

Mar Vista Stakeholder Motion

Amendment to Standing Rule 8.9

Preface

Overview

1. What is Standing Rule 8.9
2. What is wrong with SR 8.9
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What is a Standing Rule?

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State laws (Brown Act)
City/County laws
Bylaws
Standing Rules

- Lowest (weakest) level of governance structure for any neighborhood council
- Each neighborhood council customizes their standing rules
- Can be changed by simple board majority vote

From MVCC Bylaws:

Article XII PARLIAMENTARY AUTHORITY

MVCC Standing Rules shall be in addition to these Bylaws and shall not be construed to change or replace any Bylaw. **In the case of conflict between these Bylaws and a Standing Rule of the MVCC, these Bylaws shall prevail.** Standing Rules shall be adopted, amended, or repealed by a simple majority vote of the Board of Directors.

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Standing Rule 8.9 is...

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8.9. Any MVCC Stakeholder is a constituent of each MVCC Standing or Ad-hoc Committee attended.

What is wrong with SR 8.9?

A. Indeterminate stakeholder status

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B. Absence of mandated training

C. Conflict of Interest

What is wrong with SR 8.9 - indeterminate stakeholder status

Government Code section 54953.3

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A member of the public shall not be required, as a condition to attendance at a meeting of a legislative body of a local agency, to register his or her name, to provide other information, to complete a questionnaire, or otherwise to fulfill any condition precedent to his or her attendance.

Source: Section 54953.3, https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&ionNum=54953.3. (updated Jan. 1, 1981; accessed Dec. 29, 2025).

What is wrong with SR 8.9 - indeterminate stakeholder status part 2

From EmpowerLA (DONE) section on councils

7. What public participation requirements apply to neighborhood council meetings?

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Open meetings. The Brown Act specifically requires that your meetings must be open to the public. This means open not only to your neighborhood council stakeholders, but to any member of the public. Your neighborhood council may not charge a fee for admittance, nor can you require members to sign in or identify themselves as a condition of attending a meeting.⁷ Use of speaker cards to organize the order of people who wish to speak is allowed without violating the prohibition of requiring people to register to attend a meeting. However, a neighborhood council may not prohibit a member of the public from speaking if they refuse to fill out a speaker card. Discussion

⁷ If a sign-in sheet or registration form is posted or circulated at a meeting, *it must clearly state that completion of the document is voluntary and not a precondition for attendance.*

What is wrong with SR 8.9 - indeterminate stakeholder status, part 3

MVCC bylaws:

Article IV STAKEHOLDER

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Neighborhood Council membership is open to all Stakeholders. A “Stakeholder” shall be defined as any individual who:

- (1) Lives, works, or owns real property within the boundaries of the Neighborhood Council; or
- (2) Is a Community Interest Stakeholder, defined as an individual who is a member of or participates in a Community Organization within the boundaries of the Neighborhood Council.

What is wrong with SR 8.9 - mandatory training

The following trainings are required by city ordinances, the Board of Neighborhood Commissioners (BONC) policies, and/or state policy:

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1. Ethics Training - Governmental Ethics Ordinance/ City Charter/ Mayoral Directives/ CA Political Reform Act (81001 (b)) /CA Government Code
 2. Funding Training - City Clerk's Office Neighborhood Council Funding Policies and Guidelines
 3. Code of Conduct Training - BONC Neighborhood Council Board Member Code of Conduct Policy
 4. Anti-Bias (ABLE) Training - LA City Ordinance 187803
 5. Gender Expression and Gender Identity Training - LA City Ordinance 187803

What is wrong with SR 8.9 - mandatory training, part 2

MVCC Bylaws - Article XIV COMPLIANCE - Section 2: Training

Neighborhood Council Board Members, whether elected, selected, or appointed, are required to complete all mandatory trainings in order to vote on issues that come before the Council. Trainings

available to Board Members are created to ensure success during their period of service. All Board Members shall complete mandatory trainings as prescribed by the City Council, the Commission, the Office of the City Clerk, Funding Division, and the Department.

All Stakeholders appointed as Committee Chairs shall also take ethics, code of conduct and funding training within three (3) months of their appointment and prior to making motions or voting on matters before a Committee.

All Board Directors, appointed Committee Chairs shall take all other trainings as required by the Department of Neighborhood Empowerment. Documentation of training shall be presented to the MVCC Secretary.

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What is wrong with SR 8.9 - Conflict of Interest (COI)

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- Stakeholders are not asked about COI
- Public is not trained on all elements of COI, e.g., value of gifts, proximity, etc.
- LA City Attorney will not advise stakeholders regarding COI
- Anyone attending a committee meeting can vote for their own motion or request, including their own Neighborhood Purpose Grant (clear conflict of interest)
- No accountability - no repercussions for violating a COI as there are for board members

How this amendment repairs SR 8.9

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Amendment to Standing Rule 8.9:

To foster community engagement and acknowledge the support or opposition upon matters pertaining to Mar Vista stakeholders, MVCC committees are required to conduct at least one poll of all attending public persons (those who are not officially recognized committee members) before taking a committee vote on any agenda item that is voted upon. This poll can be conducted through show of hands, voice, a combination thereof or by any other means as determined by the Committee chair. This poll is advisory and informative to the Committee, but does not constitute an official committee vote as regulated by the Brown Act or MVCC's bylaws.

History of SR 8.9

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The policy of [Standing Rule] 8.9 was not introduced when the Standing Rules were first codified. Rather, it was an important part of the MVCC since its initial founding, and was just confirmed in the Standing Rules.

Best,

Albert Olson

Past Chair, MVCC (2008-2009)

History of SR 8.9

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Online meeting with DONE reps in 2025 (Galdamez is an NEA in the valley):



Anonymous attendee 7:17 PM

can standing rules grant voting ability to stakeholders, e.g., anyone who attends an NC committee meeting?



Jose Galdamez (He/Him/El) 7:19 PM

Only Committee members are able to take action in their committee meeting. I would suggest you follow up with your NEA.

From Dec 18 2019 minutes for MVCC election and bylaws committee:

Semee Park, DONE representative, during the meeting commented that committee meetings should have no more than 3 MVCC directors present which would constitute a quorum, (*secretary's note-this meeting had 5 during the whole meeting and 2 more for part of the meeting*), if more are going to attend it should be a joint board committee meeting to avoid violating the Brown Act. It was stated that MVCC's committees had no set quorum because their membership is whoever shows up, could be 3-100+, all present are considered voting members. She stated DONE would be sending suggested language for us to change our bylaws. There were more questions and Semee said "legal" would need to answer them and suggested asking the MVCC Chair to contact legal for answers.

Dangers of SR 8.9

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1. Non-stakeholders can overwhelm a committee meeting.
 - a. Demanding identity can provoke a grievance:
<https://neighborhoodempowerment.lacity.gov/grievance/>
 2. The public can alter meeting minutes to include their slogans or offensive language. If stakeholders can vote, that includes minutes approval or alteration.
 3. The public can waste board time by pushing forward a motion that wouldn't pass committee if not for the public vote, or by preventing a motion from passing committee, necessitating a director's motion.

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What Can Happen If A Neighborhood Council Board Member Violates The Brown Act?

Criminal Penalty. Violations of the Act can carry misdemeanor penalties for certain actions if a member of a neighborhood council board merely attends a meeting where action is taken in violation of the Act.

However, a showing must be made that the member intended to deprive the public of information to which the member knows (or has reason to know) the public is entitled.

Civil Remedy. Violations of the Act may also result in a civil lawsuit being filed to seek judicial (injunctive or writ) relief to prevent or correct violations. Under certain circumstances, the court can declare a decision made in violation of the Act void. Before filing a civil action, a complaining party would have to first demand that your neighborhood council correct the violation. That demand must be made in writing within 90 days after the alleged violation occurs. In cases involving an alleged violation of the rules governing agendas, the written demand must be made within 30 days after the occurrence.

What's Next?

If this motion passes:

- Committees are required to poll attending members of the public about each item
 - Record results in the minutes separately from committee members
- Only committee member votes (whether a board member or appointed stakeholder) determine passage or failure of agenda items

If this motion does not pass:

- Possibility that outside organizations with agendas commandeer committees
- If anyone is denied full access, they can claim a Brown Act violation or file a grievance with the city
- Others can file grievance or Brown Act violation if untrained, unvetted public votes
- City Attorney might not defend MVCC in court, i.e., MVCC is itself liable when not following state/city/DONE/BONC policies