

Sherman Oaks Neighborhood Council



"Minutes of the Rules & Election Committee
Sherman Oaks Neighborhood Council
Wednesday, October 26, 2004

FINAL
12/1/04

Chairperson Kaye Bernstein called the meeting to order at 6:20 p.m. at the offices of Bob Cohen

Present: Kaye Bernstein, Bob Cohen, Joe Mosca, Ken Silk
Absent: Kathy Jackoway (excused)
Guest: Ken Gerston

Quorum present.

Minutes:

No minutes were approved as copies were not provided at the meeting. Tabled to our next meeting

Bylaws:

Because of the missed meeting and timing issues it was agreed that this committee will bring forward the bylaw amendment relating to the election at the November and December SONC general meetings. A comprehensive bylaw review will then be conducted to bring any further bylaw amendments to the SONC general board meeting no later than March 2005.

- a. Election Cycles: It was moved by Bob Cohen and seconded by Ken Silk to amend the bylaws to accommodate the request, supported by the full board, to bring elections of Representatives into the same election cycle as follows (motion passed unanimously),

Article VI, Section 3 shall become

ARTICLE VI: Section 3: Election of Representatives and Alternates

A. Election: The SONC Board shall be comprised of (21) elected Representatives and up to (21) elected Alternates. The SONC Board shall be elected at an election day of the Neighborhood Council. The election shall be held no later than the last Tuesday of May during an even year. A Representative, as further defined and referred to in Article VI, Section 2, shall be determined as the person that receives the highest vote count at the time of the election. Alternate shall be determined as the person receiving the second highest vote count at the time of the election. The term of an Alternate shall be concurrent with that of the Representative.

If a Representative resigns or is removed from office, the Alternate shall become the Representative for the remainder of the term of office. In the event there is no Alternate, the President of SONC shall nominate a qualified stakeholder to be designated as the Representative upon approval of a majority of the SONC Board voting within 60 days of a vacancy.

B. Alternates: For each Representative referred to in Article VI, Section 2 above, one (1) Alternate shall be determined as the candidate having received the second highest number of votes at the time of election. If a Representative resigns or is removed from office, the Alternate Representative shall therefore become the Representative for the current remainder of the term. In the event there is no second candidate the President of the SONC shall nominate a qualified stakeholder to be designated as the Alternate Representative upon approval of a majority of the SONC Board voting within 60 days of the final election results a vacancy.

C. Subsequent Elections of Representatives and Alternatives: Subsequent to the expiration of the terms described in Section A above, elections shall be held prior to June 30 of the election year. In even-numbered years, an election shall be held for Representatives and Alternates for each of the areas designated on Attachment A as 2, 4, and 6. In odd- numbered years, an election shall be held for Representatives and Alternates for each of the areas designated on Attachment A as 1, 3, 5, and 7.

C. D. Term of Office: Subject to Section A, B, and C, Each Representative shall serve for a term of two (2) years beginning on July 1 and ending on June 30 of the second year. Representatives may serve a maximum of 4 terms consecutively. This should not be interpreted that Stakeholders may not serve again after a term out of office.

D. E. Stakeholder Voting: Each Stakeholder shall select one of the seven (7) geographic areas, based on stakeholder status, as stated in Article V, in which he/she will cast his/her vote for an RSR, BSR, and ASR to represent that geographic area.

E. F. Removal: Subject to the guidance and approval of the City Attorney an RSR, BSR, or ASR SONC Representative or Alternate may be removed or replaced for the following reasons:

1. Unexcused Absences: A SONC Representative who has three consecutive unexcused absences from Board meetings or 50% unexcused absences during a 12-month period. In order to avoid unexcused absences, the SONC President or presiding officer must approve absences.

2. Change or Loss of Stakeholder Status: A Representative or Alternate who is no longer a Stakeholder in the category for which they were elected, as defined in Article 6, Section 2, shall be automatically removed as a SONC Representative or Alternate. It is the responsibility of each Representative and Alternate to notify the Chair of any change of stakeholder status within 30 days of such change.

3. Resignation By Representative: In the case of the resignation or removal of a Representative's resignation or removal, the Alternate Representative shall become the Representative for the remainder of the Representative's elected term. In the event that the Alternate Representative is removed or unable to serve, the President of the SONC shall nominate a replacement to be seated upon approval of a majority of the SONC Representatives voting within 30 days of the vacancy occurring. The replacement shall serve for the remainder of the term of the office being filled.

4. Removal by Council Action: A Representative may be removed by the submission of a written petition which 1) identifies the Representative to be removed, 2) describes in detail the reason for removal, and 3) includes the signatures of 100 stakeholders of the elected Representative area.

The Secretary shall then have the matter placed on the agenda for a hearing by the Board of Directors at the next regular SONC meeting pursuant to the procedure set forth below:

(1) The Representative shall be given a minimum of fifteen (15) days' prior notice of the proposed removal and the reasons for the proposed removal. Any Notice given by mail shall be sent by first class and registered mail to the Representative last known address.

(2) The Representative shall be given an opportunity to be heard, either orally or in writing. The hearing shall be held, or the written statement considered, before the Board of Directors.

(3) The Board of Directors shall decide whether or not the Representative should be removed. Any removal of a Representative pursuant to this subsection shall require an affirmative vote of two-thirds (2/3) of the Board of Directors present, including the vote of the Representative being considered for removal.

F. Special Sub-Section Relating To SONC Representatives of odd-numbered areas (as designated in Appendix