

The way to address inappropriate or unwanted behavior is with a Code of Conduct (Known as “The Code”). The Code can be found in two places, the Neighborhood Bylaws, or the Standing Rules. The ability to enforce The Code is identical, however if put into the Standing Rules, there is no amendment process that needs to take place, and The Code can be implemented immediately.

Standing rules apply to both board members and the public in attendance at meetings. It is a best practice to read the standing rules at the beginning of each and every meeting, so as to set the expectation of behavior by all present.

According to D.O.N.E., The City Attorney, The City Clerk and The Van Nuys Neighborhood Council Bylaws (citations available) this is the recommended linear process to address inappropriate behavior from both stakeholders and board members.

Process of addressing inappropriate behavior from stakeholders:

1. - A verbal Warning by the presiding board member.
2. - Recess of 5 minutes to discuss with stakeholder the impact of the behavior and how it is impeding the lawful business of the NC.
3. - Ask to be present for the remainder of the meeting, the SLO or other LEO available.
4. - Give public warning in front of SLO "If you continue to violate the code of conduct, and prevent this board from conducting its business, you will be removed from this meeting."
5. - Have stakeholder removed by LEO for the remainder of the meeting. This removal ends when the current meeting does and does not apply to any future meetings. (Under NO circumstances can we physically touch stakeholders.)
6. - Final Option. The President of the NC would confer with The LA City Attorney to have a judge issue a court order banning the specific stakeholder

from further meetings. This has only happened once in 13 years. The NC would need documentation of repeated incidents and evidence of the board taking the above 5 actions multiple times, due to the litigious nature of the issue. This is an extreme measure and not one to be entered into lightly.

Process of discipline for board member:

1. - A verbal warning by the presiding board member.
2. - A Censure
3. - A Censure
4. - A Censure (There should be a minimum of three censures before further action, including removal, is taken. While Censure is not described in the VNNC Bylaws, it means a motion of censure is voted upon and passed and then the President of the NC takes time to publicly express formal disapproval of the board members action. It is a public reprimand.)
- 5.- After three censures, and in preparation for a possible vote of removal by the board, it would be appropriate for the President of the NC to communicate with The LA City Attorney and present documentation and evidence in the event that the board votes to remove the board member. This is a preparatory step, due to the litigious nature of this process.
6. - If the inappropriate behavior hasn't been modified, proceed with steps to remove board member as described in VNNC Bylaws (Article V, Section 9).. A board member may resign at any time prior to the vote to have them removed, following the procedure described in the Bylaws (Article V, Section 10).

My, Daniel Luna, personal opinions on interacting with stakeholders and fellow board members during meetings. I formed these opinions during the course of my research into the above material.

- I. Because an elected public official is held to the highest of standards, we are required to do two things. 1) Hear public comments, 2) be polite. Because of the higher standard of behavior we are held to, comments from us, elected public officials, are held to a higher level of scrutiny. Our words carry authority and responsibility and should be treated regarded with the highest levels of respect and civility.

- II. A stakeholder can request information. That request can be in the form of a written question, rather than a request for specific documents, but the authority being addressed, i.e., us on the board, does not have to answer that written request in the form of a question if this would mean creating new information or giving an opinion or judgment that is not already recorded.

- III. We are NOT legally, morally, or socially obligated to answer a verbal question during public comments. We are not having a social interaction, we are conducting serious business, and in the course of that business, we are required to respectfully hear public comments. We are politely hearing someone out.