**Grievance Complaint**

**Against Olympic Park Neighborhood Council**

**From Dianne V. Lawrence, Editor of The Neighborhood News.**

**323-734-9119**

I am filing this grievance against OPNC and more specifically Chair Laura Rudison and to a lesser degree the treasurer Faalaniga Smith from issues regarding behavior and demeanor arising from an OPNC vote to take out a one year advertising reservation with my publication ‘The Neighborhood News’ (TNN). Behavior I believe violated OPNC By-laws and Code of Conduct from BONC.

There are several issues outlined in bullet points here, followed by a summary and then detailed with email evidence below illustrating the difficulty and struggle I went through for 3 issues in order to get paid which puts them in violation of **OPNC By-laws:**

Article 6; Section 2 Duties and Powers C-4. Ensures all debts incurred by the OPNC NC Board, according to its bylaws and policies and procedures of the Department, *are paid in a timely manner.*

Article 2; Section 3 Policy of the Council – F To have fair, open, and transparent procedures for the conduct of all Council Business

*And*

**Violations of Code of Conduct from BONC:**

Neighborhood Council Board Members should conduct themselves in a professional and civil manner.

Bullying" is conduct that meets all of the following criteria:

is reasonably perceived as being dehumanizing, intimidating, **hostile**, threatening, or **otherwise likely to evoke fear of** physical and or **emotional distress.**

Bullet Points

* Evidence gathered from a records request and conversations with DONE and the Clerks office will show that, in what appears to be an effort to delay payment to TNN, the Chair lied for months about her efforts to get my funding.
* I had to struggle to get paid for each of the three issues and only got paid because I had to contact various City Agencies who intervened. The struggles detailed below.
* Despite repeated professional requests for clarity regarding how much and when I would get paid I could not get a clear answer from the treasurer, Ms. Smith who rarely responded directly to my questions nor Ms. Rudison who responded with hostility, condescension and resentment over my efforts to get clarity from her or the Treasurer and so I was forced to communicate directly with DONE to get clarity.
* Despite inappropriate accusations to the contrary during a Board meeting, my emails requesting and sometimes giving clarity, although persistent, were professional in tone as the records will show but they were responded to with hostility or simply ignored.
* Ms. Rudisons hostile and unhelpful behavior was clearly exhibited towards me in various meetings, was obvious to others and indicated a clear bias against me. She seemed unable to separate her personal feelings about me from her professional obligations.
* They did not conduct their business according to their own By-laws.
* They did not conduct their business according to Code of Conduct from the Board Of Neighborhood Commissioners BONC.
* In the end I had to involve many city staff from the City Clerks office and DONE in order to get paid for all three ads.

**Summary**

After the OPNC Board approved to take out 6 ads with my publication The Neighborhood News I attempted over several months, to get clarity on how and when payment would be made. Ms. Rudison made repeated statements indicating that she was in "consultation" with DONE and/or the City Clerks office regarding her effort to get me full payment and a contract. She was insisting that she could make DONE change the way they typically pay for my service ([p*ay as ad is published)* to getting a contract and paying *fully pay for one years worth of ads that went beyond the fiscal year.*She also claims to have directed the treasurer to submit specific but unidentified documents regarding this issue. *But the records I have received indicate that none of these actions were taken.*

*Months* after the vote the president was still indicating she was in "consultation" to resolve these issues but documents will show that there is no evidence she was and conversations with Martha Cabral their funding liaison and Jeffery Brill who oversees contracts revealed that she had not been in contact with them regarding this issue nor were any documents forwarded to them from DONE. Records will show that months after the vote and only when I finally became involved and contacted the Clerk’s office, the issues *were resolved within a few weeks*.

Ms. Rudison had a lot of difficulty separating her hostile feelings towards me from her professional obligations as an NC and government rep. This was noted by others at several meetings. Her actions appear to have been used as a way to hold up, slow down, or prevent payment to me.

Despite the faithful and unproblematic fulfillment of my service, and although I had not received *any* complaints from *any* Board member over 3 issues in 6 months, in the final meeting with OPNC in the new fiscal year where they were directed to vote again to reconfirm the last three ads, the Chair’s hostility was palpable, making my presentation to have the Board ….extremely uncomfortable and confusing.  *All I had done* was make consistent efforts to get clarity on payment, something I should not have had to do if the Chair and Treasurer were adhering to Board By-laws to have fair, open, and transparent procedures. As records will show my tone in email communications was always professional albeit insistent.

When I asked the Board at that final meeting, if they had any concerns about renewing the next set of ads and nobody said anything, the Chair forcefully directed members to complain about the service, identifying complaints they should make. The Outreach chair then claimed she hadn’t received any copies on her doorstep - but she had *never* sent me any emails about it nor mentioned it in our previous email exchanges. I worked with a Board member who designed the first two ads and when she left I volunteered without payment to design the 3rd ad. When I asked the Outreach chair to approve the ad or give feedback, she claimed she didn’t have time. It felt like discussions were going on behind the scene resulting in this unhelpful, complaining attitude. Either way there were no complaints or concerns regarding my two obligations, to place the ad and distribute it, forwarded to me in 6 months. There was also no note or expression of appreciation for the free work I did on the final ad.

Records I have requested and have received indicate that during the time the Chair (not the treasurer who remained mysteriously silent)  claimed that she and the treasurer were in discussions with the city agencies” about getting me a “contract” and full payment and submitting documents requested by unidentified city agencies – there are No records that show she in fact was having any discussions with DONE nor the Clerks office and documents had not been requested nor submitted. Despite her claims that "records had been requested" from these departments, my records request and conversations with their funding liaison, Martha Cabral and City Clerk contract manager, Jeff Brill and with DONE’s Andrew Choi, and OPNC’s own email records indicate that in fact these requests were not made and discussions did not occur.

**I have been in business for 9 years and sold well over 600 ads to various local businesses and different neighborhood councils and boards over that time. Unlike businesses where you deal with one person, in Neighborhood Councils, I am dealing with a variety of people which can be easy or difficult *depending on the leadership*. But I have been able to stay in business and work successfully with various NC Boards (including previous OPNC boards) because I am thorough and professional. In this case the behavior shown to me by the treasurer and the Chair regarding my efforts to get paid were disturbing, unsettling, unhelpful, unprofessional, very frustrating and in my opinion violated both BONC’s Code of Conduct and the OPNC Bylaws.**

**Although I fulfilled the obligations of our agreement, *without complaints from the Board for* 3 issues and over 6 months, despite numerous attempts on my part for clarity about payment (as evidenced in the records request) there was never any clarity given to me from the treasurer nor the Chair regarding the resolution of and process for payment other than Ms. Rudison’s now proven, erroneous claims that she was attempting to resolve the matter and *I should stay out of it.***

**At one point the Treasurer did make a decision to make payments the way the previous Board had made them to me and the way DONE had expressed, but Ms. Rudison became angry and inserted herself in a confusing and time wasting manner.**

***My Grievance is based on a violation of the Code of Conduct from the Board Of Neighborhood Councils and violations of OPNC by-laws***

Specifically: (accompanying evidence and claims follow)

**Violations of OPNC By-laws**

A - A violation of Section 3 – F

To have fair, open, and transparent procedures for the conduct of all Council Business

B - Section 2 Duties and Powers

4. Ensures all debts incurred by the OPNC NC Board, according to its bylaws and policies and procedures of the Department, *are paid in a timely manner.*

**Violations of Code of Conduct from BONC**

D - Neighborhood Council Board Members should conduct themselves in a professional and civil manner.

E - Bullying" is conduct that meets all of the following criteria:

is reasonably perceived as being dehumanizing, intimidating, **hostile**, threatening, or **otherwise likely to evoke** fear of physical and or **emotional distress;**

**Complaint details and emails.**

**I apologize for its length but it paints a thorough picture of the issue.**

**On December 14, 2016 OPNC** voted to purchase a one-year ad subscription to “The Neighborhood News”

That would be for 6 issues – 2016 FEB/March, APRIL/May, JUNE/July. Then *into new fiscal year* AUG/Sept, OCT/Nov, DEC/Jan

The total cost approved was $3,750.

The motion passed with eight yes, and one abstention.

**Effort to get clarity about payment prior to the first issue.**

**Immediately after the vote on DEC. 14th, I asked Ms. Rudison, the Chair, how payment would be made and she told me they would get a contract and *full payment for all 6 issues which included issues that went into the next fiscal year.***

**When I expressed my concern that this was not the way DONE liked to pay, they have always paid per issue with funds from the current fiscal year, she assured me it wouldn’t be a problem and *she would get a contract from DONE to pay me the full amount.* Great I thought.**

**In January as we approached the publication for the first issue in February, I began to request clarity about when I could expect payment and how much.**

|  |
| --- |
| **On Jan 4, 2017, at 12:38 PM,** Hi Nina! Can you let me know what kind of invoicing DONE needs from me and when I can expect paymentI can send you the invoice as soon as I receive instructions. If you need to talk to me call me directly at 323-734-9119Warm RegardsDianne V. LawrencePublisher/EditorThe Neighborhood News323.871.8580**The treasurer responded promptly by email asking me to submit an invoice for the full year. So I assumed the issue had been resolved *although I was left unclear about the process and timeline for payment.*** ***Thu, Jan 05, 2017 12:40 pm****Faalaniga Smith <smithfaalaniga@yahoo.com>* |

*You can go ahead and submit invoices to OPNC TREASURER; reference THENEIGHBORHOODNEWS ONE YEAR ADD. Any additional added info will be added to the*

*Same reference.*

*Nina*

**I responded with the invoice the same day.**

**Thu, January 05, 2017 5:59 pm**

HI Everyone

Here is the invoice. Please check to see if everything is correct. Send me back corrections if necessary and I will resubmit.

I have included the original cost minus the discount and have included the terms of our agreement. Please make sure I got everything right.

I put a number on it because previously DONE directed me to do so and this is the 12th invoice from me to DONE for OPNC.

Looking forward to working with you. I am excited about TNN being used by an NC in a way I have always envisioned.  As a true informational outreach.  Thank you for partnering with me!

Dianne V. Lawrence

Publisher/Editor

The Neighborhood News

323.871.8580

**Two days later I followed up asking if they received the invoice and when I could expect payment.**

**Fri, Jan 06, 2017 3:06 pm**

Hi Nina

Following up on invoice.

1 Did you receive?

2 Is everything okay?

3 When do you submit to Done and When can I expect payment? *VERY important I know when payment comes.*

Thanks!!

Dianne V. Lawrence

Publisher/Editor

The Neighborhood News

**Nina once again responded promptly saying she hadn’t received but avoided answering when I could expect payment or how much.**

**Sat, Jan 07, 2017 10:55 am**

Faalaniga Smith <smithfaalaniga@yahoo.com>

*No, I did not receive your invoice.*

*Thanks,*

*Nina Smith*

*OPNC Treasurer*

**I resubmitted the next day asking again when I could expect payment. I run a business and there is a huge difference between getting $3,750 or $625 – It was now 3 weeks after the vote and 4 weeks from printing and it was starting to prove difficult to get any clarity on where they were in the process.**

**Sun, Jan 08, 2017 2:43 am**

I just re-sent. Can you let me know as soon as you receive it? Can you also let me know approximately when I can expect payment?

Thanks!

Dianne V. Lawrence

Publisher/Editor

**2 days later and going on 3 weeks after the vote, I hadn’t gotten any response so I contacted DONE who verbally affirmed immediately that payment need not be made with a contract nor could I get paid the full amount and had to be paid the way I had previously been paid by OPNC….per issue, after publication and only within the fiscal year of the vote. I was fine with this. I shared the info with the treasurer and Chair.**

**Wed, Jan 11, 2017 3:09 pm**

Hi Everyone

As suspected

1 - OPNC will not be able to pay for a years worth of issues.

In the past DONE would only authorize payment Per Issue and then only after publication. They wanted proof of publication before they paid.

This is the way OPNC paid in the past and apparently this has not changed. Of course I was hoping you were right and DONE had changed their policies but based on my research, they haven't.

I suspected this was still the case and I didn't want the incorrect invoice to be sent in wasting a few more weeks if it was wrong. The magazine is on deadlines and I have to know what payment and when I can expect from my clients.

2  Also....the Board can only approve ads for the fiscal year which takes us to June/july, 3 issues. Then the board can come back and approve for the next year when they have their new budget. That's pretty much the way it has been with every board that has approved advertising in the last 8 years and this hasn't changed.

3 Good news is I am still willing to give OPNC the discount based on a years worth of ads even though I can only invoice per issue.  So nothing has changed in the amount per month you are paying, $625.  This includes the extra thousand copies for your new designated area.

4 So I have sent the revised invoice reflecting these changes. And will ask for payment the day delivery starts in your community. Usually within the first week of the publication month.

5  You can still check with DONE to confirm if I'm right. I really hope You are right and I'm wrong BUT if I am right,  you will have the correct invoice to send them and we won't have wasted any time sending them an invoice they won't approve.

Thanks for your attention and understanding.  I look forward to seeing the ad!

Dianne V. Lawrence

Publisher/Editor

**After alerting Ms. Smith and Ms. Rudison to my conversation with DONE, Nina emailed Laura same day.**

|  |  |
| --- | --- |
| **Wed, Jan 11, 2017 9:10 pm** Faalaniga Smith <smithfaalaniga@yahoo.com> |  |

Hi Laura,

I have no idea who in DONE said that a 1 year payment on an invoice cannot be made based on our FY ending in June 30th. Diane called me today and wants to make sure that we can pay all the way to December. She's is using that narrative based on her knowledge from other Neighborhood Council. As for me, I have no clue but according to Diane, she had some experience with other NC; that DONE doesn't want into a new FY.

I will contact Mario Hernandez an make some inquiry regarding this matter.

Nina

**Chair’s response**

**Wed, Jan 11, 2017 10:17 pm**

|  |  |
| --- | --- |
| "infochic@sbcglobal.net"  |  |

HI NINA

Please advise Mario that I am watching this issue as closely as I was with the NC contracts re Post Office Boxes.

If the explanation is not sound, I intend to go to the Commissioners with this matter. There are usually some industry buys (such as ads) that require a year commitment for best value.

Thanks Laura

**Ms. Rudison’s response to Ms. Smith indicates that she still has no clarity regarding the process nor despite her assertions she would take care of it, has not taken any steps to get clarity. She strangely indicates she is “watching the issue closely”. What does that even mean? Why isn’t she just clearing up the matter of how to pay the vendor instead?**

**It’s been nearly a month since the vote and neither the Chair nor the treasurer have any information about the process of getting the vendor paid and instead the Chair makes threats about going to the Commissioners?? Why? This threat and behavior is very confused, makes no sense and wastes time.**

**From Jan 12 to Jan 18 (now two weeks away from publishing), I make several attempts to get clarity about their intentions and process for payment. I will be leaving town for three days and need to know what amount of money I can expect. But I cannot get a response *a violation of Section 3 – F To have fair, open, and transparent procedures for the conduct of all Council Business.***

**So I sent them two invoices, one for full payment and one for per issue payment. *My tone continues to be respectful and professional.***

**Thu, Jan 12, 2017 12:42 am**

Thanks Nina and Laura for your attention to this and I look forward to the outcome. Either way you have an invoice for both situations.

I think you will find DONE is pretty strict about not paying for advertising until it comes out. They're concerned about what would happen if they pay ahead and the publication goes out of business.

Anyway, hope I'm wrong. It would be great to get the full amount but I'm okay with per issue payments if that's what it is.

Dianne V. Lawrence

Publisher/Editor

The Neighborhood News

**Fri, Jan 13, 2017 1:48 pm**

Hi Nina and Lora 

Can I get an update?  Full amount or per issue amount?

Dianne V. Lawrence

**Tue, Jan 17, 2017 1:07 pm**

Hi All  

I'm assuming Nina has spoken to DONE to clarify how paying me should move forward?

Please let me know. There is a huge difference between getting the money all at once or getting paid per issue after the paper comes out.

I am going to the Womens March in Washington and am trying to get everything clarified before I go.

Thanks for your attention to this.

Dianne V. Lawrence

Publisher/Editor

**Wed, Jan 18, 2017 3:42 pm**

Nina having a hard time getting a response from you.  Just need to know how much and when I can expect payment. We are a little over a week away from printing.

Dianne V. Lawrence

Publisher/Editor

**FINALLY on JAN 19th efforts were made to get clarity on the part of the Treasurer.**

**This thread proves that neither the treasurer *nor* the Chair had made efforts prior to this date to get clarity on how I would be paid.**

**Jan 19. CLARITY IN PAYING ONE YEAR AD THREAD**

**Thurs January 19th 2017  1:19**

**from Treasure Faalaniga**

**to Mario Hernandez**

Cc’d to Atziria Camarena Bonnie Strong, Laura Radisson, Ava K

Good afternoon I need some clarification of whether to pay our neighborhood newspaper a 1 year add in full or partial. I could not find any discussion in a funding article, of paying the full amount now or half now and later on a new fiscal year 2017 to 2018. I will be issuing a check of the full amount of approximately $3,500 by Friday.

**2:06  Thurs January 19th 2017  from Laura Rudison to Faalaniga**

Hi Nina

thank you for paying the one-year subscription. If this becomes a problem I need to know so I can escalate.

Laura

***Once again this reply is confused. Nina isn’t saying she will be paying she is asking for clarification on “whether to pay our neighborhood newspaper a 1 year add in full or partial.”***

**3:25  From Atziri, Camarena to Nina** cc’d everyone else

Good afternoon Nina

I hope this email finds you well

well. The one year add will need Department approval prior to payment  issuance. Can you please provide me with the invoice and the funding request form with the board approval. Thank you in advance.

***This is evidence that no documents had been submitted to the department prior to this date***

**Ms. Rudison replies asking Ms. Smith to “start the process” to get me paid one full month after the vote.**

**4:33 pm  January 19th 2017 from Laura  to Atziri, Camarena**others cc’d

Hi Nina please start the department approval process ASAP.

Should you have any problems please notify me immediately.

**Now less than 10 days away from printing, I finally receive an email from Ms. Rudison and instead of a simple “we have contacted the City Clerks office today and should have clarity for you within a week. Thanks for your patience” she appears to be confused about my requests and takes a hostile tone.**

**I believe the tone, confused responses, unwillingness to answer my reasonable efforts to get clarity around payment and underlying hostility towards my efforts to get clarity constitutes a Violation of BONC Code of Conduct** **- D - Neighborhood Council Board Members should conduct themselves in a professional and civil manner. And their by-laws Section 3 – F.**

***My notes in BOLD.***

**Fri, Jan 20, 2017 3:26 pm**

|  |  |
| --- | --- |
| <infochic@sbcglobal.net> |  |

DIANE.

I was hoping not to address you in this matter, but not so.

FIRST.

OPNC Board approved to pay Neighborhood News Subscription on a 1-year basis; and that will be the way this matter will be allocated from our 2016-2017 Fiscal Budget Year.

***[This was incorrect. Ms. Rudison mistakenly thought she had powers she didn’t have and had no authority to decide this. DONE ultimately told her she could not do it this way.******It had to be paid the way every other NC had paid for ads, per issue within the fiscal year. So she was incorrect in this statement. But she very strangely kept insisting that DONE would do it her way]***

SECOND.

I understand your need to get paid for your services, however OPNC has enough experience in dealing with DONE regarding Budget Items, and we will handle this matter.

***[She did not handle it. Based on records she spent months of stalling and claiming she was having discussions with DONE that in the end were UNTRUE . if I hadn’t stepped in to ensure I would get paid for the first ad, my payments would not have happened]***

We appreciate you as a Vendor providing us with discount(s) for your services, however please note that it is not your responsibility to determine how OPNCs Budget items are paid out (your numerous emails keep trying to adjust to how you think Done will pay).

***[This once again is a confused response. I am not trying to determine how I will get paid. I was trying to get clarity about when and how much…and when neither the treasurer nor the Chair would provide it I simply asked DONE and they told me. It is my responsibility to make sure my clients pay me in a timely manner. As a business person we often deal directly with the entity responsible for payment. Asking when I can expect payment and how much is a standard business practice. And there are no rules saying a vendor can’t contact DONE to resolve a payment issue if the Board members seem unable or unwilling to.]***

THIRD.

As a long-time Vendor with the City, you are aware the City does not pay invoices on a "next day" cycle, so OPNC will not be providing a daily update.

*[****Not sure what this refers to. Nowhere have I indicated a need to get paid “next day” I made clear in my emails that I didn’t CARE how the payment would go but I needed to KNOW how and when]***

 While we appreciate your efforts to expedite your payment,

***[Once again this is confused. I am not trying to “expedite” but to simply be clear about WHEN I would get paid and how much.]***

please be advised that I have directed the Treasurer to request approval on a 1-year payment;

***[Records requests were unable to turn up any documents supporting this claim. It wasn’t until JAN 19 the day before this email and AFTER I stepped in to the City Clerk that she directed the treasurer to request approval. Both Martha Kabral and Jeff Brill claim that they never received this request prior to Jan.19.***

Done has requested us to submit some additional documents on the matter for review and approval.

***[DONE did not ask for additional documents on Jan. 20. They asked for standard documents. An INVOICE which I had already sent OPNC right after the vote and FUNDING REQUEST which should have been sent in the week after the vote.***

Thank You for your understanding and patience of the above discussion.

FYI. Lastly, I have caution Done's Reps about speaking to anyone on OPNCs Budget matters outside of our designated representatives, which are the President and the Treasurer.

Best Regards,

Laura Rudison

OPNC Chairperson

Elections: Jul 2016- Jun 2018

***Part of the problem with Ms. Rudison’s management style is that she often assumes more authority than she is entitled to. She does not have any authority to tell DONE or stakeholders or vendors, who they can and cannot speak to. She does not have the authority to tell DONE to make payments the way she deems appropriate. Despite Ms. Rudison’s effort to make sure I wouldn’t communicate with DONE my discussions with DONE were productive and they were very understanding and helpful in making sure I got paid.***

**My Response to her email. Despite my frustration my tone is still professional and courteous.**

**Mon, Jan 23, 2017 1:43 am**

Laura it appears from your response that you have not understood my concerns nor my request.

Let me clarify. This doesn’t need to be difficult or complicated.

I have run a successful business for 8 years and asking my client when I can expect payment is a basic professional procedure. I don’t care *when* just need to *know* when.  I still don’t have an answer.

Please understand I dId not tell you how to pay me. I gave you two options in case what you wanted to do proved undoable. One invoice allows you to pay me your way(the full amount) and the other allows you to pay me the way I understand DONE wants to pay - per issue which is how I”ve been paid in the past.  Once again I don’t care which one it is

Remember I’ve done many ads with previous OPNC boards and DONE paid a certain way for specific reasons.  It’s not inappropriate for me to ask for confirmation that DONE will now allow this new way of paying.

But it  appears from your email that DONE has not yet approved this request since they are asking for “additional documents”.  So, if they do not approve then you have the invoice for a per issue payment.

I would not have called DONE if these issues were addressed with my first emails. They have always invited phone calls to answer or address any issues.

Looking forward to the resolution of this and truly really hope they will pay me the way you have requested.  So please let me know when I can expect to be paid. We are going to press in a week and a half.

Got the ad and it’s FANTASTIC!

Thanks for your attention to this matter.

Best Regards

Dianne V. Lawrence

Publisher/Editor

**The treasurer Ms. Smith, in good faith, agrees to pay for the publication of the first ad and explains that they will pay this way, per ad, going forward, as I always have been paid in the past. As treasurer I believe she has the right to make this decision, a decision that was eventually supported by Jeff Brill of the City Clerk’s office.**

***Despite this* the Chair inserted herself into the process and inappropriately interfered with the treasurer’s responsibilities, as the following documents will indicate. She wasted *everyone’s* time with complaints and demands for meetings only to be proven wrong in the end.  She was upset that I had been paid for the service rendered and she clearly was still avoiding getting clarity about how I could get paid.**

**The treasurer also indicates she had previously been asked for at least five documents which includes my invoice.   I asked for records identifying  who requested and what these documents were.   I received no documentation identifying what they were and who requested them.**

***7:09 p.m. February 1st 2017  From  Ms. Smith  to  The Neighborhood News***

Wed, Feb 01, 2017 7:09 pm

|  |  |
| --- | --- |
| *Faalaniga <smithfaalaniga@yahoo.com>* |  |

*Hi Diane,*

*I just issue  the first check in the amount of $625.00 to arrive on 2.3.2017.*

*DONE wants at least 5 documents which include your invoice with a total amount for the entire year.*

*However, I think it's feasible to issue a check for each schedule print. Therefore, I will need the entire amount for the year for my file. But each issue you will submit an invoice for payment and I will process it.*

*I will still submit these documents to DONE  but will explain to them what we are doing.*

*Sorry about the delay.*

*Sincerely*

*Faalaniga T Smith*

*Treasurer*

*Olympic Park Neighborhood Council (OPNC)*

**I respond and clarify what we understand to date:**

**Thu, Feb 02, 2017 12:04 am**

Thank you Nina for the clarity. 

And thank you for any effort to attempt to get me the full amount at once. Unfortuantely paying per issue is pretty much how I did it previously with OPNC. DONE doesn't like to pay anything before delivery of services. So they pay after publication.

So for total clarity here is the agreement as it stands. Send back any corrections if necessary but i think this sums it up:

Agreement

1 -  3,500 copies distributed in OPNC on doorsteps

2 – 1,000 distributed in new area identified by OPNC and given to TNN a week before distribution dates.

3 – Unlimited Eblasts for free

4 – Free design assistance by Dianne but primary design done inhouse by Ava.

Here is the Ad cost

Full page color ad

$425 per issue

   -50 deduction

$375 per issue

+250 for additional 1000 print and delivery

 $625  TOTAL COST PER ISSUE

To be paid after distribution of issue.

Free eblasts

NINA I believe you don't have to do this with a check because the amount might fall under the limit you have for your credit card. Let me know which you choose.

I have attached the invoice for one issue and for full year. Let me know if you need anything else.

 I can come to the meeting next week to pick up a check if you can't pay with Credit Card.

I have already agreed on the maps for the additional distribution territory with Bonnie.

Ava submitted the ad ahead of schedule. It looks Great! I'm very excited to have it in the paper and to help your residents get more familiar with you.

Thanks for your attention to this and everybody's efforts in making this happen.

Warm Regards,

Dianne V. Lawrence

**Publisher/Editor**

**By the 6th I hadn’t received the check but didn’t know why yet.**

**Mon, Feb 06, 2017 12:27 pm**

Nina I didn't hear back from you. Please contact me so I won't have to come to the meeting tonight.

**Dianne V. Lawrence**

**Publisher/Editor**

**Ms. Smith responded promptly indicating check would be sent.**

Mon, Feb 06, 2017 3:57 pm

|  |  |
| --- | --- |
| *Faalaniga <smithfaalaniga@yahoo.com>* |  |

*Hi Diane,*

*You should have received a payment of $625.00 Friday. I'll check the system and get back to you.*

*Nina Smith*

*OPNC Treasurer*

**By Feb 10 I hadn’t received any answer. By Feb 16 I still hadn’t heard anything, contacted DONE who discovered check had been sent to an old address left on my invoice and that they would send me another. Which they did. Problem solved.**

**(Tellingly on FEB 16 Martha Cabral sent Andrew Choi at DONE an email indicating payment of the $625 but *says nothing about any effort by the Chair to get a contract or larger payment.)***

**EMAIL THREAD REVEALING MS. RUDISON’S EFFORT TO TAKE ON THE TREASURERS RESPONSIBILITIES**

**On FEB 17 Ms. Rudison is furious that I have been paid and sends an irate letter to Ms. Cabral. Why has Ms. Rudison assumed the function of treasurer? Included in this email is information indicating an effort on her part to get clarity regarding the payment process at this meeting two months after the vote while It took me a few phone calls to resolve the issue.**

**4:14 pm February 17th 2017**

Dear Ms Cabral,

request for meeting with you to discuss the done payment of $625 ASAP.

As president of OPNC I'm requesting a meeting with you to discuss the subject Neighborhood News payment and financial process that took place. Please include Andrew Choi and Melvin Cana's to this subject meeting. I look forward to meeting you.

Wish to understand why your office is speaking to vendors prior to contacting OPN sees Financial reps, Nina Smith Treasurer and Laura Radisson president on such issue. I am especially interested in protocols for 12-month agreements with vendors ree certain products as “media”

**Andrew Choi responds**

**5:51 p.m. Friday FEB  17th**from Andrew Choi ( Administration and accounting) to Ms Rudison

Hello Laura Radisson,

I hope this email finds you well. We have attempted to contact the opmc treasure in regards to this invoice on February 13th. We have not heard back from Nina in regards to this invoice and the vendor demanded payment. The bank statement for opmc also shows a payment was attempted to Neighborhood News on February 3rd but it was refunded rejected. [sent to wrong address]  The vendor has informed me that the payment has been outstanding for some time and Nina has not responded to her request for assistance. Since neither I nor the vendor was able to reach Nina,  I asked Martha to issue the payment on behalf of all PNC to avoid any issues that could arise from a vendor not receiving payments.

For your other question about a 12-month agreement any service that extends 3 months requires review from Jeff Brill. You can reach him at 213-978-1551. If you have any questions please feel free to contact me

**Ms. Rudison responds**

**5:57 p.m. Friday February 17th 2017 from** Ms Rudison to Mr. Choi

Dear Andrew Choi

Thanks for your email however I have requested a meeting to discuss this issue and others.

I find it mystifying that if the treasure is unavailable the president of the NC's and often second seniors of the financial matters are not contacted( I have no notification from you on this matter)  and the matter of done issuing checks on behalf of an NC is also up for discussion.

I look forward to a meeting ASAP

**A decision was made by the treasurer to pay for services rendered. DONE made sure I received the check. Why is the Chair upset and inserting herself? Why does she still lack clarity about how to get me paid?**

**On March 8th Ms. Rudison meets with City agencies to discuss this issue so now we are fully three months in after the vote and Ms. Rudison has still been unable to get clarity on whether or not she can issue full payment and get me a contract, or pay per issue and continues to refuse to communicate anything to me regarding this issue leaving me in the dark about how payment is to be made -- violating OPNC By-laws.**

**On March 16 I received the following important piece of information, which is now evidence supporting my claim that Ms. Rudison was engaged in a deliberate effort to stall my payments. And it supports my claim that Ms. Rudison apparently lied about her interactions with the city and her attempts to get me paid.**

**My comments in bold**

-------- Original Message --------

Subject: Reply 03-16-2017: Follow up on payment

From: "infochic@sbcglobal.net" <infochic@sbcglobal.net>

Date: Thu, March 16, 2017 8:05 pm

To: Faalaniga Smith <faalanigasmith@rocketmail.com>,

<info@theneighborhoodnews.net>

Cc: Bonnie Strong <bonnisu2u@gmail.com>, <andrew.choi@lacity.org>,

Laura Rudison <infochic@sbcglobal.net>, "Ava K." <apk679@gmail.com>

Hello Diane:

RE: Follow up on payment

This is in response to your email.

As stated in previous emails, the February 2017 OPNC Board Voted was to secure a 1- year Subscription of Advertisement from the Neighborhood News at a total cost of $3500. With the Board Vote, the appropriate paperwork was presumably to be submitted to the City Administrator or DONE for review and approval of this request. **Notice she uses the term “presumably” which means she is indicating she wasn’t sure. It hadn’t been submitted. Records requests for this came up empty.**

For some unexplained reason,the OPNC Treasurer made a partial payment of $625.00 towards the total cost of $3500

**The reasons are clear. I provided a service, they needed to pay for it and resolution of the issue was being stalled by Ms. Rudison’s alleged “attempts” to get me full payment and a contract. The treasurer made a decision (which was her right) to pay the vendor in a way supported by previous Boards and DONE.**  **No mystery here.**

and the City's Bank rejected our check, claiming the Vendor information was incorrect. I have since learned from our Treasurer, that the info submitted for OPNC Advertisement (Feb-2017) was identical to the information for Neighborhood News Advertisement payment for the OPNC 2016 Elections.

**This was my error**

FYI. Last week, I meet with Andrew Choi to discuss the rejected check and to get a status of the above 1-year approval of payment status.

**In discussions with Andrew Choi he claims he never had a conversation with her about the 1 year approval and there are no documents from DONE to support this effort on Ms. Rudison’s part to pursue this effort with Mr. Choi or anyone else from DONE.**

As of the subject meeting, that DONE has not completed the OPNC request for review and approval of this matter.

***And here we have it…..There are NO documents to support this claim* about DONE completing an OPNC request and *if* they had documents they would have been sent to the City Clerk’s office immediately for approval. The City Clerk’s office said they NEVER received any documents around this issue and didn’t hear about it until I raised the issue with them. This can be verified by calling Martha Cabral, the OPNC funding rep, or Jeff Brill who oversees contracts.** **Ms. Rudison appears to have lied and was unable to provide any requested documents to support her claim.**

As a result of the unapproved status of the review, there will not be any additional payments on this matter until the approval is completed.

Please be advised that you will be notified when this review and approval matter been completed by DONE. Further note. You may elected to suspend future services to OPNC until this matter is resolved.

Regards,

Laura Rudison,

OPNC Chairperson

Elections: Jul 2016 - 2018

**And so, here it is…. Ms. Rudison has confused the issue to the point where she feels confident to take the position that I would not be paid until the “matter” was resolved and suggests I suspend advertisement until then. *A matter which agents from the City Clerk’s office and DONE said had not happened and for which there are NO documents. So Ms. Rudison wants to hold up payments and advertising to resolve* a matter that didn’t exist.**

**There can be no other position to take to explain this bizarre confused behavior other than to see it as Ms. Rudison’s thoroughly unprofessional inability to separate her negative personal feelings towards me, a stakeholder, with the business of OPNC. And she deviously took actions to make my relationship with OPNC difficult and distressing.**

**I was providing a well respected community service allowing OPNC to reach into their community on an ongoing basis. But I was treated with contempt and disrespect by the Chair for my efforts to get paid in a prompt, transparent and professional manner.**

**So…. despite Ms. Rudison’s efforts months earlier to convince me that OPNC was quite capable of taking care of the issue and that I should stay out of it, it was clear she wasn’t taking care of it and if I hadn’t gotten involved who knows when I would have gotten paid.**

**Over 3 months after the vote I talked to Martha Cabral and Jeffrey Brill.  After my discussion with Mr. Brill he took some action and requested documents from Ms Rudison.   Documents that should have been submitted the week of the vote. It was my intervention that finally got the matter clarified and addressed within a few weeks of talking to the appropriate people.  Something Ms. Rudison apparently couldn’t accomplish in four months.**

**ON March 20th I send this email to everyone outlining my complaints about misinformation and delays. This is the first email where my tone is assertive but continues to be professional and provides clarity to the Board about behavior on the part of their Chair that was clearly troubling.**

Subject: Resolution of payment to TNN

From: <info@theneighborhoodnews.net>

Date: Mon, March 20, 2017 6:20 pm

To: "infochic@sbcglobal.net" <infochic@sbcglobal.net>, "Faalaniga Smith"

<faalanigasmith@rocketmail.com>, opnc@empowerla.org

Cc: "Bonnie Strong" <bonnisu2u@gmail.com>, andrew.choi@lacity.org, "Ava

K." <apk679@gmail.com>

|  |
| --- |
|  |
| Hello EveryoneAfter several failed attempts to get clarity regarding the rather confusing issue of getting funding for the ads the Board had voted for, I finally called the City Clerks office and talked to Martha Kabral, the OPNC funding liason.  I also talked to several other people and came away with a pretty clear picture of the issues involved.This information is open to correction but this is what I have been able to gather after several conversations with key people. The OPNC Chair had responded to my many efforts for clarity about payment by telling me that she was attempting to get a contract with the city for payment of the full amount.She has written:*"Upon that action, [the Board vote] I directed the OPNC Treasurer to submit to the City's Finance Dept. all required documents towards the Board Vote (not partial or installment payments)."*she has also written;*"With the Board Vote, the appropriate paperwork was presumably to be submitted to the City Administrator or DONE for review and approval of this request."*and at a later date:*"I understand your need to get paid for your services, however OPNC has enough experience in dealing with DONE regarding Budget Items, and we will handle this matter. "*But, unfortunately, according to both Martha Kapral and Jeff Brill the contract overseer, they did ***Not received Any Paperwork***regarding this issue. None. Zilch. Here is what Martha explained to me1.  Any paperwork submitted for payment approval has to go to her first. *She hasn't received anything.* (She should have received it the week the Board voted on this, as the Chair indicated it had been.) 2  If the payment is for repeated services it possibly requires a contract so Martha would then send the submitted paperwork to Jeff for contract review. If he felt the request demanded a contract a series of events are set in motion including being sent to the City Attorney then back to Martha. This is what takes time.  If Jeff decided it didn't require a contract it would get sent back to Martha for approval and payment.   Apparently Jeff had received an email requesting information from the OPNC Chair but he never responded.  He was probably waiting for paperwork from the Martha?  But the Chair despite my repeated efforts to find out what was happening, never simply contacted the OPNC funding liaison, Martha to find out what was happening with the payment process. If she had she would have found out she needed to submit the paperwork.*Today after a discussion with Martha, she communicated with Jeff, who finally reviewed the emails from the Chair regarding this and sent a request to the OPNC Chair for paperwork.****This paperwork has been delayed for over 2 months and my repeated efforts to get clarity about what was happening were met with silence or retorts that provided no clarity.***As you can imagine I am quite astonished by this development. Most astonishing was this most recent response from the Chair:*"DONE has not completed the OPNC request for review and approval of this matter. As a result of the unapproved status of the review, there will not be any additional payments on this matter until the approval is completed."*The City Clerks who are responsible for these payments (not DONE)  *cannot complete any request because No paperwork has been submitted to them from OPNC.*Now...perhaps it had been submitted and this information is incorrect, a simple records request will show if this is the case.  BUT if  the paperwork submission has been delayed for any reason, I am requesting that this simple funding request with my invoice attached, be sent to Martha the OPNC funding representative and to Jeff, immediately. It has been delayed for too long. I am choosing to go forward with the wishes of the Board and will continue to provide advertising services to OPNC as I feel confident that the payment issue will eventually be resolved and I don't want to interrupt any momentum these ads are meant to create.   Thank you for your attention to this matter and I welcome any additional information that would further clarify this issue. Dianne V. LawrencePublisher/EditorThe Neighborhood News323.871.8580[www.theneighborhoodnews.net](http://www.theneighborhoodnews.net/) |

**On March 20th  after my conversation with Jeffery Brill, he sent this request for 2 (not five as Ms. Rudison previously indicated) documents.**

**11:11 a.m. Monday March 20th 2017** from Jeffrey Brill to Ms. Rudison and the treasurer:

H Laura

I have finally had a chance to review all of the emails regarding this topic. please provide me supporting documents such as a funding request form and proposal from the neighborhood news supporting what they are charging you for and time frame for the ads. Once received and reviewed, I will discuss with City attorney to determine if a contract will be needed or not. Thank you

**Laura responds**

**4:19 p.m. March 21st** 2017 Ms. Rudison responds to Mr. Brill:

Hi Jeff

thank you very much!

should you need any further clarification or the simple history of this matter you may reach me by email or phone

**Then on APRIL 13 he sent a clarifying email confirming what I’d tried to tell Ms. Rudison the night of the vote annd later the Board after verification from DONE. The treasurer had finally understood the issue and had attempted to move forward with this payment procedure but the Chair inappropriately took on the treasurers function and wasted time by refusing to clarify, misdirecting the issue and avoiding her responsibility to have fair, open, and transparent procedures for the conduct of all Council Business and ensure all debt incurred by the OPNC NC Board, according to its bylaws and policies and procedures of the Department, *were paid in a timely manner.***

**From Jeffery Brill**

**April 13, Thu, 2017 1:23 pm**

Hi All,

I have reviewed all of the e-mails and have had many internal and external discussions reagrding this issue.

First and foremost, no contract is needed at this time.

The total amount approved by the Board on January 3, 2017 was $3,725.  Of this, $625 has already been paid as one (1) of the bi-monthly ads has already been run in The Neighborhood News and an additional payment of $625 is owed for the 2nd bi-monthly ad that was run in The Neighborhood News last week.

Dianne.....please provide an invoice in the amount of $625 for the 2nd ad to the OPNC ASAP. Your invoice should include back-up documentation in the form of possibly a copy of the ad or something to that effect justifying the charges.

As for the rest of the ads, they must be invoiced with back-up documentation by Dianne after the ad has been placed.  The City cannot issue advanced payments for services to be rendered. The City can only pay for items that are completed after the fact.

Also, it is my recommendation that this item be re-voted on by the OPNC for those ads (Ads 4, 5 and 6) that are to be run after July 1st as these ads would cross Fiscal Years into FY 2017-18 and NC's cannot commit current or future funds over Fiscal Years.

On my end, I consider this issue closed.

Please work with Martha Cabral, who is cc'd on this e-mail, with Funding related questions and Mario Hernandez, also cc'd, with Field related questions.

Thank you for your patience

--

Jeffrey S. Brill

Senior Management Analyst

**I respond with an email to Jeff and the OPNC board clarifying what I understand and Jeff confirms my understanding**

**12:58 pm Mon, Apr 17, 2017**

HI Jeffrey

Thank you so much for your attention and willingness to sort this out. *Deeply appreciated.* Glad to hear we can avoid a contract.

To reaffirm and as I suspected since I have dealt with various NC's including OPNC:

1  I am to invoice OPNC after ad has been placed and distributed. *(see attached invoice for April issue)* and also provide proof of ad placement in issue;

[*HERE*](https://issuu.com/theneighborhoodnews/docs/tnn_apr_2017-2)is an online link to the April issue with the ad on page 5.

2  NC's can only vote for services/payments rendered within the fiscal year budget.

3  Board has to reafirm vote for ads approved within the new fiscal year's budget.

The 3rd ad comes out in JUNE which is still within the current fiscal year.

*The board would have to reconfirm payments for the remaining three ads*printed within next fiscal year which would be August, then Oct. and Dec.

*So Laura please include a motion to reconfirm those three ads for the July Board meeting.*

Nina/Martha

I have attached the invoice for the current ad and a link to the magazine with ad. *I would really appreciate payment by the end of next week.  Please let me  know ASAP if this will be a problem.* And pleaseclarify whether or not you will pay with check or CC (which is always easiest).

Jeff and Martha thank you once again for your incredible patience and willingness to clarify the issues that came up for this payment and the process.  Now we can move forward without any more confusion or misunderstandings.

Once again deeply appreciated.

**Jeff confirms:**

|  |  |
| --- | --- |
| **:** | **Mon, Apr 17, 2017 12:58 pm** |

Good Afternoon All,

Correct.

Thank you

Jeff

**So the way forward was clear. We had one more ad left before the end of the fiscal year. It was clear how payment was to be made and yet…once again….**

**Difficulty getting paid for the 3rd JUNE/JULY ad. Yes…STILL**

**On Jun 5, 2017, at 1:54 PM, Invoice is sent to treasurer**

|  |
| --- |
|  |
| HI Nina Issue is printed and getting distributed tomorrow. Kindly let me know when I can expect check. <https://issuu.com/theneighborhoodnews/docs/tnn_june_2017>Thank you.Dianne V. LawrencePublisher/EditorThe Neighborhood News323.871.8580[www.theneighborhoodnews.net](http://www.theneighborhoodnews.net/) |

**And unbelievably I get this response indicating that payment won’t be made till the next fiscal year!**

**Mon, Jun 05, 2017 2:05 pm**

Hi Diane,

Your next payment will come out in July, the new Fiscal Year. This Fiscal Year is closing out tomorrow.

Thanks

Faalaniga T Smith

Treasurer

Olympic Park Neighborhood Council

Los Angeles,  Ca 90019

**I respond**

|  |
| --- |
| **Jun 5, 2017, at 2:39 PM,** |
| NINA!!! Then write my check TODAY!! *This is unacceptable.* You are paying for a publication that was targeted for THIS fiscal year.  YOU never warned me that you couldn't pay for this publication NOW.  This money was expected **I get this astonishing response from her husband, Theodore (Ted) Smith, also a Board member.****Mon, Jun 05, 2017 6:06 pm**think it one of our coffee table meetings we talked about not paying for the paper and putting it over to the next fiscal year because we're going to be short of funds for the out reach event**and from Ms. Smith**Hi Diane,I'm sorry but I am unable to issue a check until July. I will talk to Laura and the Board tonight about the agreement.Nina SmithTreasurerOPNC**They had not warned me prior to the publication of their ad and suddenly I was $625 short in my budget. And their ad, designed for free by me, was in the paper.****I attended a Board meeting that happened to be taking place that evening. Mary Kim their DONE liaison was there and offered to pursue the issue for me. I was grateful as I was truly weary of trying to get this Board to pay me. I also found out that they actually had two extra days to pay me.** **Although they had decided to use money approved for me to cover their expenses for another project - without a full board vote - they were finally convinced they had to pay me and did.** **Then it was time to attend the first meeting of their fiscal year to have the following three ads which had been voted for the previous fiscal year, approved.** **I thought it was going to be old business and a simple vote to confirm the original 6 issue reservation, but I was mistaken and had to present it as a new request and new business. I was unprepared for making this kind of presentation.****Please refer to the first page for my experience of Ms. Rudison’s incredibly unfriendly and unhelpful attitude and its influence on the tenor of the board meeting.** **I reacted with anger and outburst which I understand was inappropriate and disruptive and for which I sincerely apologize. While past interactions with other OPNC and NC boards had been a simple easy process, the months of confusion, frustration and difficulty in dealing with a confused Chair misdirecting and creating obstacles to getting paid had finally gotten to me.** **The Board elected to discontinue the ad but did approve a payment to me of $150 which made up the difference for the discount they received for 6 issues. Since they only paid for 3 issues they needed to pay fthe usual rate. They approved this. To date, my invoicing and request for payments have been ignored.** |