

Minutes of the
North Hills East Neighborhood Council
Beautification and Community Services Committee
31 August 2015

- I. Attendees and email
Garry Fordyce – Gfordyce.NHWNC@gmail.com
Perla Lagunas – Perlita.northhills@gmail.com
Elvira Higuera Morales – Higueraelvira2014@gmail.com
Severiana Pablo – sevepablo@gmail.com
Jay L. Stern – abinc@aol.com

- II. Call to order
Meeting called to order at 7:00 PM by Jay L. Stern, Committee Chair

- III. Agenda
 1. Beautification contest to design landscaping for Sepulveda Blvd. median (in North Hills)
 - a. Legal issues raised/questions
 - i. Are liability issues involved? Should we see the City Attorney?
 - ii. Should the contest be limited to school-age children? If so, would this be age discrimination? Should the contest be open to all stake-holders in the greater North Hills area? What about professional landscapers?
 - iii. Can private businesses or community clubs place plaques on the welcome signs?
 - iv. Can we award money prizes for designs? Can we provide a trophy?
 - b. What is needed?
 - i. Council to provide map showing location
 - ii. Contestants prepare detailed drawings of proposed landscaping
 - iii. Labor (Can high school students get community service credit for working on the project?)
 - iv. Welcome signs – one at each end of North Hills (Rayen Street and Lassen)
 - v. Who will judge winning design?
 - vi. Media -- Drought-tolerant plants, rock/gravel of different color, wood chips
 - vii. Sponsors – Solicit nurseries, home centers, local businesses that would be benefited by an attractive median.
 - c. Motion
Based on the interest shown by the meeting attendees, Jay L. Stern introduced the following motion: “Shall North Hills East Neighborhood Council Beautification and Community Services Committee recommend that the full council sponsor a contest to beautify the Sepulveda Blvd. Median in the North Hills area?” The motion was seconded by Severiana Pablo. The motion was approved by those individuals in attendance 5:0.
 - d. Next steps

- i. Based on the outcome of the committee vote, the following question shall be placed on the agenda for the next full council meeting: "Shall North Hills East Neighborhood Council sponsor a design contest to beautify the Sepulveda Blvd. Median between Rayen Street and Lassen?"
- ii. If the Council approves the motion, the Beautification Committee will investigate the specific questions and concerns raised. The Committee will report back to the Council with further plans including proposed budget, timing and implementation. Any portion of the contest that involves expenditure of public funds or could involve legal issues will be presented to the Council for consideration before action is taken.

2. Resolution to censure Council President Fred Morris for bylaw violations
 - a. Reading of resolution

WHEREAS we allege and have proof that Fred Morris, current president of the North Hills East Neighborhood Council, has violated the council bylaws as follows:

- i. Violation of Article VI, Section 2 of the Bylaws, "Draft the agenda for all meetings. The agenda must be sent to the Secretary no less than seventy-two (72) hours prior to each meeting."

On several occasions President Morris has either failed to draft the agenda for Council meetings and/or has failed to send the agenda to the Secretary in a timely manner. This has caused business otherwise scheduled to be conducted at Council meetings to be deferred to (a) other regularly scheduled meetings or (b) special meetings called at other times thereby inconveniencing council members and not always obtaining sufficient council members to constitute a quorum.

- ii. Violation of Article VI, Section 3 of the Bylaws, "... responsible for the orderly conduct of the NHENC meetings, particularly to ensure that any such meetings are held in a fair and democratic forum."

President Morris fails to assure that order is maintained during meetings. Specifically, adult and minor children disrupt the proceedings by loud side conversations as well as minor children running through the meeting area. President Morris takes no notice of the disruptions and does not use his authority as Council President to demand that order be maintained, nor that children present observe proper and respectful behavior.

President Morris fails to ensure that meetings are held in a fair and democratic forum. He is selective about allowing individuals to hold the floor beyond allotted times when their point of view coincides with his, and he terminates discussion by parties who have been properly recognized when he disagrees with their comments. This is unfair, biased and non democratic.

- iii. Violation of Article V, Section 6 of the Bylaws, "Should a vacancy arise among the Board, that position will be filled within thirty (30) days of the position being vacated."

North Hills East Neighborhood Council has been without a permanent secretary for at least 120

days, well in excess of the thirty-day requirement. President Morris has been aware this defect and has taken no steps to fill the position thereby leading to confusion over minutes of meetings; absence of minutes of past meetings; failure to make the minutes available for public inspection, especially in a timely fashion; and thereby causing failure of other executive board officers to be able to fulfill the responsibilities of their offices.

iv. Violation of Article V, Section 7 of the Bylaws, "Once a Board member misses three (3) meetings... the President shall immediately issue a letter to the individual indicating that he/she is no longer qualified to serve as Board member." President Morris failed to notify board members who missed meetings in excess of those allowed by the Bylaws, leading to confusion, inaction and lack of ability to conduct council business for several meetings until the other council members overrode the matter.

v. Violation of Article V, Number 5, paragraph C, "No form of coercion will be tolerated, including, but not limited to harassment (sexual or otherwise), threats or intimidation." President Morris uses threats, intimidation and harassment against council members who question his means of conducting his office. He has been sending emails threatening censure and removal to members of the executive committee, including those members who are also committee chairs, who questioned or disagreed with his actions.

vi. Violation of Attachment A, Neighborhood Council Board Member Code of Conduct Policy, as formally adopted in 2014 by the Board of Neighborhood Commissioners, as follows:

1. Neighborhood Council Board Members should conduct themselves in a professional and civil manner.
2. Neighborhood Council Board Members should treat other Board Members and members of the public with respect regardless of the other's opinion, ethnicity, race, religion, religious belief or non-belief, color, creed, national origin, ancestry, sex, sexual orientation, gender, gender expression, age, disability, marital status, income, homeowner status, renter status or political affiliation.
3. Neighborhood Council Board Members should not, during meetings, functions or events engage in or threaten to engage in any physical attack on any other individual.
4. Neighborhood Council Board Members should not use language that is threatening, obscene, or slanderous, including profanities, insults or other disparaging remarks or gestures directed toward other Board Members.
5. Neighborhood Council Board Members should promote and, if necessary, enforce a safe meeting environment. If other Board Members become disruptive or violate the Code of Conduct Neighborhood Council Board Members have agreed to abide by, Board Members should demand that the offending Board Member conduct themselves in a respectful and orderly manner.
6. Neighborhood Council Board Members should not engage in "bullying" or harassment which is generally defined as follows:
 - a. "Bullying" is conduct that meets all of the following criteria:
 - i. is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
 - ii. is directed at one or more Board Members;
 - iii. is conveyed through physical, verbal, or technological means;
 - iv. substantially interferes with participation opportunities, benefits, or programs of one or more Board Members at Neighborhood Council sponsored activities or events;
 - v. adversely affects the ability of a Board Member to participate in or benefit from the Neighborhood Council programs or activities by placing the Board Member in reasonable fear of physical harm or by causing emotional distress; and,
 - vi. is based on a Board Member's actual or perceived protected characteristic (see 2 above), or is based on an association with another person who has or is perceived to have any of these characteristics.
 - b. "Harassment" is conduct that meets all of the following criteria:
 - i. is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely

to evoke fear of physical harm or emotional distress;

- ii. is directed at one or more Board Members;
- iii. is conveyed through physical, verbal, or technological means;
- iv. substantially interferes with participation opportunities, benefits, or programs of one or more Board Members at Neighborhood Council sponsored activities or events;
- v. adversely affects the ability of a Board Member to participate in or benefit from the Neighborhood Council programs or activities because the conduct, as reasonably perceived by the Board Member, is so severe, pervasive, and objectively offensive as to have this effect; and,
- vi. is based on a Board Member's actual or perceived protected characteristic (see 2 above), or is based on an association with another person who has or is perceived to have any of these characteristics.

And, WHEREAS, Fred Morris, current president of the North Hills East Neighborhood Council, provided access to unauthorized individuals to office space rented by the North Hills East Neighborhood Council, immediately after which valuable items paid for with public funds were found to have disappeared,

And, WHEREAS, Fred Morris, current president of the North Hills East Neighborhood Council, allegedly attempted to remove from office space rented by the North Hills East Neighborhood Council, and divert to his own use items paid for by public funds and intended for distribution to needy school children,

And, WHEREAS, Fred Morris, current president of the North Hills East Neighborhood Council, has expressed in writing and distributed to others his contempt for the neighborhood council concept,

And, WHEREAS, Fred Morris, current president of the North Hills East Neighborhood Council, announced that he would resign from his office on the North Hills East Neighborhood Council, effective after the June 2015 meeting, but has failed to carry through,

NOW THEREFORE, be it resolved that President Fred Morris be censured by the North Hills East Neighborhood Council for the violations and actions enumerated above,

AND BE IT FURTHER RESOLVED, that the North Hills East Neighborhood Council, sitting as a committee of the whole, request that President Fred Morris in fact resign as president of the Council, effective immediately,

AND BE IT FURTHER RESOLVED, that the office of the Los Angeles City Attorney be requested to investigate allegations of impropriety and/or conflict of interest involving Fred Morris as President of the North Hills East Neighborhood Council and Reverend Fred Morris as pastor of the North Hills Methodist Church.

b. Call the question:

The Resolution was moved for adoption by Severiana Pablo and seconded by Perla Lagunas. All stake-holders present voted "aye." The resolution was adopted by the committee 5:0.

c. Next step

Since the resolution was adopted by committee, it is to be presented to the council for a vote. No second is needed. We repeat here for the record:

According to the Bylaws, "The Council can take action to publically reprimand a Board member for violations of the Bylaws, and/or other actions conducted in the course of Council business by censuring the Board member at a Council Board meeting. Censures shall be placed on the agenda for discussion and action." Importantly, the President has no discretion as to placing censures on the agenda or not: censure "shall" be placed on the agenda. However, the precise mechanism for censure is not defined in the bylaws. Therefore, and unless alternative means are described, this resolution shall assume that the same requirements exist for censure as do for removal of a board member or alternate. Those requirements are (a) 8 signatures of council members are necessary to invoke a censure hearing, and (b) that a plurality of a quorum is sufficient to pass a motion of censure.

3. Discussion of Suggestion to research alternative meeting and office location

a. The topic of locating another location to meet and to establish a council office was introduced.

Requirements include

i. Rent in line with prevailing rates in North Hills, approximately \$18/sq. ft. per year.

(Based on

this rate, the rent that is appropriate for the space currently rented at the North Hills

Methodist

Church is \$300/month; we have been paying \$500/month and received a notice of increase to

\$600/month, or twice the prevailing rate.)

ii. Access by handicapped individuals

iii. Within the boundaries of North Hills East

iv. Facilities suitable for holding group meetings

b. Interest was expressed by the stake-holders present. No action was taken other than to recommend added research into the question.

IV. Adjournment

a. Motion to adjourn at 8:30 PM. Approved. Committee meeting adjourned.