

May 21, 2013

ADMIN. SUPPORT SVCS.
D O N E

Palms Neighborhood Council
Attn: President and Secretary
10008 National Boulevard, #210
Los Angeles, CA 90034

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OFFICIAL GRIEVANCE

This is an Official Grievance ("Grievance") against the Palms Neighborhood Council ("PNC") Election Ad Hoc Committee.

The Palms Neighborhood Council Election Ad Hoc Committee ("Committee") that was formed to investigate the infractions, violations and challenges surrounding the October 28, 2012 Palms Neighborhood Council elections; and most notably the infractions and violations surrounding candidate, and now President, Eli Lipmen, has violated The Brown Act.

On March 6, 2013, at a general assembly meeting of the Palms Neighborhood Council, this Palms Neighborhood Council, four-person, Ad Hoc Election Committee announced that they had conducted a series of five (5) meetings; two (2) public meetings and three (3) closed meetings. These closed meetings, each in violation of The Brown Act, were designed, implemented, and manipulated with the sole purpose of keeping the meetings private, with Ad Hoc Committee members sequestering themselves away and apart from the public and stakeholders, thus rendering any form of uninhibited, and honest transparency as tainted, biased, and impossible.

Palms Neighborhood Council board member admissions, statements, and comments (public and private), as well as additional forms of physical evidence support this Grievance. Though this Grievance is for the acts committed by the Palms Neighborhood Council Election Ad Hoc Committee on March 6, 2013, evidence supporting this Grievance can be culled from multiple and numerous sources prior to, and after this date.

Substantiated accounts supporting the filing of this Grievance include, but are not limited to:

1. The Palms Neighborhood Council Election Ad Hoc Committee ignored their bylaws by publicly and strategically, denying and lying to stakeholders stating that "interested" Palms' community stakeholders were not allowed on the Election Ad Hoc Committee, when the Palms Neighborhood Council bylaws clearly state the contrary. Though not a direct violation of The Brown Act, this information is relevant in giving insight to the Palms Neighborhood Council Election Ad Hoc Committee's tactics and methodology, as well as calling into question their credibility and ethics;

2. The Palms Neighborhood Council Election Ad Hoc Committee does NOT meet any of the qualifications or circumstances, as stipulated by The Brown Act, for having numerous closed meetings. The circumstances for exemption under The Brown Act are for the handling of specific, city employee "Personnel Matters" and "Pending Litigation". Evidence shows that these circumstances were not the subject of the Palms Neighborhood Council Election Ad Hoc Committee's meetings, and thus grants them no basis or exemption for having closed meetings.

- 2a. In addition, evidence further shows that this knowledge was brought to the attention of the Palms Neighborhood Council and Palms Neighborhood Council Election Ad Hoc Committee, and though clarified and explained, the Palms Neighborhood Council Election Ad Hoc Committee blatantly proceeded to have closed meetings regardless.

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3. The Palms Neighborhood Council Election Ad Hoc Committee does NOT meet all of the requirements for exemption from the "notice and posting" requirements of The Brown Act because the Committee does NOT have "a defined purpose and time frame to accomplish that purpose". The Palms Neighborhood Council Election Ad Hoc Committee, as evidenced by and according to Palms Neighborhood Council multiple board members' comments, statements and objections, did not have or operate with a clear or "a defined purpose", and did NOT operate within any form of specific or delineated "time frame" to complete their task.

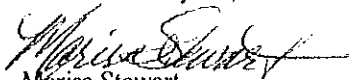
3a. Furthermore, evidence shows that the Palms Neighborhood Council Election Ad Hoc Committee tried to inaccurately and illegally invoke these exemption requirements, without publicly disclosing that they had not met all of the requirements to do so, when pressed for information by interested stakeholders. Interested stakeholders wanted to know when and where future Palms Neighborhood Council Election Ad Hoc Committee meetings were to be held, and the Committee denied them the requested information, even though the Committee was advised to provide it at that time, and post the date and time of its meetings in the interest of avoiding "violations against The Brown Act for failure to provide the public open transparency".

3b. In addition, as mentioned herein, the only reason that the Palms Neighborhood Council Election Ad Hoc Committee is devoid of stakeholders, which is one of the determining factors for exemption status under The Brown Act, is because stakeholders were publicly denied and lied to by the Palms Neighborhood Council Election Ad Hoc Committee that stakeholders could not be on the Committee, "...that only PNC Board Members are on the Committee".

4. Evidence including, but not limited to, Palms Neighborhood Council board member admission, shows that the Palms Neighborhood Council Election Ad Hoc Committee engaged in "Serial Communications" that led to the "Developing [of] a Concurrence."

Under the Brown Act, I am demanding in writing, well within The Brown Act's ninety (90) day filing allowance of this violation occurring on March 6, 2013, that the Palms Neighborhood Council correct this violation. This violation is to be corrected in its entirety, from inception to culmination including, but not limited to: (1) rendering and declaring ALL motions, decisions, and recommendations based on this current Palms Neighborhood Council Election Ad Hoc Committee's findings due to their multiple violations of The Brown Act null and void; (2) the handing down and issuing of any and all applicable penalties to all applicable parties and conspirators under the law for this violation of The Brown Act; (3) full disclosure of this current Palms Neighborhood Council Election Ad Hoc Committee's closed, telephone, and secret meetings (*Where? When? Who attended? What was discussed?*); (4) the forming of a new Ad Hoc Election Committee; (5) with the new Committee adhering to all rules of The Brown Act, and The City of Los Angeles' Neighborhood Council Code of Ethics, i.e., no conflicts of interest or breaches of fiduciary duty, and all other necessary rules and regulations herein and set forth above. Your mandated written response to cure or correct this Official Grievance, or inform me of your decision not to do so, can be sent to the address provided herewith.

On behalf of myself, and stakeholders,


Marisa Stewart
9854 National Boulevard #402
Los Angeles, CA 90034