

CITY OF LOS ANGELES  
CALIFORNIA

BOARD OF NEIGHBORHOOD  
COMMISSIONERS

ELI LIPMEN  
President

RAY REGALADO  
Vice President

LEONARD SHAFFER  
JOY ATKINSON  
MAGGIE DARETT-QUIROZ  
DEBBIE WEHBE  
QUYEN VO-RAMIREZ

TELEPHONE: (213) 978-1551



ERIC GARCETTI  
MAYOR

NEIGHBORHOOD COUNCILS  
**EMPOWER LA**  
Department of  
NEIGHBORHOOD EMPOWERMENT

20<sup>TH</sup> FLOOR, CITY HALL  
200 NORTH SPRING STREET  
LOS ANGELES, CA 90012

TELEPHONE: (213) 978-1551  
TOLL-FREE: 3-1-1  
FAX: (213) 978-1751  
E-MAIL: [EmpowerLA@lacity.org](mailto:EmpowerLA@lacity.org)

RAQUEL BELTRÁN  
GENERAL MANAGER

[www.EmpowerLA.org](http://www.EmpowerLA.org)

**July 19, 2021**

**TO:** President Eli Lipmen, Members of the Board of Neighborhood Commissioners

**FROM:** Raquel Beltrán, General Manager

**SUBJECT:** Proposed Amendments to the Code of Conduct Policy

**BACKGROUND:**

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.

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.

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.

**SUMMARY:**

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.

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.

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

**REQUESTED ACTION:**

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

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.
2. Approve the Department's Neighborhood Council and City Department review schedule:
  - a. Include the DRAFT Code of Conduct Policy Amendments on the Commission's agenda once per month until the conclusion of the review schedule.
  - b. Maintain a report on comments and community impact statements filed on the DRAFT Code of Conduct Policy Amendments on the Commission's webpage.
  - 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.
  - d. After the review period, the Department will summarize the most commonly asked questions and comments.
  - e. At the conclusion of the review period, the Department will prepare a summary of the most commonly asked questions and comments.
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).
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:
  - a. Support Neighborhood Councils with the application of the policy to Committee Members,
  - b. Assist Neighborhood Councils with roster management, including that of Committee Members in compliance with the policy,

- c. Clarify the steps Neighborhood Council will be expected to take to address Code of Conduct issues,
  - 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,
  - e. Manage Neighborhood Council rosters and compliance notification.
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.

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

**CONCLUSION:**

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.

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.

Respectfully,



---

**Raquel Beltran, General Manager**  
**Department of Neighborhood Empowerment**

**NEIGHBORHOOD COUNCIL BOARD MEMBER  
CODE OF CONDUCT POLICY  
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;

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;

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;

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;

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;

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;

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](#).

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

**POLICY NUMBER: 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.
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.

AN EQUAL EMPLOYMENT OPPORTUNITY – AFFIRMATIVE ACTION EMPLOYER

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.
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.
  - 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.
  - 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).
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:
  - a. The Department will notify the individual of their removal by sending a letter to their last known email address and/or mailing address.
  - 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.
  - c. Any Board Member [or Committee Member removed pursuant to this policy shall have 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.
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.

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

- 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.

- 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.
  - 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.
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).

**ATTACHMENT A**

1. Neighborhood Council Board Members and Committee Members shall conduct themselves in a professional and civil manner.
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.
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.
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.

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.

\_\_\_\_\_  
**SIGNED**

\_\_\_\_\_  
**DATE**

## MVCC Election & Bylaws Motion - 8/10/21

Whereas, the Board of Neighborhood Commissioners (BONC) has before it consideration of proposed amendments to the code of conduct policy applicable to neighborhood council board and committee members.

Whereas, the existing Code of Conduct applicable to neighborhood councils should be amended to create a greater enforcement mechanism.

And, whereas the proposed amendments to the Code of Conduct submitted by the Department of Neighborhood Empowerment (DONE) to the Board of Neighborhood Commissioners grant too much discretion to DONE in determining guilt and imposing penalties on board members and committee members.

Now, therefore, be it resolved that:

1) BONC is advised against approving the proposed amendments to the Code of Conduct in their current form;

2) The Mar Vista Community Councils requests that Department of Neighborhood Empowerment in consultation with an Ad Hoc group of Neighborhood Council members revise the proposed amendments to ensure they afford board and committee members, adequate due process rather than granting the Department sole discretion to immediately suspend a member, based on an alleged violation of applicable rules;

3) Any amendments to the Code of Conduct must take into account varying degrees of conduct when considering suspension and appropriate penalties warranted;

4) The Code of Conduct shall require that the minimum correction necessary to address any issue be used.

5) The Workplace Equity Policy shall be incorporated into the proposed amendments to the Code of Conduct only if formally adopted by the City prior to the Neighborhood Council's city department review process and in the alternative the Code of Conduct shall incorporate the city's workplace violence policy and guidelines.



Los Angeles Neighborhood Council Coalition  
A Coalition of Councils General Meeting Agenda

Saturday August 7, 2021 10:00AM

Update or download Zoom software version 5.4.7 or better.

Join Zoom Meeting

<https://zoom.us/j/99882612542>

Meeting ID: 998 8261 2542

One tap mobile +16699006833, 998 8261 2542# US (San Jose)+13462487799, 998 8261 2542# US (Houston)

Dial by your location

+1 669 900 6833 US (San Jose) +1 346 248 7799 US (Houston) +1 253 215 8782 US (Tacoma)  
+1 312 626 6799 US (Chicago) +1 929 205 6099 US (New York) +1 301 715 8592 US (Germantown)

Meeting ID: 998 8261 2542

Find your local number: <https://zoom.us/u/adzNSCxghi>

877 853 5257 US Toll-free 888 475 4499 US Toll-free 833 548 0276 US Toll-free 833 548 0282 US Toll-free

Meeting ID: 998 8261 2542

1. Max Kirkham, President updates from the LGBTQ plus Alliance and Q&A.
2. Jeff Prang, Los Angeles County Assessor, presentation on the Los Angeles County Assessor.
3. Azya Jackson, PE, Los Angeles-Glendale and Donald C Tillman Water Reclamation Plants and the upcoming project known as the LAG Advanced water Purification Demonstration Project.
4. Motion to appoint Adriana De La Cruz as LANCC Secretary.
5. Discussion and possible action on BONC's consideration of the proposed amendments to the Code of Conduct:

Whereas, the Board of Neighborhood Commissioners has before it consideration of amendments to the Code of Conduct Policy, that are extreme, anti-democratic, and un-American, and

Whereas, these amendments include the following:

"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."

and

Whereas, punitive action should never be based on an allegation and occur only following due process involving investigation and a hearing and provide the accused the right to a presumption of innocence and opportunity to mount a defense, and

Whereas, the following clause grants authority to arbitrarily impose suspensions at the sole discretion of an individual who is not accountable to anyone.

"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."

and

Whereas, this clause fails to provide adequate protections for the rights of individuals accused of misconduct and states that any board or committee member may be suspended *solely* on an allegation, and

Whereas, this is a direct disenfranchisement of the voters who elected the board member and removing a board member without due process gives DONE the unilateral ability to overturn an election;

Therefore, be it resolved that:

The \_\_\_\_\_ Neighborhood Council expresses grave concern regarding proposed amendments to the Code of Conduct Policy submitted by the Department of Neighborhood Empowerment to the Board of Neighborhood Commissioners.

Be it further resolved that:

1. BONC is strongly advised to immediately withdraw consideration of the proposed amendments to the Code of Conduct;
  2. In connection with future revisions of Neighborhood Council paperwork, DONE shall request the Neighborhood Councils appoint a group of representatives to consult with BONC, DONE and the City Attorney on an ad hoc basis;
  3. An aggregate majority of those meeting shall at all times be Neighborhood Council board members;
  4. The initial focus of this group shall be to develop and incorporate rules under the City's recently adopted Workplace Violence Policy into the existing Code of Conduct, including appropriate enforcement actions;
  5. Discussion about incorporating the proposed Workplace Equity Policy shall be deferred until such a policy is formally adopted by the City, if at all; and
  6. Any amendments to the Code of Conduct must take into account varying degrees of conduct when considering suspension and appropriate penalties, if warranted.
  7. At all times, policy should require that the minimum correction necessary to address any issue be used;
  8. No person shall be suspended or otherwise penalized for that which is protected political speech.
  9. No board member or Neighborhood Council affiliate shall be required to waive rights granted under the Constitution of the United States and the State of California, including but not limited to freedom of speech and assembly, probable cause and due process.
6. Update from Budget Advocates – Co-Chairs Jennifer Goodie/Glenn Bailey
    - a. NC Budget Day 8/21/21, 9:30 am to 12:30 pm – Register [www.BudgetAdvocates.org](http://www.BudgetAdvocates.org)
  7. Update from Congress of Neighborhoods 2021 Congress.
  8. Update from Mike Fong, BONC.
  9. Update from BONC Len Shaffer
    - a. update on the proposed Digital Media Policy <https://empowerla.org/wp-content/uploads/2020/11/Draft-Digital-Media-Policy-for-BONC-on-9.29.2020.pdf>
    - b. Grievances and the policy
  10. Announcements
  11. Adjournment

## One Proposed Motion



Fascism With A Smiling Face

**BOB GELFAND - 05 AUGUST 2021**

**Here is the Proposed Motion that will be sent to all neighborhood councils**

*Whereas, the Board of Neighborhood Commissioners has before it consideration of amendments to the Code of Conduct Policy, that are extreme, anti-democratic, and un-American, and*

*Whereas, these amendments include the following:*

*“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.”*

*and*

*Whereas, punitive action should never be based on an allegation and occur only following due process involving investigation and a hearing and provide the accused the right to a presumption of innocence and opportunity to mount a defense, and*

*Whereas, the following clause grants authority to arbitrarily impose suspensions at the sole discretion of an individual who is not accountable to anyone.*

*“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.”*

*and*

*Whereas, this clause fails to provide adequate protections for the rights of individuals accused of misconduct and states that any board or committee member may be suspended solely on an allegation, and*

*Whereas, this is a direct disenfranchisement of the voters who elected the board member and removing a board member without due process gives **DONE** the unilateral ability to overturn an election;*

*Therefore, be it resolved that:*

*The \_\_\_\_\_ Neighborhood Council expresses grave concern regarding proposed amendments to the Code of Conduct Policy submitted by the Department of Neighborhood Empowerment to the Board of Neighborhood Commissioners.*

*Be it further resolved that:*

- 1. BONC is strongly advised to immediately withdraw consideration of the proposed amendments to the Code of Conduct;*
- 2. In connection with future revisions of Neighborhood Council paperwork, DONE shall request the Neighborhood Councils appoint a group of representatives to consult with BONC, DONE and the City Attorney on an ad hoc basis;*
- 3. An aggregate majority of those meeting shall at all times be Neighborhood Council board members;*
- 4. The initial focus of this group shall be to develop and incorporate rules under the City's recently adopted Workplace Violence Policy into the existing Code of Conduct, including appropriate enforcement actions;*
- 5. Discussion about incorporating the proposed Workplace Equity Policy shall be deferred until such a policy is formally adopted by the City, if at all; and*
- 6. Any amendments to the Code of Conduct must take into account varying degrees of conduct when considering suspension and appropriate penalties, if warranted.*
- 7. At all times, policy should require that the minimum correction necessary to address any issue be used;*
- 8. No person shall be suspended or otherwise penalized for that which is protected political speech.*
- 9. No board member or Neighborhood Council affiliate shall be required to waive rights granted under the Constitution of the United States and the State of California, including but not limited to freedom of speech and assembly, probable cause and due process.*