



MID CITY WEST COMMUNITY COUNCIL

543 N. Fairfax Avenue, Suite 106 Los Angeles CA 90036

323-651-3512 www.midcitywest.org#

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Beverly Center • Beverly Grove • Burton Way • Carthay Circle • Fairfax District • Melrose • Miracle Mile • Park La Brea

Ad Hoc Grievance Committee Agenda

Wednesday, August 3, 2011, 7:00 pm

MCWCC Offices

NCJW

The public is requested to fill out a "Speaker Card" to address Mid City West on any item on the agenda. Comments from the public on agenda items will be heard only when that item is being considered. Comments from the public on other matters, not appearing on the agenda but within the Board's subject matter jurisdiction, will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker, unless waived by the presiding officer of the Board or committee chair.

As covered under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assisted listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability of services, please make your request 3 business days prior to the meeting you wish to attend by contacting the Department of Neighborhood Empowerment at 213.485.1360 or e-mail NCsupport@lacity.org.

In compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed by appointment at 543 North Fairfax Avenue, Los Angeles, CA, at our website www.midcitywest.org, or at the scheduled meeting. In addition, if you would like a copy of any record relating to an item on the agenda, please call 323.651.3512 or send an e-mail to admin@midcitywest.org.

1. Call to Order

2. **Public Comment Period**

Comments from the Public on matters within Board jurisdiction: Under Mid City West Bylaws, comments are limited to 3 minutes per speaker.

3. **Review of the complaint filed July 16, 2011, by Stakeholder Robert Chernob regarding alleged violations of the City of Los Angeles Code of Ethics.**

Consideration of this item will only include the following:

- a. Determination of whether or not the complaint that was filed is in compliance with Article V., Section 10 in accordance with MCWCC grievance procedure prescribed by Article V., Section 10b. **Action May Be Required.**
- b. If the complaint is found to be compliance, Committee will determine the affected parties, and approve service, in compliance with MCWCC grievance procedure prescribed by Article V., Section 10c. (i.-iii.) . **Action May Be Required.**

The text of the complaint is as follows:

7/16/11

Please ammend my complaint against Board Members Brent and Jacobberger to include alleged violations of the City of Los Angeles Code of Ethics.

4. **Review of the complaint filed July 16, 2011 by Stakeholder Robert Chernob regarding posting of agendas in the community, land use decisions, .**

Consideration of this item will only include the following:

- a. Determination of whether or not the complaint that was filed is in compliance with Article V., Section 10 in accordance with MCWCC grievance procedure prescribed by Article V., Section 10b. **Action May Be Required.**

- b. If the complaint is found to be compliance, Committee will determine the affected parties, and approve service, in compliance with MCWCC grievance procedure prescribed by Article V., Section 10c. (i.-iii.) . **Action May Be Required.**

The text of the complaint is as follows:

Also please also include the following additional Grievance Complaints:

1. Article V, Paragraph 17 of the MCWCC Bylaws states "The Mid City West Community council hereby acknowledges and agrees to abide by all applicable laws of the federal State and local government. . . " Article V, Paragraph 19 of the MCWCC Bylaws states "Ethics. the mid City West Community council shall abide by all applicable provisions of the City of Los Angeles' governmental ethics ordinance, as set forth in the Los Angeles Municipal Code Section 49.5.1 et seq." Land use cases; conditional use permits and zoning variances are continuously being decided by the Planning and Land Use Committee and the MCWCC Board, in violation of said Bylaws, i.e. in association with LAMC Sections 12.24-W, 1, 12.27-D, 12.21, 12.22-A(23). All land use cases before the Planning and Land Use Committee and MCWCC Board shall be decided based on requirements of specific Municipal Code Sections, rather than by Board Members personal and bias opinions.

5. Review of the complaint filed July 16, 2011 by Stakeholder Robert Chernob regarding posting of agendas in the community, land use decisions, .

Consideration of this item will only include the following:

- a. Determination of whether or not the complaint that was filed is in compliance with Article V., Section 10 in accordance with MCWCC grievance procedure prescribed by Article V., Section 10b. **Action May Be Required.**
- b. If the complaint is found to be compliance, Committee will determine the affected parties, and approve service, in compliance with MCWCC grievance procedure prescribed by Article V., Section 10c. (i.-iii.) . **Action May Be Required.**

The text of the complain is as follows:

2. Article III, Paragraph 3 of the MCWCC Bylaws states " Notice of Meetings. Except as noted below, notice of date, time place and proposed agenda for all meetings shall be communicated at least five days prior to the meeting. . . Such methods shall include, at a minimum: (1) Publication in a local print publication of broad distribution in the area. . . (3) posting at no less than Five public locations within the boundaries of the MCWCC."

Posting requirements are not being followed as required.

Postings requirements shall be performed as required in said Bylaws.

Robert Chernob

(323) 857-5848

6. Initial review of the complaint filed July 21, 2011 by Stakeholder Robert Chernob to Charles Lindenblatt regarding violation of Robert's Rules of Order:

- a. Determination of whether or not the complaint that was filed is in compliance with Article V., Section 10 in accordance with MCWCC grievance procedure prescribed by Article V., Section 10b. **Action May Be Required.**
- b. If the complaint is found to be compliance, Committee will determine the affected parties, and approve service, in compliance with MCWCC grievance procedure prescribed by Article V., Section 10c. (i.-iii.) . **Action May Be Required.**

The text of the compliant is as follows:

Amendment to Jeff Jacobberger Grievance:

As provided in Paragraph 10; Agenda of MCWCC Bylaws "The MCWCC Board shall act only by a motion (as directed by Robert's Rules of Order) adopted by its Board." Paragraph 11; Robert's rules of Order; "All Executive Council and Board of Directors meetings shall be governed by Robert's Rules of Order. . . " Paragraph 17; Governing Law; "The Mid City West Community council hereby acknowledges and agrees to abide by all applicable laws of the federal, State and local government. . . " Paragraph 19; Ethics; "The Mid City West Community council shall abide by all applicable provisions of the city of Los Angeles governmental ethics ordinance. . . "

Board Member Jacobberger without the authority of a motion by the Board advised a Stakeholder seeking funds to remove tree stumps, to seek money from Beverly Wilshire Homes Association, even though there were new funds available from the MCWCC Transportation Committee. Jacobberger then himself applied for said funds that could have been use to remove tree stumps, to instead be used for valet parking for upcoming event at LACMA.

7. Initial review of the complaint filed July 21, 2011 by Stakeholder Robert Chernob to Charles Lindenblatt regarding violation of Robert's Rules of Order:

a. Determination of whether or not the complaint that was filed is in compliance with Article V., Section 10 in accordance with MCWCC grievance procedure prescribed by Article V., Section 10b. **Action May Be Required.**

b. If the complaint is found to be compliance, Committee will determine the affected parties, and approve service, in compliance with MCWCC grievance procedure prescribed by Article V., Section 10c. (i-iii.) . **Action May Be Required.**

The text of the compliant is as follows:

Amendment to Jeff Jacobberger Grievance:

Board Member Jacobberger outburst of uncontrollable anger and profanities at MCWCC Committee Meetings. Robert's Rules, 10th ed., ppl 627-629; "Free speech bulies seem oblivious to their own bad behavior, or worse, revel in it. Boards should always listen to membership concerns and be patient with members who get emotional. However, boards do not have to put up with abusive behavior. . . obscenities, . . . There is no "First Amendment right" to such behavior and persons who engage in it can be ejected from meeting and following due process, fined for their disorderly conduct. . ." California Penal code Section 403, Disturbing an Assembly.

Robert Chernob
(323) 857-5848

8. Adjourn

For information on the Process for Reconsideration, MCWCC Stakeholder Grievance policy or any other procedural matter related to this Council, please consult the MCWCC Bylaws by clicking on the www.midcitywest.org or visiting the MCWCC Office at 543 N. Fairfax Avenue, Room 106