



PRESIDENT
Ron Ostrow

VICE PRESIDENTS
Linda Demmers – Administration
Daniel McCarthy – Outreach

TREASURER
Nelson Bae

SECRETARY
Caitlin Mendoza-Price

GGPNC Executive Committee Meeting July 8th, 2011
MINUTES (APPROVED)

CITY OF LOS ANGELES

**GREATER GRIFFITH PARK
NEIGHBORHOOD COUNCIL**

Your Neighborhood. Your Voice. Your Council



CERTIFIED COUNCIL #36

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1. Call to Order

7:10 PM- Greater Griffith Park Neighborhood Council President Ron Ostrow called executive committee meeting to order.

Committee Members Present (5): Ostrow, Demmers, McCarthy, Bae, Mendoza-Price
Absent: None

2. Public Comments on Non-Agenda Items

Call for public comment on non-agenda items – None.

3. Approval of Past Meeting Minutes

Ostrow reads archived minutes of last Executive Committee Meeting noting that board has turned over with all new membership save for himself.

Motion (Ostrow): To approve minutes of February 11, 2011 meeting

Second (Bae)

Approved: By Consensus

4. Grievance regarding the Rules & Elections Committee meeting held June 9, 2011, brought by Tor Hyams, former GGPNC VP of Administration: Discussion and action as appropriate.

Ostrow calls Hyams to floor

Hyams: Introduces self as past executive and governing board member. States personal goal on GGPNC was to form board of transparency. States belief that the June 9th meeting of the Rules and Elections Committee may or may not have caused “harm” to the public, but states that said meeting operated in a manner counter to GGPNC rules, procedure and by-laws. Explains that at time of the June 9th Rules and Elections Committee meeting there was neither a committee Chair, Vice President of Administration, nor a Secretary to call a meeting of said committee. States that because none of the above seats were occupied at the time of the June 9th meeting that, according to the Robert’s Rule of Order and the GGPNC By-laws, a majority of committee members are required to call a meeting. States the June 9th meeting was proposed to Ostrow by, Governing Board and Rules and Elections Committee Member, Mark Marceri and that the meeting was only agreed upon by a majority of committee members once the President “incited” a “second” through email, and then, only 24 hours in advance of said meeting. Hyams states an objection to the President’s authority

to grant right for anyone to call a meeting and objects to the President's so called incitement of a "second". Hyams states knowledge that the June 9th Rules and Elections Committee meeting's notice and agenda, were posted 72 hours in advance of the meeting, however, that, because the meeting was formally agreed on by a majority of committee members only 24 hours in advance of the June 9th meeting, that the Brown Act was violated. Hyams states that this alleged violation of the Brown Act, denies transparency to the public. Hyams adds that he does not believe that there was malicious intent and that he does not believe that any member of the GGPNC was attempting to "fool the public".

Ostrow: Calls attention to a statement that Hyams made in which he stated, "we can all agree that this is all interpretive".

Hyams: Clarifies that this statement was in reference to the interpretive nature of the Robert's Rule of Order.

Ostrow: Directs Executive Committee members and members of the public to the July 4th email in which Hyams states an additional grievance. Ostrow confirms with Hyams that he wishes, in addition to the grievances already addressed, to voice his grievance that the date posted for the June 9th 2011 meeting was printed on masthead, in error, as "June 9th 2010".

Ostrow: Explains to committee members that, upon advice from the Los Angeles City Attorney (C.A.), he cannot show the public any document from C.A., but he is allowed to communicate the content of such documents. States that the C.A. reviewed all supplemental documents and information and that, with regard to the procedure used to call and give notice of the June 9th meeting, the C.A. does not believe the Brown Act has been violated. Ostrow states that C.A. further advised it is up to the GGPNC to decide the merit of the grievances. Ostrow adds that the C.A. advised the mistaken year (2010) printed on the June 9th 2011 meeting agenda is a violation of the Brown Act, but that the error is a minor, "exceedingly mild" violation and that it would not be pursued. Ostrow states that the C.A. suggested a cure for the date error could be to announce the error at the next GGPNC Governing Board meeting.

Ostrow: Directs committee to ask any clarifying questions.

Bae: References the June 8th email in which Ostrow explains method by which June meeting was called to order, and in which Hyams references Roberts Rule of order. States belief that Robert's Rule of Order is somewhat vague and is, generally, open to interpretation. States that Bae himself interpreted the rules differently than Hyams.

Ostrow: Clarifies that the C.A. does not believe that the mechanics of the posting violated the Brown Act. C.A. has opined that there has been no violation at all except with regards to the mistaken date. Therefore, we must decide if GGPNC internal procedures and rules were violated. States that his actions in helping to call the June 9th meeting could have violated GGPNC rules, but that they did not violate the Brown Act. Clarifying that, according to the C.A., a majority of committee members (necessitated by Robert's Rule of Order) can agree to a meeting any time before a meeting and, provided that the correct agenda had been posted 72 hour in advance, the committee will have acted in accordance with the Brown Act.

Bae: Suggests that a proactive solution to avoiding such confusion in the future would be for the GGPNC to write a specific rule for the next time there is an Executive Board turnover. Hypothesizing that such a rule could state that in absence of a committee chair, that any two-committee members must call a meeting BEFORE the meeting is posted.

Demmers: Clarifying that meeting must be held if two members call for it, not that two members must call for it.

Hyams: Agrees that such a rule may clarify the procedure to call a meeting in absence of a chair. States that, in hindsight, the former GGPNC Executive Committee (on which Hyams sat) should have appointed an interim chair. Hyams further states that because the June 9th meeting was not called on an emergency basis, there was no reason that it had to go on the 9th and not 48 hours later.

Bae: States intent to bring forth a rule that "in absence of a chair" two committee members must call a meeting previous to the meeting being posted.

McCarthy: Asks Hyams what he believes the ideal outcome of his grievance is.

Hyams: States that he will never approve of what happened, but that he would like the GGPNC President (Ostrow) to write a letter acknowledging his fault in following incorrect procedures related to the June 9th Rules and Elections Committee meeting. Hyams states that it is important that the transparency of this issue is clear.

Ostrow: Calls for any additional questions. Demmers and Mendoza-Price state no questions.

Hyams: In closing, states that transparency is important and, further states his belief that in his early years with the GGPNC the council lacked such transparency.

Ostrow: States that GGPNC rules and Roberts Rule of Order are both interpretive texts. Additionally, states denial of taking action that was outside of his authority as President. Clarifies that the issue to be discussed at the June 9th meeting was time sensitive, explaining that said meeting was called to redefine the outreach position before the new Vice President of Outreach was seated at the subsequent GGPNC Governing Board meeting. Ostrow states due diligence in providing transparency when he emailed Hyams and the entire GGPNC Rules and Election Committee on June 8th to inform them of the meeting and the urgent nature of the business to be discussed and in posting the June 9th agenda 72 hour in advance of the meeting.

Ostrow: Opens board discussion.

McCarthy: States opinion that no official letter from council is necessary.

Bae: States appreciation for Hyams' intent to keep the GGPNC "on the straight and narrow".

Demmers: States belief for a need for clarification of the rules.

Mendoza-Price: States agreement for need to clarify rule.

McCarthy: States belief that Ostrow should write a letter to state his fault in the matter.

Motion (McCarthy): That the GGPNC Executive Committee take the opinion that the Grievance regarding the Rules & Elections Committee meeting held June 9, 2011, brought by Tor Hyams, has no merit.

Second: Bae

Ostrow: States opinion that because the C.A. advised that the date error on the June 9th Agenda was a violation of the Brown Act, that the Executive Committee should not rule the grievance, in it's entirety, is without merit.

Amendment to McCarthy's Motion (Ostrow): That the GGPNC Executive Committee take the opinion that the entire Hyams' grievance, except for the portion relating to the error in the date posted for the June 9th 2011, is without merit.

Second: Mendoza-Price

Approved: By consensus.

Motion (McCarthy): To recommend that the Rules and Elections Committee look into the points and issues raised by Hyams' grievance at their next committee meeting.

Second: Bae

Approved: By consensus.

Ostrow: Reminds committee of the C.A.'s advice that he state the occurrence and regret for the date error at next GGPNC Governing Board meeting.

Motion (Bae): That an announcement be made at the next GGPNC Governing Board meeting to state that the incorrect date was unintentionally posted for the June 9th meeting and that the GGPNC regrets said mistake.

Second: Mendoza-Price

Approved: By Consensus.

Next item taken out of order by request of Tor Hyams.

Supplemental Agenda: Item 1: Grievance brought forward by Tor Hyams

Hyams: States that the GGPNC Parks Rivers and Open Spaces, Business and Transportation Committees have failed to comply with the GGPNC rule, which states that committees must meet at least one time per quarter. States that, he believes, that, with regard to quarterly meetings, the GGPNC has "rules but no consequences".

Ostrow: Calls for public comment.

Rex Link: Asks if there has been any complaint from the community about the missed meetings.

Hyams: States that there has been a complaint from the community in that he himself is a member of the community. States his belief that chairs who neglect to call committee meetings be unseated and that the GGPNC, should then conduct outreach for a new committee chair. States an alternative to above-mentioned solution would be to dissolve committees, which have missed their required meetings.

Ostrow: Passes out hand out non-official document listing committees, chairs, ethic completion of chair, last meeting of committee, last minutes posted, last roster posted, and last time the committee reported to the GGPNC Governing Board. Clarifies that when a committee member makes an appearance before the GGPNC Governing Board that, technically, constitutes a committee report. Agrees with Hyams that there are no consequences for the missed meetings. States belief that the last thing that should be done is to unseat chair and dissolve committee. States opinion that best solution is to try to get the committee to meet and that the Rules and Elections Committee may put in place a rule that allows a certain number of chances for committee chairs who fail to call meetings quarterly. Believes that GGPNC should operate on a case-by-case basis. States that, with regard to the Business Committee, a chair was seated erroneously and was only again seated recently. Additionally, states that we should put this issue on our next Executive Committee Agenda, in order to discuss it further and in order to act on the issue.

Hyams: Requests that the Executive Committee not table this and requests that the committee acts on the issue now.

Ostrow: Opens discussion.

Demmers: States that six of the twelve GGPNC committees have not met in last quarter, that four committees have a mission statement online at the GGPNC website, that three committees have a regular meeting time, and that on the committee pages of the GGPNC website, some committees post a previous meeting as their "next meeting". States that this is not a failure of the individual chair, but rather a lack of structure. States need for updated and consistent web pages. State will to say we should work this out today. States a need for consequences for missed committee meetings and states belief that the grievance is accurate.

Motion (McCarthy): To recommend to President to put this issue on our next GGPNC Governing Board agenda.

Objection to Motion (Ostrow): Because we have not yet fully discussed the validity of the grievance.

Mendoza-Price: States agreement that the grievance is valid.

Motion (McCarthy): The GGPNC Executive Committee rule that the grievance made by Tor Hyams regarding missed meetings by some GGPNC committees has merit and that the issue be discussed at the next Executive Committee meeting.

Second: Ostrow

Objection: Bae

Substitute Motion (Ostrow): That the GGPNC Executive Committee find that the grievance brought by Tor Hyams regarding missed meetings has merit.

Second: Mendoza-Price

Approved: By Consensus

Point of Information (McCarthy): Inquires as to whether the GGPNC Executive Committee can make rules or just suggestion.

Ron: Informs that the GGPNC Executive Committee cannot make rules, but can make a suggestion to the Rules and Elections Committee to make a rule on the issue.

Motion (McCarthy): The GGPNC Executive Committee make a recommendation to the Rules and Elections Committee to create a three strike policy for missed meetings which would result in a chair being unseated.

Second: Bae

Objection: Ostrow

Substitute motion (Ostrow): The GGPNC Executive Committee come up with some recommendations for the Rules and Elections Committee to deal with this pervasive problem when the Executive Committee next meets.

Second: Mendoza-Price

Hyams: States dissatisfaction with the motion made by Ostrow, seconded by Mendoza-Price.

Objection: McCarthy

Ostrow: Clarifies that there is question as to how to disband a committee and that in the past, when a committee was disbanded that there are members of the GGPNC that still argue that the committee was disbanded improperly.

Approved (4:1): Ostrow, Mendoza-Price, Demmers, and Bae vote for motion, McCarthy votes against motion

Return to Regular Agenda

5. Grievance regarding possible Brown Act and procedural violations at the Governing Board meeting held May 17, 2011, brought by John F. John, Jr., chair of the GGPNC Transportation Committee. Discussion and action as appropriate.

Ostrow: Notes that John F. John, Jr. (the party who brought the grievance forward) is absent from today's meeting, but notes that this should not prejudice the GGPNC Executive Committee members' decisions making.

Ostrow: Reads grievance aloud to Committee members and members of the public. States John F. John's claim to four Brown Act violations. The first reported violation is that a secret ballot was taken at the May 17th GGPNC Governing Board meeting and that the public was not informed of how each individual member voted. The second reported violation is that the GGPNC allegedly required, by policy, that members of the public who wished to comment at the May 17th GGPNC meeting had to do so in writing and with identifying information. The third reported violation is that the GGPNC failed to post the agenda and notify the public of the regularly scheduled Board meeting on May 17th within the required timeframe. The fourth reported violation is that the public was restricted from offering public comment on the agenda items at the May 17th Governing Board meeting. Ostrow states John F. John, Jr.'s demand that all action and discussion that took place at the GGPNC Governing Board meeting on May 17th, 2011 be deemed invalid and that said meeting must be held again in accordance with the Brown Act.

Ostrow: States that he will be summarizing for committee members and members of the public the opinions and advice of the Los Angeles City Attorney (C.A.) with regard to the grievances put forth by John F. John, Jr. States that, in the opinion of the C.A., the GGPNC, on May 17th, the GGPNC did not conduct a secret ballot because any stakeholder could have asked to view the ballots and that the votes of each GGPNC member were posted publically on the Los Feliz Ledger website. States that the C.A. Attorney advised, simply, that ballots must be made available for any member of the public who request to see them and that such was the case at the May 17th meeting. Concludes by stating that the C.A. opines that, with regard to grievance number one, no violation has been made and the case will not be prosecuted.

Ostrow: States that the C.A. has advised the GGPNC that, with regard to the second charge brought by John, the Brown Act has not been violated. States that, with regard to the third charge that the GGPNC Agenda notice was not placed at the Citibank Center 72 hours in advance of the May 17th meeting, then Secretary, Jessica Kornberg, had posted agenda in accordance with the Brown Act, but that somewhere within the 72 hour period between her posting and the meeting, the agenda had been taken down and that when she arrived for the meeting on May 17th, she reposted the agenda. States that in the opinion of the C.A., the actions taken by Kornberg in posting the May 17th Agenda were in accordance with the Brown Act. Ostrow also notes that in addition to the posting of the Agenda at the Citibank Center 72

hours in advance of the May 17th meeting, the agenda was also posted online and in the Los Feliz Library.

Ostrow: States that John alleges in the fourth charge that there were times during the May 17th GGPNC meeting that the public was not provided with opportunity to speak and that these occurrences were documented on tape. States that the C.A. advises the GGPNC that, in order to rule on this charge, we may ask John to provide the tape of the meeting in question and that he provide indication as to when the alleged violations took place.

Motion (Bae): The GGPNC Executive Committee find that grievances one, two and three made by John F. John, with regard to the May 17th meeting, are without merit and that, with regard to the four point, the GGPNC request that documentation in support of the grievance be provided to the Board within 30 days.

Seconds: McCarthy

Ostrow: Clarifies that, if motion passes, he will write such letter with the C.A., as she feels fit.

Bae: Requests that we question John as to the reason for his absence from the current meeting.

Ostrow: States agreement and intent to question John as to his absence.

Approved: By Consensus

Ostrow: Informs committee members that all members are entitled to contact the C.A. for advice at any time but that, in doing so, a member will be bound by attorney client privilege.

6. Open committee chairs. Discussion and action as appropriate.

Motion (Ostrow): To table item six.

Second: Bae

Approved: By Consensus.

7. Call for Other Comments and Announcements

Ostrow: Makes call for comments or announcements.

No comments or announcements heard.

Motion (Bae): To adjourn meeting.

Second: McCarthy

Meeting adjourned: 8:30