

WESTSIDE NEIGHBORHOOD COUNCIL
POLICIES, PROCEDURES, AND BYLAWS COMMITTEE
2006 YEAR-END REPORT

To: The officers and Board:

From: Jan C. Gabrielson, Committee Chair

Date: December 8, 2006

2006 ACTIVITY

The only amendment to the Bylaws and Standing Rules in 2006 was SR-16, which governs contact with the news media. Toward the end of the year, the Chair of this Committee was drafted to help with getting DONE's approval of the Election Procedures and general preparation for the election.

POSSIBLE GOALS FOR 2007

I have kept a running list of amendments to our Bylaws and Standing Rules that the Committee and the Board might want to consider in 2007. They are categorized as amendments of form and amendments of substance, although the line between the two is not always sharp. This is by no means a complete list of changes that might be appropriate. I have divided the substantive amendments into three categories: critical, important, and other. The order of presentation within categories is not meant to imply greater or lesser importance.

Substantive amendments to the bylaws:

Critical Changes

1. **Change voting as described in DONE letter of 8/4/06.** DONE approved our Election Procedures, but warned that future election procedures will not be approved unless we make a change to the Bylaws. Here is the relevant (and somewhat obscure) paragraph of that letter:

Also, please note that though the Westside Neighborhood Councils [sic] election procedures for 2006 have been approved, approval of any future election procedures will be contingent upon a bylaws adjustment clarifying that portion of Article 3, Section 2 of the Westside Neighborhood Councils [sic] bylaws which states: "All elections will be by open vote at a meeting open to all Stakeholders pursuant to rule established by the initial Governing Board in compliance with the Ralph M. Brown Act." Clarification of Article 3, Section 2 could be accomplished by deleting this statement and substituting the following

sentence: “All qualified WNC stakeholders are entitled to vote in all elections for WNC board seats.” The adjustment of the Westside NC bylaw must be made no more than 180 days prior to the Westside Neighborhood Councils [sic] next election.

The job will include decoding DONE’s letter and drafting a provision that both makes sense, is expressed in correct grammar, and satisfies DONE, who by then will have no recollection of why they made this demand. The job will also include figuring out why we may not do it earlier than 180 days before the next election.

2. **Set a minimum age for voting in WNC elections.** Our bylaws do not provide a minimum age for eligibility to vote. As a result, DONE refused to approve our Election Procedures unless we deleted a minimum age of 18. Many young children voted. Election workers noted that some children were obviously not of an age to understand the issues and form their own views on which candidates to vote for. On the other hand, some of the children appeared proud to be able to participate, and some election workers commented that encouraging children to learn to participate in civic affairs was good. In response, Jerry Kvasnicka, our independent election administrator, said, “Voting is just the tail end of a civics lesson.” That is, just allowing children to vote without any education as to the issues or the process is meaningless. The minimum age need not necessarily be 18, but should be an age where the voter can understand the issues and make an independent judgment about the candidates. Jerry now refuses to act as IEA for NCs that do not specify a minimum voting age.

Changes that are important but not critical

3. **Reconsider our system of selected seats.** Our system of three selected seats is based on a false premise: that the institutions in question will confer and select their own representative. In spite of our requests, it hasn’t happened and is not likely to. One possible change is to turn the selected seats into elected seats. A possible reason not to do that is the difficulty of authenticating voters for each seat.

4. **Review and clarify the definition of a stakeholder.** Under our current definition, someone could come to one book-group meeting and become a stakeholder.

5. **Clarify which stakeholders are represented by seat 17.** The holder of Seat 17 serves as a second representative for all stakeholders. The Bylaws define a group of stakeholders in addition to those entitled to vote for business and residential seats. It is not clear whether the holder of Seat 17 is their representative.

Other changes

6. **Add language emphasizing that each stakeholder may vote for one business or one residential seat (in addition to seat 17), but not both.** It is clear enough now, but the issue was nonetheless raised in this election. So we could make

this addition to make the Bylaws easier to read by those who may not be as familiar with them as we are. One relevant section is Art. III, sec. 2.

7. **Southern boundary change.** Palms NC has asked us to cede to them certain territory south of the Santa Monica Freeway. This issue came before the Board on August 10, 2006, as shown in the minutes of that meeting:

6a. Southern Boundary Change. Terri Tippit reported. Palms NC has asked us to cede to them the territory east of Overland, north of National, south of the 10 freeway, to the National exit from the westbound 10. Bob went to a meeting at which nothing much happened. Lee Wallach said that businesses in that area like our work and that we should talk to them before doing anything. Palms NC is contacting people in that strip to get their support for the change. Several people said we did not intend to include that strip when our boundaries were drawn.

It was moved and seconded to support changing our southern boundary to the 10 freeway east of Overland to the National exit from the westbound 10, so that our new boundary would be the 10 freeway. Palms Park and the Library will remain in our area. Passed 10-3-0.

It was moved and seconded to clarify the previous motion that we will not take any action to implement the boundary change until after our election on December 7, 2006. Passed 11-1-0

Lee Wallach appeared at our Board meeting of September 14, 2006 and identified himself as speaking for the Motor Ave. Improvement Assn. His Speaker Card is on file with the Recording Secretary in case anyone wants to contact him.

SOME CORRECTIONS OF FORM

This is a small sample of many possible revisions of form. I noted these in passing as I have worked with the Bylaws over time. They may or may not be worth the time to correct.

8. The Board is sometimes referred to as the WNC. The Bylaws could be cleaned up to use the proper terminology.

Eg: Art. IV, Sec. 1, A. "Initially, the WNC [should be Governing Board] shall meet monthly. . . ."

9. Art. IV, Sec. 2. could be revised to clarify responsibility for sending out minutes. It now reads:

MINUTES. Within seven days following each regular WNC meeting, minutes of the meeting shall be sent by mail or by fax or by e-mail to all Board Members and such others in the community as the WNC directs.

Suggested new language: “. . . the Recording Secretary shall complete the minutes and see that they are sent . . . “

10. Art. V, Sec. 1. Should be clarified to give authority without the need for future, unspecified action. It now reads:

The Chair shall be authorized to represent the WNC for purposes of communicating with any governmental entity, the press and any other person.

Suggested new language: “The Chair is authorized . . . “

11. A typo in Art VI, Sec. 1 should be corrected: “reporting secretary” should be “Recording Secretary . . . “