

## **BYLAWS OF ADVISORY NEIGHBORHOOD COMMISSION 6B**

### **ARTICLE I. NAME**

There is established by the Council of the District of Columbia, "The Capitol Hill, Near Southeast Advisory Neighborhood Commission 6B," which shall be referred to herein as "the Commission" or "the ANC."

### **ARTICLE II. BOUNDARIES AND OFFICE**

#### **SECTION 1. BOUNDARIES**

#### **SECTION 2. OFFICE**

§1 The office of the Commission shall be located at 921 Pennsylvania Avenue S.E., Suite 108, Washington, DC 20003 or at a location to be selected by the Commission.

### **ARTICLE III. RESPONSIBILITIES**

#### **SECTION 1. ADVICE TO THE DC GOVERNMENT**

§1 The Commission may advise the Council of the District of Columbia, the Mayor and each executive agency and all independent agencies, boards and commissions of the government of the District of Columbia, with respect to all proposed matters of District governmental policy including decisions regarding planning, streets, recreation, social service programs, education, health, safety, and sanitation that affect the Commission area. "Proposed matters of District governmental policy" are those for which prior notice of proposed rule-making is required pursuant to D.C. Code 1-1505(a) or in the case of the Council of the District of Columbia, Section 204(f)(1) of D.C. Law 1-21.

§2 Proposed District governmental action about which the Commission shall receive notice and have the opportunity to comment shall include, but shall not be limited to actions of the Council of the District of Columbia, the executive branch or independent agencies. The Commission may advise each agency, board and commission regarding the award of any grant funds to a citizen organization or group, the formulation of any final policy decision or guideline with respect to grant application, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting the Commission area, the District budget and city goals and priorities, proposed changes in District government service delivery and the opening or closing of any facility or system.

#### **SECTION 2. GENERAL POWER TO ADVISE**

§1 The Commission may present its views to any federal or District of Columbia agency.

#### **SECTION 3. INITIATION OF PROPOSALS**

§1 The Commission may initiate its own proposals for District of Columbia government action, in the manner set out in Article VI of these bylaws.

#### **SECTION 4. MONITORING OF CITIZEN COMPLAINTS**

§1 The Commission shall monitor, in accordance with provisions of Article VI, complaints of Commission area residents with respect to the delivery of District of Columbia government services and file

comments on such services with the appropriate agency or body of the District of Columbia government as well as with the District of Columbia City Council. Comments may be submitted either on behalf of a Single Member District by that District's representative or by the Commission as a whole. Any comments submitted on behalf of the Commission as a whole shall be approved by the Commission in the manner set out in Article VI of these bylaws.

## **SECTION 5. ANNUAL REPORT**

§1 On or before November 30 of each year, the Commission may prepare an annual report for the preceding year and file it with the Council of the District of Columbia and the Mayor. Such report shall include the Commission's financial report and may include but not be limited to: 1) summaries of important problems perceived by the Commission and the order of their priority; 2) recommendations for action to be taken by the government of the District of Columbia; 3) recommendations for improvements in the operation of the commission and the ANC system as a whole; and 4) summary of Commission's activities.

§2 Minority views, if any, shall be included in the official report.

## **ARTICLE IV. MEMBERS**

### **SECTION 1. MEMBERS**

§1 The Commission shall be composed of those persons duly elected and certified by the District of Columbia Board of Elections and Ethics as representatives of Single Member Districts within the Commission area.

### **SECTION 2. TERMS**

§1 Each member of the Commission shall serve for a term of two years that shall begin at noon on the second day of January next following the date of election of such member, or at noon on the day after the date the Board of Elections and Ethics certifies the election of such member, whichever is later.

### **SECTION 3. VACANCIES**

§1 Any vacancy in office due to death, resignation failure to maintain the qualifications for office under Section 6 (a) of D.C. Law 1-11 or removal shall be filled in accordance with provisions of D.C. Law 1-21, as amended.

### **SECTION 4. COMPENSATION**

§1 The members shall serve without compensation; however, appropriate expenses incurred by members may be reimbursed by the Commission upon authorization as set out in Article XI, Section 5 of these bylaws.

### **SECTION 5. ATTENDANCE**

**§1** The Secretary or Commission staff as delegated by the Secretary shall keep a record of the attendance of each Commission meeting.

**§2** Any Commissioner who fails to attend four (4) consecutive regularly scheduled meetings as defined in Article VII of these bylaws is automatically subject to sanctions. A letter detailing the infraction shall be drafted and signed by the Chair, and offered for publication to the local media and noted in the ANC Annual Report for the public record.

## **SECTION 6. CONFLICTS OF INTEREST**

**§1** The District of Columbia's conflict of interest resolutions (1-1181 D.C. Code, 1977 Supplement) shall apply to all Commissioners. A Commissioner shall not pursue ANC activities that would result in direct or indirect financial or personal gain for such Commissioner, or anyone in his/her household. The Commission shall not employ or contract for services a Commissioner or anyone in his/her household.

## **ARTICLE V. OFFICERS**

### **SECTION 1. NUMBER AND TERM**

**§1** The officers of the Commission shall be the Chair, Vice-Chair, Secretary, Treasurer and Parliamentarian. Each officer of the Commission must be a Commissioner.

**§2** Officers shall be elected in January of each year.

**§3** The term of office shall begin immediately and shall run for one year, provided that each officer shall serve until his or her successor has been elected.

### **SECTION 2. ELECTION PROCEDURES**

**§1** Election of officers shall take place during a regular Commission meeting. The order of nomination and election shall be Chair, Vice Chair, Secretary, Treasurer, and Parliamentarian. The election for each office shall take place before nominations for the following office are opened. Voting shall be by Commissioners only and votes shall be indicated by an open ballot. The votes of a majority of the Commissioners present shall be required for election. If no candidate receives the required number of votes on the first vote, a second vote shall be taken among candidates except the candidate receiving the lowest number of votes on the first vote. This procedure shall continue until one candidate receives the required majority.

**§2** Each candidate for office shall be nominated by a Commissioner. Each nomination may be seconded by another Commissioner. There shall be permitted nominating and seconding speeches, if desired, totaling no longer than five minutes in duration. After these speeches, each candidate for that office may make a brief statement of no more than 3 minutes.

### **SECTION 3. REMOVAL OR VACANCIES**

**§1** In the case of vacancies among officers, except for a vacancy of the office of Treasurer, a new officer shall be elected to serve out the term of the officer vacating his or her position at the next regular

meeting of the Commission. The election shall be held in accordance with the procedure set out in Section 2 of this Article.

**§2** In the event of a vacancy in the office of the Treasurer a special meeting of the Commission shall be held within 10 days of such vacancy to select a new Treasurer, unless a regular meeting is to be held within 14 days. The election shall be held in accordance with the procedure set out in Section 2 of this Article.

**§3** An officer of the Commission may be removed for good cause by a vote of two-thirds of the membership of the Commission. Prior written notice, of at least 14 days, shall be given to all Commissioners of the proposed removal. (See statutory provisions for removal).

#### **SECTION 4. LIMITATION OF TENURE OF CHAIR**

**§1** No member may serve as the Chair of the Commission for more than two consecutive one-year terms.

#### **SECTION 5. DUTIES OF THE CHAIR**

**§1** The Chair shall serve as convener of the Commission and shall chair Commission meetings. The Chair shall rule on procedural questions from the chair, but such rulings may be overturned by a two-thirds vote of the Commission. The Chair shall have the power to call special meetings of the Commission and of the Executive Committee but only in accordance with the provision of Article VII of these bylaws.

**§2** The Chair shall be responsible for the overall smooth functioning of the Commission and shall bring to the Commission's attention promptly any problems relating to structure, procedures or members.

**§3** The Chair may, but only in extreme emergencies in which it is impossible to call together the Commission or the Executive Committee, act as the Commission's spokesperson without prior authorization of the Commission. The Chair shall report to the Commission, at its next meeting, any such action taken under this emergency power.

#### **SECTION 6. DUTIES OF THE VICE-CHAIR**

**§1** The Vice-Chair shall fulfill the obligations of the Chair in the absence of the Chair or when the Chair wishes to give up the chair.

**§2** The Vice-Chair shall provide such assistance to the Chair as is requested and shall perform such duties as may be delegated by the Chair.

#### **SECTION 7. DUTIES OF THE SECRETARY**

**§1** The Secretary shall be responsible for notification to Commissioners of the Commission and Executive Committee meetings, preparation of the minutes of all Commission meetings, and distribution of copies of minutes to all members of the Commission.

**§2** The Secretary shall be responsible for maintenance of all records of Commission activities at the Commission's offices, including minutes of all Commission meetings.

**§3** The Secretary shall conduct the general correspondence of the Commission, including all correspondence with the government of the District of Columbia as required by Article VI Section 3 of these bylaws. The Secretary shall, in particular, be responsible (in consultation with the Chair) for the distribution of all notices from the District of Columbia government to the appropriate Commissioners and committee(s).

**§4** The Secretary shall keep accurate records of all notices received by the Commission from the District of Columbia government and Commission responses to such notices, correspondence from citizens, to the Commission and Commission responses thereto, and Commission-initiated correspondence to the District of Columbia government and responses thereto.

**§5** The Secretary shall also perform such other duties as the Chair may direct.

**§6** With appropriate oversight, the Secretary may delegate duties specified in Section 7 to the Commission staff, as needed.

## **SECTION 8. DUTIES OF THE TREASURER**

**§1** The Treasurer shall be responsible for keeping, at the office of the Commission, the Commission's account book, developing the Commission's budget and annual and quarterly financial reports, and approving the expenditure of Commission funds as authorized by the Commission, as set out in Article XI of these bylaws.

**§2** The Treasurer shall file with the office of the District of Columbia Auditor on a form provided by the Auditor a statement giving: a) the Treasurer's name; b) home address; c) business telephone; d) business address; e) home telephone number; f) location of the books and records of the Commission; and g) name and location of each depository of Commission funds.

**§3** The Treasurer shall be responsible for timely preparation and filing of all employee tax returns required by the Federal Government, including quarterly Forms 941 and the annual Form 940. The Treasurer shall also be responsible for preparation and timely filing of all tax returns required by the District of Columbia Government, including quarterly UC 30 and the annual UC 900. Additionally, the Treasurer shall be responsible for timely preparation and filing of all other employee information forms and returns, such as the W2 and W3.

**§4** The Treasurer shall also perform other such duties as the Chair may direct.

## **SECTION 9. DUTIES OF PARLIAMENTARIAN**

**§1** The Parliamentarian shall be responsible for knowing and understanding the basic tenets of these bylaws and shall assist the Chair in their execution in an orderly fashion.

**§2** The Parliamentarian shall also perform other such duties as the Chair may direct.

## **SECTION 10. BONDING**

**§1** The Chair and the Treasurer shall be bonded; however, membership in the Advisory Neighborhood Commission Security Fund shall serve in place of a bond.

## **ARTICLE VI. RELATIONS WITH THE D.C. GOVERNMENT**

### **SECTION 1. PROCEDURE FOR TESTIMONY OR REPRESENTATION BEFORE ANY GOVERNMENTAL OR COMMUNITY BODY BY AN INDIVIDUAL COMMISSIONER**

**§1** Each Commission member may freely represent himself/herself and his/her Single Member District. However, the Commissioner representing him or herself in the capacity of an individual citizen or as the representative of his/her Single Member District before any body of the legislative or executive branch of the government or any agent of those branches shall present that testimony or representation to the ANC body. A written summary of that meeting, testimony, or a copy of any letter shall be made available to the ANC office for distribution to the full Commission.

**§2** When testifying before an external governmental or community body as an individual citizen or a constituent representative of his/her Single Member District, that Commissioner must state for the record that he/she is not representing the Commission so as to minimize the possibility of conflicting representational roles; stating for that agency's record whether his/her views are contrary to the official ANC position, or stating that the ANC does not currently record a position, whichever the case.

**§3** However, no Commissioner may purport to speak on behalf of the Commission unless so designated by the Commission at an official meeting. If the hearing for which the desired testimony or representation is slated will occur before the next regular Commission meeting, the Chair may appoint a spokesperson.

**§4** A Commissioner may not utilize official ANC letterhead stationery when conducting business with an external governmental or community body, or even for SMD purposes except with the explicit understanding that copies of that correspondence be made available to the ANC office files.

**§5** A section shall be reserved on the ANC regular meeting agenda to accommodate notifications and updates regarding action of external committees, task forces, and individual Commissioner testimonies before external governmental or community bodies.

### **SECTION 2. PROCEDURE FOR TESTIMONY OR REPRESENTATION BY A COMMISSIONER ACTING AS ANC REPRESENTATIVE BEFORE ANY GOVERNMENTAL OR COMMUNITY BODY**

**§1 Regular Procedure:** Before a Commissioner or other person may testify on behalf of or represent the Commission before the City Council or any other agency or any public or private organization, the Commission shall first approve a resolution addressing the issues to be covered by the testimony or representation. Official representatives of the Commission are bound by the stated positions of the ANC and thus any Commissioner who is currently serving as ANC representative to a governmental or community task force or any other official body outside the Commission, who has gone on record in a minority vote opposing the official majority of the ANC shall be charged to resign his/her seat on that task force or external body if he/she cannot faithfully represent the ANC's position. A new ANC representative would then be appointed from among those Commissioners who did officially support the ANC position. However, a two-thirds vote of a seated quorum may allow that ANC representative to retain that external seat provided a commitment to conscientiously support the ANC position is given.

**§2 Emergency Procedure:** If the hearing for which the desired testimony is slated or representation before a government or community body will occur before the next regular Commission meeting, the Commissioner or other person wishing to testify or represent himself/herself on the Commission's behalf, shall submit a draft of the proposed testimony or representation to the Executive Committee, whose vote to authorize the testimony shall be governing. The Executive Committee shall present the draft testimony or a written statement of the content of his/her representation – whether authorized by the Executive Committee or not – at the Commission's next regular meeting, for ratification or rescission by the Commission.

**§3 Sanctions:** In so much as these rules for Commission procedures rest on the good faith of each Commissioner, infractions of these rules should be recognized and remedied in the best interests of the Commission body as a whole. Should a suspected infraction be incurred by the willful or negligent performance of a Commissioner serving on, testifying to, or in any way representing the ANC to an external governmental or community body and be called to the Commission's notice, the matter should be referred to the Chair for full discipline, to the Parliamentarian for a procedural check, and then to the Executive Committee and full Commission in a fact-finding and rectification process with accompanying documentation.

**§4** Once it has been established to the Commission by a binding majority of a quorum that an infraction has been incurred by a Commissioner according to these bylaws, a letter should then be drafted by the Chair detailing the infraction, signed by all assenting Commissioners, and offered for publication to the local media and the ANC Annual Report for the public record.

**§5** The censured Commissioner shall be immediately removed from his or her seat as ANC representative on that external governmental or community body, whence the infraction did occur. However, a two-thirds vote of a seated quorum may allow that ANC representative to retain that external seat provided a commitment to conscientiously support the ANC position is given.

**§6** Should the majority vote of the Commission quorum determine that no infraction has occurred, accordingly, a letter drafted by the Chair shall detail the charges and extend full exoneration to the accused Commissioner and should be included in the ANC Annual Report for the public record.

### **SECTION 3. DISTRIBUTION OF NOTICE FROM THE DISTRICT GOVERNMENT**

**§1** Any notification of proposed action of the District of Columbia Government shall be transmitted to the Secretary or the Commission staff who will distribute the notice to the appropriate officer(s), Commissioner(s) and committee(s), as soon as possible. All notices and referrals shall be made available in the Commission office.

### **SECTION 4. COMMITTEE ACTION ON NOTICE**

**§1** Each committee receiving notification of proposed action (in accordance with Section 3 of this Article) shall, in a timely fashion and to the extent required, recommend in writing the action the Commission should take, if any. Prior to the meeting at which the committee's recommendation shall be heard, the committee chair will notify the Commission Chair that the committee will propose the recommendation.

**§2** In developing such recommendations, the committee will undertake, to the maximum extent feasible, to learn the factual context of the proposed action, any legal requirements in respect to such action, and community views on the proposed action. In making its recommendation, the committee shall specifically identify committee members present and voting, the Single Member District of each of these members and its efforts to ascertain community views.

## **SECTION 5. COMMISSION ACTION ON NOTICES**

**§1** Within 30 days of receiving a notification from the District government of proposed actions or proposed final policy decisions or guidelines, the Commission shall forward its written recommendations with respect to the proposed actions or a statement that it has no recommendations, to the appropriate officials, board, agency or commission. The views of the residents shall be taken into account in developing the Commission's recommendations.

## **SECTION 6. MEMBER REQUESTS FOR COMMISSION INITIATION OF ACTION**

**§1** Any Commission member who wishes the Commission to oppose District of Columbia government action shall transmit such request to the Chair prior to the Executive Committee meeting at which the agenda for the next scheduled Commission meeting will be set, except that in situations where time does not allow for such notification, requests shall be transmitted to the Chair, as soon thereafter as possible. IN the latter situation, the procedures specified in Article VII, Section 11 for adding new matters to the agenda shall govern.

**§2** Proposals and requests for action from Commissioners shall be placed on the agenda for the next Commission meeting, unless the Chair and member requesting action agree that the proposal or request may be referred directly to a committee. The Commission may, at the meeting at which such a member's request for action is on the agenda, either act on the request or refer the request to committee.

## **SECTION 7. PROPOSALS AND REQUESTS FROM COMMUNITY RESIDENTS**

**§1** Proposals for action, complaints or suggestions by residents may be made to the resident's Commissioner, or to the Commission as a whole.

**§2** Proposals, complaints, suggestions and requests by residents may also be made at public forums or Commission meetings, in which case they may be referred to the appropriate committee or to Commission staff for review and recommendation to the Commission at a later meeting.

## **SECTION 8. COMMISSION REACTION TO PROPOSALS**

**§1** When the Commission acts to support the recommendation or request for action proposed by a member or a resident, this shall be communicated in writing to the appropriate agency, board or commission.

# **ARTICLE VII. MEETINGS**

## **SECTION 1. MEETINGS OPEN TO PUBLIC**



**§1** Pursuant to the provisions of Section 742(a) of the District of Columbia Self-Government and Governmental Reorganization Act, all meetings of the Commission shall be open to the public.

## **SECTION 2. QUORUM**

**§1** No official action of the Commission may be taken unless a majority of the members of the Commission are present.

## **SECTION 3. COMMUNITY FORUMS**

**§1** The Commission may convene the residents of the Commission from time-to-time to hear residents views on problems in the Commission area and on proposed District of Columbia actions affecting the area. A period of time shall be set aside at each regular meeting to hear residents views.

## **SECTION 4. REGULAR MEETINGS**

**§1** The Commission shall generally meet at regular intervals not fewer than nine times a year, and general meet at least once a month at a fixed day and time to be determined by a majority vote of the Commissioners to consider matters before the Commission which may include but not be limited to consideration of actions or proposed actions of the Council of the District of Columbia, the executive branch or any independent agency, board or commission and recommendations of the Commission about such actions. If any such regularly scheduled meeting must be changed due to a holiday, emergency situation or other reason, the day and time of the rescheduled meeting shall be set by the Executive Committee. The Secretary or Commission staff shall notify the Commission members of the meeting as rescheduled.

## **SECTION 5. MEETING PLACE**

**§1** Meetings will be held at a place set and established by Advisory Neighborhood Commission 6B, which shall be within the boundaries of the Commission, unless otherwise ordered by the Commission pursuant to Section 9 of this Article.

## **SECTION 6. NOTICE**

**§1** The Commission shall provide no fewer than seven days notice of its Commission meetings, except where shorter notice for good cause is necessary or in the case of an emergency. Notice may be given by posting the information on the Commission's website, providing notice to local newspapers for publication, email or mail notices to residents and any other manner as directed by the Commission.

## **SECTION 7. DISSEMINATION OF INFORMATION, COMMUNITY INVOLVEMENT**

**§1** The Commission shall establish such mechanisms as will ensure the broadest dissemination of information with respect to Commission meetings, positions and actions. The Commission shall make a good faith effort to involve all segments of the Commission population in its deliberations regardless of race, sex, age, voting status, religion or economic status.

## **SECTION 8. SPECIAL MEETINGS**

**§1** Special meetings of the Commission can be called by the Chair or by the Executive Committee or by written request of one-fourth of the Commissioners. Except in extreme emergencies, at least four days notice must be given to Commissioners. All notices to the residents of the Commission area shall meet the requirements of Section 6 of this Article. The day, time, place and purpose of the meeting shall be stated in the notice and no other topic may be discussed at the meeting.

## **SECTION 9. VOTING**

**§1** Commission actions, except for amending these bylaws, shall be approved by a simple majority of those Commissioners voting. In the case of a tie vote, the motion for Commission action shall fail.

**§2** Each Commissioner, including the Chair, present at a Commission meeting shall have one vote. Absent Commissioners may vote only by delivering to the Chair a written request that the Chair cast the Commissioner's vote on an issue specifically identified in the request, in the manner specifically set out in the request. If at any time a Commissioner feels that a particular matter before the Commission is of such significance so as to warrant a record vote, such a vote may be ordered by the Chair and the result shall be recorded in the minutes.

**§3** As promptly as feasible after a vote of the Commission body has been taken considering actions or proposed action of the Council of the District of Columbia, the executive branch or any independent agency, board or commission, said position must be detailed in writing and signed by the Chair. The officially recorded quorum vote shall be noted in the ANC position letter.

## **SECTION 10. AGENDA**

**§1** The agenda for Commission Meetings and Community Forums shall be initiated by the Executive Committee not fewer than seven (7) days preceding the next scheduled meeting or forum, except where shorter time for good cause is necessary or in the case of an emergency, in the manner provided for by Article IX, Section 4. The Chair, with the concurrence of a majority of the executive officers, shall finalize the agenda prior to its publication. A written agenda shall be provided to Commissioners, and notice of the agenda shall be provided to residents in the manner specified by Article VII, Section 6. Additional matters, upon which Commission action is proposed, may be added after publication of the written agenda upon the request of any Commissioner, provided however that a majority vote of all Commissioners present shall be required. Normally, only those matters requiring action prior to the date of the next regularly scheduled Commission meeting should be added to the agenda pursuant to this procedure. Nothing contained in this section shall affect the procedures specified in Article VII, Section 8 or Article IX, Section 5.

## **ARTICLE VIII. MEETINGS WITH OTHER COMMISSIONS**

### **SECTION 1. POWER**

**§1** The Commission may hold joint meetings with other Commissions to deal more effectively with or to respond to similar concerns or issues transcending and affecting areas of the Commissions meeting jointly, as well as for informational purposes.

### **SECTION 2. AUTHORIZATION REQUIRED**

**§1** The Commission may not participate in a joint commission meeting unless, prior to such meeting, the Commission has authorized said participation, and has specifically stated in its authorizing resolution: 1) the subject matter of the meeting; 2) the Commission's position on the subject matter of the meeting, or a statement that the Commission has not yet formulated a position; and 3) the manner in which the Commission will agree to vote at the joint meeting; that is whether a majority vote of the members of all Commissioners attending will bind Commission 6B or whether the Commission reserves its right not to be bound by a vote of the joint commission but rather to take its own vote after the joint meeting.

**§2** Unless specifically provided in the authorizing resolution, the Commission may not participate as a commission in any discussion or action by a joint commission meeting, other than that specified in the resolution approving the Commission's participation.

### **SECTION 3. NOTICE**

**§1** All joint commission meetings shall be open to the public, and at least 14 days' notice shall be given of such meetings in accordance with Article VII, Section 6 specifying the date, time, place, and subject matter of the joint meeting.

### **SECTION 4. VOTING**

**§1** Discussions and voting at joint commission meetings shall be limited to Commissioners.

## **ARTICLE IX. EXECUTIVE COMMITTEE**

### **SECTION 1. ESTABLISHMENT**

**§1** There is established the Executive Committee of Advisory Neighborhood Commission 6B.

### **SECTION 2. MEMBERSHIP**

**§1** The Executive Committee shall consist of the following elected offices of the Commission: Chair, Vice-Chair, Secretary, Treasurer and Parliamentarian.

### **SECTION 3. VOTING**

**§1** Notwithstanding the provision of Section 2 of this Article, any Commissioner present at an Executive Committee meeting shall be entitled to vote.

### **SECTION 4. MEETINGS**

**§1** The Executive Committee shall meet at least monthly at the call of the Chair or the request of any two members of the Executive Committee. The time and day of the meetings shall be determined by members of the Committee but shall be fixed so as to accommodate the planning of agendas for full Commission meetings, in accordance with the Committee's responsibilities as provided in Article VII, Section 10.

### **SECTION 5. EMERGENCY POWERS**

**§1** The Executive Committee shall have the power to act with the full authority of the Commission only in emergency situations. Commission and Executive Committee meetings may be called simultaneously for the same date, time and place so that if a Commission quorum is not achieved the Executive Committee may act. All notices of meetings in such emergency situations must include the purpose of the meeting, in addition to the day, time and place. No other topic may be discussed. The Executive Committee shall report on the action taken at the next regularly scheduled meeting of the Commission.

## **SECTION 6. OPEN MEETINGS**

**§1** All meetings of the Executive Committee shall be open to all members of the Commission and to the public.

## **SECTION 7. PROCEDURE**

**§1** All meetings of the Executive Committee shall be governed by the provisions of these bylaws to the extent applicable.

## **SECTION 8. VACANCIES**

**§1** Vacancies on the Executive Committee shall be filled as promptly as possible in accordance with the provision of Article V Section 3 of these bylaws.

## **SECTION 9. QUORUM**

**§1** A majority of the members of the Executive Committee shall constitute a quorum.

# **ARTICLE X. COMMITTEES**

## **SECTION 1. COMMITTEES TO BE ESTABLISHED**

**§1** The ANC shall have the following standing committees: a) Alcohol Beverage Control Committee, b) Planning and Zoning Committee, and c) any such standing committee and task forces as the Commission, by resolution, may establish provided that any resolution creating a task force expires after one-year.

## **SECTION 2. COMMISSIONERS AS COMMITTEE MEMBERS; COMMITTEE CHAIRS; REMOVAL OF COMMITTEE CHAIRS FOR CAUSE**

**§1** Membership in Standing Committees shall be composed of Commissioners and Resident Members (as described in Article X, Section 3). Each SMD shall be limited to one vote, to be cast by the Commissioner or by the Resident Member if the Commissioner is not present. On any issue relating to a particular SMD, both the Commissioner for that SMD and the Resident Member may vote. The chairperson on the committee must be a Commissioner and not a Resident Member. Any Commissioner may participate in any Standing Committee or Task Force of the Commission.

**§2** Temporary chairs of all standing committees and task forces shall be appointed by the Chair of the Commission, subject to ratification by the Commission; such temporary appointments shall not extend beyond two months.

**§3** Permanent chairs of all standing committees and task forces shall be elected by the Commission. A temporary chair is eligible for election as permanent chair. The permanent chair of the committee may select a committee vice chair.

**§4** Upon prior written notice to the Chair of a standing committee or task force, such chair may be removed by the Commission for good cause shown, including failure to call or regularly attend meetings of that committee or task force without adequate justification.

### **SECTION 3. RESIDENTS AS COMMITTEE MEMBERS**

**§1** The resident membership of each standing committee shall include only persons residing within the Commission area. Any resident desiring to become a member of any committee shall inform any Commissioner or Commission staff person, who shall promptly notify the Commission thereof. The Commission shall act upon the resident's application at the regular Committee meeting next following such notification and, if approved, the resident shall thereupon become a full voting member of the committee. There shall be a limit of one resident voting member for each SMD on any standing committee, although any resident may participate in the committee meetings. The Commission may appoint alternative resident committee members in the event a voting resident member is not present at the meeting.

### **SECTION 4. TERM OF OFFICE; REMOVAL FOR GOOD CAUSE**

**§1** Each Chair of a committee, whether resident or Commissioner, shall serve for one year, from February to February, provided that each chair serve until his or her successor has been elected by the Commission. A committee chair is eligible for reappointment.

**§2** The Commission may upon prior written notice to a resident committee member, remove such resident member from membership for good cause shown, including failure to regularly attend meetings of that committee without adequate justification.

### **SECTION 5. OFFICERS**

**§1** Each committee must have a Chair and may have a vice chair. The Chair and Vice Chair of each committee shall be selected in the manner provided by Section 2 of this Article.

### **SECTION 6. VOTING AND QUORUM**

**§1** Each committee may only act by a majority vote by members present and voting.

### **SECTION 7. SUBCOMMITTEES**

**§1** Each committee and the Commission shall have the right to create, as needed, subcommittees and task forces, respectively. Membership of subcommittees is not limited to membership of the parent committee. The committee may, by resolution, empower a subcommittee to act as a full committee on a specified issue.

### **SECTION 8. MEETINGS**

**§1** Notice of all non-Executive committee, subcommittee and task force meetings must be given in accordance with Article VII, Section 6 to all Commissioners (regardless of their membership on the committee, etc.) and all committee, subcommittee and task force members and residents at least seven days prior to the scheduled meeting, except where shorter notice for good cause is necessary or in the case of an emergency. The notice shall include, if practicable, a list of proposed agenda items to be considered at the meeting.

**§2** All committee and subcommittee meetings shall be open to all Commissioners and to the public.

## **SECTION 9. RESPONSIBILITIES OF DESIGNATED COMMITTEES**

**§1** The committees listed in Section 1 of this Article or any additional committees the Commission designates shall be responsible in accordance with the provisions of Article VI of these bylaws for review of all notifications of proposed actions from the District of Columbia government within their area of concern and for reporting to the next Commission meeting; or such other meeting as the Commission may designate a recommendation for action. This recommendation shall be in writing and shall be available to all Commissioners at the beginning of the meeting at which the recommendations will be presented.

**§2** These committees shall also be responsible, in accordance with the provisions of Article VI, Section 4, for responding to any reference from the Commission of proposed initiatives.

## **SECTION 10. COMMITTEE MEMBERS AS SPOKESPERSONS FOR THE COMMISSION**

**§1** While committee members may ask for information and investigate on behalf of the Commission, they may not offer their opinions as those of the Commission until the Commission has voted the recommendations of the committee. Testimony by the committee, subcommittee and task force members shall be subject to the provision of Article VI, Section 2 of these bylaws.

# **ARTICLE XI. FINANCIAL AFFAIRS**

## **SECTION 1. BUDGET**

**§1** No monies shall be obligated or spent without prior authorization by the Commission in a public meeting. Prior to notification of the ANC's allotment from the District government, an interim budget must be approved. Once the ANC has been notified of the amount of the allotment, a final budget must be submitted to the Executive Committee for tentative approval. Subsequently, the proposed budget, as tentatively approved by the Executive Committee, shall be posted on the Commission's website. The budget shall be finally approved by the Commission at its next meeting, and the final budget shall be submitted to the Council of the District of Columbia and to the Mayor within 60 days of notification of the amount of the ANC's allotment.

## **SECTION 2. QUARTERLY FINANCIAL REPORTS**

**§1** The Treasurer shall prepare, and the Commission shall approve, a quarterly financial report within 45 days of the close of each fiscal quarter. These reports shall be public documents and shall be available for public inspection. The quarterly report shall be signed by the Treasurer and Chair and attested to by

the Secretary as having been approved by the Commission, and shall be filed within fifteen days of approval by the Commission with the District of Columbia Auditor.

### **SECTION 3. ANNUAL FINANCIAL REPORT**

§1 The Treasurer shall prepare, and the Commission shall approve, a quarterly financial report within 45 days of the close of each fiscal year. The report shall be a public document and shall be available for public inspection. The report shall be submitted as part of the Commission's annual report to the Council of the District of Columbia and to the Mayor on or before November 30 of each year.

### **SECTION 4. DEPOSITORIES**

§1 The Commission shall designate one or more financial institutions within the District of Columbia as depositories of Commission funds by resolution.

### **SECTION 5. EXPENDITURE OF FUNDS**

§1 All expenditures of more than \$50 and each expenditure for personnel shall be specifically authorized by the Commission.

§2 Every expenditure of funds shall be authorized in writing by the Treasurer and recorded in the Commission's book of accounts.

§3 No expenditure whatsoever shall be made by the Commission during a vacancy in the office of the Treasurer or at any time a current and accurate Treasurer's statement and either a bond or consent to membership in the ANC Security Fund are not on file with the District of Columbia Auditor.

### **SECTION 6. AUTHORIZATION TO SIGN DRAFTS**

§1 The signature of either the Treasurer or the Chair, plus that of one other elected officer of the Commission, shall be required on every draft or order drawn on the Commission depositories. A draft or order signed by the Chair and the Treasurer shall be in compliance with this section.

## **ARTICLE XII. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order shall govern the Commission in all cases in which they are not inconsistent with these bylaws or special rules or order the Commission may adopt. The Commission shall elect a Parliamentarian in the manner of and according to the procedures for election of officers as set forth in Article V, Section 2.

## **ARTICLE XIII. EMPLOYEES**

### **SECTION 1. POSITIONS**

§1 The Commission shall establish position descriptions for its employees. The employees of the Commission may be hired on a full-time or part-time basis, and for an indefinite or definite term. Persons hired by the Commission shall meet the qualifications established in the job description.

## **SECTION 2. GENERAL QUALIFICATIONS**

**§1** All Commission employees who are paid shall be residents of the District of Columbia, and preference will be given to persons who are residents of the Commission area.

## **SECTION 3. HIRING AND TENURE**

**§1** All employees of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission.

## **ARTICLE XIV. MISCELLANY**

### **SECTION 1. CONTRIBUTIONS**

**§1** The Commission may not solicit or accept funds from a Federal or District Government agency or private source unless the funds are specifically or previously authorized by resolution of the District of Columbia Council or are in amounts that are exempted from this requirement for Council authorization by DC law.

### **SECTION 2. POOLING OF FUNDS**

**§1** The Commission may pool funds with other commissions in Ward Six in accordance with agreements established by the Commissions pooling funds.

### **SECTION 3. LEGAL REDRESS**

**§1** Any Commission member may institute a legal action in the courts of the District of Columbia or in the federal courts but the Commission shall not have such power. Should the Commission, by majority vote, determine that legal redress is required, it shall petition the Council of the District of Columbia through the DC Office of Advisory Neighborhood Commissions, or any successor.

### **SECTION 4. INCORPORATION PROHIBITED**

**§1** The Commission shall have no authority to incorporate; however, no Commissioner may be held liable for action taken as an elected representative from a Single Member District and/or a member of the Commission.

### **SECTION 5. FILING OF BY-LAWS**

**§1** The Commission shall file an up-to-date copy of these bylaws, and all amendments thereto with the Council of the District of Columbia within seven days of their adoption.

### **SECTION 6. OPEN TO THE PUBLIC**

**§1** These bylaws and all amendments thereto shall be open to the public.

### **SECTION 7. CONSISTENCY**



**§1** These bylaws shall be consistent with all congressional and District of Columbia legislation and other applicable laws regarding Advisory Neighborhood Commissions. Any provision inconsistent with such laws is ineffective.

## **ARTICLE XV. AMENDMENT OF BYLAWS**

### **SECTION 1. PROCEDURE**

**§1** Revisions of these bylaws shall require a two-thirds vote of the entire Commission to take effect, provided that each Commissioner shall have at least two week's prior notice of the rules that are to be recommended for change. Such notification shall include the original language, the proposed new language and the reason for the suggested change(s).

## **ARTICLE XVI. FUNDS AND GRANTS**

### **SECTION 1. POLICY ON THE USE OF FUNDS**

**§1** Funds made available to the Commission are to be used primarily for the supporting services (staff salaries, office space, equipment, supplies, reports, publications, etc.) required to discharge the advisory responsibilities mandated by law, and to undertake the operation of limited programs permitted by law.

**§2** The Commission shall not regard itself as a governmental funding or grant dispensing agency. It shall not be a regular source of funds to subsidize community group's operations and activities that group is pledged to undertake by its articles of incorporation and operating budget.

### **SECTION 2. PRIORITIES FOR THE USE OF COMMISSION FUNDS**

**§1** No Commission funds may be expended in a manner which violates the DC Code. The following uses shall be deemed priority uses of Commission funds:

- a. internal administration shall take precedence over all other uses (staff salaries; office rent; equipment; supplies; the conducting of community forums; newsletter preparation and distribution, for example);
- b. the purchase of services from individuals and organizations could include, but not be limited to, the following: the conduct of research and special studies for decision-making purposes; distribution of meeting notices or a special flyer beyond the capacity of voluntary efforts or the polling of residents on specific questions;
- c. the operation of programs initiated by the commission and permitted by law;
- d. initial support of coalitions established by the Commission in concert with other groups through direct financial contribution and in-kind resources for start-up and operational activities;
- e. for self-help projects and neighborhood enhancement efforts sponsored by block clubs or other small, unincorporated groups Commission funds and in-kind resources may also be made available, if warranted;
- f. for participation in programs initiated by other community groups funds may be appropriated, if permitted by law, provided that: 1) the program is endorsed by the Commission; 2) the Commission will have a voice in the conduct of the program consonant with its financial contribution, and 3) the Commission has control over the specific activities assigned to it or accepted by it;

- g. during fundraising drives by established nonprofit community organizations the Commission may make a one-time contribution provided that: 1) the mission of the organization is supported by the Commission; 2) the organization is community-based and serves a broad cross-section of the Commission area; 3) the organization has demonstrated a search for funding from other sources including its membership in particular; 4) the organization agrees to make its financial records available for inspection by either the Commission or its designee; and 5) all requests for financial assistance are in writing.

### **SECTION 3. PROCEDURES FOR THE CONSIDERATION OF GRANT REQUESTS**

**§1** The decision to fund a grant request of more than \$100 shall not be made at the meeting in which the request is heard by the Commission.

**§2** If the Chair deems a request worthy of consideration the request shall be referred to Executive Committee for study, additional information and a recommendation at a future Commission meeting.

### **SECTION 4. CRITERIA FOR CONSIDERATION OF GRANT REQUESTS**

**§1** The following criteria shall be employed by the Commission to qualify a grant request for funding:

- a. is it legal under applicable laws and regulations?
- b. has the proposal been officially approved by the organization's governing body?
- c. what are the total anticipated costs of the project, and has the sponsor demonstrated active consideration of all viable sources, including the Commission?
- d. what are the per capita costs for participation: for training? for work product when completed, etc.?
- e. is the scope of the proposed project or program sufficient to accomplish its stated purpose?
- f. has sufficient lead time been provided?
- g. if hiring is involved, how are employees to be paid? (the Commission's policy shall be to avoid direct hire provisions, and to approve payment on an end-product basis only, i.e., number of contacts made or number of survey forms satisfactorily completed)
- h. has the grant request been previously submitted, and if so, what was the result?

### **SECTION 5. PAYMENT PROVISIONS**

**§1** No payment shall be made until proper documentation, as may be required by the Commission, is furnished or unless the requestor agrees in writing as to what constitutes proper documentation and a date by which it shall be provided.

### **SECTION 6. INFORMATION FOR GRANT APPLICANTS**

**§1** The Commission shall provide a copy of this Article or the sum and substance contained herein to each grant applicant.

