council board members and stakeholders. Particularly alarming were challenges reaching acute levels of concern. Increasingly, board member and stakeholder public testimony at Commission meetings, requested action be taken to provide Neighborhood Councils with policies and implementing rules that would make it possible resolve these challenges. In 2018-2019, the Board of Neighborhood Commissioners initiated a process to review policies related to board conduct, engagement, and leadership development. The policies selected were adopted or revised between 2016 – 2019. They included the Leadership Orientation (2020-01), Censure (2020-03), Removal (2020-04), and the Code of Conduct (2014-2(2)) policies. 近年鄰里委員會董事會開始意識到鄰里委員會董事會成員們和權益人之間正面臨著上升關係以及董事間的挑戰。特別是當這些困難達到需要嚴重關切的程度，越來越多的發生在委員會會議中董事會成員們和權益人公眾評論時，就需要採取行動提供鄰里委員會一些政策和規定讓其可以遵照處理此類的困難。2018年到2019年，鄰里委員會董事會開始探討一些相關的董事會行為，參與和領導力培養。某些政策從2016年到2019年間被採納或修改，其中包括有《領導培訓》(2020-01)，《譴責》(2020-03)，《免職》(2020-04)和《行為準則》(2014-2(2))這些政策。

Through a town hall engagement review process, the Commission started with the Censure and Removal policies. These two policies were revised in March and April 2020 respectively. A new Leadership Orientation Policy was adopted in February 2020.

通過市政廳參與審查程序，委員會從《譴責》和《免職》政策開始，於2020年3月和4月對其兩套政策依次地進行了修改，並於2020年2月採納了全新的《領導培訓政策》。

On March 3, 2020, the Board of Neighborhood Commissioners adopted a motion calling for amendments to the Commission's Code of Conduct Policy. The action was deemed necessary to provide additional language and updates to the Commission's Code of Conduct Policy. Two members

of the Commission were appointed to an Ad Hoc Committee to work with the Department to prepare draft amendments to the Policy. They include Commissioners Len Shaffer and Quyen Vo-Ramirez. 2020年3月3日，鄰里委員會董事會採納了要求委員會修改《行為守則》的動議，我們認為有必要修改現有的委員會的《行為守則》，給予一些補充。委任了兩名委員會成員組成特別委員會來和部門一起合作準備政策修改，兩名委員分別是Len Shaffer 委員和Quyen Vo-Ramirez委員。

總結：

In partnership with the Commission's Ad Hoc Committee, the Department led a Neighborhood Council Code of Conduct Work Group of City Department leaders with neighborhood council experience. They set out to review current policy, implementing procedures and processes, and current and anticipated City policies. The Work Group members included representatives of the Personnel Department's Division, the City Attorney's Labor Relations and Neighborhood Council

Advice Divisions, and EmpowerLA's Leadership Team. Additionally, the Work Group included representatives of the City of Los Angeles Civil, Human Rights, and Equity Department (LA Civil Rights). EmpowerLA is grateful to these seasoned professionals for their dedication to this project. 部門帶領著市部門的一批擁有豐富的鄰里委員會經驗的鄰里委員會行為準則工作小組一起和特別委員會合作，一起審閱現有的政策，實施程序以及流程，相較於現有的預期的城市政策。工作小組成員包括有人事部的代表，市檢查官的勞動關係和鄰里委員會諮詢部門和賦權LA的領導團隊。此外，工作小組還包括洛杉磯市公民、人權和公平部門(洛杉磯民權)的代表。賦權LA感謝這些經驗豐富的專業人士對這個項目的貢獻。

The Work Group began meeting in October 2020 on an accelerated schedule. They met twice a month to review the Code of Conduct Policy's history, the [City of Los Angeles Draft Workplace Equity Policy](#), and the numerous authorities representing the regulatory framework of the Neighborhood Council System. The Work Group presents these proposed amendments as reasonable considerations necessary to address the escalating incidents of acts that do not comport with the City of Los Angeles's expectations for representatives of City employees, advisory bodies, commissions, and volunteers. The draft amendments advance the mission, desired characteristics, and foundational mandates of the Neighborhood Council System.

工作小組自2020年10月開始就加快進度，他們每個月會舉行兩次會議，審閱《行為守則政策》的歷史，討論洛杉磯市工作場所公平政策草案 [City of Los Angeles Draft Workplace Equity Policy](#)，以及和數名代表鄰里委員會系統的官方代表進行研究。工作小組提議的這些修改是經過合理考慮，以便可以處理日益漸增的事件，這些行為不符合洛杉磯市對城市僱員代表，諮詢機構，委員會和志願者的期望。修改草案將會更好的推動我們鄰里委員會系統的宗旨，特點和基本使命。

FISCAL IMPACT: Staff time required to oversee and manage the administration of the Code of Conduct and related proceedings.

財政影響： 需要工作人員監督以及管理《行為守則》的執行和相關程序。

REQUESTED ACTION:

要求採取的行動：

The Ad Hoc Committee and Department of Neighborhood Empowerment respectfully request the Commission:

特殊委員會和鄰里服賦權部門敬請委員會：

1. Approve the attached DRAFT amendments to the Code of Conduct Policy adopted in 2018 solely to circulate to the Neighborhood Council System for education, discussion, and comment.

批准2018年通過的《行為守則政策》所附的修正草案，儘用於在鄰里委員會系統中穿越供大家學習，討論和點評。

2. Approve the Department's Neighborhood Council and City Department review schedule:

批准部門的鄰里委員會和市部門審閱時間表：

- a. Include the DRAFT Code of Conduct Policy Amendments on the Commission's agenda once per month until the conclusion of the review schedule.

委員會將會每月一次把《行為守則政策》草案列入委員會會議議程中直到審閱時間結束。

- b. Maintain a report on comments and community impact statements filed on the DRAFT Code of Conduct Policy Amendments on the Commission's webpage.

在委員會的網頁中維持一份報告，匯報針對《行為守則政策》草案所作出的評

論和社區影響聲明。

- c. Administer a minimum of four workshops (two weekday evenings and two weekends) to introduce the DRAFT Code of Conduct Policy Amendments and to respond to questions. Weekday workshops will be held on a Monday - Thursday evening when Neighborhood Councils are not having regular board meetings.
安排至少四場(兩場周間晚上和兩場週末)研討會來介紹《行為守則政策》草案以及回答問題。周間的研討會將會在星期一 - 星期四晚上鄰里委員會沒有例行董事會的時間舉行。
 - d. After the review period, the Department will summarize the most commonly asked questions and comments.
審閱期結束後，部門將會總結出常見的問題和評論。
 - e. At the conclusion of the review period, the Department will prepare a summary of the most commonly asked questions and comments.
審閱期最後，部門將會準備一份常見問題和評論的記錄。
3. At the end of the review period, the Department's report will include recommended amendments to regulatory authorities that guide administration of the Neighborhood Council System, including but not limited to the Los Angeles Administrative Code (which incorporates portions of the Plan for a Citywide System of Neighborhood Councils) and Commission Policy(ies).
審閱期的最後，部門的報告中將會包括向指導管理鄰里委員會系統監督管理部門提出的修正建議，包括但不限於《洛杉磯行政法規》(裡面包含了全市鄰里委員會計劃的部門內容)和《委員會政策》。
4. As a courtesy, once revisions to the Code of Conduct Policy have been approved, the Department will return to the Commission and present the procedure the Department will follow to implement the new Code of Conduct Policy. The presentation shall include how the Department proposes to:
出於禮貌，《行為守則政策》獲得批准後，部門將會向委員會呈交實施新《行為守則政策》的程序，裡面會包括部門會如何：
- a. Support Neighborhood Councils with the application of the policy to Committee Members, 支持鄰里委員會將政策應用於委員會成員們，
 - b. Assist Neighborhood Councils with roster management, including that of Committee Members in compliance with the policy, 協助鄰里委員會進行名冊管理，包括整理委員會成員們符合政策規定的資料，

- c. Clarify the steps Neighborhood Council will be expected to take to address Code of Conduct issues,
明確鄰里委員會在處理行為守則問題是應採取的步驟，
 - d. Provide resources to assist Neighborhood Councils in their efforts to manage board dynamic challenges to avoid the necessity to suspend or remove Board and or Committee Members,
提供資源協助鄰里委員會處理董事會間的問題以避免對其董事會或委員會成員停職或免職，
 - e. Manage Neighborhood Council rosters and compliance notification.
管理鄰里委員會名冊和符合規定通知。
5. Once revisions to the Code of Conduct have been approved and the implementing procedures developed, the Department will hold workshops for Neighborhood Council Board and stakeholder Committee members to review expectations.
《行為守則》修正獲得批准以及制定好實施程序，部門將會舉行研討會，讓鄰里委員會董事會和權益人委員會成員們作預期評估。

PUBLIC COMMENT: Community Impact Statements and letters filed are available on the Commission's EmpowerLA webpage.

公眾意見: 社區影響聲明和提交的信件都可以在委員會的賦權LA網頁中瀏覽。

CONCLUSION:

結論:

The proposed amendments to the Board of Neighborhood Commissioners Code of Conduct Policy are consistent with the envisioned desired characteristics of the Neighborhood Council System and values expressed in current Mayoral Executive Directives. These amendments provide clear guidelines of expected behavior in the Neighborhood Council System.

對鄰里委員會董事會《行為守則政策》的修改與鄰里委員會系統設想所需的特點是一致的，也是和當前市長行政指令所表達的價值觀是一致的。這些修改給鄰里委員會所期望的行為舉止提供了更明確的指引。

The recommendations include a well-defined process to involve Neighborhood Councils and their stakeholders in a notice of proposed rule-making comment period. By advancing a transparent and inclusive process, the Ad Hoc Committee and Department believes Neighborhood Councils will be more likely to integrate the final version of the Code of Conduct Policy into the Neighborhood Council System's meeting and decision-making culture.

這些建議包括了一個明確定義的程序，有通知鄰里委員會和權益人讓其參與草擬制定規則評論期。通過推進透明和包容的程序，特別委員會和部門都相信鄰里委員會更可能會採納《行為守則政策》的最終版本，結合到他們並運用到鄰里委員會系統的會議中以及他們的決策文化中。

Respectfully,
敬上，



Raquel Beltran, General Manager總經理
Department of Neighborhood Empowerment
鄰里賦權部門

NEIGHBORHOOD COUNCIL BOARD MEMBER CODE OF CONDUCT POLICY

2021-1

鄰里委員會董事會成員行為守則政策

2021-1

WHEREAS, on June 19, 2020, Mayor Eric Garcetti issued Executive Directive No. 27 calling for efforts to ensure fairness, diversity, equal opportunity, and transparency in City government;

鑒於，2020年6月19日Eric Garcetti市長發佈了第27號行政命令，要求要努力確保市政府部門中的公平性，多元化，平等機會以及透明度；

WHEREAS, the Board of Neighborhood Commissioners (the Commission) adopted a Code of Conduct Policy in 2016 and an amended Code of Conduct Policy in 2018, to govern the conduct of Neighborhood Council members;

鑒於，鄰里委員會董事會(委員會)在2016年採納了《行為守則》以及2018年修訂後的《行為守則》，以此來管理鄰里委員會成員們的行為；

WHEREAS, the Workplace Equity Policy protects volunteers, including Neighborhood Council board members from harassment, sexual harassment, hazing, bullying, and inequitable conduct, as defined in the Workplace Equity Policy, thus superseding and/or expanding the type of conduct encompassed by the Commission's current Code of Conduct policy;

鑒於，《工作場所公平政策》中明確定義要保護志願者，包括保護鄰里委員會董事會成員們不受騷擾，性騷擾，欺辱，霸凌和不公平行為，所以會取代或擴大現委員會《行為守則》中所涵蓋的行為類型；

WHEREAS, the Commission has long recognized that a Neighborhood Council System that is physically and emotionally safe and secure for all Board Members promotes good social responsibility, increases Stakeholder attendance and supports community engagement;

鑒於，委員會一致認為鄰里委員會系統對全部董事會成員們不論在生理和心理上都安全可靠的，促進良好的社會責任，提高權益人出席率和支持社區參與；

WHEREAS, the Commission recognizes that improper conduct may occur within the Neighborhood Council System, the Commission expects Board Members and Committee Members (including stakeholders serving on committees) to conduct themselves in a manner in keeping with the Commission's Code of Conduct and with a proper regard for the rights and welfare of other Board Members, Stakeholders, Committee Members, and volunteers;

鑒於，委員會意識到鄰里委員會系統中有可能會發生不當行為，委員會希望董事會成員們和委員會成員們(包括服務委員會的權益人)遵守委員會的《行為守則》，適當估計其他董事會成員，權益人，委員會成員以及志願者的權利和福利；

WHEREAS, Section 902 (b) of Article IX of the City Charter provides that the Commission "shall be responsible for policy setting and policy oversight and the promulgation of rules and regulations but not be responsible for day to-day management;

鑒於，《市憲法》中的第九章第902(b)條規定委員會“應承擔政策設立和監管的責任，並頒布細則和規定，但是不負責日常管理”；

NOW, THEREFORE, BE IT RESOLVED that the Commission amends the Code of Conduct policy to implement and administer the [City of Los Angeles Draft Workplace Equity Policy](#).

現在，因此，茲決議委員會修改《行為守則》，實施和管理[City of Los Angeles Draft Workplace Equity Policy](#)（《洛杉磯市工作場所公平政策初稿》）。

NOW, THEREFORE, IT IS FURTHER RESOLVED that the Commission amends the Code of Conduct POLICY NUMBER: 2014 2(2) to say:

現在，因此，進一步茲決議委員會修改《行為守則》政策編號：2014 2(2)：

POLICY NUMBER: 2021-(1)

政策編號： 2021-(1)

1. Neighborhood Council Board Members and Committee Members are required to affirm acceptance of this policy (Exhibit "A") in the manner established by the Department. Neighborhood Council Board Members and Committee Members shall reaffirm acceptance of this policy every two years. This policy and the City's Workplace Equity Policy apply regardless of whether or not a Board Member or Committee Member has affirmed acceptance.

規定鄰里委員會董事會成員們和委員會成員們要確認接受本部門所制定的此政策(文檔"A")。鄰里委員會董事會成員們和委員會成員們需每兩年重新認證接受此政策。不論董事會成員們或委員會成員們是否確認接受，此政策和市工作場所公平政策都將實施。

2. The Neighborhood Council shall have the responsibility for informing stakeholder and board Committee Members of their obligation to affirm and accept this policy as a condition of committee service. Maintaining a record of their completion shall be the responsibility of the Neighborhood Council.

鄰里委員會應負責通知權益人和董事會委員會成員們，告訴他們有義務要確認接受此政策，這是作為委員會服務的規定。鄰里委員會應負責保留他們完成的記錄。

3. Newly elected, selected, appointed or re-elected Neighborhood Council Board Members and Committee Members shall have a grace period of 30 days from the date the board member begins assuming their duties and responsibilities to comply with this policy as indicated in Item #1. Neighborhood Council Boards shall be responsible for informing appointed board and committee members of their responsibility to sign the Code of Conduct affirmation. Board Members and Committee Members should consult the applicable funding guidelines to determine their eligibility to vote on funding matters.

新當選，委任，指派或再次當選的鄰里委員會董事會成員們和委員會成員們應在其開始履行他們的職責和責任後的30天內遵守完成此政策中的第1條。鄰里委員會董事會應負責通知其董事會和委員會成員們他們已完成簽署確認《行為守則》。董事會成員們和委員會成員們應按照資金指南來確定他們是否有資格在資金事項中進行投票。

4. In such circumstances where a Neighborhood Council Board Member or Committee Member fails or refuses to comply with item #1, the Department shall proceed to suspend the Board Member or Committee Member from their Neighborhood Council. Said Board Member or Committee Member shall not be eligible to act on any matter that comes before their Neighborhood Council and shall not be counted for the purpose of establishing a quorum of the Neighborhood Council or Committee.

如果鄰里委員會董事會成員或委員會成員未能完成或拒絕完成第1條，部門將會對其鄰里委員會董事會成員或委員會成員停職。該停職董事會成員或委員會成員將無資格在其鄰里委員會中的任何事項採取行動，也不能算作鄰里委員會或理事會法定人數。

- a. The Department shall notify the Board Member (or Committee Member) of their suspension by sending a letter to their last known email address and/or physical mailing address.

部門會以電子郵件或寄信方式通知董事會成員(或委員會成員)他們已被停職，寄到他們最後登記的地址。

- b. The Department shall also notify the remainder of the Board Members by email and/or U.S. mail of the suspension of the Board Member (or Committee Member).

部門也會以電子郵件或美國郵政寄信方式通知其他董事會成員們相關董事會成員(或委員會成員)已被停職。

5. If within 30 days of being suspended the Neighborhood Council Board Member or Committee Member does not comply with the provisions of item #1 above, they shall be removed as a Neighborhood Council Board Member or Committee Member by the following procedures:

鄰里委員會董事會成員或委員會成員在停職30天內仍未完成以上的第1條規定，那麼該鄰里委員會董事會成員或委員會成員將會被免職，按照以下程序：

- a. The Department will notify the individual of their removal by sending a letter to their last known email address and/or mailing address.

部門將會通知這個人他已被免職，會發電子郵件或寄信去他最後登記的地址。

- b. The Department will also notify the Board by email and/or First-Class U.S. mail regarding the removal of the Board Member or Committee Member and that the Board Member or Committee Member's seat or position shall be considered vacant.

部門也將會通過電子郵件或美國第一類寄信方式通知董事會，告訴他們董事會成員或委員會成員被免職，其席位或職位現已空缺。

- c. Any Board Member [or Committee Member removed pursuant to this policy shall have

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the right to present to the Department evidence that he or she has in fact complied with this policy. The Department shall be the sole and final decision maker.

任何董事會成員(或委員會成員)在按照此政策規定下被免職後都有權向部門提交證據，證明他或她事實上是遵守政策的規定。部門會是唯一和最終的決策人。

6. If a Board Member or Committee Member is alleged to have violated either the City's Workplace Equity Policy or the Commission's Code of Conduct, the Department, with written approval from the General Manager, may immediately suspend the Board Member or Committee Member for a period of up to 90 days. Said Board Member or Committee Member shall not be eligible to act on any matter that comes before their Neighborhood Council Board or Committee and shall not be counted for the purpose of establishing a quorum of the Neighborhood Council Board or Committee.

如果董事會成員或委員會成員被指控違反了市《工作場所公平政策》或委員會的《行為守則》，那麼部門，在總經理的書面批准下，可以馬上對該董事會成員或委員會成員停職，可持續長達90天。該停職董事會成員或委員會成員將無資格在其鄰里委員會中的任何事項採取行動，也不能算作鄰里委員會或理事會法定人數。

The Department will notify the Board Member or Committee Member of their suspension by sending a letter to their last known email address and/or mailing

部門將會通知董事會成員或委員會成員他已被免職，會發電子郵件或寄信去他最後登記的地址

- a. The Department will also notify the Board by email and/or First Class U.S. mail regarding the suspension of the Board Member and that the Board Member's position shall not be deemed vacant during the suspension period.

部門也將會通過電子郵件或美國第一類寄信方式通知董事會，告訴他們董事會成員或委員會成員被停職，其席位在停職期間不會被視為空缺。

- b. The Department shall be the sole decision-maker with respect to a suspension. The Board Member or Committee Member may not appeal the suspension decision.
部門會是唯一和最終的決策人。董事會成員或委員會成員不可以上訴停職決定。
 - c. The Neighborhood Council shall retain its authority to remove Committee Members for failure to affirm this policy or for failure to adhere to its provisions.
如果委員會成員未能確認支持此政策又或者沒有遵守其規定，鄰里委員會應保留其免職權利。
7. The Department may petition the Commission to remove the Board Member for a violation of the Workplace Equity Policy or this Policy pursuant to the process for Declaring a Board Vacancy in Los Angeles Administrative Code 22.810.1(e)(3).
部門可以要求委員會將其董事會成員免職，如果該董事會成員有違反《工作場所公平政策》或違反本政策根據《洛杉磯行政法規》第22.810.1(e)(3)條中的宣佈董事會空缺的程序。

ATTACHMENT A

附件A

1. Neighborhood Council Board Members and Committee Members shall conduct themselves in a professional and civil manner.
鄰里委員會董事會成員應以專業和文明的態度立身處世。
2. This Policy and the City's Workplace Equity Policy apply at all times and locations referenced within Section 2.2 of the City's Workplace Equity Policy, including at all Neighborhood Council meetings, events, activities, online and at social events when interacting with City employees, contractors, and Neighborhood Council Board Members, Committee Members and volunteers.
本政策和市《工作場所公平政策》在任何時候都適用於市《工作場所公平政策》第2.2條中的全部場所，包括全部鄰里委員會會議，活動，項目，網路，以及與市員工，合同工，鄰里委員會董事會成員們，委員會成員們和志願者們互動的社交活動。
3. Neighborhood Council Board Members and Committee Members shall promote and, if necessary, enforce a safe and equitable environment. If other Board Members or Committee Members become disruptive or violate the Code of Conduct or the City's Workplace Equity Policy, Neighborhood Council Board and Committee Members have agreed to abide by, Board Members and Committee Members should demand that the offending Board Member or Committee Member conduct themselves in a respectful and orderly manner. In the absence of the board taking action to do so, employees of the Department may intercede to do so.
鄰里委員會董事會成員們和委員會成員們都應促進以及必要時實施安全和公平的環境。如有董事會成員或委員會成員妨礙或違反鄰里委員會董事會們和委員會成員們同意遵守的《行為守則》或市《工作場所公平政策》，董事會成員們和委員會成員們應該要求該違反規定的董事會成員或委員會成員舉止要尊重有序。如果董事會成員沒有採取任何行動，那麼部門的工作人員可以調停。
4. By signing this document, I affirm that I have received, read, and understand the Code of Conduct. I acknowledge that I have been informed of the expectation to abide by the Code of Conduct at the time of my appointment or election to the Board. I understand that if I fail to provide the Department of Neighborhood Empowerment with a signed and dated copy of this Neighborhood Council Board Member Code of Conduct, I may be subjected to suspension and/or removal from my Neighborhood Council Board.
簽署這份文件代表我確認已收到，閱讀並理解《行為守則》。我聲明，我在被委任或當選董事會成員時已被告知需要遵守《行為守則》。我明白，如果我未能提供鄰里賦權部門此份簽字並註明日期的“鄰里委員為董事會成員行為準則”文件，我可能會被鄰里委員會董事會停職或免職。

I also understand that if I am found to have violated the signed Code of Conduct, I may be subject to censure and/or removal by my Neighborhood Council board and suspension and/or removal by action of the Department.

我也明白如果違反了簽署的《行為守則》，我可能會被我的鄰里委員會董事會譴責或免職，以及被部門停職或免職。

SIGNED

DATE

簽字

日期