

**MID CITY WEST COMMUNITY COUNCIL  
MOTION OF BYLAWS/GRIEVANCE COMMITTEE,  
AS SUBSTITUTED BY THE BOARD OF DIRECTORS**

The MCWCC Bylaws/Grievance Committee and the Board of Directors moves that Article II, Section 8 of the MCWCC Bylaws be deleted and Article V amended as follows:

**Delete ARTICLE II, Section 8:**

**8. INITIAL POST-CERTIFICATION ELECTION OF BOARD OF DIRECTORS.**

Within 30 (thirty) days after certification by D.O.N.E., the pre-certification Board shall form a Nomination and Election Oversight Committee ("Election Committee") consisting of 9 (nine) members. Service on the Election Committee will be open to all Stakeholders. All Committee actions will be subject to D.O.N.E. requirements.

In collaboration with D.O.N.E. and subject to its approval, the following process shall be observed:

Within 30 (thirty) days of formation, the Election Committee shall prepare information materials for and organize the nomination and election process.

An invitation for nominations, including but not limited to qualifications, a description of the election process, deadlines for submission, contact information, etc., shall be publicized at least 60 (sixty) days prior to the election. Public notice shall include, at a minimum, public postings, website postings, media and 35,000 bilingual flyers to be distributed within the MCWCC area.

All Stakeholders are eligible to be nominated and to serve on the Board.

Public notice of the election will be similarly publicized at least 30 (thirty) days in advance of the election. Notice shall include, at a minimum, public postings, website postings, media and 35,000 bi-lingual flyers. The election shall be noticed and conducted at a public meeting, in conformance with D.O.N.E. requirements.

Stakeholders attending the election shall register at the door. Provisions shall be made to allow Stakeholders also to register in advance of the election. All Stakeholders will be strongly encouraged to attend the election and to vote.

The election shall be conducted and completed during a four-hour period to take place on one election night. Candidate statements and/or profiles will be prepared and publicized to the Stakeholders in advance. All qualified candidates shall have the additional opportunity to address the Stakeholders at the election meeting.

In the event that, prior to election night, no nominees have been ascertained to represent a particular Stakeholder category, nominations from the floor will be accepted.

Candidates receiving the most votes in each category shall be considered elected. A procedure for resolving tie votes shall be created and implemented by the Election Committee in collaboration with and with the approval of D.O.N.E.

Residential association representatives must be Stakeholders of the zone they represent and shall be elected by Stakeholders of that zone.

This initial election of the Board of Directors shall be conducted and supervised by an independent agency or organization approved by the Election Committee and D.O.N.E.

**AMEND Article V. Paragraph 1 of the Bylaws to read as follows:**

1. BOARD OF DIRECTORS. The Board of Directors is the governing body of the MCWCC. Election of directors shall take place every two years on the date established by the City Clerk Neighborhood Council Election Unit, and in accordance with the procedures adopted

To further the goals of representing the diverse nature of the Mid City West ~~Neighborhood~~ Community Council area, Board members shall be elected based upon the categories set forth in Article II above.

**ADD the following language to Article V, Paragraph 2 (Committees) of the Bylaws:**

The Board of Directors. Executive Council or Chairperson shall appoint a temporary Election Committee no later than six months before the biennial election of directors. That committee shall coordinate with the Los Angeles City Clerk's office, and organize and oversee those aspects of the election process for which MCWCC has responsibility, including candidate recruitment and stakeholder outreach. The Election Committee shall serve until its election duties have been accomplished or it is discharged.

**Goal:** The goals of this amendment are to remove an obsolete section of our bylaws and to have the bylaws more accurately reflect the election process as it currently exists in Mid City WEST.

**Discussion:**

The amendment version below to Article II Section 8 was initially passed by the Board in February, 2004:

**MOTION:**

By Bylaws Committee moves that the Bylaws be amended to include the following provisions:

ELECTION COMMITTEE. The Chairperson shall annually appoint a temporary Election Committee, whose responsibility it will be to organize and oversee the election process. This committee may include both Board members and Stakeholders who are not Board members. All Election Committee members must be eighteen (18) years or older and may not be candidates for election to the Board.

The Election Committee shall, among other things, create, publicize and implement election rules and procedures, prepare and disseminate notices and instructions to the Stakeholders, plan and oversee candidate forums, and ensure that the election complies with all legal requirements and these Bylaws.

The Election Committee shall serve until the Chairperson, in the Chairperson's discretion, is satisfied that the Committee has discharged its duties.

Subsequent to this, MCW submitted the February 10, 2004 amendment to DONE. DONE observed that the February 10, 2004 amendment deleted three provisions that DONE requires. The three provisions, underlined for the Board's convenience in the below motion, are reinstated: (a) 60 day notice for nominations, (b) 30 day notice for the election, and (c) independent entity oversight of the election. DONE has indicated that the instant motion, reinstating those provisions, will cure any DONE concern. Passing the motion will facilitate completion of the amendment process, a three-part process consisting of (1) Board motion, (2) DONE approval, and (3) Stakeholder vote.

The amendment version below was initially passed by the Board in June, 2004, submitted to the stakeholders in the June, 2004 election, but the bylaws portion of that election was invalidated. It was never brought back to the Board or resubmitted to DONE:

**8. ELECTION OF BOARD OF DIRECTORS.** Eligible Stakeholders shall elect Directors at an annual election. Barring exigent circumstances, the election and the annual meeting of Stakeholders shall take place consecutively near the end of June.

**ELECTION COMMITTEE.** The Chairperson shall annually, at the regularly scheduled January Board meeting, appoint a temporary Election Committee, which shall organize and oversee the election process. This committee may include both Board members and Stakeholders who are not Board members. All Election Committee members must be Eighteen (18) years of age or older.

The Election Committee shall, among other things, create, publicize and implement election rules and procedures, prepare and disseminate notice and instructions to the Stakeholders, plan and oversee candidate forums, provide at least 60 days notice of the deadline for nominations, provide at least 30 days notice of the election, provide for oversight of the election by an independent entity approved by the Election Committee and DONE, and ensure that the election complies with all legal requirements and these Bylaws.

The Election Committee shall serve until the Chairperson, in the Chairperson's discretion, is satisfied that the Committee has discharged its duties.

The section that is being deleted was only intended to affect the first post-certification election, i.e. the first election that was conducted since MCW was certified, which was held in January, 2003.

Recently, board member Jeff Jacobberger proposed the language in front of you, which the Board preferred over proposed replacement language presented by the 2008-09 Bylaws/Grievance Committee.