

UNKm: Whatever

SS: You go ahead and get started, it would take a lot of load off

Welcome everybody

Um, we got agendas and all the materials you may need in the back There are, what?

What did I forget?

UNKf: Nothing

MC: A lot of agendas . . .we killed a couple of trees this year

GS: Yeah

SS: You Sure?

UNKf: Don't mess with my head.

SS: Um . . .We're going to start the Special Full board meeting agenda items.

All items are for discussion and action

MC: not here

SS: I would like to remind everybody on the Board and in the audience that we abide by a Code of Civility and I would that everyone would abide by that. I'm going to turn this meeting over to Charles and Erik

MC: could you use the microphone?

SS: Yes, use the microphone

CS: Okay does everyone have an agenda before them?

UNKm: yes sir

CS: OK. I better do a roll call

CS: OK

SS: Oh, we'll need somebody . . . to do the minutes

UNK: you want me to do the minutes (SP?)

CS: Sure. Can you give her the sheet

CS: Thank You. Susan P is going to roll call, I appreciate it

MC: I guess Bree is working still

SP: Robert Abrahamian, Jordan Birnbaum, Bechir Blagui, Maurece Chesse

MC: Here

SP: Norma Foster, Andrew Ettinger

AE: here

SP: Viktoira Gaw

VG: here

SP: Ryan Ole Hass

RH: here

SP: Scott Larson, Bree Long, Susan Polifronio - I'm here, Erik Sanjurjo

ES: here

SP: Hilary Royce, David Schlesinger

DS: here

SP: Gary Slossberg

GS: here

SP: Charles Suhayda

CS: here

SP: Susan Swan

SS: here

MC: man the camera is rolling and everything

SP: We have a quorum

CS: thank you. Okay, um, as people on our Board know, there have been some grievances filed, uh, for most our Board members and um, one is from Maurece Chesse, the other one is from Viktoria Gaw. And, what we'd like to do is to start with Maurece. Maurece's greivances. There's been a summary sheet that has been compiled by Erik Sanjurjo

VG: ?????

CS: If I can just have the Board members attention

VG: ????

CS: I'd like to just . . . If you are a Board member, I'd like you to just take notes, Cause I, what we're trying to do right now is instead of reading through line by line the documents. I came up with three points when I looked at Maurece's complaint. Um, basically for the first one, point A would be, his grievance contains, he wants to know where the criteria for a stakeholder, I mean if you really look at what his grievance is. Whether a Board member is a stakeholder or not so that the first issue we're going to face I think is what is the criteria for a stakeholder. And I believe we would have some tools to look at that, one would be the HUNC Bylaws. Obviously there could be a review by DONE, or by the City Attorney for an opinion.

CS: Then number, B, would be what I consider to be, what I consider code of conduct grievances, I'll mention 3 of them; one is slander, that is mentioned, the other one is election procedures and electioneering and what is the code of conduct during elections and finally code of conduct during Board meetings. Et cetera. Okay. And then point C would be on the last page of his complaint and that is what I would say concerns the question of if there needs to be some kind of investigation. That would be what is the process for oversight, audit and investigation? That would be point c. Does everybody concur with that?

UNKf: yes

VG: concur with what?

CS: Well, with what I just said.

VG: .....There's so many falsities on this to begin with

CS: Ok

VG: ... that I don't see how

CS: Ok

VG: you can start anything from here,

CS: Viktoria, we're not starting anything from there,

VG: ok

CS: because I just , I just,

VG: this is not . . .

CS: I just, let me quick

VG: There's so many things

CS; ok

VG: that are not right

CS: ok

VG: on here

CS: ok, Hold on.

VG: that have nothing to do with \_\_\_\_ grievance at all

CS: ok. I just. We're starting with Maurece's complaint. I mentioned three points. Let me mention the three points again. Number 1 in this grievance we have to decide what is the criteria for stakeholder, and do Board members fulfill that criteria. Ok Are you guys writing this down?

Keys drop

CS: Viktoria. We . . .

VG: I'm just beside myself because this doesn't have anything to do with the grievance that I filed.

CS: ok

VG: and what is more

CS: ok

VG: And there is another lie in here

CS: ok.

VG: so it's becoming

CS: ok

VG: its becoming twisted even more

CS: ok. Ok. Ok we're not looking . . .

VG: this is not the truth

CS: ok

VG: we have nothing to base it on

CS: We're not looking at that sheet

VG: I can't, I can't continue \_\_\_\_\_

CS: We're not looking at that sheet

CS: We're, we're looking at three points. Number 1 – criteria for a stakeholder, number 2- Code of conduct,

UNKM:m: \_\_\_\_\_

CS: What's that?

CS: Do you want to try it here with us Norma? Code of conduct? Elections, Board meetings et cetera and the third is how our investigations are done? Ok? All right. Can we begin? Yes, Gary?

GS: I have a technical point. For the first complaint, I don't have the question is what constitutes a stakeholder, I think the question more is, whether I fit into that definition.

UNK: chatter

GS: Cause this definition of stakeholder is pretty well established by the City Attorney.

CS: and, um, I'd like to ask if the city attorney representative is here today.

CS: Where is the City Attorney?

CS: ok . \_\_\_\_\_no city -----\

CS: yes, Gary, go ahead

GS: If necessary, I have one of the latest opinions from the City Attorney which details what qualifies as a stakeholder.

CS: Was that in your

GS: if it helps

CS: was that in your, uh

GS: well, it's ----- been submitted. I submitted it to DONE back in September. After \_\_\_\_\_

CS: ok. So, that wasn't in the other, the three page

GS: No. I referenced it, but I didn't include it.

CS: ok. Could you read that for us?

GS: Sure, yeah, let me. . . let me get it

SS: Should we make copies of it?

GS: Sure. That's fine. Let me

MC: How many pages?

GS: um

GS: ?????

GS: Yeah. Here. I don't know how you want me to proceed.

SS: do you want to read it first or want me to copy it first.

GS: Either way. It's four pages long so I don't know if you want me to go through the whole thing. I mean.

SS: Is there a summary?

GS: Uh. No. I could give you a basic summary. I don't know if it's best coming from a person involved in the incident.

SS: What do you want to do?

GS: I'm happy to, I'm happy to summarize what I ascertain

SS: Why don't you summarize and I'll

GS: from it, and you can all judge for yourself

ES: use the mic

GS: sorry about that

GS: There was a question back, this is all the way back in June 14<sup>th</sup>, 2002. But to my knowledge on the DONE website, I couldn't find any earlier, any more recent opinion dealing with the definition of Stakeholder. The question arose whether or not a Neighborhood Council can define that term on their own, 'what it means to be a stakeholder' and according to the City Attorney's opinion the charter establishes who is

a stakeholder; anyone who works, lives or owns property and it goes on to say that the plan for citywide Neighborhood Councils can expand upon the definition. Which they did to include that you can also add members of community organizations in the area can also be stakeholders. Which if you notice in our Bylaws its anyone who works, lives, owns property or belongs to a community organization which is consistent with the City Charter and the plan for citywide Neighborhood Councils for \_\_\_\_\_. It also goes on to say that Neighborhood Council cannot do any further re-definition of that in any way shape or form. They can't define what it means to work, what it means to live, what it means to own property that \_\_\_\_\_ is solely designated in the Charter or in the plan for Citywide Neighborhood Councils. So only by a change in the charter or plan can there be a change in that. They can delegate authority to a Neighborhood Council or DONE to further refine that but as of doing so we have no power to effect the definition of what it means to be a stakeholder.

CS: Can somebody copy that for us to see

GS: sure

JC: I'll take that

GS: thank you

SS: So what I did last night we had an election committee meeting and Jerry \_\_\_\_\_, our IEA, came and when Gary submitted his summary and response, you can correct me if I'm phrasing that wrong. When Gary submitted to DONE and to our Neighborhood Council his response to Maurece's complaint I forwarded that to Jerry

MC: ?????

SS: ...and asked him if somebody with that summary was running for our Board this fall as an election seat would he be certified for that seat? And the answer I got was that Gary is indeed a stakeholder by virtue of his business interest with the tenant as he told us but under the criteria that he submitted in his summary, he would not be an education seat. So that was the clarification that I got from Jerry.

CS: Any general comments on that?

MC: ????

CS: Since Maurece filed a complaint. Gary gave a response. Susan

GS: Sure. I have a response to that . . . Yeah.

CS: Susan has given us an interpretation which, um, Did you get that?

SS: ?????

SS: And I, I should clarify too that he's gone further to the City attorney for more clarification on that for us.

CS: Right. I think it important so that we can resolve this once and for all that we get some clarification in writing so that \_\_\_\_\_ could be what we're going to put into

MC: Bylaws

CS: the minutes. So that we don't keep coming back to these issues over and over again.

SS: If I may, I think the issues need clarifying in that as we all know, there is no provision within our bylaws for removal of a board member for either change in stakeholder status nor for change in um, verification status for the seat that they hold. And, in doing the research for the executive committee, I find that almost no Neighborhood Council has such a process. And, DONE has requested that we do this.

So this will be something that we work on in the Bylaws committee meeting next Tuesday, on the 27<sup>th</sup> so the issue really is how one would really want to draft this, what, its really about the process that we move through this because its quite obvious \_\_\_\_\_ back them up.

GS: I don't want to get into a back and forth. But, um, I just want to respond to . my notes, Susan spoke with Jerry yesterday, I wasn't present when that conversation took place. I enjoyed working with Jerry. I think he's a wonderful individual, does very well at what he does. But, unfortunately, I think he's incorrect on that particular point. In our Bylaws it clearly lists a number of different educational institutions / organizations that one can be a member of to be on the Board and I think I clearly fit within that. It also specifically states that that list is not exclusive it is not an exhaustive list by any stretch of the imagination. Um. So I would think that if the election were today and I had to make my case with Jerry, I'm pretty confident that the case, he would agree with my assertion.

GS: On a side point, I just have a question. Our bylaws specifically state how to deal with grievances. And, I'm somewhat concerned. I don't mind talking about this in a Public forum. I think it's good for our accountability with the public. But, I'm concerned if we go ahead and make any decisions here because our bylaws do outline a specific way to go about this. We're not, we're not following that procedure.

UNKf: ??? DONE

CS: Ok. We'd like to, uh . . . ok. just one second sir. I'd like to um . Want to make a comment on that?

ES: Yes. I'm glad you mentioned that. I think we're kind of missing the big picture here which is "How are we . . ." "Why are we here tonight?" I think we need to give an introduction here. "Why are we talking about these issues?" And, what is the way it is supposed to handle complaint. So, my understanding of this and why I did the one sheet and I'm sorry, Viktoria if you feel that I didn't captured your complaint accurately.

VG: ????

ES: It was hard to boil down nine pages into a paragraph.

VG: ????

ES: But, I did attempt to take all the various documents that did come out and put them on one page, because frankly I was having trouble keeping track of it and I imagine other people had that same experience. \_\_\_\_\_ has read all the documents we're talking about. But what it boils down to is \_\_\_\_\_: There's supposed to be two ways to make a complaint. One is listed in our bylaws and which \_\_\_ any one stakeholder can come to the Board and say they are unhappy about an action that has taken. Another way the Department offers a form. Which is what Maurece did. And that is why I just made copies provided and handed those out to you. It shows the form that you're able to sign, or just fill out if you feel something has been done incorrectly on the Board. Well, recently a lot of us found out a third way. Which, you know, I thought I knew a lot about Neighborhood Councils, and I didn't know this was an option. The third way is the route of, why we have Vivian \_\_\_\_\_ from the City

Attorney's office. There is another unit of the City attorney's office that is different than the Neighborhood Council advisory group that we usually work with that deals with workplace violence issues. And, a complaint was filed I believe last year. And, again, that's why there is a star on it. Because we don't know for a 100 percent sure, we're about 99.9% sure. That is the complaint that started most of this conversation from Ms. Foster against Mr. Chesse. So, we can start with Maurece, but at the beginning of this discussion is the complaint filed by Ms. Foster. Maurece then responded to her complaint and opened up a complaint against you. ( \_\_\_\_). And I'm trying to sustain it \_\_\_\_ and not put a spin on it. And then, Viktoria opened a separate complaint which was not on the DONE form. It was done as a letter and then CC'd to various City officials. I, at some point, January was spoken to by a BONC official, which I thought was interesting that they were getting in this. Since I wasn't quite sure what their role was in disciplinary action. And then there was also the response from Susan (?) that was worked in there and then yours as well. So we had several different voices talking about different issues, some related,

## TRACK 2

some not related. Eventually you have five board members involved and that's why we're all here. 'Cause it involves the whole Board. And, at some point I'd like to hear from Vivian since she's here, what \_\_\_\_\_ does and what her advice is for what we should go and do here. One of the concerns that I had about this whole situation is that each of these different complaints is not handled necessarily in the same way. That our bylaws say you're supposed to do it one way. DONE offers a second way. And, now there's a third way and which our bylaws and the plan don't really speak to. And, I'm not sure how we handle that. That's I think a big part of the frustration, um, from Maurece's end has been that he didn't know what the process was and it wasn't an open process. And that's part of what brought us here today.

UNKF: Whoa. Hello. Hello. Hello.

ES: \_\_\_\_\_ throw that out there and get some over-arching issues

UNKf: Sorry to interrupt

CS: Ok. Excuse me. Yes. Can I get Board members . . .

UNKF: (continued speaking\_\_\_\_\_)

CS: Yes?

UNKF: (continued speaking\_\_\_\_\_ ) People came here \_\_\_\_-

UNKM: We came here talk about the \_\_\_\_\_ on Ivar Ave.

## CHATTER AND INDISTINGUISHABLE VOICES FROM AUDIENCE AND BOARD

CS: Excuse me

CONTINUES CHATTER

CS: That starts at 6:30

UNKF: But, why didn't you

UNKM: Why didn't you say so?

CONTINUES CHATTER

ES: We did.

CS: I'm sorry. It's on the agenda. It's on the Board agenda  
ES: Yes it is.

CS: That's the 6:30 meeting.

UNKF: We all got flyers. We all got flyers.

Russ Brown: Charles, somebody put flyers on people's cars

CS: ok

Russ: .. to be here at 5:30.

CHATTER

UNKf: 5:30 \_\_\_\_\_

UNKM: It says 5:30 out there.

CS: That did not come from us. We're sorry.

UNKM: That says 5:30

ES: Sorry, that wasn't us.

CHATTER

UNKf: . . . but this is the place . . . .

CS: Um. We've already started. This is the meeting for one hour from 5:30 to 6:30. and, then we will start the regular Board meeting at 6:30. We did not put that flyer on people's cars.

VG: We didn't make that \_\_\_\_\_

SS: Charles, I sure we can \_\_\_\_\_

CHATTER

CS: What we can do is we can move that to the first item. I believe the President will be chairing the meeting. At 6:30 we'll move that up to the first item.

UNKF: I appreciate that.

CS: Ok. Thank you. We're sorry that somebody put that out there but that was not our information. We didn't put that out there but we apologize for that.

Russ: . . .regular HUNC meeting. This is . . . .

CS: Hold on. Norma had her hand up first. So Norma, and, then Susan ( ). Norma, is there a mic there please?

CHATTER

NF: Uh. I would like to just at this stage take a higher \_\_\_\_ to this process. I spoke with Amber Meshack this afternoon. And she said she spoke with our President this afternoon. And tonight's meeting was to deal with our grievance procedures and process only. That there were no personal things to be discussed and definitely, I object entirely to this one pager of one person's opinion put out of what the summary is of what is going on. At this time I would like to just say that I am, at this time acting only under what I did with a clear conscious, I asked for protection as a victim. I am working with the City Attorney's workplace violence division. And, everything I've done is what I stand to be the truth in every single way and I intend not doing this process today which

is totally out of order as said today by Amber Meshack and confirmed that she spoke with the President today saying that this is not the it was not it was supposed to be just a grievance procedure. But that's fine, it's okay

CS: Right

NF: a, but I

CS: Ok

NF: I just want to entirely just let you know all this is totally false on this page

SS: I would like to address a couple of . . .

NF: and I'd like to just stay with what I have filed. Thank you very much

CS: Thank you

SS: To address a couple of things, First, It is really unpleasant to have to discuss all of these things. I think we would all deeply agree.

NF: why -----

SS: And, I would say that Gary and I have had conversations about this Norma and unfortunately because Viktoria went at great lengths in her complaint to DONE about your issue, I'm afraid that brought it to our Board. Otherwise, I do believe that as Gary said your confidentiality would have been assured through the City Attorney. However, Viktoria's complaint referenced it pretty completely. So I'm afraid it is under discussion

VG: ????

SS: and, I had no such conversation with Amber today about this. Now, what we do hope to come through this is a process. Because if you look at your Bylaws, and everyone of you has a copy of the bylaws in your packet with the reference to the grievance procedure. This is part of the problem. If any grievance by a stakeholder must be submitted in writing to the Board of Directors. This has never happened until this month. We've never

UNKF: ????

SS: Well, and the other thing is than yes, it is referred to an ad hoc grievance committee. No Neighborhood Council has been ever able to form an ad hoc grievance committee that was not biased. Which is why all the grievances went back to DONE. But, it has now been put back on us. And the question before us tonight is "how do we deal with these?" If you look at your Article 15, it clearly defines what a grievance is, and that is the first part of the process. So, the first step, a grievance is submitted in writing to the Board of Directors. The board of Directors then refers it to an ad hoc grievance committee

GS: Do you have the copy, er the original?

SS: ...which is five stakeholders, and you can read that there. The Recording Secretary has to meet.

GS: Yeah, I can get it from you later. (to JC)

SS: so, I'm going to skip straight to number 6 with your indulgence

MC: That was your copy, wasn't it?

GS: Yeah, that was my copy.

SS: this formal grievance process is not

MC: (to JC) Your originals you have there are Gary's

GS: Whenever you get a chance

SS: This is important if you could just listen to this part. This formal grievance process . . .

GS: no rush, sorry

SS: it's ok

SS: This formal grievance process is not intended to apply to stakeholders who simply disagree with a position or action by the Board at one of its meetings. Those grievances can be aired at all meetings. This grievance process is intended to address matters involving procedural disputes, eg; The Board's failure to comply with these bylaws, The Board's failure to comply with the City's Charter, the Plan, local ordinances and or State or Federal law. In the event that a grievance cannot be resolved through this grievance process then the matter may be referred to the Department of Neighborhood Empowerment for consideration or dispute in accordance with the Plan.

SS: The problem is we have no ad hoc committee. We never have. And we are unable to form one. We referred back to DONE. And they sent it back to us. And that is where we stand.

CS: At this time, I'd like to ask Vivian, if you're available, Vivian,

V\_: Yes?

CS: Vivian, to come and clarify this issue.

MC: squeeze it through (referring to mic for Vivian)

V\_: Let me make sure exactly what issue you want clarified

UNKf: Could you spell your

CS: S-W-A-N-I-G-A-N

VS: Let me just clarify what issue it is that you want clarified first.

ES: Well, I think, I think we would like to understand first of all to understand what your office does. And, we've heard rumors, both at our Board and in the community that an investigation is occurring. It's allegations against Mr. Chesse. At this point, we've heard from local sources. Is it true? What's the status? What are the procedures? And, things of that nature . . .

VS: Basically, I'm part of City Attorney's office, Labor Relations Division, and what we do, one of our functions is we that handle workplace violence complaints. I'm also chairperson of Citywide Threat Assessment Team. Which is a team of 5 members, that advises different departments on workplace violence matters. As Neighborhood Council members you fall under the workplace violence policy, not because you are employees, but because you are actually volunteers, who, are also covered under our workplace violence policy, for example our docents at the Zoo, our Fire Explorers, if you will, for the Fire Department, our Commissioners. They are all people who provide functions for the City, but are not actually paid employees. And these individuals are covered by our workplace violence policy. So that is to say that as Neighborhood Council members, you voted on something here today and are leaving, the meeting, and, uh someone attacked you because they didn't like your vote. That would fall under the workplace violence policy. I think that a lot of Neighborhood Councils are unaware of that because they're unaware that they need to meet the standards of the, uh, City when it comes to discrimination, harassment retaliation and those kinds of things. So, keeping that in mind, uh, if we get a complaint from a member of a Neighborhood Council that they feel threatened, or they have been attacked or uh, anything directly related to their functions, or takes place at a Neighborhood Council meeting whether its from a

stakeholder or from, uh, another Council member. That falls under our workplace violence policy. We handle those pretty much the way we do, uh, employee complaints. Those complaints are confidential. We look at the entire situation. We try to figure out what's going on between the parties. We make a determination if it even is workplace violence or not. You know. And, that's something can take a just a little while, or, it can take a long time to accomplish. And so, it's not a situation where would uh be reporting to the Neighborhood Council or reporting to the person who's, uh, the suspect if you will. You know.

UNKm: The Defendant

VS: Well you're not a defendant unless you have an action against you.

CHATTER and laughter

UNKM: starts in court

VS: \_\_\_\_\_ get a restraining order, then you're a defendant.

VS: Sometimes we have things that happen right away. And we don't get a restraining order. We went and got a restraining order for the \_\_\_\_\_ department today, based on something that happened at 10:15 this morning. By 3 o'clock we had a restraining order. So, you know. The different types of things that we encounter go all the way from you know, the extreme: "we have to take some action right now, because somebody could hurt if we don't do something", an arrest, or get a restraining order, to things that have to be looked at more carefully, that take more time. That we have to see what is going on with the parties. What's the communication? Is there really a chance of a future harm? So that is pretty much we do, um. And, uh, with that in mind, one of the things we are also trying to do with Neighborhood Councils that are having, uh, internal strife if you will is we try to go in. We're just starting this process. We've only done one Neighborhood Council so far. But we are going to be doing area ones. And, uh, we'd be willing to do the same thing here; which is, to go in and do training. We did training for the uh, Greater Cypress Neighborhood Council. We covered discrimination, harassment, retaliation, um, conflict management, and workplace violence concerns. It took about 2 ½ hours. That Neighborhood Council, which, they were a little leery if you will about the idea of participating in this.

MIC problem

VS: . . . .actual training. Some of the people, that other people thought should be there the most were not there. And so, they were a little bit, you know, unhappy to start out with. By the time we finished the training they actually said, "This was really great." And, "We don't understand why we didn't all get this training before we ever even became a Neighborhood Council member." "This is really valuable." And so, you know, they turned around and told DONE and others that, uh, they thought it was a wonderful experience, that it was very helpful for them. And uh, given what is going on in your Neighborhood Council, I'd certainly recommend, uh, let us come in and do that training for you. And, we'd be willing to do that. . . . to arrange some time to do that.

SS: We've already asked Vivian if she would come, I believe, we asked if you would come and give a seminar, the 2 ½ hour seminar at the workshop that we've scheduled on the 31<sup>st</sup>. So, to accommodate that and the financial training, may be we

expand the hours and we can talk about that. Would that work out for you to do that on the Saturday, the 31<sup>st</sup> of March?

VS: I believe so. Yes.

SS: And, I have a question for you. Because of course, we wouldn't all be here now if there . . . You speak of the Attorney – client privilege and that there is silence. But, this was pretty much common, gossip in City Hall and that's how it came to our ears. Which is really just . . . .

VS: ??????

SS: . . . and, in Hollywood. And, it's deeply disturbing on many levels. \_\_\_\_\_ the person who has been accused in an attack, to me, and not be notified, that the investigation was going on, even as they were losing work in the City due to the allegations being made.

VS: Yeah. That's the, that's where you come up with, there's a difference when you're an employee, versus when you're dealing with members of Neighborhood Council. And, that's because, you know, when we're doing an investigation, we have employees come in. You know, we . . . we, as we talk to people we go 'this is confidential, you can't talk to anybody'. And, if people don't follow that instruction, then, you know, they are subject to discipline and, perhaps, termination from their job. So, it's a lot different when you're dealing with Neighborhood Council where you are talking to people who are not actual employees, who, you know, are, you know free to do what they want to do in terms of discussing it. I mean, we can certainly recommend one, one course of action, but we can't do anything particularly to enforce it, if you will. I think that is one of the issues that probably, you know, will be something that BONC and the 912 Commission's looking at. Just, you know, how do you handle situations like that? But, as it is, um, when, you know, Neighborhood Councils were set up, I think that, some of these issues were simply not anticipated. But, uh, I am certainly not free to change my procedures, and,

### TRACK THREE

VS: (continues) at the same time, when we have a situation where we have someone who is accused of workplace violence, whether it is someone from the outside or somebody that is internal, we want to do a complete analysis before we approach that person. Uh. You know? We want to make sure that we're safe. We want to make sure that it is a workplace violence situation. We may look at the situation and, you know what, this isn't even workplace violence. So . . .that's that.

SS: I think that our concern came that it really came from BONC, that the first person who mentioned it was a BONC Commissioner, as an aside.

VS: It really doesn't matter

SS: and that's just \_\_\_\_\_

VS: It really doesn't matter where it came from me! So, you know. Um, I can only tell you it came from somewhere.

ES: Vivian, since the cat is out or the bag on this, and, Mr. Chesse has mentioned that he feels to some extent his reputation has been diminished, and he may have been slandered, um, by these accusations which \_\_\_\_\_ he hasn't had a chance to directly defend himself until tonight, can you give us a status report of where you are in your investigation? I believe this has been open for some time. And, also did

you receive the DVD of the meeting in question? That was one of the things that was very disturbing procedurally about this process. It was brought to my attention by a BONC Commissioner. I provided a tape of the meeting in question to BONC. They did not forward it to your office. It seems like there is only a one way communication occurring there, where they're somehow finding out about this complaint, but they are not closing the loop to communicate with you that they have evidence which, perhaps could have closed this matter quite a while ago. Instead of leaving it open ended like it is now.

VS: I cannot comment on the workplace violence investigation.

ES: Can you at least provide something in writing, to Mr. Chesse once you make a determination so that he can clear his name, um, if you find that the accusations are not merited?

VS: No. We do not do that. . . .not even for our employees, so

### CHATTER

UNKm: It's bureaucracy.

CS: Yes, Viktoria?

VG: I have to go, I'm sorry. I have a class on Tuesdays. I can't really make meetings on Tuesdays. I just have one thing to say before I go, and that on this synopsis made by Erik, it says, um. I mean, actually, in my grievance that I made, that I sent to DONE it says very clearly in the first and second line, um, what my grievances were. Um, there was never an issue of me yelling at a child. This is, this feels like yet another added attempt now by Erik Sanjurjo, who did the synopsis, to assassinate my character publicly. There was never an issue of that. That, that was totally fabricated, made up. And, I just, I don't know. It's just added lies to avoid the real issue of what the grievances were about.

ES: Yes. Viktoria \_\_\_\_\_ quickly on that

VG: That's really all I have to say! I have to go.

ES: . . . that came from your letter. \_\_\_\_\_ I'm one of the few people who actually \_\_\_\_\_-

VG: No, that is not on the letter at all!

ES: Yes. Yes, it is.

VG: No it isn't.

ES: I'm one of the few people who actually \_\_\_\_\_

VG: That's a lie!

ES: \_\_\_\_\_ it actually . . . did later

VG: That's a complete lie.

ES: Well, let me continue \_\_\_\_\_

VG: I have a lot of people who read it

ES: Let me finish my sentence

DS: One at a time

ES: It came from your letter where you say  
VG: No! It didn't (leaving)  
ES: . . . you say that someone accused you of that  
VG: No, I \_\_\_\_\_  
ES: You go on to say that you think that wasn't fair  
VG: Read it again! That is not there. Read it again!  
CS: Ok  
VG: I have to go. Read it again.  
CS: It is time to move on.

CS: Can we move on to point B of Maurece Chesse's complaint / grievance? I think as I mentioned, Point B really deals with Code of Conduct issues. And, I believe these will need to be addressed, um, more properly in our Election / Bylaws Procedures, so, code of Conduct, we may need to tighten up what people should, how they should and shouldn't behave when we're trying to recruit people or get people signed up for, um, as stakeholders in the election. So therefore, we may not have defined it, but there is not election . . . . We've said there is not electioneering. We can't actually go out to a site and say "Yes. Vote for this person" or "No. Don't vote for that person." So we may need to look at our Election Procedures on that and just tighten those up.

MC: (aside) let's get the mic back  
CS: Does anyone have a comment of that? Yes, Gary?  
GS: I think it's pretty clear the  
UNKm: Hold on, Gary. (retrieving mic)

GS: (on mic) I don't have it in front of me at the moment, but I think it does pretty clearly state in our procedures that no electioneering is allowed by, um, anyone in any official capacity, representing the Board, representing the Election Committee. Um. I just wanted to add that, those accusations in general, I just want to say, I don't know where they're coming from. I think they're baseless. I just want to throw it out there. I think it's important as we're talking about this that we realize that some of the allegations that might be made are not necessarily with merit.

SS: Can I make one comment.

CS: Yes. You can, on that. And then, we just want to also say we already have a Code of Conduct that governs HUNC Board meetings. And perhaps, we just need to have that in front of us for meetings.

SS: I would just comment as far as electioneering. I don't think we specifically have anything in our Bylaws about that, too strongly. The main issue was that at Mayfair they have extremely strong rules about it. And, in the six years that I've worked with them, they have laid it pretty much on the line. You may pass out materials and don't say anything. So, their rules are the one we follow for anything to do at Mayfair or Gelsons, period. As for any other, oh, spot that we might do outreach really depends on the place that we are and what is in our Bylaws. But, Mayfair is much stricter, much stricter.

UNKf: Thank you

CS: Um, and then on the issue of slander which is also included both here and Maurece's and Viktoria's also has it in her first sentence . . . it would seem that this is not the forum to deal with it. Our Board, I don't think we have any mechanism in place to deal with that. And, apparently it's not even under the realm of the City Attorney's office. So, that's something that would probably be a private matter between the two parties. Anyone have an opinion on that?

CS: Ok. If we can go now to the third point, which is um, whole questions of investigations. This was on the last page of Maurece's letter there . . .

MC: This one (off mic)

ES: \_\_\_\_\_ this is where Viktoria talks about \_\_\_\_\_ (off mic)

CS: It seems like the question that arises would be have we defined a process for oversight body and investigations. And, I believe that we have to some extent. Could I get a comment from you, Maurece since you are former Past Treasurer . . .um, on an audit procedure

MC: What was your question again?

CS: Well, um, is there . . . It seems like in terms of event, let's say if something's not working the way it should, or if there's something being done, that's actually being done wrong, or perhaps, worse. What is the process then, especially financial matters, for looking into this.

MC: My experience has been that DONE looks very closely at every entry, every expenditure. They do their own internal audit. We get a copy of that. If they feel they have to look closer, in finer detail than they do, then, they do the whole review process, which they have done in the past. And that's the only step. We don't have one of our own. I never put one in place. And it's probably a wise thing to have. But, again, I relied on DONE because they're paid to do that, the accountants.

CS: So, we don't hire a CPA on our own?

MC: We can. We have that authority. But, we've never acted on it.

CS: Maybe, that's something to discuss Yes, Susan?

SP: I think that it would probably be a very good idea to have an independent audit, that is not a Board member, that is not stakeholder, that somebody who has absolutely no vested interest in, in what we do, or don't do, because I think that the Treasurer has the most vulnerable position of all the stakeholders.

MC: (aside to Gary) nyah

SP: And, I think it really is an unfair burden to have a Board member subject to anything, but the most objective of examinations. I think it is a very good idea to hire an independent outside auditor to come in, once a month, once every six months, um,

MC: (aside to Gary) That's what I was suggesting,

SP: someone that is not a stakeholder within the HUNC Neighborhood Council

MC: It would take a lot of load off.

GS: (to MC) Yeah.

MC: \_\_\_\_\_ And they do all that other stuff

GS: \_\_\_\_\_ a one-time basis, yearly basis \_\_\_\_\_

MC: \_\_\_\_\_ quarterly

GS: Or quarterly?

CS: Thank you

SP: In fact, I would make that a motion.

CS: Ok. Second on a motion, from Erik Sanjurjo that we hire a Certified Public Accountant?

VS: Excuse me for interrupting, \_\_\_\_\_ sorry.

CS: Yes?

VS: \_\_\_\_\_ happen to be here. I don't think that's agendized.

GS: Yeah.

CS: Oh. That's right. It's not agendized. Thank you.

VS: Thank you so much.

CS: It should go to the committee. It should go to the Finance Committee. And that Committee can discuss it and bring it back to us. Thank you, Vivian.

CS: Ok. Are there any other, did anyone see anything else that they wanted to discuss in Maurece Chesse's complaint? Apart from those three major points and sub-points? Ok.

NF: Well, I would just

CS: Yes?

NF: I would,

NF: (now on mic) I would just like to say that anything that refers to me in any way in any of the complaints so far, I would like to go on record are total falsehoods and I would like to stick with that. Thank you very much.

CS: Are you saying both complaints Norma?

NF: (off mic) Yes. Everything. \_\_\_\_\_

NF: (on mic) Everything that is being referred to in Maurece's complaint and all the emails and correspondence from the President, thank you very much.

SS: And, Viktoria's complaint?

VG: Viktoria's, I accept wholeheartedly. Everything in Viktoria's one is 100 % accurate.

CS: Well. That should be put into the record. Thank you.

ES: I just want to make a procedural question about our Bylaws, clearly this, uh calls to mind that we need to look at the Bylaws closely around grievance issue. And, I believe Susan touched on this, but, just for those of you members who our joining us, to kind of underline the issue, our Bylaws do not give us a remedy to deal with a grievance, currently. I think we have to come up with one. And as Susan explained, DONE didn't want to touch this. Our Bylaws did say we had the ability to ask DONE for assistance. DONE didn't want to touch this. I don't blame them. So they punted it back to us. We also don't have an ad hoc group of people in place to send this to and trying in my opinion, would be, trying to create a group like that to deal with the grievances given, that we know exactly what the grievances are, would be very difficult to find neutral people who would be interested in doing that. I don't know when they put this in the Bylaws. I don't think it's a particularly good recommendation. I think the bottom line is, any action that occurs, the Board needs to okay and all grievances eventually have to

come to the Board. If people want to talk about a better way of handling it, I think we need to think about that, and take it to that Bylaw meeting.

SP: I ...

CS: Yes?

SP: I would say that I brought up the grievance procedure three times last year trying to get enough, enough stakeholders who were not making the grievance to participate. We, we never reached, uh, even close to ten people, and that would include people that are, that actually had grievances with HUNC. So, I think and we had decided as a group to send it back to Bylaws to try to figure out a different way to do grievances, because the way it is written in there now is totally ineffective.

CS: Yes, Maurece?

#### TRACK FOUR (mid MC comment)

MC: Yeah. I just wanted it also added to the record that Viktoria's letter was completely emotionally based and off the mark of reality in terms of what we do have. that anybody who wants a copy, can have is a video tape of the meeting. It runs from the beginning of the meeting to the very end. You see everything very clearly. And, you see all the actions and see how the story works and doesn't work. So, I just want to make that clear.

DS: (off mic) Excuse me, I didn't know we were discussing Viktoria's letter. I thought we were discussing Maurece \_\_\_\_.

CS: We were just finishing up on. We just finished up on Maurece's. Now, um, of course, Viktoria is not here.

DS: Exactly

CS: Which kinds of puts us at a disadvantage in terms of moving forward.

UNKf: She said she had to leave early

CS: I know.

GS: I have a question.

CS: Yes, Gary?

GS: I'm just a bit curious, um, what is our objective today. I know we only have about ten minutes left. So, I don't know exactly what we will be able to accomplish . . .

CS: Right, right.

GS: I think it has been helpful to discuss this out publicly, but I'm just curious where we're going from here.

CS: Well, I think as what it had been explained is that this whole uh, this whole process had really started outside of the mechanisms for dealing with grievances, and so, basically, ultimately, the Board had to, had to deal with it. I think, of course, one of the difficult issues is that it's hard to come up with a grievance committee, so, of stakeholders, so it is probably better if it does come from the whole Board, Essentially, it is something the whole Board needs to be aware of, \_\_\_\_\_ grievances. So, I think, considering as, this is the first time through this process

MC: we're just getting our sea legs (off mic)

CS: \_\_\_\_\_ making substantial progress, at least we worked through one. I believe that, we've resolved some of the issues in Maurece's complaint. But, at least we started the process of resolving that.

MC: the process

CS: Let me rephrase, we started the process of resolving that. So, we're hopeful that, you know, we'll get some, we can follow up things like on the clarification of stakeholder etc. as we requested things in writing so then we can then follow it up with, with the appropriate people. At this point, I would like to know what the Board's feeling are about continuing, because the Board member who file the complaint is not here, and we might just end up spinning our wheels. \_\_\_\_\_

SS: I, If I may, I think we should get back to focusing on the process. And as painful as this has been, I must say, that at least we received the complaints from DONE, which is a first. We mostly heard of complaints through rumor and innuendo. We've never actually had them submitted in writing, which is the process in our Bylaws. It says, all grievances must be submitted to the Neighborhood Council. I think that it wouldn't be a bad idea perhaps to take this to our Bylaws Committee on the 27<sup>th</sup>. I don't think it would be a bad idea to take it to Bylaws Committee to see if a process could be worked through. In conversations with other Neighborhood Councils and DONE, there is no process. There is no committee. Almost no Neighborhood Council have ever come up with a process for grievances. One mention was made at 912 and through DONE of having a pool of Neighborhood Council members who would be willing to serve on an ad hoc grievance committee for another Neighborhood Council, but apparently DONE \_\_\_\_\_

MC: \_\_\_\_\_ through Election procedures, thought it would be a good thing to

SS: decided not to do that. They couldn't train them. There were liability issues. So, I think it comes back to us. I think we need to get together and decide what we want to put in our Bylaws to deal with grievances. I think that might be a very good start. And, we can start at Bylaws.

VS: I do want to point out that \_\_\_\_\_ throwing it all together, but I want to point out that there is a difference between grievance and a workplace violence complaint. Ok? Those are two separate things. A workplace violence complaint could be, you know, a criminal crime that immediately requires \_\_\_\_\_ come in and handle it

SS: Well, I guess

VS: There is a difference.

GS: Sure.

VS. Even though you may be concerned because it affects the dynamics of the Neighborhood Council, a workplace violence complaint is never gonna fall under your grievance, because it's not.

SS: I agree. And I think that's why, as Erik said he put those three complaints in those three spots. But, I would say that it might be considered by this Board that we write a letter to the BONC and to the 912 Commission suggesting that when complaints are made that the utmost in confidentiality is assured. Particularly, if the person who is having a complaint made against them is never going to be informed, and never noticed

that it's completed or what the resolution is. I think that might be a very good thing for the Board to do.

VS: Well, there's nothing that says person that's complained against never knows the resolution. They obviously, they're going to know the resolution to a point. But, the reality is that confidentiality, when you start talking about Neighborhood Councils is not something . . . What are you going to do, bonk the person over the head if they talk about? I mean, you know, it's, you know, I mean, it's, you can say it

LAUGHTER

ES: Well . . . Well, I think my suggestion is a simple solution is that if the person is making the complaint to the City Attorney breaks that confidence and tells that information to outside parties . . . if we have like we hear from Jennifer, she goes to an event at City Hall and hears from another Neighborhood Council from Hollywood, "Gee, what's happening at your Neighborhood Council, I heard that so and so

JC: Highland Park

ES: did this to so and so." Clearly confidences have been broken and, I think there should be a penalty of some sort. And the most obvious penalty in my mind would be, okay, just like when you watch a courtroom drama, you know, you talk about the confidence of a psychiatrist or a doctor, if, someone breaks that confidence, then doctor or the psychiatrist is relieved from having to deal with that.

VS: And you know what? It sounds wonderful, you know, in a vacuum like that. But, you have to realize that workplace violence falls in so many different, \_\_\_\_ It's such a vast specific thing. You cannot have a hard and fast rule like that. Because, you can have somebody who gets shot at, you know. And, you tell them to keep it confidential, but they're so upset and so afraid that they talk about it, you know. And, and,

ES: Well, perhaps you could differentiate between something that's, that's a serious violent

VS: \_\_\_\_\_ (inaudible – spoken while Erik was on mic)

ES: and one that is a little less so.

VS: When we are dealing with workplace violence, it is much the same as when police are dealing with victims; just because someone else may not have found that exact situation to be frightening doesn't mean it is frightening for that person. So we have to deal with not just the facts as we find, but we have to deal with the individual who is our victim. Because our main goal, and, really, our only goal is to make sure that Neighborhood Council members can come to a Neighborhood Council meeting and not be afraid.

LIGHT TALK

VS: Ok. That's the goal. And, whether you accomplish that goal through training or you accomplish that goal through a restraining order or you accomplish it through something else, that's our goal. And that's what we do. And we utilize a lot of different ways to accomplish that goal depending on the facts, depending on the dynamics of the group, ok, or the two individuals. Ok, so, it's not just a black and white thing that you can just say, Oh, you know, and we should just call in this person \_\_\_\_\_. And, it's a little bit different too when you have an employee, and you have an employee who's, who's accused of something and, you know their social security number and you have their date of birth. You can run them and see if they have a criminal background,

right? You know. It's not always the same thing when you are talking about someone who is not an employee. \_\_\_\_\_. We have to handle the situation in the way that we feel is best. You just have to trust that we've been working in threat management for a long time. You have to trust. \_\_\_\_\_ the best way to work this particular circumstance.

RH: My immediate, my, I have one question Vivian, is that what, if any procedure do you guys have when you find out a claim, and I'm not saying that any of these are, but, what I've run into in other situations is, you have people that will continually, and, that doesn't mean weekly, could be one every five years, make false claims. What is the procedure? Because, I recently went through something where a false claim was made against me for a restraining order, and, burden of proof was on me. But, at least I knew the claim that was being made against me. In this particular situation, the person who has the claim filed against them has no idea what's going on, but there's some sort of investigation going on, and, when your Department figures out what that, how that investigation, you know, works it way out then they either take action or they take no action. But, that person then, then, the person making that claim could do that again in six months and then you're spinning your wheels and your resources and you know what I'm saying, so. . . . Is there any kind of procedure that you guys have that kind of addresses that?

VS: Um. We have. Workplace violence is one of those areas that has been our, our experience that people do not file false claims. Ok? They may file claims that another person may not have been afraid in that situation. But, they do not file false claims. In the last five years, we have had one false claim. And, and, last year alone we handled 110 workplace violence matters. So, false claims have not been a problem, um, you know, but, like I said, whether something makes somebody afraid or not, is a very personal thing.

CS: Vivian, uh, for the sake of time, uh, and because it's now 6:30 and we have to move on to the other meeting. What I'd like to say, first of all, is thank you for coming, and being part of this. \_\_\_\_\_

APPLAUSE

CS: Thank you for being willing to join us on March 31<sup>st</sup> when we have our workshop. And all I would say is, if we could, folks, if we could just take a two minute break and will re-convene in two minutes and the President then will come and chair the meeting. And, if anyone has a question, very briefly for Vivian, you want to follow up, then please come up and ask her.

RH: I do want to make one comment for those of you who are stakeholders in the audience, uh, that came here at 5:30 to deal with the Ivar Avenue issue, we're gonna move that ahead in the byl, in the a, agenda so that will be something we're gonna move towards the front, because I know you guys have been patient and waiting.

MC: Who made the flyer? Do you know?

UNKm: I don't know.

