

To: DONE
Fr: Jay Ross (310) 979-9255 Ross_Jay@Hotmail.com
Re: Grievance submittal – West LA Sawtelle NC
Date: Mar. 13, 2018

At its Mar. 7, 2018, Special Board meeting, the NC may have violated its bylaws by removing Rose Kato.

Per Sect. 509 of the NC's bylaws, 1 of 4 reasons must be justified to remove a Boardmember.

The reason for this grievance is a violation of process -- that the NC did not follow Sect. 509 of its By-Laws. It did not provide a specific "charge" against Ms. Kato, nor did it provide specific evidence in its Motion to justify her removal as a Boardmember.

The Motion to remove Ms. Kato cited the sections of the Bylaws, but the Motion provided no details on which of the 4 sub-sections she allegedly violated, and provided no evidence to support the alleged violation.

A hearing was held, and testimony was provided of a wide range of topics. But none of testimony was compiled into a specific violation of a specific sub-section as part of the Motion.

The meeting was designated as a Special Meeting only because the NC was too disorganized to schedule it on the regular 72-hour notice, which the Brown Act requires. Disorganization is poor justification for a Special Meeting, though it is allowed (see the below Agenda).

As a result, the NC provided only ~30 hours notice (emailed at ~2:00 pm the day prior on Tue., Mar. 6) to the public and to the accused of an important issue like this.

The Agenda was 1 page and only listed items for discussion. It provided no backup documentation nor information on the alleged violations. In addition, no NC Boardmembers or Officers provided written reports at the Mar. 7 meeting

509. Removal. A Board member will be removed for the following reasons:

1. The member is no longer qualified as a Stakeholder in the WLASNC.
2. The member is unable to carry out his/her duties and responsibilities.
3. Sufficient cause due to ethics violations; missing three (3) Board meetings in a row without reasonable justification; and/or obstructing the business of the Board.
4. The member has participated in unethical behavior, including but not limited to misuse of WLASNC funds, or has failed to recuse him or herself from votes in which the member would benefit financially.

In the NC Motion, none of the 4 possible reasons for removal was justified:

1. Ms. Kato continues to live in the NC district.
2. Ms. Kato has physical capability and has diligently carried out here duties and regularly attends meetings.
3. Ethics violations –

No evidence was presented of financial relationships with parties to the NC.

Ms. Kato has not missed 3 consecutive meetings.

Ms. Kato has not obstructed business of the Board.

4. Unethical behavior –

No charge of mis-use of NC funds was presented.

No charge of failure to recuse herself was presented.

The only possible justification given was disruption of meetings or obstructing the business of the Board (Justification #3), and this is very subjective. Boardmembers made general comments, but no detailed, specific “charge” was written down and voted on.

Some Boardmembers stated that Ms. Kato asked too many questions during meetings. One of her questions was why a charge of \$4,000 was on the Treasurer’s MER report (see the below Agenda) and why no backup invoices or receipts were provided. Note that stakeholders testified that they were thankful that Ms. Kato was reviewing the use of their taxpayer dollars so diligently.

Ms. Kato has also asked questions to ensure that stakeholders with disabilities have access to NC facilities for meetings.

Ms. Kato also pushed hard for all Boardmembers to participate in worthy NC events, such as the Clean Streets Program (for which her hard work secured a grant of \$2,500 and a plaque of recognition), a first-time inventory of NC property, and securing the NC office for the first time in 10 years of use.

Some Boardmembers blamed Ms. Kato because the Board did not complete its Agenda because of her extensive questions at some meetings.

The main reason that meetings run long is that the NC often has numerous items on its agenda, and many are real estate projects that are controversial and complex (they require extensive reports and testimony by stakeholders and developers). Sometimes reports are incomplete, and queries for more information is required.

For example, at the Jan. 24 meeting, a complex issue about the Brentwood Newsstand’s proposed move to the Bundy Triangle Park prompted many questions by Ms. Kato (and others) because of the proposed lease between a private company and a public resource/ land. The city provided no reports or plans or information in advance, so Boardmembers were forced to ask numerous questions to try to get information.

In addition, the NC had never done an inventory during its 15 years of existence, but Ms. Kato led this effort. With no previous work by the NC, sorting through locations of equipment and furniture, clarifying ownership, and getting access to locked facilities was difficult and resulted in many discussions and queries to figure this out.

Also, some MERS reports did not have receipts and invoices readily available, which forced Boardmembers to ask additional questions to verify expenditures.

In addition, some Boardmembers like to hear themselves speak and pontificate, and that delays meetings as much as Ms. Kato’s questions.

Finally, around 9:00 pm after 2 hours of meetings, Boardmembers usually make a motion to adjourn on their own accord, instead of staying until 9:30 or 10:00 pm to complete the agenda (which I always am willing to do to serve our stakeholders). Again, this is subjective, and likely does not rise to such a level of disruption that removal of a Boardmember is justified.

Other questionable testimony was by the Farmers Market manager, who did not understand why her private organization could not have open access to the NC office, which is a public facility with valuable electronic equipment and supplies, at all times.

WEST LOS ANGELES SAWTELLE NEIGHBORHOOD COUNCIL
SPECIAL BOARD MEETING AGENDA

Wednesday, March 7, 2018, 8:00 PM

Felicia Mahood Multipurpose Senior Center

11338 Santa Monica Boulevard – Community Room – Los Angeles, CA 90025

Please Use the Entrance on Corinth Avenue

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least 3 business days (72 hours) prior to the meeting you wish to attend by calling the Department of Neighborhood Empowerment at (213) 978-1551 or by emailing NCsupport@lacity.org. **All items on the agenda are subject to discussion, possible action and filing of a Community Impact Statement (CIS) to the Office of the City Clerk.**

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I. Call to Order (1 minute)

II. General Public Comment (6 minutes)

III. Approvals (5 minutes)

a. Outstanding draft meeting minutes (*Secretary Naomi Kageyama*)

b. Outstanding MERs reports (*Treasurer Handal*)

IV. Discussion and possible Motion for Censure and Removal from the Board of Rose Kato pursuant to WLASNC Bylaws Sections 508 and 509 (45 minutes)




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- V. Discussion and possible Motion for Censure and Removal as PLUM Chair of Jay Koss pursuant to WLASNC Bylaws Section 508 and 701 (45 minutes)
- VI. Public Comment for Items Not on the Agenda (5 minutes)
- VII. Board Comment and Announcements (5 minutes)
- VIII. Adjournment

WLA/Sawtelle Neighborhood Council - Special Board Mtg WED 3/7/18 8:00 pm

 nkageyama@wlancc.com Wed 3/7, 2:01 AM Reply | v

Jasmine Elbarbary (jasmine.elbarbary@lacity.org); NCSupport@lacity.org

You replied on 3/7/2018 3:30 AM.

  March 7 2018 SPECIA...
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Attached please find the WLA/Sawtelle Neighborhood Council agenda for a Special Board Meeting to be held Wednesday March 7, 2018 @ 8 pm (not 7 pm as with regular meetings).

This is a public meeting and everyone welcome. For more information please visit the WLASNC website at www.westlasawtelle.org. Please see attached agenda.

[The WLA/Sawtelle NC Board Meeting is scheduled for:](#)

[Wednesday 3/7/18](#)
[8:00 pm](#)
[Felicia Mahood Multipurpose Senior Center](#)
[11338 Santa Monica Blvd.](#)
[Community Room](#)
[Los Angeles, CA 90025](#)
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For those POSTING and/or PRINTING the attached agenda - please let me know if you would like any additional hard copies for distribution. We will do our best to accommodate. Thank you very much!

Reminder to WLASNC Board Members -If you head up a Committee please feel free to forward this notice to your stakeholder committee members.