

Grievance Panel Hearing Decision
Sunland Tujunga Neighborhood Council #265
April 5, 2021

Grievance Panel Members:

Glenn Bailey
Birgitta Croil
Laurence Leisten

The grievant allege the Censure was filed and presented on November 9, 2020 violated the following: 1) Based on Conclusion, 2) intention to embarrass and humiliate me. 3) Was not given 30 days of the "complete" censure. The Censure was asked to be modified by the City Attorney and I was not allowed to be given the modified censure until 2 days before the board meeting. 4) Board members did not have time to read my response and only had time to give a partial statement. 5) Censure contains Libelous statements. 6) Evidence made public violated my 1st Amendment Right to freedom of assembly. Our own Bylaws say that we should not discriminate based on political affiliation. I never mixed STNC business and my right to assemble but the Board decided to accuse me of bias based on my political beliefs. Meeting was recorded 11/09/2020.

Allegation 1, 2, 4, 5, 6 No Basis

According to the Neighborhood Council Grievance System and the Department of Neighborhood Empowerment (DONE), section 2 – Exclusions outlined not applicable (a) an alleged violation of state or federal law and (b) an allegation of wrongdoing by an individual member of a Neighborhood Council board or committee; (c) an allegation of an action or inaction by a Neighborhood Council committee and (d) a policy dispute or disagreement regarding the position of a Neighborhood Council board or committee.

According to The Board of Neighborhood Commissioners Policy number 2020-3: A Uniform Policy for Board Member Censure dated March 3, 2020, states whereas The Board member subject to censure shall be given a minimum of thirty (30) days prior-written notice, which may include email sent to the last email address on file with the Neighborhood Council, of any meeting at which the motion to censure will be considered. The notice shall provide the specific facts and grounds for the proposed censure as specified in in BONC Uniform Policy for Board Member Censure 2020-3, section 1. The Board shall also provide a copy of the notice to the Department of Neighborhood Empowerment (DONE), a minimum of thirty (30) days prior to the meeting at which the motion to censure will be considered.

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Allegation 3

Grievant alleges she was not given 30 days of the "complete" censure. The Censure was asked to be modified by the City Attorney and I was not allowed to be given the modified censure until 2 days before the board meeting.

The Board of Neighborhood Commissioners Policy number 2020-3: A Uniform Policy for Board Member Censure dated March 3, 2020, states whereas The Board member subject to censure shall be given a minimum of thirty (30) days prior-written notice, which may include email sent to the last email address on file with the Neighborhood Council, of any meeting at which the motion to censure will be considered. The notice shall provide the specific facts and grounds for the proposed censure as specified in in BONC Uniform Policy for Board Member Censure 2020-3, section 1. The Board shall also provide a copy of the notice to the Department of Neighborhood Empowerment (DONE), a minimum of thirty (30) days prior to the meeting at which the motion to censure will be considered.

The grievant acknowledged in the complaint, during the grievance panel hearing and rebuttal period that the Censure was filed and presented on October 5, 2020 and acknowledged that the public censure board meeting was held on November 9, 2020. In addition, the last week of August 2020, the Board of Neighborhood Empowerment received an email requesting Guidance on STNC Censure Motion (per BONC Policy), on this grievant.

Conclusion:

On April 5, 2021, The Department of Neighborhood Empowerment held a Grievance Panel Hearing which included a 3-person panel, who deliberated before the public. The Grievance Panel voted unanimous 3 to 0 to dismiss this grievance.

- A) The grievant acknowledged in the complaint, during the grievance panel hearing and rebuttal period that the Censure was filed and presented on September 5, 2020 and acknowledged that the public censure board meeting was held on October 9, 2020.
- B) Grievant admits to receiving the grievance timely, but feels because some items were deleted, she did not know what items to respond to and so feels not enough time was given.
- C) In the STNC response they presented an exchange of email communications, in August 2020, to the Board of Neighborhood Empowerment requesting Guidance on STNC Censure Motion (per BONC Policy), on this grievant.

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Public Comment Clarification:

"Potential conflicts associated with one or more of the parties by one of the Grievance Panelists were reviewed by DONE in advance of the hearing and were determined to not be disqualifying matters."

Grievance Panel heard 13 Public Comments.