



CITY OF
LOS ANGELES
CALIFORNIA



P.O. BOX 4670, WEST HILLS, CA 91308
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WEST HILLS NEIGHBORHOOD COUNCIL

JOINT BOARD & OPERATIONS COMMITTEE MEETING AGENDA **Thursday, July 20, 2023 at 7:00 p.m.**

Chaminade College Preparatory – Condon Center 2nd Floor
23241 W. Cohasset Street, West Hills, CA 91304

Enter Chaminade through the Cohasset Street entrance between Woodlake and Platt Avenues. Drive through the parking lot, bear left and continue over the hill until you see the Condon Family Technology Center on the left. Park in the nearest lot.

This meeting is open to the public. Doors open 10 minutes before the meeting starts. Those who wish to speak during the meeting may be asked to complete a Speaker Card. Comments on matters not on the agenda will be heard during the Public Comment period. Those who wish to speak on an agenda item will be heard when the item is considered

1. Call to Order
2. Public Comment
3. Purpose of the Neighborhood Council
4. Governing Documents
 - Bylaws
 - Rosenburg Rules of Orders
 - WHNC Standing Rules
 - The Brown Act
5. Board Member Trainings
 - Ethics
 - Funding
 - Mandatory Code of Conduct
6. Function of each committee
 - Standing Committee vs. Ad Hoc Committee
7. Agendas
 - Formatting
 - Language
 - Supporting Material
 - Deadlines
8. Meeting Decorum

Public input at Neighborhood Council meetings: When prompted by the presiding officer, members of the public may address the committee on any agenda item before the committee takes an action on the item by punching in *9 (if calling in by phone) or by clicking on the “raise hand” button (if participating online through Zoom) and waiting to be recognized. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on matters not appearing on the agenda that are within the committee’s jurisdiction will be heard during the General Public Comment period. Please note that under the Ralph M. Brown Act, the committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future committee meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of said committee.

Notice to Paid Representatives - If you are compensated to monitor, attend, or speak at this meeting, city law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code §§ 48.01 et seq. More information is available at ethics@lacity.org. For assistance, please contact the Ethics Commission at (213) 978-1960 or ethics.commission@lacity.org

Public Posting of Agendas: WHNC agendas are posted for public review at Shadow Ranch Park, 22633 Vanowen St., West Hills, CA 91307 or at our website, www.westhillsnc.org. You can also receive our agendas via email by subscribing to the City of Los Angeles Early Notification System at www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.

The Americans With Disabilities Act: 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 and other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request at least three business days (72 hours) prior to the meeting you wish to attend by contacting via email NCsupport@lacity.org or calling (213) 978-1551. If you are hearing impaired please call 711.

Public Access of Records: In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at the meeting where such writing was considered or by contacting the WHNC’s executive director via email at Michelle.Ritchie@westhillsnc.org. Requests can be made for a copy of a record related to an item on the agenda.

Reconsideration and Grievance Process: For information on the WHNC’s process for board action reconsideration, stakeholder grievance policy or any other procedural matters related to this Council, please consult the WHNC Bylaws. The Bylaws are available at our website, www.WestHillsNC.org.

Servicios De Traducción: Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte Michelle.Ritchie@westhillsnc.org

The Brown Act Summary

The Ralph M. Brown Act was enacted in response to public concerns over informal undisclosed meetings held by local elected officials. City councils, County boards, and other local government bodies were avoiding public scrutiny by holding secret “workshops” and “study sessions.” The Brown Act solely applies to **California city and county government agencies, boards, and councils**. The Act has been interpreted to apply to email communication as well. The comparable Bagley-Keene Act mandates open meetings for State government agencies. Private or Non-profit entities may be covered if a legislative body delegates some of its functions to the private entity.

Meeting Requirements per Brown Act

- Brown Act applies to any gathering of a quorum of a legislative body to discuss or transact business under the body’s jurisdiction.
- Teleconference meetings may be held under strict conditions (e.g. as a result of the State Coronavirus social distancing health order)
- Public time must be set aside for public comment
- Meetings must be held in non-discriminatory facilities
- All votes (except those in permissible closed session) must be cast in public
- Closed sessions are only permitted for specified purposes such as to discuss litigation, real estate negotiations and labor negotiations.
- Public has a right to attend meetings without registering or identifying themselves

- Materials provided to a majority of a body, unless exempt, must be provided to members of the public

Public Rights

- Time must be set aside for public comment
- Meetings must be held in non-discriminatory facilities
- All votes (except those in permissible closed session) must be cast in public
- Closed session actions must be reported in open session
- Public has a right to attend meetings without registering or identifying themselves
- Materials provided to a majority of a body, unless exempt, must be provided to members of the public

Required Notices and Agendas

- Agendas of regular meetings must be posted 72 hours prior to meeting
- Special Meetings require 24-hour notice to members and the media
- One hour notice in case of work stoppage or crippling activity
- Closed Session agendas must be described
- Special procedures permit proceeding without an agenda in an emergency

California State Publication : “The Brown Act. Open Meetings for Legislative Bodies”, 2003, California Attorney General.

https://oag.ca.gov/sites/all/files/agweb/pdfs/publications/2003_intro_BrownAct.pdf.

THE BROWN ACT'S LIMITATIONS ON DISCUSSIONS BY NEIGHBORHOOD COUNCIL BOARD MEMBERS

Office of the City Attorney – Neighborhood Council Advice Division

Are there limits on the ability of board/committee members to communicate with one another outside of Neighborhood Council meetings?

Yes. The Brown Act prohibits Neighborhood Council board members and committee members from engaging in any form of communication among one another outside of a public meeting that leads to a majority developing a concurrence on an action to be taken. The Brown Act states “any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body to develop a concurrence as to action to be taken on an item by members of the legislative body is prohibited.” (Gov. Code § 54952.2.)

Why does the Brown Act prevent communications outside of public meetings?

The purpose of the Brown Act is to avoid secrecy in government. Neighborhood Council board members and committee members are representatives of the stakeholders in their area. The discussions and actions of the Neighborhood Council must be conducted at publicly noticed meetings. (Gov. Code § 54952.2.) Government Code section 54950 states:

“In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.

The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

What are examples of communications that trigger a concern under the Brown Act?

The Brown Act applies broadly to any type of discussion or communication. Communications may include oral or written discussions, the use of personal intermediaries, agents, family members or messengers to convey information, or the use of technological devices, such as e-mail or website conferencing to disseminate information. Communication includes sharing or distributing information, hearing a proposal, or communicating information that allows members of the body to gather information or formulate a point of view on an issue that is within the subject matter jurisdiction of the legislative body.

What is a “serial communication?”

The Brown Act prohibits serial communications that lead to a concurrence among the majority of the members of the legislative body. Any type of communication is prohibited if that communication allows the majority of the members of the body to engage in a communication

that should instead occur at a public meeting. The term “serial communication” is often used because it describes a communication that, for practical purposes, results in a meeting of the members although the members are not present at a publicly posted and conducted Brown Act meeting. The serial communication may involve a series of communications, each communication involving less than a quorum of the board, but when taken as a whole, involve a majority of the board.

A serial communication may arise under a number of circumstances. For example, a serial communication occurs when one board member contacts all or a majority of the other board members. A serial communication occurs if one board member contacts another board member, then that board member contacts another board member, then that board member contacts another ... *etc.* A serial communication also occurs if a board member’s representative, agent, or intermediary directly or indirectly contacts the other board members, *e.g.*, a spouse, a messenger, or an alternate board member communicates with the majority of the other board members.

The concern under the Brown Act is not *how* the discussion was communicated among the board. Instead, the concern is whether an inappropriate number of persons received the serial communication and whether that serial communication led to a concurrence among the majority of the members on an issue that is likely to be considered by the legislative body.

What does the term “developing a concurrence” mean?

The Brown Act prohibits serial communications that lead to “developing a concurrence.” Developing a concurrence on an item is broadly construed. It means any discussion or information that assists you in voting. It means any information that assists or clarifies your understanding of an issue. It means any information that leads to an agreement or compromise among the members. It means any discussion or information that advances the resolution of an item that is on the agenda or within the board’s subject matter jurisdiction. (*California Attorney General, The Brown Act: Open Meetings for Local Legislative Bodies, 2004, p. 11.*)

How many board members are allowed to communicate outside of a meeting before an improper serial communication occurs?

The number will depend on the Neighborhood Council’s bylaws. The *least number* of people who could make a decision at a public meeting should not be engaging in communications outside of the public meeting. For example, if the Neighborhood Council bylaws state that the board is 21 members, the quorum is 11, and the board takes action by a majority of those members present at the meeting, then if 6 people engaged in a discussion that led to a concurrence on an item there would be a Brown Act violation. This concern also applies to the board’s committees. For example, if the committees are comprised of 5 members, the quorum is 3 and decisions are made by a majority vote of the entire committee, then 3 committee members may not engage in a discussion that leads to a concurrence on an item outside of their committee meeting.

What are some examples of prohibited serial communications?

- E-mails among a majority of the board or committee members that discuss or argue a member’s opinion or point of view.

A meeting with the majority of the board or committee members that discusses or seeks clarification on an issue that will be heard by the board or committee.

A majority of members participating in a website conference, internet list service or chat room where opinions or information are discussed on a matter that lies within the jurisdiction of the board or the committee.

- Circulation of minutes or other documents for approval by the board outside of a public meeting.

What are some examples of proper communications?

- The board or committee members may discuss their availability for an upcoming meeting, e.g., the dates and times of an upcoming meeting.
- Providing information to the other members on an upcoming matter on the agenda by distributing reading materials, information necessary to prepare for a meeting, newspaper articles, scientific journals, or magazines. (However, the Neighborhood Council should adopt a rule that allows the distribution of information by one board member, e.g., the Board Secretary, and the information should be distributed by the Board Secretary along with distributing of the agenda for the public meeting.)
- Distributing legal advice to the board/committee from the Office of the City Attorney.
- Distributing general public announcements. For example, notifying the other board members of a City Council meeting or a community event.

What should a board member do if it is believed that there are serial communications occurring among the board?

If a board member becomes aware of improper communications, the board member should notify the Neighborhood Council President of the improper discussions. The President should notify the board regarding the prohibition against serial communications and provide this handout along with the warning that the matter being discussed should be reserved for discussion at a public meeting.

The Department and the Office of the City Attorney have prepared a video regarding the Brown Act that should be reviewed by each board/committee member. In addition, the Department offers regional training on the Brown Act to those groups requesting assistance.

What are the penalties for engaging in serial communications?

Violations of the Brown Act may result in civil and criminal penalties. There are a number of civil remedies that a person may pursue if it is believed that there are impermissible serial communications occurring by board/committee members, including making a demand to cure upon the Neighborhood Council or filing a complaint with the Department of Neighborhood Empowerment. A demand to cure might include requesting that a meeting item be set aside and re-hear that item with a disclosure of the improper communications. Also, a decision made in violation of the Brown Act is subject to being set aside as void. The Neighborhood Council may be required to remedy its improper actions and pay attorney fees and costs from its own funds to a person who brings a challenge. In addition, individuals may be criminally prosecuted for misdemeanor violations of the law.

Ethics:

- Ethics Certifications expire 2 years after the date taken.
- As per California Government Code Section 53235, Neighborhood Councils board members are required to take an Ethics training consisting of 2 hour, at least every 2 years.

Code of Conduct:

- Code of Conduct trainings expire 2 years after the date taken.
- As Per Policy Number 2014-2(1), a board member has 30 days to complete their Code of Conduct training. If a newly elected board member does not complete the Code of Conduct training within the 30 day time frame, that board member will be suspended from their Neighborhood Council, cannot act on any Neighborhood Council matters, and cannot be counted towards establishing a quorum for the Neighborhood Council. If the Code of Conduct is not completed within 30 days of suspension, the boardmember will be removed from the Neighborhood Council board.

Funding:

- Funding Trainings expire 2 years after the date taken.
- Every board member must complete the Ethics, NC Board Member Funding, and Code of Conduct trainings to be eligible to vote on financial matters.
- Any Funding trainings completed **before** July 1, 2018 will expire June 30, 2020. Any Funding trainings completed **after** July 1, 2018 will expire in 2 years from the date taken.

Article VII

Committees and Their Duties

All standing committees shall meet at a minimum of nine (9) times per calendar year and shall invite the participation of stakeholders.

Section 1: Standing

The Standing Committees of the WHNC are:

A. **STREETS AND TRANSPORTATION**, which shall interface with and negotiate with the City of Los Angeles, businesses and developers on matters concerning the sidewalks, streets, signage and traffic control measures and devices within West Hills and Los Angeles.

B. **YOUTH AND EDUCATION**, which shall interface with and negotiate with public and private schools, the City of Los Angeles, businesses and developers on matters concerning the education, recreation and general welfare of the youth who reside in or use the facilities located within the boundaries set forth in Article II.

C. **ZONING AND PLANNING**, which shall interface with and negotiate with Stakeholders, developers, the City of Los Angeles Planning Department and the Planning and Land Use Management Committee of the Los Angeles City Council among others.

D. **PUBLIC SAFETY AND EMERGENCY PREPAREDNESS**, which shall interface with the Los Angeles Police Department, the Los Angeles Fire Department, hospitals and other agencies on matters relating to the safety of the Stakeholders.

E. **COMMUNICATIONS**, which shall be responsible for keeping Stakeholders aware of WHNC activities, shall promote Stakeholder participation and shall interface with other information technology organizations of the city.

F. **ENVIRONMENT COMMITTEE**, which shall be responsible for making recommendations to the Board for protecting the environment.

G. **BUDGET COMMITTEE**, which shall be responsible for making recommendations to the Board for all budgetary and financial matters of the WHNC.

H. **GOVERNMENT RELATIONS COMMITTEE**, which shall interface with local, state and federal agencies and officials and bring recommendations to the Board to protect and promote the welfare of West Hills and Los Angeles.

I. **PUBLIC HEALTH COMMITTEE**, which shall be responsible for making recommendations to the Board for protecting and promoting the health of stakeholders.

J. **OPERATIONS COMMITTEE**, which shall discuss agendas and administrative matters pertaining to the WHNC.

K. BEAUTIFICATION COMMITTEE, which shall, in cooperation with stakeholders advocate, promote, facilitate and engage in activities to improve and maintain the appearance of West Hills' streets, sidewalks, parks and other features by encouraging greater participation and responsibility of West Hills stakeholders.

L. HOMELESSNESS COMMITTEE, which shall inform and educate the stakeholders of West Hills on homelessness issues in the West San Fernando Valley, connect those experiencing homelessness to resources, and advocate for the effective use of government resources to contend with the problem of homelessness in the area.

M. SPECIAL EVENTS, which shall produce, develop and present unique events to serve and engage the community of West Hills. Moreover, the Special Events Committee, when consulted, will serve as an adjunct advisory committee for other events that might be produced and/or developed by other committees of the West Hills Neighborhood Council.

N. BYLAWS COMMITTEE, which shall consider and make recommendations to the WHNC Board concerning amendments to the Bylaws and Standing Rules of the WHNC.

Section 2: Ad Hoc

See Section 3

Section 3: Committee Creation and Authorization

The Board shall establish all Standing Committees and the President shall establish Ad Hoc Committees as needed to address temporary issues. Suggestions for committees may come from Stakeholders or from members of the Board.

The President shall appoint the chairs of all committees, subject to a majority vote of the Board as to chair positions in Standing Committees only. Following appointment, committee chairs shall oversee the appointment of other committee officers and the establishment of operating rules for their committees. Chairs of ad hoc committees shall occupy their positions for the lengths of their committees' intended purpose. The President may remove committee Chairs. Such a decision may be overridden by a two-thirds (2/3) vote of the membership present.

A. All committees shall present copies of their approved minutes or reports for posting.

B. All standing committees shall publish agendas and post meeting notices.

C. All committee recommendations shall be brought back to the full Board for discussion and action.

D. Only those committee members who are Board Members are eligible to serve as chairs of committees.



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WEST HILLS NEIGHBORHOOD COUNCIL

JOINT BOARD AND *(INSERT NAME)* COMMITTEE MEETING AGENDA DAY, DATE & TIME

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23241 W. Cohasset Street, West Hills, CA 91304**

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Public Posting of Agendas - WHNC agendas are posted for public review at Platt Village, on the Southside of Pavilions, closest to Nothing Bundt Cakes at 6534 Platt Avenue, West Hills, CA 91307 or at our website, www.westhillsnc.org You can also receive our agendas via email by subscribing to [L.A. City's Early Notification System \(ENS\)](#)

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Reconsideration and Grievance Process - For information on the NC's process for board action reconsideration, stakeholder grievance policy, or any other procedural matters related to this Council, please consult the NC Bylaws. The Bylaws are available at our Board meetings and our website www.westhillsnc.org

Servicios De Traduccion: Si requiere servicios de traducción, favor de avisar al Concejo Vecinal 3 días de trabajo (72 horas) antes del evento. Por favor contacte Michelle.Ritchie@westhillsnc.org

AGENDAS ARE FOR THE PUBLIC

The public has the right to know what the Neighborhood Council is discussing and/or taking action on, and the right to participate in Neighborhood Council Meetings. It is important to understand that your agendas, and your meetings in general for both the board and committees, must respect the rights of the public.

Rights of the Public	
✓	To reasonably understand the content of the agenda items
✓	To attend meetings
✓	To record meetings
✓	To receive written materials shared with the board/committee
✓	To address the members of the decision-making body.
✓	To access meetings in spaces that are compliant with the Americans with Disabilities Act (The ADA) and to access any accommodations that are available.

AGENDA ITEMS MUST BE CLEAR AND REASONABLY UNDERSTOOD

It is important that your agenda items be written in such a way that an average person can reasonably understand what the board/committee will discuss and possibly act on. When writing an agenda item, always think of the 5 W's, and 1 H. What, Who, Why, When, Where, and How (much).

Here is an excerpt from the Ralph M. Brown Act :

54954.2. (a) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words.

Agenda Items—Best Practices	
✓	Include the name and title of any persons or agencies making a presentation to the board
✓	When funding items are being considered, include the approximate or maximum dollar amount to be considered, as well as the purpose for which the funding is being considered.
✓	Indicate whether an item is up for <i>discussion or action (i.e. an approval or a vote)</i> , or both.
Sample Wording that Indicates NOT Taking Action	
•	<i>Discussion</i> regarding...
•	<i>Report</i> regarding...
•	<i>Update</i> regarding...
Sample Wording that Indicates TAKING Action	
•	<i>Possible motion/Action</i> ...
•	<i>Discussion and Possible Action</i> ...
•	<i>Motion to</i> ...

NOTIFYING YOUR STAKEHOLDERS OF YOUR NEXT BOARD OR COMMITTEE MEETING

Posting your regular or special agendas to inform your stakeholders of your next board or committee meeting:

- 1) Minimum of **1 physical location**, accessible 24-hours a day, where the agendas are regularly posted if the NC has a working website; **if not**, minimum of 5 physical locations;
- 2) If the NC has a working website, **upload agenda to the website**;
- 3) Submit agenda to NCsupport@lacity.org for distribution via the City's **Early Notification System (ENS)**;
- 4) If you maintain an email list of stakeholders you **may** email either a copy of the agenda and the agenda materials or an announcement of the meeting with a link to the agenda and agenda materials.

YOUR AGENDA CAN EMPOWER PEOPLE TO PARTICIPATE IN YOUR NEIGHBORHOOD COUNCIL

Neighborhood Council agendas should contain critical information for the public: how to find information, how to find the meeting, and how to access services and assistance that will help them participate. Some of the information, such as the Americans with Disability Act (ADA) language is required. Some of the information, such as your Neighborhood Council process for reconsidering board actions, is recommended. Here is a further breakdown of the information that should be on your agenda:

Information To Include On Your Agenda	Required or Recommended?	Sample Language
Time, Location, & Type of Meeting. Regular or Special meeting? Board or Committee meeting? Joint meeting?	Required	<i>VILLAGE NEIGHBORHOOD COUNCIL REGULAR MEETING AGENDA Tuesday April 13, 2014 – 6:30 PM Village Community Center 100 E. Elm Street, Los Angeles, CA 90012</i>
Where your stakeholders can review your agenda in advance of your next meeting, either 72-hours in advance for regular meetings or 24-hours in advance for special meetings.	Required	<i>The agendas for the Board and Committee meetings are posted for public review at the following community locations and NC website:</i> <ul style="list-style-type: none"> • LIST LOCATIONS & • WEBSITE <i>You may also subscribe to receive them via email distribution through the City's Early Notification System (ENS) at the following link:</i> http://www.lacity.org/government/Subscriptions/NeighborhoodCouncils/index.htm
The process by which members of the public can address the body.	Required	<i>The public is requested to fill out a "Speaker Card" to address the Board on any agenda item before the Board takes an action. Public comment is limited to 3 minutes per speaker, but the Board has the discretion to modify the amount of time for any speaker.</i>
The Brown Act notification informing the public of their right to obtain written materials that are distributed to the board/committee.	Required	<i>In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting, may be viewed at [insert address], [optional: at our website by clicking on the following link [insert web link]: or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the</i>

		agenda, please contact [insert name & contact information.]
The information required by the Americans with Disabilities Act (ADA) that informs all persons of their right to participate in meetings and how to obtain any accommodations they may need in order to participate.	Required	<i>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 prior to the meeting you wish to attend by contacting firstname_lastname, (XXX) XXX-XXXX or e-mail somebody@something.com</i>
How a member of the public can obtain language translation services	Recommended	Si requiere servicios de traducción, favor de notificar al Concejo Vecinal 3 días de trabajo (72 horas) antes de la reunión. Por favor llame a nuestra oficina al (XXX) XXX-XXXX.
How a member of the public can file a grievance	Recommended	Process for Filing a Grievance: <i>The grievance process is intended to address matters involving procedural disputes, such as the Board's failure to comply with Board Rules or these Bylaws. It is not intended to apply to Stakeholders who merely disagree with a position or action taken by the Board at one of its meetings, which may be aired publicly at Council meetings. The Bylaws of the Village Neighborhood Council provide a process for grievances under Article XI. For your convenience, the Bylaws are available at scheduled Board meetings and our website www.VillageNC.org</i>
The Neighborhood Council's process for reconsidering motions previously taken by the board	Recommended	Process for Reconsideration: <i>Reconsideration of a Board action may be called as a motion by the Board members that voted on the prevailing side of the action. The Bylaws of the Village Neighborhood Council provide a process for reconsideration under Article VIII, Section 4. For your convenience, the Bylaws are available at scheduled Board meetings and our website www.VillageNC.org</i>