



MID CITY WEST COMMUNITY COUNCIL

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

323-651-3512 [www.midcitywest.org](http://www.midcitywest.org)

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## Bylaws/Grievance Committee

### Minutes

Thursday, April 28, 2011 (7:00p.m.)

543 N. Fairfax Avenue, Suite 106

Los Angeles CA 90036

1. **Call to Order; Roll Call**—Call to order, 7:11pm. Committee Chair Charles Lindenblatt and member, Bob Abrahams, were present; a quorum of 2 was present.
2. **Approval of Minutes of 04/14/11 meeting – Action May Be Required.** (2 min.)—Bob Abrahams moved, and Chair Lindenblatt seconded, minutes; minutes passed on a 2-0 vote.
3. **Public Comment Period** – There was no public comment.
4. **Chairman’s Report**-Chair updated committee on communication from City Attorney.
5. **Hearing, in accordance with MCWCC grievance procedure prescribed by MCWCC Bylaws Article V., Section 10e., of grievance filed March 28, 2011 by Mr. James O’Sullivan alleging violation of MCWCC Bylaws Article III, Section 10, Agenda. Grievant: Mr. James O’Sullivan. Respondent: Mr. Jeff Jacobberger. The hearing will proceed according to the following structure:**

1. **Public Comment for the Grievant (maximum 3 minutes/speaker)** - There was no public comment for the grievant.
2. **Presentation by the Grievant (10 minutes)** – The grievant was not present, but we have his written complaint for the item; it is item #2 in his complaint:

“2) The 3/08/11 Mid City West board meeting contained a motion #12 which was labeled as a Chairs Motion “to make recommendations to Planning Department re proposed Ordinance that would allow establishment of Modified Parking Requirements Districts.”The Mid City West bylaws state that the “MCWCC Board shall act only by a motion (as defined by Robert’s Rules of Order) adopted by its Board. The MCWCC Board shall consider a main motion only if the motion is in writing, made by a Board committee, and accompanied by a written committee report stating the motion’s objective, financial cost, financing source, and committee majority and minority views.” There was no motion from any committee for this subject.

There are of course instances that allow for a Chairman’s motion but there are restrictions on how that can take place. To that end, Mr. Jacobberger explained that a Director of Mid City West had requested a Motion to be placed directly in front of the Board at the 3/08/11 meeting. A subsequent California Public Records Act request concerning Director’s communications on the Modified Parking Requirement Districts did not

produce any evidence to substantiate Mr. Jacobberger's claim." (Source: O'Sullivan complaint)

Mr. O'Sullivan was seeking the remedy:

"2) For the Bylaws Committee to find that Mr. Jacobberger violated the Mid City West bylaws in the way he placed a main motion directly in front of the Board of Directors at the March 8, 2011 meeting."

3. **Public Comment for the Respondent (maximum 3 minutes/speaker)** – There was no public comment for the respondent.
4. **Presentation by the Respondent (10 minutes)** – There was no written response by the respondent; he will give it orally.

Mr. Jacobberger presented that the bylaw was enacted because he had asked Mr. O'Sullivan to agendize a Wilshire/La Brea project, that Mr. O'Sullivan refused, because he said it was outside of Mid City West boundaries. Mr. Jacobberger said to Mr. O'Sullivan that he could not make that decision; it has to be on the agenda for discussion points so that either LUC or the board can look at it; the Chair doesn't have unilateral authority.

Mr. Jacobberger's view has always been that all you need to do is ask to get something on the agenda, that should be sufficient. It's better to put something in writing, but he has viewed about requiring formal written request to be; if you do that, you will get it on the agenda...but that nothing prevents him from having a lower standard. Our rules should not be interposed to set up more hurdles to get on the agenda, but we should be making it easier... If bylaws say we can't relax the rule, there's something wrong with our bylaws.

He recounted the history of how the item worked through the agenda; TPS was noticed as special meeting to allow for greater participation. He indicated that he forwarded to the committee chair an email that Leslie Barnett had asked him to put it on the agenda, and he sent it to PLUC Chair Michael Barba saying do you think we should put it on the agenda, but didn't get a written response, but then spoke on the phone with him and got a response; the respondent then indicated that the intent was not to push the item, but to allow the board to make the decision whether to consider it, not himself. He indicated that his intent was not to make a unilateral decision about whether to discuss it.

## 5. **Committee Questions**

Committee member Bob Abrahams asked whether Mr. Jacobberger did or not receive the request in writing. Mr. Jacobberger indicated that he did not a request in writing, but he did think it belonged on the agenda, but thought it was silly that he'd have to write himself a letter.

Committee member Bob Abrahams next cited Article III, section 10a, and asked if the board acted on the motion. The response from Mr. Jacobberger indicated that the board did not adopt the motion, did not act on the motion.

Chair Charles Lindenblatt then asked didn't receive request in writing, but you took a more expansive view of the bylaw here, where you feel you can add something to the agenda without this formal process in writing? Mr. Jacobberger indicated yes.

Next, Chair Lindenblatt asked that the section came about how the section came about from the situation with him and Jim, but that his recollection was from 2004, former board member Jerry Cohen developed it. Mr. Jacobberger felt most of it was from Jerry Cohen, but the part about if you put in writing and has to go on the agenda, came out of his complaint, but he might be wrong; recalls that board denied his grievance at the time, and that it wouldn't be the case if the rule was in place at the time.

Finally, the Chair asked Mr. Jacobberger if he had any thoughts about Mr. O'Sullivan's indication that "There are of course instances that allow for a Chairman's motion but there are restrictions on how that can take place." Mr. Jacobberger indicated that he supposes there would be some limitations, but he does not think that this situation is it.

#### **6. Closing Remarks of the Respondent (5 minutes)**

Mr. Jacobberger indicated how, historically in Mid City West, there are other examples in our bylaws, where an issue comes up, and we write detailed procedures that get put into bylaws, which get interpreted in a different way to hamstring action, and this level of detail should be in standing rule, not bylaws, so that if a situation came up, the board would have the authority suspend the standing rule.

#### **7. Closing Remarks of the Grievant (5 minutes)**

The grievant was not present, but we have his written remarks and filings.

#### **8. Committee Questions**

The Committee had no further questions.

#### **9. Committee Deliberations and Votes on Findings and Recommendations Action May Be Required.**

Committee member Bob Abrahams noted for the record that the grievant was contacted and he said he was unavailable and that we should proceed.

Also, he noted that in response to what Mr. Jacobberger said about bylaws and standing rules, Mr. Abrahams thinks it's not so much that they shouldn't be in standing rules, but that they shouldn't be as specific about some of the points, i.e. in the proposed amended bylaws, we removed the MCWCC Action Proposal form, because that shouldn't be in the bylaws.

Mr. Abrahams also observed that if the board did not act, he was not sure there was a technical violation... Bylaws say “shall act”... and if the board didn’t act, he was not sure there’s an issue on the table.

On suggestion from Chair, Charles Lindenblatt, the committee consulted the minutes of the March 8, 2011 meeting to determine if there was an action taken. For agenda item 12c, minutes indicate that “was referred back to TPS due to lack of time”.

Mr. Abrahams would propose a finding that, question of whether it is in writing or not in writing, he would agree that it is a technicality. He saw it as a no harm, no foul, because we did not act, but ran out of time and threw it back to committee.

Chair Charles Lindenblatt then spoke. He indicated that while it does seem that there are some things that we said that one could view as a technicality, at the same time, we have bylaws there that people, stakeholders, expect that we should follow, and we have this committee that is set up to try to resolve it, so it’s a difficult situation, and he indicated that he did not know that he could go along with it that there is a technical violation.

At this point, there was a problem situation that arose, which is considered in detail in the “Report regarding a grievance filed by Mr. James O’Sullivan against Mr. Jeff Jacobberger alleging violation of the MCWCC Bylaws, Article III, Section 10 (Agenda),” available elsewhere on our website at [www.midcitywest.org](http://www.midcitywest.org) or on request from our office.

Once the Chair regained composure, and deliberations resumed at a more calm, conventional tone, committee member Bob Abrahams moved, and Chair Charles Lindenblatt seconded (for purposes of discussion only), that based on the information that we considered, that we find no effective violation of the bylaws on the part of respondent, Jeff Jacobberger, because the Board did not act on the agendized item.

At this point, we heard public comment from stakeholder and board member Rosalie Wayne, who noted that she and the respondent have huge differences on the subject of the motion itself, and that has just evolved over time, and to some degree she thought that as that’s out in the open, that she feels better about it now, about the content; that this was a very heated issue; and that night at the March 8, 2011 board meeting, it was very surprising to see that motion come out, contrary to how the committees were going—that the committees really hadn’t evaluated things yet--and so to come to see a fully-fleshed out motion like that, she felt, was just kind of surprising.

Further, she indicated that if we were saying that that’s moot because that didn’t get discussed, then that was ok with her because it is over, but it did seem inappropriate to not see that agendized ahead of time and not have opportunity or the public even come. She also noted that as the meeting was canceled due to time limitations, and to not rule on it because of a technicality, if that’s proper then that’s ok, but it does seem to her that it was inappropriate, because there were other people participating. She viewed it as an insult, because the committees meet and do their work, and she concluded by noting that it doesn’t matter...if it doesn’t matter that it hasn’t really happened, and used the word “shocking” to describe it; she saw it as an end-run, an attempt at an end-run.

Following this public comment, and further deliberation among the committee members, the vote on the motion was taken, and it failed on a 1-1-0 vote.

After this, Chair Charles Lindenblatt moved, and committee member Bob Abrahams seconded (for purposes of discussion only), that the committee finds that there was a violation of the second sentence of Article V., Section 10a, which reads that “The MCWCC Board shall consider a main motion only if the motion is in writing, made by a Board committee, and accompanied by a written committee report stating the motion’s objective, financial cost, financing source, and committee majority and minority views.” This motion failed on a 1-1-0 vote.

After further discussion, the committee determined that it would report out that it had deadlocked 1-1-0, and was unable to reach a decision, and cannot provide findings or recommendations to the Board.. The Chair then indicated that he would be providing a written report to that effect for the Board to consider.

6. Discussion of status of MCWCC Bylaws Amendment process to become in compliance with the Board of Neighborhood Commissioners’ (BONC’s) citywide Bylaw Table of Contents.

The Chair noted that neither the committee nor the board had heard anything back from the Department of Neighborhood Empowerment regarding the status of its bylaws amendment package.

7. Adjourn—The committee adjourned at 8:30p.m.

**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](http://www.midcitywest.org) or visiting the MCWCC Office at 543 N. Fairfax Avenue, Room 106.**



**Mid City West Community Council**  
**Bylaws/Grievance Committee Report**  
**For Board of Directors – May 10, 2011**

**Report regarding a grievance filed by Mr. James O’Sullivan against Mr. Jeff Jacobberger alleging violation of the MCWCC Bylaws, Article III, Section 10 (Agenda).**

At the conclusion of presentations, closing statements, and Bylaws/Grievance Committee questioning, at a hearing held on April 28, 2011, in accordance with the requirements of Article V., Section 10e of the Mid City West bylaws, the Committee members who were present (Chair Charles Lindenblatt and Bob Abrahams) deliberated, and after carefully considering what they learned in the documentation presented, and in testimony at the hearing, determined that it had deadlocked 1-1-0, and was unable to reach a decision, and cannot provide findings or recommendations to the Board.

The Bylaws/Grievance Committee Chair has taken the extraordinary step of preparing this written report on a grievance in which the committee was deadlocked, rather than simply noting the deadlock briefly at the board meeting, because of a problem situation that arose during the course of the hearing--as described in Section III.B.2.a. herein, and responded to by the Bylaws/Grievance Committee Chair, in Section III.B.2.b.herein--and he believes the Board, Stakeholders, Department of Neighborhood Empowerment (DONE), and City Attorney, need to be aware of the very serious issues raised during the course of this hearing.

**I. Committee Methodology: How it Conducted its Work**

On March 28, 2011, the Mid City West Community Council (MCWCC) Bylaws/Grievance Committee received a complaint that alleged violations of the MCWCC Bylaws, Article III, Section 10 (Agenda).

In accordance with MCWCC Bylaws Article V., Section 10b., the Committee met within 20 days of the filing, on April 7, 2011, and voted 2-0 (Baughman moving, Lindenblatt seconding) that the complaint filed by Mr. O’Sullivan was in compliance with MCWCC Bylaws Article V., Section 10, that it was in fact a grievance that the Committee could hear, and voted 2-0 (Baughman moving, Lindenblatt seconding) that Mr. Jeff Jacobberger was the respondent.

Following this, in accordance with MCWCC Bylaws Article V., Section 10c., at the meeting, and thus well within 10 days of the determination, Mr. Jacobberger accepted service of the complaint.

Finally, in accordance with MCWCC Bylaws Article V., Section 10e, a hearing was then scheduled for April 28, 2011, at which the Committee heard the matter, in accordance with the following formal hearing structure, which was designed to be as fair as possible to all parties to the grievance:

1. Public Comment for the Grievant (maximum 3 minutes/speaker)
2. Presentation by the Grievant (10 minutes)
3. Public Comment for the Respondent (maximum 3 minutes/speaker)
4. Presentation by the Respondent (10 minutes)
5. Committee Questions
6. Closing Remarks of the Respondent (5 minutes)
7. Closing Remarks of the Grievant (5 minutes)
8. Committee Questions
9. Committee Deliberations and Votes on Findings and Recommendations

## **II. Grievance and Requested Remedy**

In the grievance, grievant Mr. James O’Sullivan alleged that Mr. Jeff Jacobberger violated the MCWCC Bylaws, Article III, Section 10 (Agenda). Specifically, Mr. O’Sullivan’s complaint was that:

“2) The 3/08/11 Mid City West board meeting contained a motion #12 which was labeled as a Chairs Motion “to make recommendations to Planning Department re proposed Ordinance that would allow establishment of Modified Parking Requirements Districts.” The Mid City West bylaws state that the “MCWCC Board shall act only by a motion (as defined by Robert’s Rules of Order) adopted by its Board. The MCWCC Board shall consider a main motion only if the motion is in writing, made by a Board committee, and accompanied by a written committee report stating the motion’s objective, financial cost, financing source, and committee majority and minority views.” There was no motion from any committee for this subject.

There are of course instances that allow for a Chairman’s motion but there are restrictions on how that can take place. To that end, Mr. Jacobberger explained that a Director of Mid City West had requested a Motion to be placed directly in front of the Board at the 3/08/11 meeting. A subsequent California Public Records Act request concerning Director’s communications on the Modified Parking Requirement Districts did not produce any evidence to substantiate Mr. Jacobberger’s claim.” (Source: O’Sullivan complaint.)

Mr. O’Sullivan was seeking the following remedy:

“2) For the Bylaws Committee to find that Mr. Jacobberger violated the Mid City West bylaws in the way he placed a main motion directly in front of the Board of Directors at the March 8, 2011 meeting.” (Source: O’Sullivan complaint.)

## **III. Hearing**

### **A. Parts 1-8**

In the hearing, Mr. O’Sullivan was not in attendance, but he was contacted, and indicated that we should proceed; his written comments, listed in Part II above, were noted at Part 2 and Part 7 of the hearing structure listed above. There was no public comment for either the grievant (Part 1) or the respondent (Part 3).

In response to the complaint, Mr. Jacobberger did not present a written response, but at Parts 4 and 6 of the hearing structure listed above, made his points orally.

Specifically, at Part 4, Mr. Jacobberger presented that the bylaw was enacted because he had asked Mr. O’Sullivan to agendize a Wilshire/La Brea project, and that Mr. O’Sullivan refused, because he said it was outside of Mid City West boundaries. Mr. Jacobberger indicated that he said to Mr. O’Sullivan that he could not make that decision; that it has to be on the agenda for discussion so that either the Land Use Committee or the board could look at it; that the Chair doesn’t have unilateral authority.

Mr. Jacobberger’s view, as was presented, has always been that all you need to do is ask to get something on the agenda, and that should be sufficient. He feels that it’s better to put something in writing, but he has viewed the situation about requiring formal written request to be, that if you do that, you will get it on the agenda...but that nothing prevents him from having a lower standard. He feels that our rules should not be interposed to set up more hurdles to get on the agenda, but we should be making it easier... and that if the bylaws say we can’t relax the rule, then there is something wrong with our bylaws.

He then recounted the history of how the MPRD item worked through the committee process, noting that the Transportation, Parking and Streetscape Committee meeting was noticed as a special meeting to allow for greater participation. He indicated that he forwarded to the TPS committee chair an email that said that Leslie Barnett had asked him to put it on the agenda, and he sent it to Planning and Land Use Committee Chair Michael Barba saying “do you think we should put it on the agenda,” but didn’t get a written response, but spoke on the phone with him and got a response; Mr. Jacobberger indicated that the intent was not to push the item, but to allow the board to make the decision whether to consider it, not himself. He indicated that his intent was not to make a unilateral decision about whether to discuss it.

At Part 5 of the hearing, Bylaws/Grievance Committee members asked questions:

Committee member Bob Abrahams asked whether Mr. Jacobberger did or did not receive the request in writing. Mr. Jacobberger indicated that he did not a request in writing, but he did think it belonged on the agenda, but thought it was silly that he’d have to write himself a letter.

Committee member Bob Abrahams next cited Article III, section 10a, and asked if the board acted on the motion. The response from Mr. Jacobberger indicated that the board did not adopt the motion, that it did not act on the motion.

Chair Charles Lindenblatt then asked Mr. Jacobberger to clarify that he didn’t receive the request in writing, but that he took a more expansive view of the bylaw here, where he felt he could add something to the agenda without this formal process in writing. Mr. Jacobberger indicated yes.

Next, Chair Charles Lindenblatt asked about how the operative bylaws section came about from the situation between Mr. Jacobberger and Mr. O’Sullivan, and noted that his recollection, from 2004, was that former board member Jerry Cohen developed it. Mr. Jacobberger felt most of it was from Jerry Cohen, but the part about if you put in writing then it has to go on the agenda, came out of his complaint, but he might be wrong; he recalls that board denied his grievance at the time, and that it wouldn’t be the case if the rule was in place at the time.

Finally, the Chair asked Mr. Jacobberger if he had any thoughts about Mr. O’Sullivan’s indication that “There are of course instances that allow for a Chairman’s motion but there are restrictions on how that can take place.” Mr. Jacobberger indicated that he supposes there would be some limitations, but he does not think that this situation is it.

In Part 6, Closing Remarks of the Respondent, Mr. Jacobberger indicated how, historically in Mid City West, there are other examples in our bylaws, where an issue comes up, and we write detailed procedures that get put into bylaws, which get interpreted in a different way to hamstring action, and that this level of detail should be in standing rules, not bylaws, so that if a situation came up, the board would have the authority suspend the standing rule.

The Committee had no further questions at Part 8.

## **B. Part 9 - Committee Deliberations and Votes on Findings and Recommendations**

For purposes of discussion here, Part 9 of the meeting has been divided up into three phases: Initial Deliberations, Problem Deliberations, and Final Deliberations and Votes on Findings and Recommendations, for reasons that will soon become clear.

## 1. Initial Deliberations

In Part 9, Deliberations, committee member Abrahams noted for the record that the grievant was contacted, that he said that he was unavailable and that we should proceed.

Also, he noted that in response to what Mr. Jacobberger said about bylaws and standing rules, Mr. Abrahams thinks it is not so much that they shouldn't be in the standing rules, but that they shouldn't be as specific about some of the points, i.e. in the proposed amended bylaws, the committee removed the MCWCC Action Proposal form, because that shouldn't be in the bylaws.

Mr. Abrahams also observed that if the board did not act, he was not sure there was a technical violation; that the bylaws say "shall act", and if the board didn't act, he was not sure there was an issue on the table.

On suggestion from Chair Charles Lindenblatt, the committee consulted the minutes of the March 8, 2011 meeting to determine if there was an action taken. For agenda item 12c, the minutes indicated that the Modified Parking Requirements Districts item "was referred back to TPS due to lack of time".

Committee member Bob Abrahams then indicated that he would propose a finding that, whether it is in writing or not in writing, he would agree that it is a technicality. He saw it as "no harm, no foul," because we did not act, but we ran out of time and threw it back to committee.

Chair Charles Lindenblatt then spoke. He indicated that while it does seem that there are some things that we said that one could view as a technicality, at the same time, we have bylaws there that people, stakeholders, expect that we should follow, and we have this committee (the Bylaws/Grievance Committee) that is set up to try to resolve it, so he felt it is a difficult situation, and he indicated that he did not know that he could go along with it that there is a technical violation.

## 2. Problem Deliberations

### a. Problem

At this point in the deliberations, after asking if he could interject something, and was told by committee member Bob Abrahams, "No," the respondent said that he was going to do it anyway, raised his voice and issued the following personal attacks against the Bylaws/Grievance Committee Chair:

"Charles!

I mean, I mean, this is what infuriates me. When I filed my grievance against Jim O'Sullivan, because he wouldn't put something on the agenda, and refused to allow us to even discuss anything, you denied my grievance! Because... I wanted to get something on the agenda. And, now I put something on the agenda because of...requests...and you're upholding the grievance because...I'm trying to put something on the agenda.

And, I mean we've had our differences in the past, but, but, this fundamentally is why, when you've run for Chair, why I don't think you're qualified to be Chair of Mid City West, because it's always an exceptionally literal..."

At this point, committee member Bob Abrahams noted that “If I was...If I was Chair of this Committee...Jeff, I’m sorry, I hear what you’re saying, but I think you’re out of order, because not only are you out of order because, not only are you, you are making a personal attack...”

Then, the respondent said: “I’m sorry Charles, I didn’t mean a personal attack...”

**b. Bylaws/Grievance Committee Chair’s Response to the Problem, presented here to the Board, Stakeholders, DONE and the City Attorney; this response is after the fact; it did not happen at the hearing.**

The Bylaws/Grievance Committee Chair views the comments in section III.B.2.a. of this report as a threat to our neighborhood council and its committee process, and all current and future board members who may be in the position of a committee chair. All of us serve as volunteers on this council, some at great investment in energy, funds, and time, and we should not be subjected to personal attacks by any other board member.

The respondent has attacked the Bylaws/Grievance Committee Chair for denying his grievance against Mr. O’Sullivan in 2007, but the fact remains that the Bylaws/Grievance Committee Chair was not on the Bylaws/Grievance Committee at the time of the meeting that determined his grievance, April 14, 2007. Andrew Lachman was Chair, serving with other committee members Anthony Ferguson and Zigmund Vays. A copy of the agenda of that meeting, the grievance filed, the response, and the transcript of that meeting, is available upon request.

The reason the current Bylaws/Grievance Committee Chair has these documents is because he closely followed the grievance, and he was very concerned about how the committee chair at the time, Mr. Lachman, would be handling it, ironically enough more out of concern that both the grievant at the time, Mr. Jacobberger, and the respondent at the time, Mr. O’Sullivan, would get a fair hearing. In other words, he was there, but he was not on the Bylaws/Grievance Committee and was not party to that decision.

With all due respect, the current Bylaws/Grievance Committee Chair thinks the respondent owes an apology to the Board for the personal attacks, and for threatening the integrity of our neighborhood council committee system, and any issues that he has with how his 2007 grievance was handled should be addressed to Mr. Lachman.

Further, as to the second part of the respondent’s comments, the Bylaws/Grievance Committee Chair will let the quality of the work product that he has produced, and the verbal contributions that he has made at various committee meetings and board meetings over the course of the last eight years, stand on their own merits.

**3. Final Deliberations and Votes on Findings and Recommendations**

Once the Chair regained composure, and deliberations resumed at a more calm, conventional tone, committee member Bob Abrahams moved, and Chair Charles Lindenblatt seconded (for purposes of discussion only), that based on the information that we considered, that we find no effective violation of the bylaws on the part of respondent, Jeff Jacobberger, because the Board did not act on the agenda item.

At this point, we heard public comment from stakeholder and board member Rosalie Wayne, who noted that she and the respondent have huge differences on the subject of the motion itself, and that has just evolved over time, and to some degree she thought that as that’s out in the open, that she feels better

about it now, about the content; that this was a very heated issue; and that night at the March 8, 2011 board meeting, it was very surprising to see that motion come out, contrary to how the committees were going—that the committees really hadn't evaluated things yet--and so to come to see a fully-fleshed out motion like that, she felt, was just kind of surprising.

Further, she indicated that if we were saying that that's moot because that didn't get discussed, then that was ok with her because it is over, but it did seem inappropriate to not see that agendaed ahead of time and not have opportunity or the public even come. She also noted that as the meeting was canceled due to time limitations, and to not rule on it because of a technicality, if that's proper then that's ok, but it does seem to her that it was inappropriate, because there were other people participating. She viewed it as an insult, because the committees meet and do their work, and she concluded by noting that it doesn't matter...if it doesn't matter that it hasn't really happened, and used the word "shocking" to describe it; she saw it as an end-run, an attempt at an end-run.

Following this public comment, and further deliberation among the committee members, the vote on the motion was taken, and it failed on a 1-1-0 vote.

After this, Chair Charles Lindenblatt moved, and committee member Bob Abrahams seconded (for purposes of discussion only), that the committee finds that there was a violation of the second sentence of Article V., Section 10a, which reads that "The MCWCC Board shall consider a main motion only if the motion is in writing, made by a Board committee, and accompanied by a written committee report stating the motion's objective, financial cost, financing source, and committee majority and minority views." This motion failed on a 1-1-0 vote.

After further discussion, the committee determined that it would report out that it had deadlocked 1-1-0, and was unable to reach a decision, and cannot provide findings or recommendations to the Board.. The Chair then indicated that he would be providing a written report to that effect for the Board to consider.