



Eric (Roderico) Villanueva <eric.villanueva@lacity.org>

FW: Public Comment 2-17-15 LACC Neighborhoods committee meeting agenda item 2

1 message

William Kuzmin <william-kuzmin@outlook.com>
To: "eric.villanueva@lacity.org" <eric.villanueva@lacity.org>

Sat, Feb 14, 2015 at 1:50 PM

William Kuzmin
Real Estate Counselor
BRE# 00850279
Mel Wilson & Assoc., Realtors
18860 Nordhoff St. - suite 200
Northridge CA 91324

Phone: 818-634-5344

From: william-kuzmin@outlook.com
To: councilmember.ofarrell@lacity.org; councilmember.martinez@lacity.org; councilmember.parks@lacity.org; ericvillanueva@lacity.org
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Public Comment on Item 2 of the agenda for the February 17, 2017 LACC Neighborhoods and Education Committee meeting.

From William Kuzmin, public stakeholder,

Speaking against some aspects of the proposed Regional Grievance Panel ordinance Council File CF-15-0067.

Summary of objections to the proposed Regional Grievance Panel Ordinance. Full detailed comments are in the attached word file.

- 1) The document is not favorable to the needs and rights of the stakeholders** because of unfair limitations and the restriction of free speech which would not be in compliance with the Plan for Neighborhood Councils (NC) which mandates NCs have a Grievance procedure for the benefit of the stakeholders. The proposed ordinance seems to insulate the NCs against the public right to file legitimate grievances.
- 2) The Serial Grievances clause should be struck. It is discriminatory. A**

stakeholder should be able to file a valid grievance anytime a board is in violation of any law or rule referenced in the NCs bylaws. This serial limitation clause is in direct conflict with the Plan for Neighborhood council's intent to create a grievance procedure for the stakeholder. It is not intended to shield the NC board's improprieties from the public. It is intended to be the peoples public right to insure the boards comply with the rules. The serial restrictions only work if you can guarantee that a board will not break another rule after the limit of 3 or 5 grievances have been filed, right? In addition the Department of Neighborhood Empowerment is severely understaffed and unable to deal with the complaints they have already received. DONE is unable to provide the training and the oversight as required by the Plan for NCs

3) The amount of evidence submitted with a grievance should not be limited. All evidence submitted by the grievant should be allowed and is necessary to validate a legitimate grievance.

4) The time period for filing is 30 days is too short – it does not allow for a grievant to get a copy of the NCs approved minutes and/or then make public records act requests for documentation to support the grievance. This should be changed to 60 days.

5) Alleged violations of all applicable regulations and governing laws are subject to a grievance including brown act and public records act violations. It is not a court of law so no violation delineated in the NC bylaws can be dismissed from the grievance procedure. There is never a legal determination or consequence, the Brown Act states that compliance with a cure is not an admission of guilt.

6) The use of the word “may” creates ambiguity. Either they shall establish training or the sentence should be struck as may is an option and the ordinance should not include options. The Plan for NCs requires DONE provide training for all DONE programs. Quote from the NC Plan: “(2) Obey any or all sections of the State of California's open meeting procedures that apply to Neighborhood Councils (Ralph M. Brown Act), which includes posting meeting notices in generally accepted public places or through electronic media, such as e-mail or posting notice on DONE's Web page.”

7) Standing committees are legislative bodies and are also part of the entire NC board structure as they perform functions on behalf of and for the board. Therefore they are subject to a grievance if they have violated the NC bylaws and all other governing rules and laws.

8) Many bylaws reference the individual duties of the board officers. Therefore a grievance can be filed against an individual as it relates to the NC bylaws.

9) The procedure is allowing for a board member to file a grievance

against his own board. I am having trouble with this because it is like lodging a complaint against yourself. Again the grievance procedures are for the stakeholders not board members – Board member have their own procedures for dealing with issues internally as stated in their bylaws and parliamentary procedures.

William Kuzmin
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Phone: 818-634-5344



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