

DETERMINATION OF THE GRIEVANCE PANEL REGARDING GRIEVANCE #254

Porter Ranch Neighborhood Council

Panelists: Carol Newman, Chair; Birgitta Croil-Snell; Glenn Bailey

Date of Hearing: April 13, 2021 (by Zoom)

Author: Carol Newman

This grievance was filed by Porter Ranch Neighborhood Council (“PRNC”) board member Rebecca Leveque arising from her censure by the PRNC at its September 9, 2020 board meeting. The board censured Ms. Leveque because of her alleged conduct at the July 8, 2020 board meeting regarding a motion dealing with a City street issue. Ms. Leveque filed this grievance contending that “[t]he purpose of the censure process is to place a Board member on notice of misconduct and to provide the Board member with an opportunity to correct misconduct. There was no misconduct proven by the motion and no final conclusion on a specific conduct that needed to be corrected.”

Mr. Alnajjar, another PRNC board member and a City employee, was the maker of the motion at the July 8 meeting. The recording of the July 8, 2020 meeting disclosed that Ms. Leveque asked pointed questions of Mr. Alnajjar regarding his position with the City. It appeared that she was inquiring as to whether he might have a conflict of interest. She also asked if there had been any community meetings regarding the motion. In response, other board members told her that there had been community meetings. Ms. Leveque’s tone of voice on the recording was insistent but did not appear to be rude or out of line. The discussion did not take very long. Mr. Alnajjar indicated at the July 8 meeting, at the September 9 censure meeting, and in the paperwork filed by PRNC in support of the censure, which he admitted drafting, that he was accusing Ms. Leveque of discriminating against his race, religion, and national origin, among other things, by her conduct at the July 8 meeting.

That exchange regarding the July 8 motion appeared to be the primary basis of the censure. At the censure meeting and the grievance hearing, PRNC members made references to other complaints they had against Ms. Leveque, such as absences from meetings and things she had supposedly done or not done at other meetings, but those complaints were vague and not specific.

At the September 9 board meeting which resulted in the censure, according to the recording, the person conducting the meeting, Mr. Najm, took great pains to be fair. He stressed several times to the board members attending that a censure was a very serious step to take and that the board should not censure anyone unless they were convinced that the person had violated a bylaw or standing rule or the Code of Conduct. He inquired of Mr. Alnajjar numerous times as to what the violation was. Mr. Alnajjar referred to several different bylaw provisions which Mr. Najm disputed, one after the other. When a vote was taken on the censure, only 5 board members voted in favor of the censure, with the rest of those present either opposing or abstaining. In other words, the censure passed with only 5 votes in favor. From the PRNC's website, there are a maximum of 11 board members. Accordingly, the vote in favor of the censure was not even a majority of the board members, although apparently it was a plurality of those present and voting.

If there was any guidance given to Ms. Leveque at the September 9 meeting as to how to correct her alleged misconduct, it was minimal. The DONE Neighborhood Empowerment Advocate requested to speak regarding the censure earlier in the meeting but had left by the time it was considered.

The grievance panel finds that Ms. Leveque did not commit misconduct at the July 8, 2020 meeting which warrants a censure. She did not appear to be discriminating against Mr. Alnajjar based on his race, religion, national origin, or anything else. She was asking questions which were pointed and insistent but still civil. She may have been "out of the loop" as other board members claimed, in that she may have missed discussions at other meetings regarding the matters about which she was inquiring, but nevertheless she was still civil. There appear to be differences among some of the board members which have led to disagreements among them, and perhaps a lack of respect for each other. Evidence was presented to the panel, rightly or wrongly (there were claims that she presented more evidence than was allowed by DONE's rules), showing community support for Ms. Leveque. On the other hand, some current board members may believe that she should no longer be on the PRNC. They may have a right to their opinions but that does not justify a censure based on what occurred on July 8, 2020.

The grievance panel grants the grievance 3-0 and overturns the censure, on condition that the PRNC engage in mediation and possible training on diversity and inclusion, bridging cultural

differences, and fostering collaboration, teamwork, and mutual respect. Panel member Ms. Croil-Snell has experience with the kinds of training that could be helpful here.