



Grievance Determination

Grievant's Name: Robert Chernob

Neighborhood Council: Venice Neighborhood Council

Grievance Number: 236

Complainant Alleges Violation of the Following: Neighborhood Council Bylaws, Article VII, Section: F; Board of Neighborhood Commissioners Code of Conduct Policy.

Date Received: June 6, 2020

Date of Department Review: June 15, 2020

The Department reviews all Grievances to determine whether the Grievance conforms to the Grievance Policy. Upon a determination that a Grievance conforms to the Policy, the Department will certify the Grievance 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.

Dear, Mr. Chernob:

Thank you for contacting the Department of Neighborhood Empowerment (DONE) via the [Grievance Portal](#) relative to your grievance against the Venice Neighborhood Council on June 6, 2020. 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 (BONC). 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.

Your grievance alleges:

1. (A), A Board Member violated the Venice Neighborhood Council Code of Civility.

RESPONSE: This matter addresses the conduct of an individual board member and not the entire board which does not conform to the [Grievance Policy](#) described above. However, this matter was addressed by the Department's Neighborhood Empowerment Advocate (NEA). The matter was addressed to Alix Gucovsky, the Chair of the LUPC Committee, during and immediately after the incident occurred on Wednesday, May 13th. Additionally, these results were made known to you by the General Manager. The General Manager requested you notify the Department's NEA if the conduct continues.

The Committee Chair took the following steps to address the issue:

1. She immediately put the board member on notice that his behavior was unacceptable

2. She reiterated to the member and all other Committee Members the Code of Conduct and that type of behavior is not acceptable.
3. She contacted the Department's NEA to confirm that she did address the matter correctly.

(B) Alleged violation is that the Venice Neighborhood Council's President failed to place a motion on the Board agenda as prescribed under Article VII, Section: F., of the VNC [bylaws](#).

RESPONSE: This matter addresses the action or inaction of an individual board member which does not conform to the grievance procedures described above. After further reviewing Article VII, Section: F., of the VNC bylaws, the Department confirmed that a violation did not occur.

Article VII, Section: F., of the VNC bylaws states that "The Land Use and Planning Committee shall review, take public input, report on and make recommendations of actions to the Board of Officers on any land use and planning issues affecting the community.

The Land Use and Planning Committee (LUPC) shall consist of nine (9) Stakeholders including the elected Chair. No Board Officer may serve as a LUPC member with the exception of the Land Use and Planning Committee chair, Eight (8) LUPC members shall be selected by the Board of Officers from a list of candidates who have formally communicated to the Board their desire to serve on the Land Use and Planning Committee. The Board shall, within thirty (30) days after beginning their term, hold a Board of Officers meeting for the selection of LUPC members. The eight (8) candidates with the highest vote totals shall be selected.

A LUPC member may be removed from service by a majority of the full Board of Officers. Vacancies shall be filled in the same manner that committee members were originally selected. Add Neighborhood and add community members in the appropriate spots.

The Land Use and Planning Committee recommendations to the Board of Officers shall be in the form of a written report, which shall include a project description, pros & cons, a summary of community input and any LUPC findings."

Committee recommendations to the Board shall be in the form of a written report for projects only. The aforementioned section does not state that the President shall place a motion brought forward by a committee member or stakeholders. Therefore, not honoring a request does not constitute, in and of itself, a violation of the VNC bylaws.

After carefully reviewing your grievance as well as your supporting documents, the Department found that no violations occurred. Accordingly, this grievance is dismissed and will not be forwarded to the Venice Neighborhood Council for further action.

Thank you for bringing this issue to the Department's attention. I hope the Department's description of the Venice Neighborhood Council's application of the rules provides clarification of the circumstances in question.

Respectfully,