



Grievance Determination

Grievant's Name: Jonathan Tessler

Neighborhood Council: South Robertson Neighborhood Council

Grievance Number: 251

Complainant Alleges Violation of the Following: Neighborhood Council Bylaw; Article XIII Section 6

Date Received: September 22, 2020

Date of Department Review: October 5, 2020

GRIEVANCE-PROCESS:

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 certifies the Grievance and notifies 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. If a determination is made that the grievance has merit, a notification is sent to the Neighborhood Council in question describing the suggested remedy.

Dear, Mr. Tessler:

Thank you for contacting the Department of Neighborhood Empowerment (DONE) via the [Grievance Portal](#) relative to your grievance against the South Robertson Neighborhood Council on September 22, 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. "Violation of the bylaws by passing the Standing Rule regarding appointment of replacement members with ballots of more than 10 people without following the process required to make such a change."

RESPONSE: The allegations above are considered to be within the jurisdiction of the grievance process. The Neighborhood Council has been made aware of this matter and pursuant to the Grievance Process Policy; after receiving a certified Grievance from the Department, a Neighborhood Council must, at its next regular or special meeting, but not more than 60 calendar days from the communication from the Department, take one of the following actions:

(A) Consider the Grievance in accordance with the grievance process specified in the Neighborhood Council's bylaws and issue a decision to sustain and cure or reject the Grievance in whole or in part; or

(B) Waive consideration of the Grievance and request the Department to forward the Grievance directly to the Regional Grievance Panel for consideration.

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

Respectfully,