

BYLAWS OF THE BOYLE HEIGHTS NEIGHBORHOOD COUNCIL

Amended August 26, 2009

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APPROVED

OCT 20 2009

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ARTICLE I

NAME AND ORGANIZATION

The name of this organization shall be the “Boyle Heights Neighborhood Council” (“BHNC”). It shall hereinafter be referred to as BHNC.

ARTICLE II

PURPOSE AND INTENT

Purpose/Mission: The purpose of the Boyle Heights Neighborhood Council shall be:

To create a more livable community and City by establishing an open line of communication between BHNC, the government and other neighborhoods.

1. Develop in the stakeholders a sense of personal pride and responsibility for their neighborhood and their City.
2. Assist the City and other neighborhoods in finding solutions to common problems.
3. To provide an open process by which all members of the BHNC may involve themselves in the affairs of the community.
4. Educate stakeholders so they can make informed decisions about the quality and condition of their community.

The Boyle Heights Neighborhood Council is established in accordance with the authorized plan of the Department of Neighborhood Empowerment of Los Angeles (“DONE”) and will comply with Federal, State and City laws, and will comply with all applicable Ethics laws.

ARTICLE III

COMMUNITY STAKEHOLDERS

BHNC Community Stakeholders are defined as individuals who live, work, or own property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it. In addition, Community Stakeholders may be identified by participation in, among other things, educational institutions, religious institutions, community organizations or other non-profit organizations, block clubs, neighborhood associations, homeowners associations, apartment associations, condominium associations, resident association, school/parent groups, faith based groups and organizations, senior groups and organizations, youth groups and organizations, chambers of commerce, business improvement districts, service organizations, park advisory boards, boys and girls clubs, cultural groups, environmental groups, code watch, neighborhood watch, policy advisory board groups, and/or redevelopment action boards.

ARTICLE IV

MEMBERSHIP

1. Membership in the BHNC shall be open to anyone who lives, works or owns property, or as defined in Art. III has an interest in the recognized boundaries of the BHNC.
2. The BHNC will encourage all Community Stakeholders to participate in its activities, and will not discriminate against individuals or groups on the basis of race, religion, color, creed, national origin, ancestry, sex, sexual orientation, age, disability, marital status, income, citizenship status, or political affiliation.
3. Any Community Stakeholder within the BHNC boundaries who is 18 years or older may complete a BHNC registration form and become a BHNC Voting Member.
4. Any Community Stakeholder within the BHNC boundaries who is under 18 years old but is a junior or senior in High School is qualified to become a non-voting member of the BHNC Auxiliary Youth Group.
5. Translation in English and Spanish will be available at all meetings. Other language translation will be made available with a prior 72 hour notification.

ARTICLE V

MEETINGS AND COMMITTEES

1. All Neighborhood Council meetings shall be open to the public and all Community Stakeholders.
2. Meetings are subject proper advance notice and the Brown Act requirements as mandated by DONE.
3. The Executive Committee shall meet at least monthly.
4. The Board of Officers shall meet at least bi-monthly.
5. The BHNC General meetings shall be held at least quarterly.
6. Standing and or Ad Hoc Committees may be established as deemed appropriate by the Executive Officers and presented to the BHNC Board of Officers for majority vote.
7. The Quadrant representatives shall meet at least every other month.
8. An e-mail, fax and mailing list shall be maintained.
9. The BHNC will distribute announcements to the registered stakeholders within the boundaries of the BHNC. Notices will be sent to all community based organization leaders in the BHNC area.

10. Meetings will be held at Americans with Disabilities Act (ADA) accessible locations.

ARTICLE VI

POWERS, DUTIES AND FUNCTIONS

- The BHNC shall advise the City government or any other level of government on “matters concerning the general health, safety and welfare of the neighborhood.” These matters could involve but are not limited to, community development, land use, transportation, education, services, public safety and environmental conditions.
- The BHNC shall recruit a diverse representation on the Board and all committees that reflects the diverse interest of its area.
- “Provide input on the efficiency and effectiveness of the government’s delivery of services.”
- Inform the city government of the community’s priorities and make recommendations on the city budget.
- Host informational meetings, hold public forums and possibly sponsor education programs or studies and youth programs.
- Cooperate with other Neighborhood Councils on issues that might be of general concern.
- Participate in the citywide conventions of Neighborhood Councils.
- Foster a sense of community.
- The BHNC shall conduct systematic grassroots mobilization efforts in reaching out to every residents or stakeholder within its boundaries

ARTICLE VII

NEIGHBORHOOD COUNCIL BOUNDARIES

(See attached map)

The boundaries of the BHNC shall follow the traditional boundaries for the Boyle Heights Community Plan, as set forth in the City of Los Angeles Planning and Land Use Map for Boyle Heights. These traditional boundaries are approximately described as Marengo Boulevard to the North, Indiana Street to the East, 26th Street to the South and the Los Angeles River to the West.

ARTICLE VIII

NEIGHBORHOOD COUNCIL BOARD

- The Board shall represent the major stakeholders of the BHNC.

- The Board shall be selected at large at the annual meeting. Stakeholders can either announce in advance that they are running for a seat on the Board or nominate themselves at the forum where the Board is to be voted on. Candidates must specify whom they will represent as a Board member.

ARTICLE IX

BOARD OF OFFICERS

- A.** The Governing Body of the BHNC shall be the BHNC Board of Officers. The Board of Officers shall establish policies and positions of the BHNC at its regular meetings. The BHNC Board of Officers is not to exceed Thirty-Five (35) Officers. The Board of Officers shall be elected from and by the population of the BHNC Voting Members, as follows:

Seven (7) Executive Officers

Twenty-Eight Quadrant Representative Officers – (28) Quadrant Representatives – Seven (7) from Each Area as described in Section C.

- B. Seven (7) Executive Officers elected At-Large** (i.e. any Voting Member may run for and vote for any At-Large office), including:

1. President:

- a. Preside at General Board and Executive Committee meetings.
- b. Make determinations as to Standing and Special committees with full Board of Officers approval.
- c. Have general supervision of BHNC activities.
- d. Perform such other duties as may be required.

2. Vice President:

- a. Preside and perform in the absence of the President.
- b. Perform duties delegated by the President or as required.

3. Secretary:

- a. Receive materials and prepare agendas for General and Executive Committee meetings.
- b. Provide minutes of both Executive and General meetings and maintain permanent records thereof and assure their availability to stakeholders upon request.
- c. Be responsible for reading the minutes at the meetings for approval and accepting corrections, if any.
- d. Distribute meeting notices to Executive Officers, Quadrant Representatives and stakeholders as well as arranging for meeting locations.
- e. Receives and presents “Agenda Request Form” at the Executive Committee meetings.
- f. Receives and distributes all mail correspondence.
- g. Notify the DONE of meetings.

4. **Treasurer:**
 - a. Receive and dispense funds and issue receipts.
 - b. Make disbursements with appropriate documentation.
 - c. Establish and maintain banking relationships.
 - d. Prepare quarterly reports of receipts, expenditures, and balances.
 - e. Refer to Article XVIII, Financial Accountability.
 - f. Maintain permanent files for review and audit and assure their availability for review by stakeholders.

5. **Outreach & Educational Officer:**
 - a. Publicize BHNC meetings and special events.
 - b. Develops an on-going outreach plan and effort to ensure the maximum participation by community stakeholders.
 - c. Solicit input from the school administrators and teachers, as well as students, for Council consideration.
 - d. Foster collaboration and encourage the reciprocal use of resources
 - e. Advocate to the Board of Education.

6. **Committee & Early Notification Oversight Officer:**
 - a. Oversee Early Notification System.
 - b. Forward City Council agenda items to appropriate committees for review/discussion and or possible action.
 - c. Will assist Committee Chairs in the preparation and submission of Community Impact Statements.
 - d. Post all BHNC meeting agendas in accordance to the Ralph M. Brown Act.

7. **Special Events Officer:**
 - a. Chair the Special Events Planning Committee.
 - b. Organize all BHNC Special Events.
 - c. Will represent BHNC at all co-sponsored event.

C. Twenty-Eight (28) Quadrant Representative Officers

Twenty-Eight (28) Quadrant Representative Officers shall be elected from the Voting Members. Seven (7) Quadrant Representative Officers shall be elected from Voting Members as representatives in each of the following for districts who either live, work or own property in the neighborhood and also to those who declare a stake in the neighborhood and affirm the factual basis for it.

1. Quadrant 1 (NW Unit) For boundary – see DIAGRAM A
2. Quadrant 2 (NE Unit) For boundary – see DIAGRAM A
3. Quadrant 3 (SE Unit) For boundary – see DIAGRAM A
4. Quadrant 4 (SW Unit) For boundary – see DIAGRAM A

Three (3) seats in each area will be reserved for residents.

Four (4) seats available for at-large stakeholders within the respective Quadrant areas to include, but not be limited to, the following stakeholder categories/groups: Chamber of Commerce, Organized Labor, Resident Associations, Education, Ethics and Aesthetics, Culture, Health, Recreation, Religion, Environment and Ethnic Resources/Non-Profits.

Quadrant representatives will actively outreach and maintain lines of communication with Community Stakeholder groups within their area. Quadrant representatives will work closely with the DONE and the Committee & Early Notification Oversight Officer to carry out the BHNC responsibilities related to the Early Notification System. Quadrant representatives will forward minutes to Secretary prior to the Executive Committee meeting and note any items that require full Board action, including funding recommendations for the upcoming General Board meeting.

D. Vacant Board Seats

1. If all Board seats are not filled after the general election, they shall be filled by the majority vote of the other elected Officers.
2. Officer seats vacated before the natural expiration for their term shall be filled by a majority voted of the remaining Officers.
3. Officers selected in these manners shall be confirmed or replaced by election by the Voting Members in attendance at the next BHNC general meeting.
4. City Elected officials are ineligible to serve on the Board. If a BHNC Board Member or officer is elected to any City political office, he/she shall immediately resign from their BHNC Board position.
5. Any Board member or officer may resign by submitting a written resignation to the Secretary.
6. If an Officer fails to consistently attend those meetings at which they are expected, the Executive Board shall remove the Officer and declare the seat vacant.
7. Executive Officers are expected to attend all Executive Committee meeting, Board of Officers meetings and BHNC General meetings.
8. Board Members are expected to attend all Board of Officers meetings and BHNC General meetings.
9. Absence from four (4) consecutive meetings or seven (7) or more Board of Officers and Quadrant meetings during the previous twelve months shall be deemed a failure to consistently attend.
10. A person removed from the Board is ineligible to serve on the Board for twelve (12) months from the date of removal.

E. Quorum

1. A minimum of Eighteen (18) of the Thirty Five (35) BHNC Board Members shall be required at Board and BHNC general meetings for a quorum to be present.
2. Once quorum is established it is established for the duration of the meeting unless those members present fall below Nine (9) Members.
3. A minimum of Four (4) of the Quadrant Representatives shall be required at Quadrant meetings for quorum to be present

F. 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 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 items shall be placed on the agenda for that meeting: (1) A 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 X

ELECTIONS

A. General Elections Provisions

This Article explains the administration of the Boyle Heights Neighborhood Council Elections to the City Clerk and provides information regarding Stakeholder eligibility for voting and being selected or elected to a board seat. The provision of this article supersedes any prior inconsistent provision in the bylaws.

The Governing Board to the extent possible, reflect the diversity of BHNC Stakeholders. Accordingly, no single Stakeholder group shall comprise a majority of the BHNC Governing body, unless extenuating circumstances are warranted and approved by the Board of Neighborhood Commission (BONC).

B. Term Limits

No person shall serve more than two (2) consecutive terms in the seat of the BHNC Board of Officers. Term limits do not apply for the appointments by the elected BHNC membership to fulfill vacant seats.

C. Voting

Voting for election of Officers shall be by ballot. Each Voting Member shall be entitled to cast votes (as applicable to do staggered elections) as follows:

- One (1) vote for President
- One (1) vote for Vice-President
- One (1) vote for Secretary
- One (1) vote for Treasurer
- One (1) vote for Outreach & Educational Officer
- One (1) vote for Committee & Early Notification Oversight Officer
- One (1) vote for Special Events Officer

One for each Quadrant Representative. Each of the Seven (7) Quadrant Representatives are to be voted in by the Quadrant stakeholders. Refer to Diagram A (Quadrant 1, Quadrant 2, Quadrant 3, or Quadrant 4).

No voting by proxy is allowed, either in election or for the Board of Officers to rule on business.

D. Registration

BHNC Community Stakeholders may register to become a Voting Member up to one hour before the annual January election time.

ARTICLE XI

RECALL OF THE BOARD

The termination of the BHNC Board by the BHNC members shall be by initiative petition signed by two-thirds of the members of the BHNC, which will lead to a recall election.

ARTICLE XII

CODE OF ETHICS

A. Purpose of Code:

1. The purpose of the Code of Ethics is to provide guidance to Board members, Committee members and Community members as to the expectations and responsibilities owed when engaging in Neighborhood Council business. Legitimacy requires that all members of the organization act in the community's interest and be accountable to the community

B. Meetings:

1. All General Board, Executive Committee, and other Committee Meetings shall be conducted in accordance with:
 - The Ralph M. Brown Act

- Robert's Rules of Order

C. Conflict of Interest:

1. All members will be governed by the City of Los Angeles Governmental Ethics Ordinance. (LAMC'49.5.1)
2. A conflict occurs any time business is before you that involves:
 - a. A business in which you or a member of your family has an investment;
 - b. An entity of which you are an officer or director or hold some position of management;
 - c. Real property in which you or a member of your family has an interest;
 - d. A source of income to you or a member of your immediate family;
 - e. A source of gifts to you;
 - f. Any person or entity with which you have a relationship other than in your capacity as a city official (e.g. a friend, person with whom you have a business relationship, or an organization in which you hold some position of importance.)

D. All members will announce when such a conflict of interest arises at the beginning of the discussion of any such matter and shall abstain from voting on any matter in which they have such a conflict.

E. Written Acknowledgement

- Upon approval of this Article or upon election to the Board or Committees, each person shall sign a written acknowledgment affirming that:
 - ✓ They have read and understand the Bylaws.
 - ✓ They have reviewed, understand and will follow the City Ethic Commission's Ethics Handbook for Neighborhood Council Governing Board Members.
 - ✓ They will announce when a conflict arises and recues themselves from the proceedings;
 - ✓ They will to the best of their ability and understanding abide by the Ralph M. Brown Act, City of Los Angeles Governmental Ethics Ordinance (LAMC'49.5.1), and common sense.

F. Enforcement:

- Failure to comply with Code of Ethics may be cause for removal.

ARTICLE XIII

GRIEVANCE PROCEDURES

- Any person or group adversely affected by the decisions or policy of the BHNC may file a grievance in writing to the Executive Officers who will refer the matter to an Ad Hoc Grievance Committee comprised of at least 2 BHNC Board Officers and 2 stakeholders who have expressed interest in serving from time to time on such Grievance Committee.
- The Grievance Committee shall have fourteen (14) calendar days to properly respond to the grievance and try to resolve the complaint.
- The Grievance Committee shall prepare and submit a written report to the BHNC out lining the Committee's recommendations at a Special General Board meeting. The Board Officers

may receive a copy of the Grievance Committee's report and recommendations prior to the Special Board of Officers meeting, but the matter shall not be discussed among the Board Officers until the matter is heard at the Special Board of Officers meeting pursuant to the Ralph M. Brown Act.

- The Grievance Committee could apply for mediation and dispute resolution from the DONE if no agreement can be reached.

ARTICLE XIV

REPORTS

The BHNC shall prepare an annual written report on its activities that is to be made available to the Mayor, City Council, DONE and the BHNC members. The report shall be published in local newspapers and a least one legal newspaper.

ARTICLE XV

POLITICAL ACTIVITIES

Neither the BHNC nor any member purporting to speak for it shall endorse any candidate for public office or any political party. Membership rosters of the BHNC shall not be used for political, commercial, or any other activity not directly related to the BHNC.

ARTICLE XVI

DISSOLUTION OR TERMINATION

All City funds and equipment shall be returned to the City of Los Angeles in the case of dissolution or termination.

ARTICLE XVII

BYLAW REVIEW AND AMENDMENT

- Proposed amendments, changes, additions or deletions to these by-laws may proposed by a two-thirds majority vote at any meeting of the membership, provided that the exact wording of the proposed change(s) is included in the agenda of the required notice of the meeting.
- The proposed amendment must be approved by two-third's vote of the entire number of Board members. Thereafter, and within 14 days after a vote recommending adjustment or amendment to the Bylaws, a Notice of Proposed Adjustment of Bylaws shall be submitted to the Department of Neighborhood Empowerment along with a copy of the existing Bylaws for review and approval by the Department all in accordance with Article V(3) of the Plan.

ARTICLE XVIII

FINANCIAL ACCOUNTABILITY

- The Treasurer of this Council shall oversee and be charged with the full custody and control of all Council funds and assets. The Treasurer will establish an account or accounts for the deposit of Council funds in a federally insured (FDIC) bank or financial institution in the precise name of this Council, as certified by the City of Los Angeles. These funds shall, remain liquid and readily available for use by the Council and shall not be used for high risk or speculative investments, but must conform to prudent standards of investment of public funds.
- The Treasurer shall establish and oversee a system of bookkeeping and accounting for the Council that complies with Generally Accepted Accounting Principles and conforms to all applicable local, state, or federal laws. The Treasurer may request authorization from the other members of the Board of Governors to retain a financial professional to assist in creating a bookkeeping and annual accounting system. The Treasurer may also request the assistance of the Department of the Neighborhood empowerment when implementing same. The Treasurer, however, shall be ultimately responsible for the maintenance of the system of bookkeeping and accounting and for the protection of all Council assets and will ensure that all City funds or any grants are distributed equally to each of the four (4) areas of the BHNC
- The Council's financial statements, books and accounts shall be open for inspection and copying by any member of the public upon a written request to the Board. The Board shall establish fair and open procedures to permit inspection within a reasonable time. Any copying of financial records will be performed by an established copy service and the charge for such service will be billed to the person or entity requesting the copies.
- The Treasurer shall make a report to the Board on the Council's finances at every regular meeting of the Board.
- The Treasurer shall be responsible for preparing or coordinating the preparation of a financial statement for the Department of Neighborhood Empowerment, annually. The Treasurer shall also coordinate and cooperate with the Department of Neighborhood Empowerment on establishing a process and/or a system by which the Council's finances and book of accounts can be reviewed by the Department of Neighborhood Empowerment pursuant to the Plan for the Citywide System of Neighborhood Councils.
- Separate bank accounts must be maintained for each fund and/or grant.
- All receipts shall be deposited intact.
- All disbursements to include check request and credit card purchases shall be approved by the President or Vice-President.
- The Cash Receipts and Disbursements Journal shall be maintained for each fund and/or grant and shall indicate the beginning balance, expenses (kinds/amounts) and the ending balance of the fund and/or grant.

- A separate financial statement shall be prepared for each fund and/or grant in accordance with Generally Accepted Accounting Principles.
- The bank reconciliation should be prepared monthly.
- Financial Statement:
 - a. The financial statement should describe the use of the fund or grant and include:
 - Amount appropriated
 - Additional receipts
 - Expenses paid and ending balance of the fund or grant.
 - b. The financial statement must be submitted to the Department of Neighborhood Empowerment once per year but not later than 90 days after the close of the reporting period.

Certified May 21, 2002