



Grievance Determination

Grievant's Name: Charles Fleming

Neighborhood Council: Reseda Neighborhood Council

Grievance Number: 201

Violation Alleged: Neighborhood Council Bylaw

Date of Viewing: September 9, 2019

The Department shall review a Grievance within seven calendar days of submission to determine whether the Grievance conforms to the Grievance Policy. Upon a determination that a Grievance conforms to the Policy, the Department shall certify the Grievance for disposition and notify the affected Neighborhood Council that the Grievance may proceed through the Grievance process established herein. The certification of a Grievance by the Department shall not be construed as a statement regarding the validity or invalidity of the Grievance.

This Grievance was reviewed by:

1). Lorenzo Briceño

The Neighborhood Council Grievance process is, in general, authorized to address alleged violations of the Neighborhood Council's rules, Los Angeles City ordinances regarding the Neighborhood Council system, Neighborhood Council funding rules from the City Clerk, or policies of the Department of Neighborhood Empowerment or Board of Neighborhood Commissioners. The jurisdiction of complaints that are reviewed under the Neighborhood Council Grievance process is limited in scope. For example, the Neighborhood Council Grievance process is prohibited from addressing allegations against individual board members or addressing violations of State or Federal law. In this case, the grievance process shall not be applicable to an allegation involving a dispute or disagreement regarding the position of the Department.

In reviewing the vacancy language on several bylaws, the Department found a section allowing stakeholders to vote along with the board if there are two or more candidates for a vacancy. After consultation with the City Attorney's Office, this section was deemed to be inconsistent with the Plan for a Citywide System of Neighborhood Councils as the board is the acting body of the Neighborhood Councils. While the board may ask for a straw vote from stakeholders in the room on a matter, the final vote to take action is by the board members only. As such, the Department has removed this language from the bylaws and updated it so that it is consistent with the Plan. Accordingly, this grievance is dismissed and will not be forwarded to the Reseda Neighborhood Council.