

# NEIGHBORHOOD COUNCIL BUDGET ADVOCATES BYLAWS

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## **ARTICLE I NAME**

The name of this organization shall be the Neighborhood Council Budget Advocates hereinafter referred to in these bylaws as the NCBA.

## **ARTICLE II PURPOSE**

### **Sec. 1. Purposes**

The purposes of the NCBA is to explore, research, study, seek input, prepare and present the concerns and interests of the communities of the City of Los Angeles (“City”) about the use of City funds, City revenue collection, City budget and budget allocations, efficiency of City government, City finances, City financial obligations and other such concerns as related to financial matters of the City to the Mayor, City Council, Neighborhood Councils, and Stakeholders.

### **Sec. 2. Political Affiliations**

The NCBA is a nonpartisan organization and shall not advocate on behalf or against any political party or person.

### **Sec. 3. Authority & Power**

The NCBA is authorized to act under the Los Angeles City Charter (the “Charter”) Section 909 which provides that “each Neighborhood Council may present to the Mayor and Council an annual list of priorities for the City budget.” The Neighborhood Councils have given their proxy to the NCBA (via the NCBA Budget Representatives, and Budget Advocates) to speak on their behalf to the electorate of the City of Los Angeles. This proxy will not limit or inhibit the individual Neighborhood Councils from expressing their individual thoughts or comments or opinions on various budgetary concerns that fall within the activities authorized under the Charter.

The Neighborhood Councils shall give their proxy in the form of appointing or electing or otherwise designating two Budget representatives from their Board members and stakeholders. This appointment of Budget Representative(s) shall be a revocable proxy which will expire only when the Budget Representative(s) are replaced or resign.

## **ARTICLE III MEMBERSHIP**

### **Section 1. Eligibility to Run for Budget Advocate**

Each Neighborhood Council, pursuant to its bylaws, elects, selects, or appoints two (2) Budget Representatives. All Budget Representatives in a Region as set forth in Exhibit A shall be eligible to run for Budget Advocate. Each Region's Budget Representatives shall elect three (3) Budget Advocates from that Region's Budget Representatives.

### **Section 2. Participation**

Budget Representatives and any other stakeholder with an interest in supporting the Budget Advocates' purpose may choose to work with the Budget Advocates. People who are not Budget Advocates are welcome to participate in all Budget Advocates regularly held public meetings and Budget Advocates committees. Only Budget Advocates shall have voting privileges in connection with the business of the organization and shall be eligible to be elected to the Executive Committee. At least one chair of each committee must be a Budget Advocate.

### **Section 3. Term of Service**

The term of the Budget Advocates shall be approximately two (2) years. The election of Budget Advocates shall take place in even-numbered years on or before June 30 on a date selected by a majority vote at a regularly scheduled Budget Advocates meeting at which there is quorum. The Budget Advocates' term begins immediately upon finalizing the results of the elections in all regions and ends when the results of the next election are finalized. A Budget Representative who is elected or appointed to fill a Budget Advocate vacancy shall serve out the remainder of the current Budget Advocates' term.

### **Section 4. Voting Procedure**

Budget Advocates elections are conducted by Region ("Regional Group") in meetings scheduled for the purpose. Regional Group meetings shall be facilitated by an experienced current or previous Budget Advocate ("Election Administrator") selected by the Executive Committee. The Election Administrator shall not run as a candidate in any election within the Regional Group.

The Election Administrator is responsible for identifying all those attending the Regional Group meeting who are eligible to run and vote, ensuring that all candidates are treated fairly and equally, and only the votes of those qualified to vote are tallied. The Election Administrator may seek assistance as necessary so long as no one assisting is a candidate for Budget Advocate in that Region.

For elections either wholly or partially conducted on a digital platform, the chat functionality shall be enabled with all chats directed only to the Election Administrator or someone designated by the Election Administrator. There shall be no public chat.

There shall be no public comment. The only statements allowed are those defined in this Section.

Once the actual election process begins, the Budget Representatives shall elect the Budget Advocates using the following procedures:

- 1) **Qualified Voters:** The Election Administrator shall create a written record of Regional Group election meeting participants who are eligible to vote. Those eligible are Budget Representatives, Neighborhood Council Treasurers, and Neighborhood Council Presidents (or Neighborhood Council Chairs or Co-chairs) with no more voters than two (2) per Neighborhood Council. Budget Representatives have voting priority over Treasurers and Treasurers have voting priority over Presidents. A Qualified Voter may represent multiple Neighborhood Councils if they are appointed by multiple Neighborhood Councils to do so.
- 2) **Budget Advocate Candidate (“Candidate”):** Candidates shall be Budget Representatives who either self-nominate or are nominated by Budget Representatives, Treasurers, and Presidents from the same Region who are present. Any nominee may decline the nomination. Any Budget Representative who is interested in being a Candidate and is unable to attend the Regional Group election meeting must advise the Co-Chairs in writing in advance of the meeting of their interest in being a Candidate. The Election Administrator must confirm the eligibility of all Candidates. The Election Administrator shall create a written record of the eligible Candidates and shall read the list aloud to those who are in attendance.
- 3) **Regional Group Election Secretary (“Secretary”):** The Election Administrator shall select a Secretary who is a neutral third party that is present at the meeting or a paid minute taker to document the proceedings in minutes and the election results. The Election Administrator shall send the minutes and election results to the Co-Chairs within 24 hours of the end of the meeting.
- 4) **Candidate Statement:** Each Candidate shall have an opportunity to give a brief statement to the Budget Representatives present. The statement may be written or oral. If oral it shall not last longer than two (2) minutes. If written it shall not exceed 300 words.

After all the statements are given, Qualified Voters may ask questions of the Candidates. The questions must be asked in 30 or fewer seconds and every Candidate present shall

have the opportunity to provide a one (1) minute response. There shall be no follow up questions and Qualified Voters are limited to one (1) question each. The question and answer period is limited to 10 (ten) minutes total.

- 5) **Election:** Qualified Voters may vote for up to three (3) Candidates (no more than one (1) vote per Candidate) on behalf of each Neighborhood Council they represent within that Region.

The three (3) Candidates with the most votes shall be elected as Budget Advocates. If the number of Candidates in a Region is three (3) or fewer, they may be elected by acclamation.

- a. **Candidate Ties:** In the event there is a tie such that there are not three (3) clear winners, there shall be a run-off election. The run-off election shall be between those Candidates whose tie prevents there being three (3) clear winners. Each run-off Candidate shall have the opportunity to give an additional statement for up to one (1) minute. In the run-off election, each Qualified Voter shall be entitled to the number of votes equivalent to the remaining openings for each Neighborhood Council they represent. Should this run-off result in a further tie, each Candidate shall have another opportunity to give a statement before another vote. Each Qualified Voter shall continue to be entitled to the number of votes equivalent to the remaining openings on behalf of each Neighborhood Council they represent. If the voting results in yet another tie, the winner shall be selected by a random coin flip called by the Candidate with the last name that occurs first in alphabetical order. As the run-off votes are conducted, those Qualified Voters in the room constitute the voting body.

- 6) **Verification:** The Election Administrator shall collect and verify the election results. The number of votes cast shall not exceed the number of votes that could have been cast in the Region given the number of Qualified Voters present and voting. All of the documents relating to the voting will be submitted to the Co-Chairs after the election.

- 7) **Special Conditions:** In the event that the Budget Advocates are unable to meet or choose not to meet in person to conduct the elections, the elections may be held electronically. In that event, the procedures used will be as similar to those set forth in these Bylaws for in-person elections as practicable. The Budget Advocates, at a scheduled meeting, may establish procedures necessary to address specific circumstances.

## Section 5. Regions

The Regions shall be consistent with those in current use by the Department, as included in Exhibit A to these Bylaws. No voting or approval by the Budget Advocates shall be necessary or required to give effect to any updates to the Regions. Any changes to the Regions by the Department shall not affect the placement or representation or have any other impact on the Budget Advocates and Budget Representatives until the next election cycle. Any replacement of a Budget Advocate shall be from the same Region.

## Section 6. Removal & Replacement

Any Budget Advocate who resigns or is removed involuntarily shall be referred to in this section as a "Removed Budget Advocate."

**A. Voluntary Removal.** Budget Advocates and Budget Representatives may voluntarily resign from their respective positions at any time by providing written notice to the Executive Committee of the Budget Advocates. Replacement shall follow the procedures established in this Section.

**B. Involuntary Removal of Budget Advocates.** Budget Advocates may be involuntarily removed for the following reasons:

**1. Absences:** The Executive Committee may (but shall not be required to) recommend that a Budget Advocate be removed if that Budget Advocate has missed either three (3) consecutive regularly scheduled Budget Advocates Board meetings or six (6) total regularly scheduled Budget Advocates Board meetings in the most recent twelve-month period. Any recommendation for removal shall be agendized at a subsequent regularly scheduled meeting of the Budget Advocates. Removal requires a two-thirds vote of the Budget Advocates present provided there is a quorum. Additionally, members agendized for removal shall be notified a minimum of one (1) week prior to such meeting.

A record of absences for each member shall be maintained and shall be available to all Budget Advocates.

**2. For Cause:** The Executive Committee may (but shall not be required to) recommend that a Budget Advocate be removed for cause if the Budget Advocate has not complied with the Bylaws or Standing Rules of the Budget Advocates including all Exhibits. Any recommendation for removal shall be agendized at a subsequent regularly scheduled meeting of the Budget Advocates. Removal requires a two-thirds (2/3) majority vote of the Budget Advocates present provided there is a quorum and provided the number of votes for removal is not fewer than the number of Budget

Advocates required for a quorum. Additionally, members agendized for removal shall be notified a minimum of one (1) week prior to such meeting.

3. Any Budget Advocate who ceases to be a Budget Representative within their respective Region shall be deemed to have vacated their Budget Advocate position as well.

Any Budget Advocate who is removed as a Budget Advocate may nevertheless still continue as a Budget Representative unless removed from that position as well by the Neighborhood Council they represent or unless they no longer qualify as a Budget Representative under the bylaws of that Neighborhood Council.

If a Budget Advocate is also an officer of the Budget Advocates and is removed as a Budget Advocate, then that officer position shall be vacated. The Board will then select a replacement for that officer as provided in Article IV.

- C. **Replacement of Budget Advocates.** In the event of a vacancy, the Executive Committee shall communicate to all Budget Advocates and shall communicate in writing to all Budget Representatives and all officers and board members of Neighborhood Councils within the Region of the vacant position that they need to elect a new Budget Advocate for that Region. Any of those within the region who receive the communication may, within one (1) week, nominate a replacement from among the Budget Representatives within their Region. The Region's Qualified Voters shall elect the replacement as expeditiously as possible after the acceptance of the nomination(s) and confirmation of eligibility. It requires a minimum of one vote from the Region to elect a Budget Advocate. If there is only one (1) nominee per vacant position in the Region, that candidate(s) is confirmed by acclamation.

Nomination and voting need not be completed in person and may be done electronically. The Executive Committee shall oversee the process and election.

## **ARTICLE IV OFFICERS**

### **Section 1. Election, Qualifications and Term**

Each year at a date to be chosen by the then-existing Executive Committee and confirmed by a majority vote of the Budget Advocates present at a meeting at which the setting of the date is agendized, the Budget Advocates shall elect, by a majority vote of those present at the meeting at which the election is to take place, a set of officers from amongst the duly elected Budget Advocates. Officers shall consist of the following eight (8) seats:

- (i) Two (2) Co-Chairs
- (ii) Two (2) Vice Chairs
- (iii) One (1) Corresponding Secretary
- (iv) One (1) Administrative Secretary
- (v) One (1) Parliamentarian
- (vi) One (1) Treasurer

The officers may hereafter be referred to as the Executive Committee.

## **Section 2. The Co-Chairs**

The Co-Chairs shall jointly have and equally share such powers of supervision and management as customarily pertain to the office; shall preside at all meetings of the organization and the Board or designate another person to do so; shall be, ex officio, a member of all committees; and shall perform such other duties as the Board may direct. If one Co-Chair is unable to function temporarily for two regularly scheduled consecutive meetings for any single reason (such as illness, a death in the family, a short-term work obligation, or family emergency), the remaining Co-Chair shall function briefly as the sole Chair until the other Co-Chair is able to return. However, if one or both Co-Chairs resign or are removed or are otherwise unable to serve as Co-Chairs for a period exceeding two regularly scheduled consecutive meetings during his, her or their term of office, the Board shall have the option to hold a new election to replace the departed Co-Chair(s) at the earliest possible opportunity.

## **Section 3. Vice Chairs**

There shall be two Vice Chairs: one for Development and one for Outreach/Communication, who shall perform such duties as the Co-Chairs and the Board direct.

### **(a) Vice Chair of Development**

The Vice Chair of Development shall be responsible for developing a training regimen for Budget Advocates, enforcing training requirements, overseeing trainings, mentoring Budget Advocates, relaying or responding to requests, and handling meetings and events and other logistics in the absence of, or as requested by, the Co-Chairs.

### **(b) Vice Chair of Outreach/ Communication**

The Vice Chair of Outreach/Communication shall oversee all social media, work with the Co-Chairs on outreach to media and stakeholders for events and press releases, supervise the website, checks that all links work and that all posts are up to date, oversee the newsletter committee, ensure that materials go out on a timely basis, and that agendas, draft/final minutes, Budget Advocate attendance records, and financial records are posted as soon as available

#### **Section 4. The Corresponding Secretary**

The Corresponding Secretary shall ensure that minutes of Board actions and meetings are taken, or take them, and then review them for accuracy, distribute them to all Budget Advocates within three (3) calendar days of receipt of the draft minutes from the note-taker, send the draft minutes to the web host to post on the website and once they are approved at the following meeting, send the final approved minutes with any changes to the web host to post, and distribute digital and all other documents to the BAs as requested. The Secretary will also assist the Co-Chairs with meeting notices as needed, and perform such duties as customarily pertain to the office.

#### **Section 5. The Administrative Secretary**

The Administrative Secretary shall be responsible for establishing and maintaining on an ongoing basis the NCBA and Budget Representative contact rosters (and email lists) and will make sure such information is current and accurate. He or she will also maintain current information as to attendance at BA meetings and will be responsible for disseminating information required for effective preparation for Department and other meetings of the BAs. He or she will work with the Vice Chair of Outreach/Communication to make sure that current and accurate information is being posted to the website, and will monitor Budget Advocates' compliance with ethics, funding, and Code of Conduct requirements. He or she will also perform the duties of the Secretary in the absence of the Secretary.

#### **Section 6. The Treasurer**

The Treasurer is charged with overseeing, managing, and reporting to the Board the financial position of funds contributed by Neighborhood Councils to the Budget Advocates and funds from the Department for the Budget Advocates. The Treasurer (a) ensures accurate and complete financial reporting (i.e., expended funds, available funds and committed funds not yet expended) to the Board at and provides a financial report to the Board in advance of the meeting; (b) creates and manages a fiscal year budget which is approved by the Board; (c) executes all Board-approved expenditures; (d) acts as designated signatory for Board financial matters and related documents; (e) maintains all financial documents and information, including but not limited to bank card statements, invoices, receipts, and Board vote totals; (f) investigates and resolves any financial and operational matters, and keeps the Board apprised of actions taken and their resolution; (g) tracks and confirms funds contributed by Neighborhood Councils to the Budget Advocates; and (h) coordinates acknowledging and thanking Neighborhood Councils which contribute funds.

## **Sec. 7. The Parliamentarian**

The Parliamentarian shall assist NCBA in the drafting and interpretation of bylaws and rules of order, run ad-hoc committees as needed to address bylaw changes, handle the procedural aspects of grievances, prepare and review bylaw updates, assist as needed with the planning and conduct of meetings, and work with the Co-Chairs on conduct and ethics issues as needed.

## **Sec. 8. Removal of Officers**

Officers shall hold office until their term expires and successors have been elected and qualified for the next year, unless they resign or are removed by the Budget Advocates. Officers may be removed involuntarily for cause by a majority vote of all sitting Budget Advocates at a meeting with at least seven (7) days' advance notice. If any Officers other than Co-Chairs resign or are removed during their term, they may be replaced by re-nomination by any Budget Advocate or self-nomination and confirmed by a majority vote of the Budget Advocates

## **Sec. 9. Advisory Board.**

Upon the conclusion of their terms, any prior year Budget Advocate may be offered the opportunity to serve as an advisor to the new officers, to answer questions and otherwise assist the new officers as requested.

# **ARTICLE V BOARD OF DIRECTORS**

## **Sec. 1. Selection, Qualifications and Term**

The Board of Directors (The "Board") shall consist of all the members elected as Budget Advocates. They shall serve until their successors have been elected and qualified at the beginning of a new Budget Advocate Term.

## **Sec. 2. Powers**

The Board shall manage and supervise the business, affairs, and activities of the NBCA in accordance to all procedures of deliberation required of the Board.

## **Sec. 3. Meetings**

At least eighteen (18) regular meetings shall be held annually at such time and place as the Board may determine. Either Co-chair may call special meetings or, upon the written request of five members of the Board, shall call a special meeting. All meetings, in addition to in-person

attendance, may be attended by real time electronic means if available, such as telephone conference call, video conferencing, or other similar methods. However, e-mail is not an approved means to hold a meeting or conduct any Board votes authorized by these Bylaws. Notice of all regular meetings shall be given in writing at least one week before the meeting and notice of all special meetings shall be so given at least one day prior to the meeting. Notice of a meeting shall be given by written, electronic, telephonic or personal notice to each member of the Board. The Executive Committee shall post and distribute agenda for the meetings seventy-two (72) hours prior to any meetings.

**Sec. 4. Quorum**

The standard quorum requirement shall be that fourteen (14) members of the Board. A majority of those members present shall be required to pass a motion except those motions requiring 2/3 vote of Board members present. However, should there be two consecutive Board meetings where a standard quorum is not achieved then the following special quorum rule shall take effect. For the next Board meeting after the two failed meetings, the quorum requirement can be met if at least seven (7) Budget Advocates are present from at least seven (7) different NCBA Regions. If a meeting is being held under the special quorum rule, then any vote must have at least seven (7) affirmative votes to pass in addition to all the other required voting rules (such as a majority or 2/3 majority). When any subsequent Board meeting has met the standard fourteen (14) member quorum minimum this special quorum rule shall cease to be in effect, as of that meeting, until it is triggered again. Any member of the Board may participate in a meeting by means of conference telephone or similar communications equipment or internet conferencing or any other electronic means allowing all persons participating in the meeting to hear each other at the same time. Participation by such means shall constitute presence in person at a meeting. A rollcall will be held at the start of the meeting and before any funding votes. If any Board member is not present at the roll call, they will have been deemed to have left the meeting as of that moment prior to the vote.

**ARTICLE VI COMMITTEES AND THEIR DUTIES.**

**Sec. 1. Committee Selection**

At the first Board meeting of the new Budget Advocate Term, each Standing Committee shall be filled by self-nominations of any Member. There is no limit as to the number of Committee members per Committee. At each subsequent general Board meeting any Member may join or leave a Committee. Committees may include both Budget Advocates, Budget Representatives, and Stakeholders; however, while Budget Representatives and Stakeholders may attend and

participate in discussions, all voting and final presentations of the Budget Advocates shall be done by elected Budget Advocates. While Budget Representatives and Stakeholders, are welcome to participate and offer their opinions they are not Budget Advocates and their authorities are therefore limited to general input and comment.

All Committees will elect their own Chair at the first meeting. If any Committee Chair (except the Executive Committee Chair) is absent from two (2) Committee meetings, the Executive Committee may remove that person as Committee Chair with Board approval. The affected Committee will then elect a replacement.

**Sec. 2. Committee Duties**

Each Committee should hold committee meetings as needed. Each Committee member shall review the relevant portions of the City Budget to become familiar with the portions that pertain to the focus of that Committee. Each Committee will also meet with the City department assigned to them under that year’s Committee assignment. For each City department meeting held the Committee shall prepare a report and summary of that meeting along with any recommendations to be forwarded to the Executive Committee for review and dissemination. These meetings must be completed no later than a date to be set within the first four (4) meetings of the Fiscal year.

Format of the Department Reports are within the discretion of the Executive Committee but should provide at least a basic overview of the topic and be in a format presentable to Neighborhood Councils. All Committees Chairs shall report to the Board at the next Board meeting on all actions taken by the Committee since the last Board meeting. Decisions made by any committee shall be considered as recommendations to the Board and not as decisions by the Board.

**Sec. 3. Committee Quorum**

A quorum for any Committee shall be achieved if at least three Committee Members are present. Decisions shall be made by a majority vote of those Committee Members present.

**Sec. 4. Executive Committee**

The following will serve as the Executive Committee of the Board: the two Co-Chairs, the two Co-Vice Chairs, the Treasurer, the Secretary, and the Parliamentarian. The Co-Chairs shall be the Co-Chairs of the Executive Committee. The Executive Committee shall exercise such power and

authority as is delegated to them by these Bylaws and will have any additional authority delegated to them by the Board. The Executive Committee shall prepare agendas for Board meetings with input from the Board, the Department, stakeholders and/or City staff.

**Sec. 5. Standing Committees**

The Standing Committees shall be as set forth in Exhibit B of these Bylaws

**Sec. 6. Temporary Committees**

Temporary committees may be established by the Board as needed for a specific purpose. These committees will accept the responsibility for an assigned task and be expected to research, meet with staff as needed and report back to the Board on the progress made by the Temporary Committee.

**ARTICLE VII FINANCES**

Compliance with this article will be under the guidance of the Department and/or the Office of the City Clerk Neighborhood Council Funding Program. The Treasurer shall be responsible for custody and control of all NCBA assets and financial operations, and the accounting therefore all spending must be voted on and passed by a majority of the Budget Advocates in a meeting in which a quorum is present.

The Treasurer shall request the Department to submit a monthly update to the NCBA as to expenditures made and revenues received. The Treasurer shall establish and maintain a system of bookkeeping and accounting for the NCBA that complies with Generally Accepted Accounting Principles and conforms to all applicable local, state, and federal laws. The Treasurer may rely on the Department in establishing and maintaining a bookkeeping and accounting system and, with approval by the Board, may retain on behalf of NCBA a financial professional to assist in creating a bookkeeping and accounting system. The Treasurer shall ensure that NCBA complies with the California Public Records Act (California Government Code Section 6250 et. seq.) with respect to requests from the public to inspect NCBA records. The Treasurer shall report to the Board on NCBA finances at every regular meeting of the Board. The Treasurer shall be responsible for preparing or coordinating the preparation of annual financial statements of NCBA and additional periodic statements as required by the Board. The Treasurer shall ensure that NCBA accounting systems meet the reporting requirements of the City of Los Angeles.

## **ARTICLE VIII PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the organization in all cases to which they are applicable and not inconsistent with these Bylaws.

The NCBA Board has also adopted Standing Rules as listed in Exhibit E.

## **ARTICLE IX GRIEVANCE PROCEDURES**

The purpose of the grievance procedure is to address matters involving the Budget Advocates' alleged failure to comply with the NCBA Bylaws and/or Standing Rules. A person, including any Budget Advocate, has standing to file a grievance if that person has sustained or will sustain direct injury or harm as a result of an act or omission of the Budget Advocates. Only a person who has standing shall be entitled to file a grievance; a grievance may not be filed by one person on behalf of another.

This formal grievance procedure does not apply to stakeholders who may disagree with a position or action taken by the Budget Advocates. A Stakeholder who simply disagrees with a position or action taken by the Budget Advocates has the right to share opinions during the Public Comment portion of the Budget Advocates meeting.

For the purpose of this Article, the term "Convener" shall be used to mean the Budget Advocate who oversees the grievance process as defined in this article. The Parliamentarian is the Convener unless the Parliamentarian is the subject of the grievance or has a conflict of interest. If the Parliamentarian is not available to manage a grievance, the Executive Committee selects by a majority vote a person with parliamentary, legal, or trial qualifications where at all possible to act as the Convener for the grievance in question. Every reference to Parliamentarian in this article shall be assumed to mean Convener.

In the event of any dispute over standing, the Convener shall have the discretion to decide if the person has standing to file a grievance.

For the purpose of this Article, the terms "Grievant" shall mean the party or parties alleging a grievance and "Respondent" shall mean the party or parties against whom the grievance is issued.

The grievance procedure shall be as follows:

**1.** The grievance must be set forth in writing on the Budget Advocates grievance form that can be found on the Budget Advocates' web page and submitted to the Parliamentarian and to the Corresponding Secretary within thirty (30) days of the occurrence or discovery of the alleged incident. The grievance form must specify the remedy or remedies requested or else the grievance will not be considered. All relevant written evidence in support of the grievance that is in the possession of the Grievant at the time of filing of the grievance shall be submitted with the grievance and shall be provided by the Parliamentarian to the Respondent(s) at that time.

**2.** Within three (3) days of receipt of the grievance, the Administrative Secretary shall provide the Parliamentarian with a list in random order of Budget Advocates. If multiple grievances are filed within thirty (30) days, the Parliamentarian may choose to use the same list. The Parliamentarian shall announce in an email to all of the Budget Advocates that a grievance has been filed, inquire as to who among the Budget Advocates is not willing to serve on a grievance panel, and omit those names from the list. The Parliamentarian shall then select an ad hoc grievance panel composed of five (5) Budget Advocates on the list and three (3) Budget Advocates on the list as alternates, all of whom shall be notified by the Parliamentarian of their selection. The Parliamentarian shall inform Budget Advocates selected for the panel the nature of the grievance. The panelists shall have the right to accept or reject the appointment. The appointment must be rejected after consultation with the Parliamentarian by any panelist who has a conflict of interest. Those who reject their appointment shall be part of the list for future grievance panels. The selection process (going down the random list) will continue until the appropriate number of appointees is achieved. The names of the panelists shall be disclosed to the Grievant(s) and Respondent(s). The nature and subject(s) of the complaint shall not be disclosed to the Budget Advocates as a whole until the grievance panel makes its final determination.

**3.** Within three (3) calendar days after selection of the grievance panel, the Parliamentarian shall refer the matter to the grievance panel, providing its members with all materials received so far in support of and in opposition to the grievance.

**4.** The Parliamentarian shall coordinate a time and a place for the grievance panel to hear the grievance within thirty (30) days after the selection of the grievance panel. The "hearing" may be conducted virtually. The following rules shall apply to the hearing and preparation for the hearing:

- a** All written evidence in support of the grievance that has not already been submitted shall be submitted to the Parliamentarian (and by the Parliamentarian to the grievance panel and the Respondent(s) at least two (2) weeks before the hearing. All written evidence in opposition to the grievance shall be submitted to the Parliamentarian (and by the Parliamentarian to the grievance panel and the Grievant(s)) at least one week before the hearing. No

other written evidence shall be allowed without the approval of the Parliamentarian. Evidence that is submitted after the deadline shall be delivered to the Parliamentarian who shall consult with the panel. The panelists shall determine the evidence's admissibility. No evidence may be submitted directly to the grievance panel. All evidence must be submitted only to the Parliamentarian. Failure by either the Grievant(s) or Respondent(s) to comply with this rule shall disqualify the offender from participating in the hearing and the evidence is not admissible. If the failure to comply with these rules is sufficiently egregious, the Parliamentarian shall have the discretion to dismiss the panel and empanel a new one. The Parliamentarian shall have the authority to exclude evidence that is not relevant to the grievance.

**b** The names of the witnesses who will testify at the hearing shall be disclosed to the Parliamentarian at least one week before the hearing. The Parliamentarian shall disclose the witness list to the grievance panel, Grievant(s), and Respondent(s) within one (1) calendar day. No one involved in the hearing shall attempt to influence the testimony or intimidate any witnesses. The penalty for violating this paragraph is removal from the hearing and exclusion of such evidence.

**c** The grievance panel shall appoint one of its members to take notes at the hearing. This may be done either before or at the hearing. Additionally, the grievance panel shall appoint one of its members to write a concise and pertinent written report of the issues to be presented and decided and the panel's collective recommendations for resolving the grievance. Again, this may be done either before or at the hearing. The note taker and the report writer may be the same person, but is not required to be so.

**d** All persons presenting testimony in favor of or in opposition to the grievance shall appear at the hearing, either in person or virtually. No written statements prepared in advance shall be permitted unless the person making the statement is available to be questioned at the hearing.

**e** The Parliamentarian shall preside at the hearing, provide direction, and resolve any disputes regarding the process, but the Parliamentarian shall not express any opinions regarding the merits of the grievance. The Grievant(s) and Respondent(s) may be present throughout the hearing. Any non-Grievant and non-Respondent witnesses shall be present only when testifying.

**f** After both sides have presented their evidence at the hearing, the parties shall be dismissed from the hearing and the Parliamentarian shall oversee and

provide direction regarding the deliberations of the grievance panel. The panel shall reach its decision at the hearing or any mutually agreed upon continuance of the hearing.

5. Within five (5) calendar days of the conclusion of the hearing, the panel member designated to write the report of the panel shall circulate the proposed report to the other panel members and the Parliamentarian for approval by the panel members. Upon receipt of approval by a majority of the panel members, and no later than five (5) calendar days following the receipt of the report, the final report shall be submitted to the Parliamentarian who shall place the item on the agenda for the next regularly scheduled Budget Advocates meeting provided it was received at least 72 hours in advance of the meeting. The Parliamentarian shall convey the panel's decision to the Grievant(s) and Respondent(s).

6. The Parliamentarian shall distribute a copy of the grievance panel's report and recommendations to all of the Budget Advocates via email not less than 48 and not more than 72 hours prior to the Budget Advocates meeting at which the report is agendaized. The matter shall not be discussed by anyone until the matter is heard as an agendaized item at a Budget Advocates meeting at which there is a quorum. The Budget Advocates shall either accept, reject, or modify the grievance panel's proposed resolution by a simple majority of those present and voting at that meeting. The Parliamentarian and Corresponding Secretary shall ensure that a minimal summation of the result is included in the Budget Advocates meeting minutes.

#### **ARTICLE X AMENDMENTS**

The Bylaws may be amended after being presented at two consecutive regularly scheduled Board meetings, which meets the quorum requirements, by a two-thirds vote of those present and voting.

#### **ARTICLE XI COMPLIANCE**

The Board, its representatives, and all Community Stakeholders shall comply with these Bylaws and with any additional Standing Rules or Procedures as may be adopted by the Board as well as all local, county, state and federal laws, including, without limitation, the Plan, the City Code of Conduct, the City Governmental Ethics Ordinance (Los Angeles Municipal Code Section 49.5.1), the Public Records Act, the American Disabilities Act, and all laws and governmental policies pertaining to Conflicts of Interest.

## **Sec. 1. Code of Civility and Code of Conduct**

Board, its representatives, and all Stakeholders, and any public member in attendance of any NCBA event shall conduct all business in a civil, professional and respectful manner. The Code of Civility is attached as Exhibits C and the Code of Conduct is attached as Exhibit D.

## **Sec. 2. Training**

It is recommended that all Budget Advocates take the trainings required by the Department including, but not limited to, ethics, funding and code of conduct as provided by the City within the time prescribed by the Department. Verification of such trainings will be by self-affirmation. In addition, Budget Advocates will be offered training in the City's budget process; the Department shall help facilitate training for any Budget Advocates who so request.

# EXHIBITS