



## ANC 6A Bylaws

*adopted 2013*

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## **Article I. Commission Name**

The name of this unincorporated elected body shall be the Advisory Neighborhood Commission 6A. Hereinafter the word "COMMISSION" shall be used to refer to Advisory Neighborhood Commission 6A.

## **Article II. Commission Geographic Boundaries**

The boundaries of the Commission are all in North East, unless otherwise designated, and generally from the corner of 7<sup>th</sup> Street and Florida Avenue, south to the corner of 7<sup>th</sup> Street and H Street, east to the corner of 8<sup>th</sup> Street and H Street, south to the corner of 8<sup>th</sup> Street and East Capitol Street, east to the corner of East Capitol Street and 22<sup>nd</sup> Street, north to the corner of C Street and 22<sup>nd</sup> Street, west to the corner of C Street and 19<sup>th</sup> Street, north to the corner of 19<sup>th</sup> Street and Benning Road, west to the corner of Benning Road and Florida Avenue and west to the corner of 7<sup>th</sup> Street and Florida Avenue. Specifically, the boundaries of the Commission are defined by the Board of Elections as the following Single Member Districts: 6A01, 6A02, 6A03, 6A04, 6A05, 6A06, 6A07 and 6A08.

## **Article III. Commission Membership**

Section 1. The Commission shall consist of those nonpartisan, elected members from the Single Member Districts of the Commission as determined by the District of Columbia Board of Elections and Ethics.

Section 2. Each member of the Commission shall serve for a term of two years, which shall begin at noon on the second day of January following the date that the Board of Elections and Ethics certifies the election of each member. Vacancies shall be filled in accordance with Section XI, Section 1 of these bylaws.

Section 3. The members shall serve without compensation.

## **Article IV. Commission Responsibilities**

Section 1. General Scope of Responsibilities

- a) The Commission may advise all units of District of Columbia government, including the Council, the Mayor, executive and independent agencies, boards and commissions, and the judiciary regarding matters affecting the Commission area. The Commission will represent the concerns of its residents with respect to the delivery of services by the District government. In taking advisory actions, the Commission shall account for the views of its residents, while making decisions for the good of the District of Columbia as a whole.
- b) The Commission may advise units of the DC government regarding planning, streets, alcoholic beverage licenses, recreation, social services, education, health, public safety, budget, sanitation, and any other matters that affect the Commission area and the quality of life in the District as a whole.
- c) The Commission may also advise other governmental bodies, such as the federal government or independent agencies, insofar as their actions affect the Commission area.

- d) The Commission may initiate its own proposals for District Government action and undertake other projects beneficial to the community.

#### Section 2. Public Hearings

- a) The Commission may hold public hearings on requested or proposed government actions. The Commission may invite public witnesses from any executive or independent entity to testify before the Commission.
- b) Within 45 days of the close of the public hearing, the Commission may submit to the Council a report detailing the Commission's findings and recommendations to be included in any public record of the proposed government action.

Section 3. The Commission shall monitor complaints of area residents with respect to the delivery of District government services and file comments on the same with the appropriate District government entity and the Council.

#### Section 4. Annual Reports

- a) On or before November 30 of each year, the Commission may file an annual report with the Council of the District of Columbia and the Mayor for the preceding fiscal year.
- b) The Chair, with the assistance of the Secretary, shall be responsible for the preparation of the report. Such report shall include but not be limited to:
  - 1) Summaries of important problems perceived by the Commission, in order of their priority;
  - 2) Recommendations for actions to be taken by the District Government;
  - 3) Recommendations for improvements on the operation of the Commission;
  - 4) Financial reports;
  - 5) Summary of Commission activities.
- c) Minority reports may be filed.

#### Section 5. Fiscal Reports

- a) Annual Fiscal Year Budget
  - 1) The Commission shall develop and approve an annual budget for the upcoming fiscal year within 60 days of notification of the amount of the Commission's annual allotment.
  - 2) At the Commission meeting prior to the adoption of the budget, the Commission shall present the budget to the public to elicit comments from the residents of the Commission area. The Secretary, utilizing one of the methods outlined in Article V, Section 4, will make the draft copy of the fiscal year budget available to the public seven days prior to presentation.
  - 3) The proposed budget will be adopted at a public meeting. The Secretary, utilizing one of the methods outlined in Article V, Section 4, will make the proposed copy of the fiscal year budget available to the public seven days prior to adoption.
- b) Quarterly Financial Reports
  - 1) The Treasurer of the Commission shall prepare a quarterly financial report on a form provided by the District of Columbia Auditor.
  - 2) The Commission shall maintain its accounts on a fiscal year basis beginning October 1 and ending the following September 30.
  - 3) The Treasurer shall present the quarterly financial report to the Commission for its consideration at a Commission meeting within 30 days after the end of the quarter.

The Treasurer will forward a copy of the report to all the Commissioners ten days before the Commission meeting. The Secretary, utilizing one of the methods outlined in Article V, Section 4, will make the draft financial report available to the public seven days prior to consideration.

- 4) A copy of the approved financial report, signed by the Chair, the Secretary, and the Treasurer, shall be filed, along with a record of the vote adopting the report, with the Auditor within 15 days of approval.
- 5) Each quarterly report must include copies of canceled checks, bank statements, grant request letters and grant disbursements, invoices and receipts, executed contracts, details about all contributions received during the time period covered by the quarterly report, and the minutes of the meeting indicating the Commission's approval of the disbursements reported in the quarterly report.
- 6) The Commission shall make available for on-site review to the Auditor, upon the Auditor's request, originals of the documents required to be submitted with quarterly financial reports pursuant to this section.
- 7) A copy of the quarterly financial report shall be available for public inspection during normal office hours of the Commission. Absent a Commission office, copies will be made available to the public online or upon request.

#### Section 6. Solicitation of Funds

- a) The Commission may not solicit or receive funds unless specifically authorized to do so by the Council, except that receipt of individual contributions of \$1,000 or less, per calendar year, need not be approved by the Council.
- b) The Commission will not accept any contribution from any person, when aggregated with all other contributions received from that person, exceeds \$1,000 per calendar year.
- c) The Commission shall file, with its quarterly reports to the Auditor, details of all contributions received during the relevant period of time.

#### Section 7. Expenditure of Funds

- a) The Commission shall expend funds received through its annual allocation, or other donated funds, for public purposes within the Commission area or for the functioning of the Commission office, to include staffing salaries and nominal refreshments (no meals) at regularly scheduled Commission meetings. For the purposes of nominal refreshments, Single Member District meetings will not be considered as regularly scheduled Commission meetings.
- b) Expenditures may be in the form of grants by the Commission for public purposes within the Commission area pursuant to Article IV, Section 9.
- c) The Commission may expend funds for Commissioner training on subjects pertaining to their official duties when such training is not available from government sources.
- d) The Commission may expend funds to purchase property liability insurance or obtain indemnification against loss in connection with assets of the Commission or any liability in connection with the activities of the Commission. Such insurance or indemnification may be purchased or obtained in such amounts and from such sources as the Commission deems to be appropriate.
- e) The Commission may expend funds to pay for local transportation and parking expenses of a Commissioner if the Commissioner is officially representing the Commission or a committee of the Commission at public hearings or meetings or is engaged in official Commission business.

- f) Funds allocated to the Commission may not be used for a purpose that involves partisan political activity; personal subsistence expenses; Commission compensation; meals; legal expenses other than for Commission representation before an agency, board, or commission of the District government; or travel outside of the Washington metropolitan area.
- g) Any expenditure of funds by a Commission shall be recorded by the Treasurer in the Commission's books of accounts. No expenditure of any amount shall be made without the specific authorization of the Commission.
- h) Any expenditure made by check shall be signed by at least two officers of the Commission, one of whom shall be the Treasurer or Chair. The check shall, prior to signature, contain the date of payment, the name of the payee, and the amount of the payment. No check shall be made payable to cash or bearer. Any check must be pre-numbered, shall bear the name of the Commission and "District of Columbia Government" on its face, and shall be issued in consecutive order.
- i) No expenditure shall be made by a Commission during a vacancy of office of Treasurer or at any time when a current and accurate statement and bond or its equivalent are not on file with the Auditor.
- j) Disbursements of Commission funds exceeding \$50 for personal service expenditures shall be specifically approved by the Commission at a public meeting prior to the disbursement. The approval shall be recorded in the minutes of the Commission meeting. Any personal services payment shall name the person who is to receive the payments, the rate of compensation, and the maximum hours of service, if less than full-time compensation. If an expenditure is made without the required authorization of the Commission, the expenditure shall be deemed to be a personal expense of the Commissioner who authorized the payment, unless the Commission subsequently approves the expenditure within 90 days.
- k) The Commission may establish a petty cash fund, not to exceed \$200 at any one time, in accordance with procedures established for imprest funds by the D.C. Controller. The fund shall be reimbursed by the Treasurer upon presentation of appropriate supporting documents. The Treasurer may disburse to another Commissioner or employee of the Commission an amount not in excess of \$200 for authorized Commission expenditures through a Commission-established petty cash fund. A record of disbursements from the petty cash fund shall be kept by the Treasurer in a manner consistent with other accounts of the Commission.
- l) To insure against loss of unauthorized expenditures or loss of funds, the Commission shall participate in the Advisory Neighborhood Commission Security Fund by paying an annual contribution determined by the Fund at the beginning of fiscal year. Participation makes the Trustees of the Fund liable for any misappropriation or loss of Commission funds by the Treasurer. Trustees may waive or delay monetary contributions for any Commission when levels are sufficient. In the case of unauthorized expenditures or loss of funds, the majority of the Commission may request reimbursement upon a written application form provided by the Fund Trustee.

#### Section 8. Depository of Funds

- a) The Commission shall, by resolution and within 30 days of the selection of officers, designate a commercial bank, savings and loan association, credit union, or any combination thereof, which is insured by an instrumentality of the government of the United States and which is located within the District of Columbia, as a depository of all funds received by the Commission.

- b) The Commission shall request a District of Columbia Tax Identification Number and include the phrase “District of Columbia Government” in each account name.
- c) The Commission shall establish no more than one checking or negotiable order of withdrawal account. The Commission may deposit into any savings account, created pursuant to this section, funds not immediately needed for the operation of the Commission.

Section 9. Grants

- a) A grant may be awarded pursuant to a vote of the Commission at a public meeting following a public presentation of the grant request. The Community Outreach Committee will facilitate and coordinate grant requests on behalf of the Commission.
- b) The Commission may approve grants to organizations that are public in nature and benefit persons who reside within the Commission area.
- c) The services provided by the grantee organization must not be duplicative of any that are already performed by the District government.
- d) Grant applications must be submitted in writing to the Community Outreach chair of the Commission and contain the following:
  - e) A description of the proposed project of which the grant is requested;
  - f) A statement of expected public benefits; and
  - g) The total cost of the proposed project, including other sources of funding, if any.
- h) Within 60 days following the issuance of a grant, the grant recipient shall forward to the Commission a statement as to the use of the funds consistent with the grant application, complete with receipts which support the expenditures.
- i) Grant disbursements shall be included in quarterly financial reports submitted to the Auditor.
- j) Grants are dependent upon the availability of funds.

Section 10. The Commission may take any other action, not specifically forbidden by law, for the well-being of the Commission area and its residents. Such activities shall not duplicate existing D.C. government programs.

**ARTICLE V. Meetings**

Section 1. Pursuant to the provisions of Section 742(a) of the District of Columbia Home Rule Act, all meetings of the Commission shall be open to the public, except those parts of meetings where personnel or legal matters are discussed. Without limiting the scope, the following categories of information shall be specifically made available to the public:

- a) The names, salaries, and dates of employment of all employees of the Commission;
- b) Final decisions of the Commission, including concurring and dissenting opinions;
- c) Information of every kind dealing with the receipt or expenditure of public or other funds of the Commission;
- d) All documents not related to personnel and legal matters;
- e) The minutes of all Commission meetings; and
- f) Reports of the District of Columbia Auditor.

Section 2. Voting

- a) Voting in Commission meetings shall be restricted to Commissioners. All members shall have equal voting rights following the principle of one person, one vote. There shall be no

voting by proxy. However, to the greatest degree possible, the principle of common courtesy and consensus should be allowed to prevail.

- b) No official action may be taken by the Commission unless a majority of the elected representatives of the Commission are present and voting, not including Commissioners who have resigned, moved, or vacant seats on the Commission.
- c) A simple majority of those present and voting shall decide all questions unless the bylaws or Robert's Rules of Order require a larger number.
- d) In the case of a tie vote, the motion shall fail.
- e) Generally, the voting shall be conducted as outlined in Robert's Rules of Order. Accordingly, there shall be three basic ways to record a vote:
  - 1) Voice vote. Those voting in favor shall say "aye" or "yes," and those voting against shall say "nay" or "no".
  - 2) Raising of hands. The vote will be recorded with the number of hands voting in favor and the number of hands voting against.
  - 3) Roll call vote. Upon a request from a Commissioner, a roll call vote shall be conducted by the Secretary. In that case, the Secretary shall ask each Commissioner to either vote of "aye" or "yes" or "nay" or "no".
- f) As outlined in Robert's Rules of Order, members who do not vote either "aye" or "yes" or "nay" or "no" on the motion (abstain) will not have their vote recorded or counted as voting.

Section 3. Commission meetings shall be held at regular intervals, not less than nine times a year. In January of each year, a schedule of tentative meeting dates and times shall be circulated to residents of the Commission area.

Section 4. No less than seven days notice shall be given by the Commission of its meetings or convocations (except where shorter notice for good cause is necessary or in the case of an emergency). Notice must include at least two of the following methods:

- a) Posting written notices in at least 4 conspicuous places in each single-member district within the Commission area;
- b) Publication in a city or community newspaper;
- c) Transmitting or distributing notice to a list of residents and other stakeholders in the community;
- d) Posting of notice of meetings on the Commission's website; and
- e) In any other manner approved by the Commission.

Section 5. Special meetings of the Commission can be called by the Chair or by written request of three Commissioners. The purpose of the special meeting shall be stated in the notice and no other topic may be discussed at that meeting, except by unanimous consent at the beginning of the meeting. At least seven days notice will be given to each Commissioner. Accordingly, notice shall also be given to the public by the Secretary as outlined in Article V, Section 4.

Section 6. Emergency meetings of the Commission can be called by the Chair. An "emergency" means that an action must be taken immediately to preserve the public peace, health, safety, welfare or morals pursuant to District of Columbia law, regulation or code. The purpose of the emergency meeting shall be stated in the notice and no other topic may be discussed at that meeting, except by unanimous consent at the beginning of the meeting.

Accordingly, immediate notice shall also be given to the public by the Secretary as outlined in Article V, Section 4.

Section 7.

a) Within 30 days of receiving a notification from the District Government of proposed actions or proposed final policy decisions or guidelines, the Commission may forward its written recommendations with respect to the proposed actions to the Council of the District of Columbia, the Mayor and the appropriate agency, board or commission.

b) When a motion has been adopted by the ANC and the designated representative is unable to attend, the Chair and the Vice Chair of the Commission are designated to be the representatives of the ANC for the purposes delineated in the motion.

Section 8.

a) The Commission shall set aside a portion of each public meeting to hear the views of residents within the Commission area and other affected persons of problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area. Community views shall be adequately considered in positions taken by the Commission.

b) Commissioners and members of the public shall speak no more than twice on the same topic and the time available for that speech shall be more than two minutes, unless the Commission grants an extension of time. The Commissioner or Committee Chair presenting a motion shall have up to five minutes to present their arguments, but their subsequent time shall be limited to two minutes. Any questions asked of the mover of the question shall be answered briefly and the time used shall not count against their two additional minutes for their second speech.

Section 9. The Commission shall establish such mechanisms as will ensure the broadest dissemination of information with respect to 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, economic status, or sexual orientation.

Section 10. Any Commissioner may have an item placed on the agenda of a regular meeting provided that the Commissioner submits the item to the Chair at least eight days in advance of the meeting.

Section 11. At least eight days in advance of a meeting, the Chair will provide the Secretary a tentative agenda. At least seven days in advance of the scheduled meeting, the Secretary will issue the tentative agenda, draft copy of the previous minutes, committee reports and the monthly Treasurer's report to each Commissioner and the public at large by using one of the methods provided in Article V, Section 4.

Section 12. When a Commissioner knows that a potential conflict of interest exists, the Commissioner is required to notify the Chair of the matter and nature of conflict prior to discussion of that interest. The Commissioner will then be excused from the deliberations and votes on that matter. If the Commissioner is the Chair, the Vice Chair will assume responsibility during the issue in question, as the Chair will be excused from deliberations and votes on that matter.



## **ARTICLE VI. Commission Office Operations**

Section 1. The Commission may decide to establish an office. If the Commission decides to utilize an office, the following shall be done:

- a) The Commission shall adopt a resolution, to be signed or transmitted by the Chair and Secretary, to request from the Mayor suitable office space in a District of Columbia-owned facility. The requested space shall be a minimum of 250 square feet and shall be the sole office of the Commission. The space shall be located within the Commission boundaries. If no such space is available, then the space shall be located within the Ward of the Commission. The resolution will specifically ask for \$600 per month to cover rental office space if District-owned or -leased office space cannot be provided:
  - 1) The Chair will confirm that the Mayor acknowledged receipt of the resolution within 15 days;
  - 2) The Chair will accept the list of available office space from the Mayor's office within 45 days after receipt of the resolution;
  - 3) Provided that the space provided is District-owned or -leased, there shall be a written lease between the Mayor or District agency and Commission which shall specify what operating costs, such as utilities, janitorial services and security shall be paid by the Commission.
- b) If the Mayor is unable to provide office space that is District-owned or -leased, the Commission shall vote to accept the \$600 per month from the District of Columbia to offset the costs of a lease for office space. Furthermore, the Commission shall vote to enter into a lease for a suitable office for Commission business. Prior to approving the lease, the monthly lease costs and operating costs, such as utilities, janitorial services and security shall be identified.
- c) Equipment, phone services and supplies shall be provided from Commission funds. A detailed list of all office equipment will be maintained and updated on a monthly basis. A copy of that list will be held with the Chair and the Secretary.
- d) The Commission shall establish and maintain standard operating procedures for the office.
- e) All purchases of supplies and equipment that exceed the petty cash limit shall be approved in advance by the Commission at a regularly scheduled Commission meeting.
- f) All Commissioners shall have equal access to the Commission office and its records in order to carry out Commission duties and responsibilities. All Commission records shall be made available to Commission members during normal working hours.

Section 2. The Commission may hire personnel to assist in the duties of running both the office and attending to Commission business. Prior to hiring, the duties, responsibilities, hours to be worked, and salary of any hired personnel must be approved by the Commission at a public meeting.

- a) A payroll register must be maintained to record all paychecks issued to employees.
- b) Federal, State, Social Security taxes, and other deductions must be withheld in accordance with all applicable State and Federal laws.
- c) The employee serves at the pleasure of the Commission and shall be considered an employee of the D.C. government for purposes of health benefits and life insurance.

Section 3. All official correspondence shall be logged in and disposition recorded. A copy of all outgoing correspondence and incoming material for the Commission or Commission committees shall be placed in a reading file and made available to all Commissioners for a period of 30 days.

## **ARTICLE VII. Joint Meetings**

Section 1. The Commission may hold joint meetings with other Commissions to deal more effectively with or respond to concerns and issues that transcend and affect the areas of the Commissions.

- a) Joint Commission meetings may be held only after the Commission authorizes involvement.
- b) A commissioner may represent and participate in a formal joint meeting only after the Commission has authorized the participation in the joint meeting and has specified in a resolution the scope of that participation.
- c) Action taken by individual commissioners in an informal joint meeting shall follow the general direction of the Commission.
- d) All associated meetings of Joint Commissions, either formal or informal, shall be open and at least 14 days notice will be given by the Secretary for posting notices as required by Article V, Section 4.

## **ARTICLE VIII. Commission Elections**

Section 1. The Commission shall elect officers from its members and standing committee chairs at a public meeting of the Commission held in January each year.

- a) The officer positions shall be: Chair, Vice Chair, Secretary and Treasurer. The officers of the Commission must be elected Commissioners.
- b) The standing committees shall be: Economic Development and Zoning, Alcohol Beverage Licensing, Public Safety, Community Outreach and Transportation and Public Space. The committee chairs may be either elected Commissioners or residents that live in the geographic boundaries of the Commission as defined in Article II.
- c) The Commission may also elect any other officer or chair the Commission deems necessary.

Section 2. Methods of Election.

- a) Upon a two-thirds majority of the Commissioners present and voting, any Commissioner may submit a slate of officers and committee chairs for consideration. The approval of the slate shall require a simple majority of the Commissioners present and voting. If a simple majority vote is not achieved to approve the slate, the individual offices and committee chairs will be voted on separately as outlined in Article VIII, Section 2, subsection (b).
- b) The Commission shall use the following procedure to elect individual officers and committee chairs:
  - 1) Each candidate shall be nominated by a Commissioner and must be seconded by another Commissioner. A Commissioner may nominate him or herself, but may not second the nomination. Upon receiving a second, the candidate shall be afforded a brief period of time to address the nomination.
  - 2) Officers of the Commission shall be elected by a simple majority vote of the Commission. In the event that no candidate has a simple majority vote of all

Commissioners, there shall be a run-off between the two candidates having received the most votes.

- 3) "If two candidates for any office are tied, then the term of office will be divided equally between the two. If one is an incumbent in the officer position, then that candidate will continue in that office for the first six months of the calendar year. If neither is an incumbent in the office in question, then the candidate with recent continuous seniority as ANC Commissioner will take the first six months of the calendar year. If the two have the same time in office, then a coin toss will determine who takes the office for the first six months of the calendar year. If more than two candidates for any office are tied, then the drawing of lots shall determine the victor.";
- 4) Voting on each office shall occur before the floor is open for nomination for another office.
- c) Voting during the Commission elections for officers and committee chairs shall be conducted in accordance with Article V, Section 2. Under any circumstance, there shall not be a secret ballot vote during these elections.

Section 3. The Commission shall approve the membership of all Commission committees at the request of each of the committee chairs either at the January meeting or the next regularly scheduled meeting after the election of officers and committee chairs.

- a) Each committee chair will forward a list of names, consisting of residents of the Commission area, to the Commission for approval.
- b) The approval of committee membership shall be by a simple majority of the Commission. The approval can either be by a slate of candidates or voted upon individually.
- c) Voting on each Committee membership shall occur before the floor is open for nominations for another Committee memberships.

## **ARTICLE IX. Officer Duties**

### Section 1. Chair

- a) The Chair shall serve as the facilitator of the Commission and chairs all Commission and Assembly meetings.
- b) The Chair shall prepare or make arrangements of a prepared Agenda for each Commission and Assembly meetings as described in Article V, Section 10.
- c) The Chair may rule on procedural questions and such rulings may only be overturned by a majority vote of the Commission.
- d) The Chair shall serve as the principal addressee for all official correspondence that shall be sent to a central mailbox. The Chair may delegate to the Secretary or staff person, the responsibility for the dissemination of official correspondence to Commissioners.
- e) The Chair shall become the vehicle for resolving any problems between Commissioners, constituents, government agencies, and community organizations that jeopardize the effectiveness of the Commission.
- f) The Chair shall insure that no funds are expended or purchases negotiated during the vacancy of the Treasurer's office.
- g) The Chair shall perform the duties of the Secretary during any vacancy in the office of Secretary, in which case the Chair shall also serve as Deputy Secretary. In case of

resignation or vacancy of the Secretary, the Deputy Secretary shall perform the duties of the Secretary until an election can be held at the next Commission meeting.

- h) The Chair shall file with the Auditor, and maintain in force during the term of office, a cash or surety bond in an amount and on a form satisfactory to the Auditor. Participation by the Commission in the Advisory Neighborhood Commission Security Fund shall satisfy the requirement of a cash or surety bond.

#### Section 2. Vice Chair

- a) The Vice Chair shall fulfill the obligations of the Chair in his/her absence.
- b) The Vice Chair shall serve as Deputy Treasurer. In case of resignation or vacancy of the Treasurer, the Deputy Treasurer will collect all relevant financial documents, checkbooks, and reports and fulfill that vacancy until a Commission election can be held at the next Commission meeting.
- c) The Vice Chair shall file with the Auditor, and maintain in force during the term of the office, a cash or surety bond in an amount and on a form satisfactory to the Auditor. Participation by the Commission in the Advisory Neighborhood Commission Security Fund shall satisfy the requirement of a cash or surety bond.
- d) The Vice Chair oversees and coordinates the establishment of special committees.

#### Section 3. Secretary

- a) The Secretary shall call the roll at each Commission meeting and notify the Chair when a quorum is formed.
- b) The Secretary shall be responsible for the recording of minutes of Commission meetings. A draft copy of the minutes shall be forwarded to each Commissioner at least 10 days before the next scheduled Commission meeting
- c) The Secretary shall disseminate the agenda: draft minutes from the preceding meeting; committee reports, if any, forwarded from committee chairs; draft monthly Treasurer's report forwarded from the Treasurer; and notices for each Commission meeting as described in Article V, Section 11.
- d) The Secretary shall maintain the official records of the Commission activities.
- e) The Secretary shall schedule and coordinate press conferences as required.
- f) The Secretary shall be responsible for assisting the Chair in the preparation of the annual report.
- g) The Secretary shall maintain a list of the names, a current telephone number and home addresses of the members of the Commission and the Commission committees. A copy of that list shall be forwarded to the Office of Advisory Neighborhood Commissions on a monthly basis.

#### Section 4. Treasurer

- a) The Treasurer shall receive and manage the annual allotment of funds pursuant to Section 738(e) of the Home Rule Act.
- b) The Treasurer will file with the Office of the District of Columbia Auditor, within 30 days of assuming the office, a statement that includes the Treasurer's name, home and business address and telephone numbers, the location of the books and records of the Commission,

and the name and location of any depository of the Commission's funds including account numbers.

- c) The Treasurer shall file with the Auditor, and maintain in force during the term of the office, a cash or surety bond in an amount and on a form satisfactory to the Auditor. Participation by the Commission in the Advisory Neighborhood Commission Security Fund shall satisfy the requirement of a cash or surety bond.
- d) The Treasurer shall be responsible to ensure that the Commission is in full compliance with the requirements specified in Article IV, Sections 5 through 8 of these bylaws.
- e) The Treasurer shall be responsible to respond in writing to all Auditor's reports, stated violations, or alleged infractions. Upon receipt of any Auditor's reports, violations, or infractions, the Treasurer will:
- f) Notify the Chair within seven calendar days from receipt of information from the Auditor.
- g) Provide a written summary of Auditor's reports, violations or infractions, and proposed Commission responses to all Commissioners within 14 days of receipt of information from the Auditor.
- h) Present to the community a summary of the Auditor's reports, violations or infractions, and proposed Commission responses at the next scheduled Commission meeting.
- i) Respond to the Auditor, in writing within 60 days of receipt of information, the Commission's formal answer and position on each report, violation or infraction.
- j) The Treasurer is responsible for preparation of a monthly financial report to account for all Commission funds. This report shall use a format acceptable to the Chair and the DC Auditor. The monthly report will be issued to the Chair and the Secretary eight days before each Commission meeting. The Treasurer shall insure that the books and records are ready for inspection at all times.
- k) The Treasurer shall perform a monthly reconciliation of the bank statement to the checkbook and include those results in the monthly Treasurer's report. The Treasurer will ensure the Commission's bank statement and a copy of canceled checks are transmitted from the bank directly to the Treasurer's address on a monthly basis. Upon completion of the monthly reconciliation, the Treasurer will file the originals with the Secretary at the next regularly scheduled Commission meeting.
- l) The Treasurer will ensure that the depository in which the Commission maintains a checking account shall be immediately notified of any change in the Commission officers.

## **Article X. Committee Duties**

Section 1. Pursuant to the provisions of Section 742(a) of the District of Columbia Home Rule Act, committee meetings shall be open to the public.

Section 2. The Standing Committees of the Commission are:

- a) Alcohol Beverage Licensing,
- b) Community Outreach,
- c) Economic Development and Zoning,
- d) Public Safety, and
- e) Transportation and Public Space.

The Commission may establish any other committees upon the action of a majority of the Commissioners present and voting at a regularly scheduled meeting.

Section 3. Each committee shall establish procedures that will facilitate achieving its mission. At a minimum, each committee will designate a member to record, and forward to the Commission Secretary, the actions and recommendations of each meeting in a committee report. This record shall also include a list of all the committee members in attendance at the meeting.

Section 4. Each committee shall make a good faith effort to involve all segments of the population in its deliberations regardless of race, sex, age, voting status, religion, economic status or sexual orientation.

Section 5. All committee members shall have equal voting rights following the principle of one person, one vote. There shall be no voting by proxy. Formal committee recommendations require a majority of the committee membership to be present and voting. In the case of a tie vote, the motion before the committee shall fail.

Section 6. All approved motions or recommendations will be forwarded to the Commission Secretary no later than eight days prior to the next scheduled meeting of the Commission.

Section 7. All approved motions or recommendations will be presented to the Commission by the committee chair or by a member of the committee in the chair's absence. Committee recommendations shall constitute motions when presented to the Commission and shall require a Commissioner to second the motion, provided that such recommendations must have been adopted by a majority of the committee with a quorum present.

Section 8. Until the Commission adopts the committee's approved motions or recommendations, those motions or recommendations will not be presented to any government agency, public entity or private organization as the Commission's view or position. Committees may not speak for the Commission.

Section 9. No less than seven days notice shall be given to the public by the committee of its meetings in accordance with the provisions of Article V, Section 4 of these bylaws.

Section 10. Commissioners may participate in committee deliberations with their votes recorded in the committee report.

## **Article XI. Vacancy and Removal**

### **Section 1. Commissioner Vacancy**

- a) The Commission will announce a vacancy if written resignation is received from a Commissioner. If the vacancy occurs more than six months prior to the next election, the Chair will announce the vacancy and, in writing, immediately inform the District of Columbia Register and the District of Columbia Board of Elections and Ethics (hereinafter referred to as the "BOARD").
- b) When a vacancy exists in the office of a Commissioner, and the vacancy does not occur within the six-month period prior to a general election, the vacancy shall be filled by the Commission. No vacancy shall be filled if it occurs within the six-month period prior to the election.
- c) The Commission will consider a vacancy to occur if:

- 1) there is a change of address that causes the Commissioner to live outside the Single Member District (SMD) in which he or she was elected;
  - 2) there is a death; or
  - 3) a Commissioner holds another elected public office prohibited under the ANC legislation.
- d) When a vacancy occurs in the Commission as outlined in Article XI, Section 1, subpart (c), and no letter of resignation is submitted, the Commission will petition the District of Columbia Board of Elections and Ethics by a resolution signed by the Chair and the Secretary to declare the vacancy. The resolution shall be considered by the Commission at a special meeting called for the sole purpose of considering the vacancy. The notice of the special meeting will be posted in accordance with Article V, Section 4. Prior to the special meeting, the Commission shall make a good faith effort to notify, in writing, the Commissioner who is the subject of the resolution. Notice of the meeting shall be sent by certified mail, return receipt required, to the Commissioner not later than 15 days prior to the meeting, and shall provide that the Commissioner have an opportunity to rebut the alleged vacancy. The resolution, provided a quorum is established and passed by a simple majority of the Commission, accompanied by the minutes of the meeting at which the resolution was adopted and a list of those Commissioners attending the meeting, shall be sent to:
- 1) The Board of Elections and Ethics;
  - 2) The District of Columbia Register;
  - 3) The Council;
  - 4) The Mayor; and
  - 5) The Commissioner in question.
- e) For the purposes of these bylaws, a vacancy is certified to exist upon the publication of a notice of the vacancy in the District of Columbia Register.
- f) Within 90 days of the date that the District of Columbia Register posts the notice of the vacancy and the Board declares a vacancy, the members of the Commission shall fill the vacancy as follows:
- 1) Within two days (excluding Saturday, Sundays and legal holidays) after the date that the Board declares a vacancy, the Secretary will announce the vacancy using two of the methods listed in Article V, Section 4, one of which will be specifically, Article V, Section 4, subsection (a). The announcement will state the SMD vacancy and the date the petitions will be made available by the Board.
  - 2) Within five days (excluding Saturday, Sundays and legal holidays) after the date that the Board declares a vacancy, the Commission will ensure that the Board makes available petitions for the purpose of obtaining the signature of registered qualified electors within the affected SMD.
  - 3) If no registered qualified electors within the affected SMD obtain petitions within fourteen days after the date that the Board declares a vacancy, the Secretary will republish the announcement of the vacancy using two of the methods listed in Article V, Section 4.
  - 4) After twenty-one days from the date that the Board declares a vacancy, the Secretary will inquire with the Board to determine if any registered qualified electors returned a petition. Assuming confirmation that petitions have been filed, the Secretary will accept transmittal of the registered electors who qualified for the appointment of the SMD once the Board completes its five working-day challenge period.

- 5) If after twenty-one days no registered qualified elector submits a petition to the Board for the vacant single member district, the Commission will work with the Board to take the necessary steps of fill the vacancy in accordance with District of Columbia Comprehensive Advisory Neighborhood Commission Reform Amendment Act of 1999.
- 6) If there is only one elector qualified to fill the vacancy within the affected SMD, the Commission shall appoint the qualified elector to the vacant position at its next regularly scheduled meeting.
- 7) If the Board transmits to the Secretary a list of qualified candidates containing more than one name, the Commission shall give notice to the public, under the protocol outlined in Article V, Section 4 of these bylaws, that at the next regularly scheduled meeting there shall be an open vote of the qualified registered electors of the affected SMD to elect a Commissioner.
- 8) Prior to the scheduled meeting for the open vote, the Secretary will obtain from the Board a list of all qualified electors from the affected SMD.
- 9) At the scheduled meeting for the open vote, the Secretary (and other Commissioners as required) will verify all qualified electors by either viewing their voter identification card or verify their status on the voter registration list provided by the Board. The Secretary will provide each verified elector a ballot that lists all the qualified candidates in alphabetical order.
- 10) Once the Secretary and Vice Chair have counted all the ballots, the results shall be read aloud by the Chair. In the event that the Chair is vacant or not in attendance, the results shall be read aloud by the Commissioner presiding over the meeting.
- 11) After the vacancy has been filled, the Commission shall transmit to the Board a resolution signed by two officers of the Commission that states the winner of the SMD and requests that the Board declare the vacancy filled. The resolution shall also be sent to the following:
  - a) The Council,
  - b) The Mayor, and
  - c) The person appointed or elected by the Commission.

## Section 2. Commissioner Removal

- a) Any Commissioner may be removed from office by the registered voters of the Single Member District (SMD) from which he or she was elected. This process requires that a petition be signed by at least 10 percent of the registered voters of the SMD. However, if a Commissioner has missed all of the regularly scheduled meetings over a three month period, the required number of signatures is reduced to 5 percent.
- b) The initiator of the removal petition has 30 calendar days, beginning with the day the Board first makes petitions available, to secure the proper signatures and file the petition with the Board. The number of registered voters used for computing this requirement is based on the latest official voter count issued 30 or more days prior to the submission of the signed petition.
- c) After a 10 day challenge period, the Board certifies the petition. If the petition is challenged, the Board holds a hearing on that challenge. If the petition is upheld, the Board will hold a special election in the SMD or conduct a mail ballot.



- d) No commissioner may be removed within the first six months nor the last six months of his or her term of office nor within six months after an attempted removal procedure has been determined in his or her office.

### Section 3. Officer Vacancy and Removal

- a) The removal of any officer shall be undertaken at a special Commission meeting.
- b) A special Commission meeting to remove an officer shall be called if at least one-half of the elected Commissioners request in writing that the Chair take such action. After the request is made, the Chair shall schedule the meeting to take place within 30 days of receipt of the request.
- c) Within two days (excluding Saturday, Sundays and legal holidays) after the date the written request is provided to the Chair, the Chair will forward the request to the Secretary. Within seven days of receiving the request from the Chair, the Secretary will announce the special meeting, to include date and location of the meeting, using two of the methods listed in Article V, Section 4.
- d) The Chair shall preside over the meeting unless the vote will affect the Chair's own position. In that case, the Vice Chair shall act as the presiding officer.
- e) Provided a quorum is present at the special Commission meeting called, the vote of the majority of the Commissioners shall remove the officer from his or her office.
- f) If an office becomes vacant, an election will be held in accordance with Article VIII, Section 1 at the next regularly scheduled Commission meeting.

### Section 4. Committee Chair and Committee Membership Vacancy

- a) The removal of any committee chair or committee member shall be undertaken at a regularly scheduled Commission meeting.
- b) A vote to remove a committee chair or committee member shall be called if at least one-half of the elected Commissioners request in writing that the Chair take such action. After the request is made, the Chair will ensure that the action is included on the next regularly scheduled meeting agenda.
- c) Provided a quorum is present at the next regularly scheduled Commission meeting called, the vote of the majority of the Commissioners shall remove the committee chair or committee member from his or her position.
- d) If a committee chair becomes vacant, the Commission will move to immediately elect a replacement in accordance with Article VIII, Section 2.
- e) If a position on a committee becomes vacant, the Commission shall vote to approve the recommended replacement for the committee chair at the next meeting in accordance with Article VIII.

## **Article XII. Bylaws**

Section 1. The Commission will maintain bylaws governing its operation and internal structure. These bylaws will include:

- a) The geographic boundaries of the Commission area;
- b) A statement of Commission responsibilities;
- c) Voting procedures;
- d) The establishment of standing and special committees;
- e) The manner of selection of officers and chairs;
- f) Duties of the presiding officers;
- g) Procedures for the prompt review and action on committee recommendations;

- h) The use of the Commission office and supplies;
- i) Procedures for the receipt of, and action upon, constituent recommendations at both the Single Member District and Commission levels; and
- j) Procedures for the filling of a vacancy in the office of Treasurer.

Section 2. The Commission shall file an up-to-date copy of the bylaws and all amendments thereto with the Council of the District of Columbia and the Office of Advisory Neighborhood Commissions within thirty days of their adoption.

Section 3. It shall require two-thirds of the Commission as a whole to approve amendments to the bylaws. When appropriate, revisions or amendments to these bylaws shall be approved after the reading of the proposed change at one regularly scheduled meeting prior to its consideration.

Section 4. These bylaws shall be consistent with all Congressional and District legislation, and other applicable laws. Any bylaw provisions, which are not consistent with these laws, are to be held null and void.

Section 5. A current copy of these bylaws and any amendments shall be available for public inspection.