



Agenda
Ad Hoc By Laws Review Committee
May 26, 2021
Virtual Meeting via Zoom
Call-in Number: 1 301 715 8592
Meeting number (access code): 943 3370 4994
For those attending via Zoom: use this link: <https://zoom.us/j/94333704994>
One tap mobile: +13017158592,,94333704994#
Public Meeting – All are welcome

Committee Members: Marie Claire Brown (SMD01), Kris Garrity (SMD01), David Holmes (SMD03), Commissioner Mike Soderman (SMD03), Nick Alberti (SMD04), Kathryn Griffith (SMD05), Madeline Gitomer (SMD06), Marc Friend (SMD07), Mark Samburg (SMD07), and Veronica Hollmon (SMD08)

- | | |
|---------|--|
| 7:00 pm | Call to Order / Roll Call |
| 7:05 pm | Review Agenda, Ground Rules, Voting Process, & Next Steps |
| 7:10 pm | Review proposed new language on pages 1-8 of the By Laws package |
| 7:40 pm | Discuss / vote on text on pp. 9-26 of the By Laws package |
| 8:55 pm | Community Comment |
| 9:00 pm | Wrap Up & Adjourn |

DRAFT - ANC 6A Bylaws

As required by DC law, ANC 6A follows a set of rules and regulations to conduct business on behalf of the community. These rules, regulations, and operating procedures and guidelines are articulated in the following three documents: ANC 6A Bylaws, ANC 6A Standard Operating Procedures, and the ANC 6A Code of Conduct document.

ARTICLE I. Name & Mission

Created by the **Home Rule Act** of 1974, the **Advisory Neighborhood Commissions (ANCs)** were created to empower residents to elect representatives within a two-thousand-person neighborhood district. The former Adams-Morgan Organization (AMO), founded in 1972, initially served as a powerful model for the ANCs of how local self-government could thrive. The AMO tackled urgent issues like real estate speculation and residential displacement that were beginning to affect the neighborhood, and put participatory democracy into practice by convening regular Assembly meetings that attracted a wide range of residents.¹

AMO and the establishment of the ANCs that followed were built to ensure democratically-elected, neighborhood self-governance for and by DC residents; to build community power and provide direct services; and to fight against unaffordable and unlivable housing, predatory development, and displacement of predominantly lower-income Black residents. ANC 6A is part of this legacy and history. Its mission, like AMO before it, is to serve and protect the residents of 6A — particularly the most vulnerable residents targeted and marginalized by white supremacy, gentrification and displacement (like urban renewal before it), and police brutality.

ANCs advise DC government agencies and the DC Council on a wide range of issues, including traffic, parking, recreation, street improvements, liquor licenses, zoning, economic development, and police protection. ANC 6A values and promotes inclusiveness, diversity, and an environment that values respect, fairness, and integrity. ANC 6A acts in accordance with these values by treating fellow commissioners, committee chair and members, and the public with dignity, civility, and respect.

ARTICLE II. Object

Section 1. The Commission has the duties and powers described in [PL 93-198](#) and [DCL 1-21](#) as amended.

ARTICLE III. Members

¹ <https://storymaps.arcgis.com/stories/724d1a6c62184eb1a2122262365a2314>

Section 1. The Commission shall be comprised of those persons duly elected to represent the Single Member Districts within the Commission area.

Section 2. All members shall have equal voting rights followed by the principle of one person, one vote. There shall be no voting by proxy.

ARTICLE IV. Officers

Section 1. The Commission shall elect a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer.

Section 2. The election shall take place in January of each year.

Section 3. Each candidate for office shall be nominated by a member of the commission. Commissioners may nominate themselves. Seconds are not required.

Section 4. When nominations are closed, the voting shall take place as determined by the Commission at that time. However, no secret ballots are allowed.

Section 5. The elected officers shall be elected to serve for one year or until their successors are elected. Their terms of office shall commence at the close of the meeting at which they are elected. In the event of a vacancy, the officer filling the vacant position shall only serve out the term of the officer he or she replaced.

Section 6. A simple majority shall be required for election of officers. If there is not a simple majority after the first ballot, there shall be an election between the candidates receiving the most votes. In the event of a tie vote, the term shall be divided equally between the tied candidates. A coin toss or drawing of straws shall be used to determine the order in which the candidates serve.

Section 7. If there is a vacancy among the officers, the Commission shall hold an election during the next meeting of the Commission. If there is a vacancy in the office of Treasurer, the Commission may hold a special meeting to elect a new Treasurer.

Section 8. The Chairperson shall serve as a convenor of the Commission and shall chair the Commission meetings.

Section 9. The Chairperson shall have the power to call special meetings of the Commission and of the Executive Committee.

Section 10. In the Chairperson's absence, or when the Chairperson wishes to give up the chair, the Vice-Chairperson shall act as the chair.

Section 11. The Secretary shall ensure that minutes are kept for all meetings of the commission and that copies are distributed to all members of the Commission. The Secretary shall also ensure that notice is given for all Commission meetings as required by District law. **The**

Secretary will also be responsible for serving as the Parliamentarian to ensure adherence to Robert's Rules of Order.

Section 12. The Secretary shall serve as the central repository of copies of minutes of all standing, special and administrative committees.

Section 13. The Treasurer shall be responsible for developing an annual fiscal year budget, preparing quarterly financial reports, keeping the Commission's financial records and accounts, and for executing its expenditures in accordance with District law.

Section 14. All checks must be signed by two officers one of whom must be either the Treasurer or the Chairperson.

Section 15. The officers shall have the assistance of the Commission staff in carrying out their duties as may be required.

ARTICLE V. Meetings

Section 1. Each January the Commission shall decide on a schedule of meeting times and places for the next 12 months. The Commission, however, may modify the schedule if necessary. In case of an emergency, the Chairperson may reschedule the meeting time or location.

Section 2. No official action may be taken by the Commission unless a quorum is present and a majority of those voting "yay or nay" vote in favor of the action.

Section 3. A quorum is a majority of the current Commission members. However, there is not a quorum unless a majority of the SMDs have Commissioners.

Section 4. Special meetings of the Commission can be called by the Chairperson, the Executive Committee, or by written request of three Commission members. The purpose of the meeting shall be stated in the notice and no other topic may be discussed at that meeting. Reasonable notice shall be given in writing.

Section 5. All meetings of the Commission shall be accessible to the public and conducted in accordance with the requirements set forth in the Standard Operating Procedures.

Section 6. The Commission is committed to non-discrimination on the basis of race, color, creed, class, national origin, sex, age, religion, ethnic identity, ethnicity, immigration status, language, culture, housing status, sexual orientation, gender, gender identity, economic status or disability as defined by the Americans with Disabilities Act of 1990 and shall conduct itself, and its meetings, in accordance with this commitment.

Section 7. As outlined in the DC Code, 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. This will include previously considered comments that were not handled or addressed at the respective committee level meeting. Community members are encouraged to participate in committee meetings which are designed to allow for extended dialogue about proposed projects and issues.

Section 8. To the extent possible, 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. Additional items may be added to the agenda less than 24 hours of the meeting only if the Commission votes to amend the agenda at the start of the Commission meeting.

Section 9. At least 24 hours in advance of the Commission meeting, the Secretary will post the draft agenda, draft copy of the previous minutes, committee reports and the monthly Treasurer's report, and other materials for the meeting to each Commissioner and the public at large.

Section 10. Conflicts of Interest

a) No Commissioner shall use his or her official position or title, or personally and substantially participate, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a judicial or other proceeding, application, request for a ruling or other determination, contract, controversy, or other particular matter, or attempt to influence the outcome of a particular matter, in a manner that the Commissioner knows is likely to have a direct and predictable effect on his or her financial interests or the financial interests of a person closely affiliated with the Commissioner.

b) When a Commissioner becomes aware of a potential conflict of interest, 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.

c) When a Commissioner becomes aware of a possible conflict of interest that does not affect the financial interests of the commissioner or a person closely affiliated with the commissioner, but could prevent the commissioner them from being impartial or objective on such a matter, the commissioner is encouraged to disclose the existence of such a conflict to the Chair prior to the vote.

ARTICLE VI. Executive Committee

Section 1. The Executive Committee shall consist of a) the Chairperson; b) the Vice-Chairperson; c) the Secretary; and, d) the Treasurer.

Section 2. The Executive Committee of the Commission shall have the authority to establish special committees.

Section 3. The Executive Committee of the Commission shall have the power to propose a meeting agenda and make recommendations for the operation of the Commission, which include setting a consent agenda prior to commission meetings.

Section 4. A majority of the members of the Executive Committee shall constitute a quorum.

Section 5. Meetings of the Executive Committee may be called by the Chairperson or by a majority of the Committee.

ARTICLE VII. Committees

Section 1. There shall be three categories of committees, standing committees and special committees:

- Standing committees are those created permanently by majority vote of the Commission. Such committees can also be dissolved by majority vote of the Commission.
- Special committees are those created temporarily by the Commission of the Executive Committee. These committees dissolve if members of the committee do not provide updates to the Commission for more than three (3) months, they do not meet for more than six months, or if their objective is achieved.

Section 2. In accordance with District law, the Chairperson of each Commission committee or task force shall be open to any resident of the Commission area. The chairperson of each such committee or task force shall be appointed by the Commission.

Section 3. The Chairperson shall ensure that items requiring committee action are referred to the appropriate committee(s) on receipt.

Section 4. Committee recommendations for Commission action shall be placed on the agenda for the first ANC meeting after they are adopted, if requested by the Committee.

Section 5. Elected Committee chairpersons shall serve for up to one year or until their successors are elected. In the event of a vacancy, the Committee Chairperson filling the vacant position shall only serve out the term of the Chairperson who was replaced.

Section 6. These Committees are reviewed annually at the first Commission meeting of the year. A complete listing of committees can be found in Appendix A of the Standard Operating Procedures.

Section 7. Committee members can be appointed at any time throughout a year. Potential Committee members must notify their SMD Commissioner and the Committee Chairperson that they would like to join the Committee and attend a meeting of that Committee prior to the

consideration of their nomination by ANC 6A. Nominations are traditionally recommended by their SMD after consultation with the Committee Chairperson. Any committee member that is a “no show” for three consecutive meetings will be removed from the committee.

Section 8. All Committee meetings shall be announced on the ANC website 7 days in advance of the meeting except in case of an emergency or for other good cause.

ARTICLE VIII. Standing Rules

Section 1. The Commission may adopt rules to implement the requirements of these Bylaws and to enhance the efficiency and operation of the Commission. The rules may be adopted or amended by majority vote at any Commission meeting.

Section 2. The Commission shall adopt standing rules for handling constituent recommendations. The rules shall designate one person to ensure that constituent recommendations are referred to the proper Commissioner or government agency for action.

ARTICLE IX. Parliamentary Authority

Section 1. Roberts' Rules of Order shall govern the Commission except where they are not consistent with District law, these bylaws or any standing rules the Commission may adopt.

ARTICLE X. Amendment of Bylaws

Section 1. Revision of these Bylaws requires a two-thirds vote of those present and "voting yeas or nays." Each Commission member shall have at least two weeks prior notice that an amendment(s) is being proposed to the Bylaws. The notice shall include the suggested change(s).

Section 2. These Bylaws shall be consistent with all Congressional and District legislation and other applicable laws regarding ANCs. Any inconsistencies are null and void.

Section 3. 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.

DRAFT - ANC 6A STANDARD OPERATING PROCEDURES

As required by DC law, ANC 6A follows a set of rules and regulations to conduct business on behalf of the community. These rules, regulations, and operating procedures and guidelines are articulated in the following three documents: ANC 6A Bylaws, ANC 6A Standard Operating Procedures, and the ANC 6A Code of Conduct document.

In order to conduct organized and efficient ANC 6A meetings, and the effective conduct of administrative operations, it is proposed that Standard Operating Procedures (SOP) be adopted by ANC 6A:

I. Address Information

The official mailing address of ANC 6A is:

P.O. Box 75115

Washington, DC 20013

II. Meetings

- A. As outlined in the DC Code, all Commission meetings shall be held at locations that are designed to reasonably accommodate the residents of the Commission area, depending on the issues to be considered by the Commission.
- B. Each participant is entitled to equal rights and treatment and that no one should be denied these rights because of race, color, creed, class, national origin, immigration status, sex, age, religion, ethnic identity, ethnicity, language, culture, housing status, sexual orientation, gender, gender identity, economic status or disability as defined by the Americans with Disabilities Act of 1990 (ADA).
- C. The Commission will strive toward full accessibility for all of its residents.
- D. Whenever feasible and financially viable, the Commission will strive to make online participation available for all ANC meetings.
- E. In scheduling meetings, the Commission shall consider the occurrence of religious holidays that may affect levels of participation by both Commissioners and the community.
- F. Community Views and Input
 - 1) At Committee meetings, the Chair will outline, to the extent possible, clarify, and share the amount of time per agenda item at each meeting. The Chair will also explain at the beginning of the meeting how and when community members can provide feedback.
 - 2) Preparation of resolutions, motions, reports and/or letters is the responsibility of the appropriate Committee Chair and/or Single Member District (SMD) Commissioner under whose jurisdiction the action falls. These materials must be provided to Commissioners prior to the general meeting, except in emergency situations or when a majority of Commissioners do not object.

- 3) With respect to Committee actions -- All official correspondence, motions, resolutions, reports, etc., regarding an action and/or will of the Commission must bear the signature of the Chairperson and the Secretary, or sponsoring Commissioner.
- 4) Commissioners are requested to provide copies of proposed motions or resolutions to SMD Commissioners five (5) days prior to monthly meetings to enable sufficient review of documents for clarity and discussion.

III. Committee Assignments

- A. Committees consider matters on behalf of ANC 6A in order to make recommendations for action by the Commission. Committees may only report their findings and recommendations to the Commission. Committees or Committee members may not represent the Commission before any agency or forum unless authorized by the Commission to do so. Authorization to present a report or finding by citizens who are not members of ANC 6A may be granted by a majority vote, and must be accompanied by a letter of authorization.
- B. There are two (2) categories of committees: Standing and Special, however, nothing is to preclude committees from forming Ad Hoc groups. See Appendix A for a full description of all Standing Committees.
- C. The Executive Committee, Standing Committees and Special committees are created as defined in the bylaws.
- D. The Chairperson or any Commissioner can nominate committee chairpersons at a regularly-scheduled or special meeting.

IV. Public Procedures

- A. Commissioners, though strongly discouraged, may introduce actions or motions **at the start of** any official meeting without prior notice.
- B. The appropriate SMD Commissioner or Committee is to draft the motion, resolution and/or agreement, as necessary, relating to issues. These proposed agenda action items should be forwarded to the Secretary or Designee for inclusion on the proposed agenda at least 10 days prior to the regular meeting.
- C. **Anyone wishing to make presentations before ANC 6A should make a request through their SMD Commissioner or the ANC Chairperson.**

WE WILL START OUR DISCUSSION HERE AT THE NEXT MEETING

- D. The Chairperson, with consent of the Commission, can place limits on discussion time and number of presenters in consideration of moving the agenda.
- E. Written copies of materials from the public must be sent to each Commissioner at least 10 days in advance of the meeting to enable Commissioners sufficient opportunity to review the documents. Materials may also be distributed at the previous month's meeting.
- F. Material or requests for action handed out at ANC meetings or not provided to Commissioners in advance, as stipulated, will be denied presentation and suggested to be placed on the agenda for the next month's meeting. The Chair reserves the right to defer to SMD Commissioners on matters that may be deemed emergency in nature.
- G. Applications for ABC licenses and DDOT applications are given a 30 day review period. Applications for Zoning Board variances are given a 30 review period. The respective Committee Chair is to make copies available to members of ANC 6A for review prior to the meeting in which the application is submitted.
- H. A "Voluntary Agreement" will be required where there are genuine concerns with issues of noise, safety, and/or trash management for each request for a new or renewal ABC license application with the Alcoholic Beverage Regulations (ABRA). It will be the responsibility of the appropriate SMD Commissioner and Committee Chair to negotiate such an agreement with the applicant.
- I. A "Community Agreement" may be required for each request for zoning variance with the Board of Zoning Adjustment (BZA). It will be the responsibility of the appropriate SMD Commissioner and Committee Chair to negotiate such an agreement with the applicant.
- J. Applications for funding or grants will require at least 30-days notice prior to action for approval/denial of application. The Chair reserves the right to defer to SMD Commissioners on matters that may be deemed time-sensitive or emergency in nature.

V. Commission Meetings

- A. All meetings of ANC 6A are official sessions and are to be conducted with the greatest of decorum and respect. As such, Commissioners should be addressed by their official title and last name, as with any other official session.
- B. Committee meetings are open to the public, except when discussing personnel issues.
- C. Any ANC6A Commissioner may, and is encouraged to, serve on any or all committees or subcommittees.

- D. Any resident of ANC 6A is eligible to serve on a committee or sub-committee subject to a vote of the Commission.
- E. The Chairperson or Vice Chairperson will ensure that items are referred to the appropriate Committee or placed on the agenda for the next monthly meeting. The Chairperson reserves the right to defer to SMD Commissioners on matters that may be deemed time-sensitive or emergency in nature.
- F. The Chairperson can open the floor to the public for its input on issues, and place limits on discussion time and number of respondents.
- G. New Business will be limited to a brief presentation either from the Commissioners or the public. Items requiring action will be placed on the next month's agenda or referred to Committee.

VI. Reports & Minutes

- A. Committee Reports will be submitted via e-mail at least 5 days (Laura, not all Committee Chairs adhere to this; if this item is approved by your Committee, it will be included in the ANC delivery timeline) in advance of the next regularly scheduled meeting in order to give Commissioners sufficient time to review reports and make comments. Commissioners should contact chairpersons of committees with their comments as soon as possible to enable incorporation into report prior to next meeting.
- B. The Chairperson will prepare and distribute draft minutes of previous month's meeting at least 20 days (Your current ANC notetaker submits her minutes to the Chair within this timeline; cannot speak for future notetakers; the ANC Chair needs to make this requirement clear to future notetakers) after to the previous regularly scheduled meeting in order to give Commissioners sufficient time to review minutes and make comments. Commissioners should contact Secretary with their comments as soon as possible to enable incorporation into minutes prior to next meeting.
- C. Financial reports will be submitted via e-mail at least 5 days in advance of the next regularly scheduled meeting (not necessarily do-able, particularly when the Treasurer is dependent upon OANC supplying Quarterly reports in a timely manner) in order to give Commissioners sufficient time to review reports and make comments. Commissioners should contact the Treasurer with their comments as soon as possible to enable incorporation into the financial report prior to next meeting.

VII. Dispute Resolution

- A. The Office of the ANC Commission is the primary authority when resolving disputes regarding the operational procedures of ANC 6A.
- B. The ANC 6A by laws is the governing document for ANC 6A.
- C. Roberts Rules of Order, newly revised current edition, is the official document governing parliamentary proceedings of ANC 6A.

D. DC Law supersedes any rule, regulation or parliamentary procedure.

APPENDIX A: ANC 6A COMMITTEES

These committees report to ANC 6A and are expected to coordinate closely with the given SMD Commissioner(s) on affected issues. The term for the Chair and Co-Chair of a committee is one year, but the number of times one may be reelected is not limited. The Chair and Co-Chair are voted on by the ANC 6A Commissioners. The Committee is expected to promote membership and maintain a list of its members. Except for the Executive Committee (created in the Bylaws), Membership and Chair positions are open to all ANC 6A residents.

ALCOHOLIC BEVERAGE LICENSING (ABL) COMMITTEE

The ABL Committee advises the ANC on issues related to the DC government's Alcoholic Beverage Regulation Administration (ABRA). The ABL is the community's first opportunity to engage in all alcohol license issues in ANC 6A. As part of this effort, the ABL:

- Tracks applications for new licenses, license changes, and license renewals for ABRA-licensed establishments within ANC 6A;
- Negotiates and maintains settlement agreements on behalf of the ANC with ABRA-licensed establishments within ANC 6A;
- Assists Commissioners and community members in addressing concerns pertaining to ABRA-licensed establishments within ANC 6A; and
- As appropriate, represents ANC 6A in ABRA proceedings.

COMMUNITY OUTREACH COMMITTEE (COC)

The Community Outreach Committee serves as a conduit for broader community outreach within ANC 6A. The Committee provides a sounding board for the community and advances specific concerns to the ANC.

- Provides a forum for issues that need more discussion and cannot be accommodated at the ANC6A meeting due to time constraints;
- Holds presentations and offers forums and workshops of interest to the ANC 6A community;
- Works with the ANC to manage applications and make recommendations for grant funding; and
- Manages the Facebook page for ANC 6A

ECONOMIC DEVELOPMENT & ZONING COMMITTEE (EDZ)

The EDZ Committee reviews, analyzes and publicly discusses proposed projects that are requesting relief from zoning regulations through the Board of Zoning Administration (BZA) or have an impact on the historic nature of Capitol Hill. As part of this effort, the Committee:

- Identifies appropriate issues related to job creation and business development [including housing development and policy, project development];

- Makes recommendations to the ANC to support or oppose requests for zoning relief;
- Drafts resolutions for ANC 6A's consideration;
- Coordinate public meetings as necessary;
- Researches and reports findings and provide recommendations to ANC 6A; and
- Tracks and notifies ANC 6A of all relevant hearing dates.

TRANSPORTATION AND PUBLIC SPACE COMMITTEE (TPS)

The TPS Committee reviews, analyzes and publicly discusses public space permit applications, DDOT and other public transportation or public space related proposals. The Committee also identifies areas of concern and works with the ANC and residents to facilitate the process with DDOT and other city agencies to remedy transportation and public space issues when determined appropriate. As part of this effort, the Committee:

- Hears from public space permit applicants, reviews applications and makes recommendations to the ANC for support or disapproval of public space permit applications;
- Develops transportation and public space related letters and resolutions for ANC 6A's consideration;
- Coordinates public meetings to gather input for the ANC's consideration as necessary; and
- Tracks Traffic Safety Assessments (TSAs) and DDOT 311 requests and works with residents and the ANC to ensure requests are adequately fulfilled by DDOT and other city agencies.

APPENDIX B: GUIDELINES FOR ANC 6A GRANT APPLICATIONS

ANCs may award grants to organizations for public purposes as described in Section 310.13 of the DC Code. ANC 6A reserves the right to fund or not fund any legal grant application at its sole discretion, without explanation.

Monetary Amounts: When ANC 6A adopts an operating budget within 60 days of receiving notice of its next fiscal year allotment from the District Government, the operating budget will include a line item amount for the Commission to support community grants during that fiscal year.

Public Notice of Availability of Funding: Twice a year, and thirty days before grant applications are due, the Community Outreach Committee (COC) Chair shall publish (i) the grant application itself and(ii) the timeline for consideration to the ANC 6A website. (This has never been done during my 7 year tenure.)

Process

A. Eligibility:

Only organizations based within the geographic boundaries of ANC6A, or those organizations which directly serve the community of ANC 6A may apply for funding. The applicant must propose to provide services, public in nature, that will benefit all persons who reside or work within the Commission area and must not duplicate those already performed by the District government.

B. Applications:

Applicants must include a written grant application; detailed description of the proposed project and public benefits; and detailed budget, statement of the total costs of the project, and other sources of funding.

C. Timing:

Applications must be received by the Community Outreach Committee Chair at least 30-days prior to action for approval/denial of application. A representative of the potential grantee organization who is an officer or an individual with fiscal authority must appear at the meeting when the grant request is being reviewed by the ANC.

I. Community Support

In an effort to support applications by organizations of all sizes and types, the COC is permitted to provide technical assistance regarding specific grant applications. On an annual basis, the COC shall consider ways to encourage non-traditional organizations, new organizations, and minority-led organizations to apply for grants.

II. Financial Reporting Requirements

A. Required Documentation

Payment of grant awards will be supported by documentation, including vouchers, grant request letter or proposal, completed grant application form, receipts from the recipient organization detailing its expenditures, minutes of the meeting in which the Commission approved the grant and any other supporting information that may be required by ANC 6A, the Office of ANCs (OANC) or the DC Auditor.

B. Timetable for Financial Reporting

All funds granted must be used in a manner consistent outlined in the grant application approved by the Commission. Within 60 days after a grantee receives the grant award, or within 30 days after the event/activity, whichever is later, the grantee must forward to the Commission a statement as to the use of the funds including:

- 1) Receipts totaling the grant amount
- 2) Refund (if all funds disbursed by the ANC were not spent).

C. Reporting Extensions

Should the grantee need an extension to file the report, the grantee must submit a request for extension in writing to the Community Outreach Committee Chair (email is acceptable) prior to the expiration of the 60 (or 30) days. The Chairperson, Treasurer and/or Commission will review the request and approve or deny the request within 10 days of the receipt of the request. An extension may be granted for up to an additional 15 days.

D. Failure of Grantee to Comply

Should a grantee fail to comply with Commission requirements or should it become known to the Commission that the grantee failed to comply with District or federal requirements related to receipt and use of a grant provided by ANC 6A, the Commission may, at its sole discretion, refuse to provide future funding to the grantee.

DRAFT - ANC 6A Code of Conduct

As required by DC law, ANC 6A follows a set of rules and regulations to conduct business on behalf of the community. These rules, regulations, and operating procedures and guidelines are articulated in the following three documents: ANC 6A Bylaws, ANC 6A Standard Operating Procedures, and the ANC 6A Code of Conduct document.

The ANC 6A Code of Conduct provides guidance and a standard for ethical and respectful conduct between Commissioners, Committee Chairs and Members and between the Commission and its constituency. The Code of Conduct applies to ANC 6A Commissioners and Committee members.

PREAMBLE

The ANC6A recognizes and remembers the Indigenous People on whose lands DC currently sits -- the Nacotchtank, Piscataway, Doeg-Tauxenants, Pamunkey Nations and Tribes -- who have stewarded these lands for millennia. We also recognize and remember the enslaved Africans and Black Americans, separated from their families and native lands by force, and made to labor to build this city and much of our region and the latest impact these histories have today.

PART 1: CONTEXT

This part of the Code establishes the purpose and principles that are used to interpret the standards in the Code. This part does not constitute separate enforceable standards of conduct.

1. INTRODUCTION

This Code of Conduct for Commissioners of ANC 6A consists of three parts: Context, Standards of Conduct and Procedures

- Part 1: Context, establishes the purpose and principles that are used to interpret the standards in the Code.
- Part 2: Standards of Conduct, set out the conduct obligations required of Commissioners.
- Part 3: Procedures, contains the complaint handling procedures, complaint assessment criteria and the operating guidelines for the conduct review committee.

Commissioners have two distinct roles: as a member of the ANC; and as an elected person. Commissioners, as members of the ANC, should work as part of a team to make decisions and policies that guide the activities of the Commission. The role as an elected person requires Commissioners to represent the interests of all of its community including those who are historically under-represented and unserved by those making decisions in D.C. The Code of

Conduct sets the standard of conduct that is expected when Commissioners exercise these roles.

2. BRIEF DESCRIPTION OF ADVISORY NEIGHBORHOOD COMMISSIONS

The DC Advisory Neighborhood Commissions consider a wide range of policies and programs affecting its neighborhoods, including traffic, parking, recreation, street improvements, liquor licenses, zoning, economic development, police protection, sanitation and trash collection, as well as the District's budget. In each of these areas, the intent of the ANC legislation is to ensure input from an advisory board that is made up of the residents of the neighborhoods that are directly affected by government action.

3. PURPOSE OF THE CODE OF CONDUCT

The Code of Conduct sets the minimum requirements of conduct for Commissioners and its Committee members in carrying out their functions. The Code has been developed to assist Commissioners to:

- understand the standards of conduct that are expected of them;
- enable them to fulfill their duty to act honestly and exercise a reasonable judgment; and,
- act in a way that enhances public confidence in the integrity of Advisory Neighborhood Commissions.

4. KEY PRINCIPLES

This Code of Conduct is based on a number of key principles. It sets out standards of conduct that meet these principles. The principles underpin and guide these standards and may be used as an aid in interpreting the substantive provision of the Code, but do not themselves constitute separate standards of conduct.

4.1 Integrity

You must not place yourself under any obligation to any individual or organization that might reasonably be thought to influence you in the performance of your duties.

4.2 Leadership

You have a duty to promote and support the key principles by example and to maintain and strengthen the public's trust and confidence in the integrity of the Commission.

4.3 Selflessness

You have a duty to make decisions in the public interest. You must not act in order to gain financial or other benefits for yourself, your family, friends or business interests. This means making decisions because they benefit the public, not because they benefit the decision maker.

4.4 Impartiality

You should make decisions on merit and in accordance with the ANC Oath of Office when carrying out public business. This means fairness to all; impartial assessment; considering only relevant matters and paying particular attention to those who have been historically under-represented and discriminated against by the government.

4.5 Accountability

You are accountable to the public for your decisions and actions and should consider issues on their merits, taking into account the views of others within the community. You are responsible for seeking out voices who do not have the power or accessibility to be present at every meeting.

4.6 Honesty

You have a duty to act honestly. This means obeying the law; following the letter and spirit of the ANC 6A Bylaws and Standard Operating Procedures; and observing the Code of Conduct.

4.7 Respect

You must treat others with respect at all times. You commit to not using derogatory or offensive terms toward others, observing the rights of other people, treating people with courtesy and recognizing the different roles others play in local government decision-making.

4.8 Context-Based Decision Making

You consider in your decision-making the history of the stolen land, labor, and wealth that ANC6A sits on; the history of ANCs as a system of neighborhood self-governing modeled on the Black and Brown-led community organizing of the [Adams-Morgan Organization \(AMO\)](#); the ongoing, devastating gentrification of 6A neighborhoods and mass displacement of Black DC native residents; and the varying relationships with law enforcement and government that exist amongst residents in the 6A community — particularly police violence and harassment of Black and disabled DC residents in 6A.

4.9. Consideration for Appointing Committee Members

Furthermore, as the Commission appoints Committee members, appointments shall reflect the racial, ethnic, and language-speaking demographics of the communities and neighborhoods they strive to represent, and the composition of the committees shall include a diverse representation of perspectives and lived experiences, including but not limited to race and ethnicity, gender identity, sexual orientation, disability, socioeconomic and housing status, and other identities and lived experiences.

5. GUIDE TO ETHICAL DECISION MAKING

5.1 If you are unsure about the ethical issues around an action or decision you are about to take, you should consider these five points:

- Is the decision or conduct lawful?
- Is the decision or conduct consistent with the Commission's By Laws, Standard Operating Procedures, Code of Conduct, or other operating documents?
- What will the outcome be for the Commissioner, the ANC, and the community especially for those underrepresented?
- Do the outcomes raise a conflict of interest or lead to private gain or loss at public expense?
- Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

Seeking advice

5.2 You have the right to question any instruction or direction given to you that you think may be unethical or unlawful. If you are uncertain about an action or decision, you may need to seek advice from other people. This may include the Chair of the Commission, the Office of the ANC (OANC), the Board of Elections, the Board of Ethics and Government Accountability, or any relevant Governmental organization.

PART 2: STANDARDS OF CONDUCT

This part of the Code of Conduct sets out the conduct obligations required of Commissioners. Failure to comply with the Code may give rise to disciplinary action.

6. GENERAL CONDUCT OBLIGATIONS

General conduct

6.1 You must not conduct yourself in carrying out your function in a manner that is likely to bring the Commission into disrepute. Specifically, you must not act in a way that:

- a) contravenes the Commission's relevant administrative requirements and policies;
- b) is improper or unethical;
- c) is an abuse of power or otherwise amounts to misconduct;
- d) causes, comprises or involves intimidation, harassment or verbal abuse; and,
- e) causes, comprises or involves prejudice in the provision of a service to the community.

6.2 You must act lawfully, honestly and exercise a reasonable degree of judgment.

6.3 You must treat others with respect at all times.

6.4 Where you are a Commissioner or Committee Chair/member and have been found in breach of the Code of Conduct, you must comply with any Commission resolution requiring you to take action as a result of that breach.

Fairness and equity

6.5 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

6.6 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.

Harassment and discrimination

6.7 It is the commitment of the ANC to create a community dedicated to the principles of anti-racism and focused on supporting historically oppressed and marginalized communities.

6.8 You must not harass, discriminate against, use any language that is disparaging or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination on the grounds of race, color, gender, sexuality, class, disability, religion, age, homelessness, national origin, or familial status.

6.9 It is expected that as a Commissioner you will speak up if you witness any injustice, discrimination or exclusion of anyone else.

6.10 Each Commissioner and member of a Committee shall attend, at least annually, an anti-racism training or presentation, which could include trainings or presentations offered by the D.C. Office of Human Rights or by community-based organizations located in or serving 6A. Documentation of such training shall be submitted to the chair on an annual basis prior to the first meeting of the year. The training needs to be pre-approved by the Office of ANC.

Public Comment

6.10 Only Commissioners of ANC 6A as designated through official action by the Commission may make comment about or otherwise represent the official position of the Commission publicly. Commissioners in the course of their duties may make comment within areas under their management. Commissioners are not permitted to make public comment on behalf of the Commission unless specifically authorized to do so as outlined above.

While it is recognized that Commissioners or Committee Chairs/members, as members of the community, have the right to make public comment and enter into public debate on the political and social issues, care is to be taken not to convey the impression that personal comments are the official Commission comments.

It is expected as a Commissioner/Committee Chair that you will work to hear from as many of your constituents as possible including those from those communities traditionally shut out of government.

7. RELATIONSHIP BETWEEN COMMISSIONERS

Obligations during meetings

7.1 You must show respect to the Chair, other Commissioners and any members of the public present during public ANC meetings.

Inappropriate interaction

7.2 You must not engage in any of the following inappropriate interactions:

- a) Commissioners engaging in abusive conduct, personal charges or verbal attacks upon the character or motives of fellow Commissioners in the public forum.
- b) Commissioners refusing to give information that is available to other Commissioners to a particular Commissioner.

8. ACCESS TO INFORMATION AND COMMISSION RESOURCES

(Does this section only apply to Commissioners or to Committee Chairs as well?) Access to information

8.1 The Chair and the Secretary must provide full and timely information to Commissioners to enable them to carry out their duties and unless prohibited by D.C. law, ANC6A By Laws, or contain personally identifying information of a constituent(s) who has not provided permission, shall be available to the public in an easily accessible location.

8.2 Commissioners who provide any information to a particular Commissioner in the performance of their civic duties must also make it available to any other Commissioner who requests it and in accordance with Commission procedures.

Use of certain Commission information

8.3 In regard to information obtained in your capacity as Commissioner, you must

- a) not use Commission information for private purposes; and
- b) only release Commission information in accordance w/established Commission policies and procedures.

Use and security of confidential information

8.4 You must maintain the integrity and security of any confidential documents or information in your possession, or for which you are responsible that are not public per D.C. law or the ANC6A By-Laws.

8.5 In addition to your general obligations relating to the use of Commission information you must:

- a) protect confidential information;
- b) only release confidential information if you have authority to do so;

- c) only use confidential information for the purpose it is intended to be used;
- d) not use confidential information with the intention to cause harm or detriment to the Commission or any other person or body; and,
- e) not disclose any information discussed during a confidential session of a Commission meeting.

9. REPORTING BREACHES

- 9.1 Any person may make a complaint alleging a breach of the Code of Conduct.
- 9.2 You should report suspected breaches of the Code of Conduct by Commissioners to the Chair of the ANC in writing.
- 9.3 Where you believe that the Chair has breached the Code of Conduct, you should report the matter to the Vice-Chair in writing.
- 9.4. Commissioners should not make allegations of suspected breaches of the Code of Conduct at Commission meetings or in other public forums.

PART 3: PROCEDURES

This part of the Code of Conduct contains the complaint handling procedures, complaint assessment criteria and the operating guidelines. It should be used to guide the management of complaints about breaches of the Code.

10. COMPLAINT HANDLING PROCEDURES & SANCTIONS

- 10.1 Complaints about the conduct of Commissioners or Committee Members should be addressed in writing to the ANC Chair **and Community Outreach Chair**.
- 10.2 Complaints about the conduct of the Chair should be addressed in writing to the Vice-Chair **and Community Outreach Chair**

Complaint handling procedures

- 10.3 The Chair **and Community Outreach Chair** is responsible for investigating complaints alleging breach of the Code of Conduct by Commissioners and will determine such matters.
- 10.4 The Chair is responsible for assessing complaints, made under Section X, alleging breaches of the Code of Conduct by Commissioners, in accordance with the assessment criteria provided at Section 11 of this Code, in order to determine whether to refer the matter to the Ad Hoc Conduct Review Committee.

10.5 The Chair **and Community Outreach Chair** must determine either to:

- a) take no further action and give the complainant the reason(s) in writing as provided in clause 11.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexations or not made in good faith, or,
- b) resolve the complaint by use of alternative and appropriate strategies such as, but not limited to, mediation, informal discussion or negotiation and give the complainant advice on the resolution of the matter in writing, or,
- c) discontinue the assessment in the circumstances where it becomes evident that the matter should be referred to another body or person, and refer the matter to that body or person as well as advising the complainant in writing or
- d) refer the matter to the Ad Hoc Conduct Review Committee.

10.6 Where the Chair has determined not to investigate, the Chair will give the complainant the reason(s) in writing as provided in Clause 11.1 of this Code, and those reasons may include, but are not limited to, the fact that the complaint is trivial, frivolous, vexations or not made in good faith.

Sanctions

10.7 Sanctions made for Commissioner depend on the severity, scale and importance of the breach. Before the Commission can impose a sanction, it must make a determination that a Commissioner has breached a Code of Conduct.

10.8 Where the Commission finds that a Commissioner has breached the Code, it may decide by resolution to:

- a) censure the Commissioner for misbehavior;
requiring the person to apologize to any person adversely affected by the breach;
- b) removing or restricting the person from Commission committee assignments;
- c) require the Commissioner to apologize to any person adversely affected by the breach; or
- d) make public findings of inappropriate conduct.

11. COMPLAINT ASSESSMENT CRITERIA

11.1 The Chair will assess a complaint alleging a breach of the Code of Conduct to determine if the matter should be referred to the Ad Hoc Conduct Review Committee. In assessing the complaint, the Chair will abide by the following grounds:

- a) whether there is any evidence of a breach;
- b) whether the subject of the complaints relates to conduct that is associated with the carrying out of the function or duties as Chair;
- c) whether the complaint is trivial, frivolous, vexations or not made in good faith;

- d) whether the conduct of the subject of the complaint could reasonably conduct constitute a breach of the Code of Conduct;
- e) whether the complaint raises issues that require investigation by another person or body, such as referring the matter to the Board of Elections or the Board of Ethics and Government Accountability;
- f) whether there is an alternative and satisfactory means of redress;
- g) how much time has elapsed since the events the subject of the complaint took place;
- h) how serious the complaint is and the significance it has for the Commission; and
- i) whether the complaint is one of a series indicating a pattern of conduct.

11.2 Complaints that are assessed as not having grounds to warrant referral to the Ad Hoc Conduct Review Committee or that are to be referred to a more appropriate person or body can be finalized by that Chair.

11.3 If the matter is referred to the Ad Hoc Conduct Review Committee, then the Ad Hoc Conduct Review Committee should use the above criteria in clause 11.1 for its initial assessment of the complaint and determination of the course to follow in dealing with the complaint.

12. AD HOC CONDUCT REVIEW COMMITTEE OPERATING GUIDELINES

Jurisdiction of the Ad Hoc Conduct Review Committee

12.1 The complaint handling function of the Ad Hoc Conduct Review Committee is limited to consideration of, making investigations into and reporting on complaints made under Clause X about Commissioners. Sole reviewers and members of the Ad Hoc Conduct Review Committee are subject to the provision of this Code of Conduct.

Role of the Chair

12.2 The Chair of the ANC will undertake the following functions in relation to the Ad Hoc Conduct Review Committee:

- a) provide procedural advice when requested;
- b) ensure adequate resources are provided, including providing secretariat support;
- c) attend meetings of the Ad Hoc Conduct Review Committee if so requested by the committee, and then in an advisory capacity only;
- d) provide advice about Commission processes if requested to do so but not so as to take part in the decision making process;
- e) if attending the Ad Hoc Conduct Review Committee meeting to provide advice, must not be present at, or in sight of, the meeting when a decision is taken.

Where the Chair is unable to act as advisor to the Ad Hoc Conduct Review Committee due

to a conflict of interests in relation to a complaint, they are to nominate a member of the Executive Committee to perform this role.

Composition of the Ad Hoc Conduct Review Committee

12.3 Where the Commission must form an Ad Hoc Conduct Review Committee it will be composed of three or more appropriately qualified persons of high standing in the community who are independent of the Commission.

The Chairperson of the Ad Hoc Conduct Review Committee is to be elected by the members of the Committee.

The ANC Chair will act in an advisory capacity to the committee when requested.

Procedures of the Ad Hoc Conduct Review Committee

12.4 The Chair will be responsible for convening the initial meeting of the Ad Hoc Conduct Review Committee when there is a complaint to be referred to it.

The Ad Hoc Conduct Review Committee will conduct business in the absence of the public.

The Ad Hoc Conduct Review Committee will keep proper records of deliberations.

Procedural fairness

12.5 In conducting investigations, the Ad Hoc Conduct Review Committee or the person engaged to do so should follow the rules of procedural fairness and must:

- a) provide the subject of the complaint with a reasonable opportunity to respond to the substance of the allegation;
- b) provide the subject of the complaint with an opportunity to place before the Ad Hoc Conduct Review Committee or person undertaking the investigation any information the person considers relevant to the investigation;
- c) provide the subject of the complaint with an opportunity to address the Ad Hoc Conduct Review Committee in person;
- d) hear all parties to a matter and consider submissions before deciding the substance of the complaint;
- e) make reasonable investigations before making any recommendations;
- f) act fairly and without prejudice or bias;
- g) ensure that no person decides a case in which they have a conflict of interests;
- h) conduct the investigation without undue delay.

Where the subject of the complaint declines or fails to take the opportunity provided to respond to the substance of the allegation against them, the Ad Hoc Conduct Review Committee should proceed to finalize the matter.

Findings and recommendations of the Ad Hoc Conduct Review Committee

12.6 Where the Ad Hoc Conduct Review Committee determines, in its view that the conduct referred to it comprises a breach of this Code of Conduct it may, in its report to the Commission, make recommendations that the Commission take any of the following actions:

- a) censure the Commissioner for misbehavior;
- b) require the Commissioner to apologize to any person adversely affected by the breach;
- c) make public findings of inappropriate conduct; and
- d) removing or restricting the person from Commission committee assignments;
- e) requiring the person to resign from the Executive Committee; and,
- f) refer to the appropriate body or person such as the office of the ANC, Board of Elections, or the Board of Ethics and Government Accountability,
- g) recommend a revision of any of the Commission's policies, procedures and/or the Code of Conduct.

12.7 Before making any such recommendations, the Ad Hoc Conduct Review Committee shall have regard to the following:

- a) the seriousness of the breach;
- b) whether the breach can be easily remedied or rectified;
- c) whether the subject has remedied or rectified their conduct;
- d) whether the subject has expressed contrition;
- e) whether the breach is technical or trivial only;
- f) whether the breach represents repeated conduct;
- g) the degree of reckless intention or negligence of the subject;
- h) the extent to which the breach has affected other parties or the Commission as a whole;
- i) the harm or potential harm to the reputation of the Commission arising from the conduct; and,
- j) what action or remedy would be in the public interest.

