



Motion to update Article 5, Section 7 of the Bylaws

Agenda Item: To Be Filled in by Exec Committee

Date: April 10, 2024

Proposed By: By Laws Committee

Include motion in Consent Agenda? Yes

Background

This update was recommended by former member Richard Bloom.

Currently, removal from the board is automatic when a member misses 5 regular General Board meetings in a year, or 3 consecutive regular Board meetings.

This update would allow the member to make a statement explaining the absences prior to a board vote to remove, and the board decides on the removal.

If the member fails to make such a statement the removal is automatic, and no vote is required.

The section currently reads:

“Any Board Member who misses three (3) regularly scheduled consecutive Neighborhood Council Regular Board Meetings or five (5) total General Board Meetings during any twelve (12) month Fiscal Year (July 1 to June 30) period, will automatically be removed from the Board. Each Board Member’s absence shall be recorded in the Council’s Meeting Minutes, and that, upon missing the required number of Board Meetings for removal, an announcement of the removal shall be placed on the agenda of the next General Board meeting, and shall include a statement of the cause for the removal, and an announcement of the vacancy in accordance with Section 6.1 of these Bylaws.”

“Any regular monthly meeting of the Neighborhood Council General Board, scheduled and noticed as per the Brown Act, shall constitute a meeting for the purpose of determining Board Member absences.”

The proposed new wording (changes underlines) is:

“Any Board Member who misses three (3) regularly scheduled consecutive Neighborhood Council Regular Board Meetings or five (5) total General Board Meetings during any twelve (12) month Fiscal Year (July 1 to June 30) period, will be subject to removal from the board upon vote of the general board. When the motion for removal is presented to the General Board the member shall have the opportunity to make a statement regarding the absences, and the board may choose to continue the board member’s position, or to continue with the removal. If the motion for removal has been placed on a Consent Agenda, the member will need to have it removed from that agenda. If the board chooses to continue the member’s position their count of absences for the fiscal year shall be reset to zero (0). Each Board Member’s absence shall be recorded in the Council’s Meeting Minutes, and that, upon missing the required number of Board Meetings for removal, an announcement of the removal shall be placed on the agenda of the next General Board meeting, and shall include a statement of the cause for the removal. When a member is removed”

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the seat vacancy shall be announced in accordance with Section 6.1 of these Bylaws.
 “Any regular monthly meeting of the Neighborhood Council General Board, scheduled and noticed as per the Brown Act, shall constitute a meeting for the purpose of determining Board Member absences.”

Proposed Motion

The NC shall adopt the revised wording of Article 5, Section 7, as provided in the background of this motion, and submit the update to DONE.

Considerations

Committee review: Votes For: ? Against: ?
(highly recommended)

Amount previously allocated in Committee's working budget: N/A
(applies to funding motions only)

Arguments for:

Allows the board to consider extenuating or other circumstances.

Arguments against:

Repeated absences make it difficult to achieve quorum, and offending members should be replaced.

Recent experiences suggest that replacing members is easier said than done, and so purely automatic removal may not be in the board's best interests.