

Article I. Commission Name

Section 1. This organization shall be known as the Foggy Bottom and West End Advisory Neighborhood Commission 2A (hereinafter referred to as the “Commission”).

Section 2. The physical area of the Commission shall be determined by an Act of the Council of the District of Columbia as part of the decennial Census reapportionment and redistricting process.[1]

[1] The Commission’s boundaries, as last delineated under the “Advisory Neighborhood Commissions Boundaries Act of 2012,” are as follows: Beginning at the intersection of the centerline of Rock Creek and a line extending N Street from the east; East on said line to N Street; East on N Street to 22nd Street; South on 22nd Street to Ward Place; Southeast on Ward Place to New Hampshire Avenue; Northeast on New Hampshire Avenue to N Street; East on N Street to 20th Street; South on 20th Street to Pennsylvania Avenue; Southeast on Pennsylvania Avenue to 17th Street; East on Pennsylvania Avenue to 15th Street; South on 15th Street to Independence Avenue, S.W.; East on Independence Avenue, S.W. to 14th Street, S.W.; Southwest on 14th Street, S.W. to the George Mason Memorial Bridge; Continuing southwest on the George Mason Memorial Bridge to the District of Columbia-Commonwealth of Virginia boundary line at the Commonwealth of Virginia shore of the Potomac River; Northwest on the District of Columbia-Commonwealth of Virginia boundary line to its intersection with the Theodore Roosevelt Memorial Bridge; Northeast from said intersection across the Potomac River to the center of the mouth of Rock Creek; Northeast along the centerline of Rock Creek to the point of beginning.

Article II. Duties and Responsibilities

Section 1. The Commission may advise the Council of the District of Columbia, the Mayor and each executive agency and all independent agencies, boards and commissions of the government of the District of Columbia with respect to all proposed matters of District governmental policy, regulations, or public service delivery, including, but not limited to, decisions regarding planning, streets, recreation, social service programs, education, health, safety, and sanitation which affect the Commission area. Proposed actions of the District government policy shall be the same as those for which prior notice of proposed rulemaking is required pursuant to D.C. Code 1-1505 (a) or as it pertains to the Council of the District of Columbia.

Section 2. Proposed District government actions covered by these bylaws shall include, but shall not be limited to, actions of the Council of the District of Columbia, the executive branch or independent agencies and commissions. The Commission may also advise each agency, board and commission before the awarding of any grant funds to a citizen organization or group, or before the formulation of any final policy decision or guideline with respect to grant applications, comprehensive plans, requested or proposed zoning changes, variances, public improvements, licenses, or permits affecting said Commission area, the District budget and city goals and priorities, proposed changes in District government service delivery and the opening of any proposed facility system.

Section 3. The Commission may present its views to any federal, regional, or District government agency, pursuant to an adopted ANC 2A resolution. The views of the Commission, before District agencies, shall be granted “great weight,” as defined by D.C. law, when adopted by a majority of the Commission in a public meeting.

Section 4. The Commission may designate any person to represent the position of the Commission to other governmental bodies, provided, however, that such delegation shall be limited to the authority specifically stated in the authorizing resolution of the Commission.

Section 5. The Commission may initiate its own proposals for District government action, pursuant to an ANC 2A resolution.

Section 6. The Commission shall monitor complaints of Commission area residents with respect to the delivery of District government services and may file comments, pursuant to an ANC 2A resolution, on the same with the appropriate District government entity as well as the Council.

Section 7. The Commission may, where appropriate, constitute the citizen advisory mechanism required by any federal statute.

Article III. Commissioners

Section 1. The Commission shall be comprised of those persons duly elected and certified by the District of Columbia Board of Elections (B.O.E.) as elected representatives of the Single Member Districts of this Commission area.

Section 2. Each member of the Commission elected in a regularly scheduled Commission election shall serve for a term of two years, which shall begin at noon on the first business day of January following the date of election of such member. Any member certified by the Board in accordance with Article III, Section 4 of these Bylaws shall begin a term of office commencing on noon of the day after certification by the Board, and ending on noon of the first business day in January following a regularly scheduled Commission election.

Section 3. Any member of the Commission who ceases to reside in the Single Member District from which he or she was elected shall be considered to have resigned and the office shall be declared vacant.

Section 4. Any vacancy in office due to death, resignation, or change of residence shall be filled by a means solely determined by the B.O.E.

Section 5. The Commissioners shall serve without compensation; however, appropriate expenses may be reimbursed upon authorization by the Commission as specified in these bylaws.

Section 6. Individual Commissioners, when authorized by a majority vote of the Commission, shall only make public policy statements for the Commission in accordance with an adopted ANC 2A resolution. Further, individual commissioners may only assume obligations for the Commission as specified in an ANC 2A resolution.

Section 7. Commissioners shall take due diligence to avoid actual or perceived conflicts of interest on matters before the Commission. A Commissioner shall notify the Commission of any instance where he/she has a financial interest in an action before the Commission. A Commissioner shall not participate in the deliberations of, or vote on, any motions related to a matter where he/she has a direct financial interest. If a Commissioner is involved in civic, business, political, or neighborhood organizations with business before the Commission, he/she shall notify the Commission of this and of his/her role in the matter. An officer may not sign a financial instrument intended for the reimbursement of expenses which he/she has incurred. Should the Treasurer be the subject of a special audit or other investigation, he/she shall recuse him/herself of the duties of the position until the audit or investigation is closed.

Section 8. All documents on behalf of the Commission shall be final and binding, and may be signed only upon authorization by a majority vote of the Commission.

Article IV. Officers

Section 1. The Commission shall elect a Chairperson, a Vice-Chairperson, a Secretary, a Treasurer, and such other officers as may be necessary from among the Commissioners.

Section 2. The election shall take place at the first Commission meeting in January of each year or within 30 days following certification of the majority of the Commissioners, except as noted in Article IV, Section 10 below.

Section 3. Officers of the Commission shall be elected by a majority vote, as defined in Article VI, Section 3, of the Commissioners. In the event that there is not a simple majority on the first ballot, there shall be an election between the two candidates receiving the most votes. In the event of a tie in such a run-off vote, the winner shall be decided by a coin-toss.

Section 4. Each candidate shall be nominated by a Commissioner.

Section 5. Each nomination must be seconded by a different Commissioner.

Section 6. A Commissioner may nominate himself or herself but may not second the nomination.

Section 7. In the event that no candidate has a majority vote of all Commissioners, there shall be a run-off election between the two candidates having received the most votes.

Section 8. Voting on each office shall occur before the floor is open for nominations for another office.

Section 9. Officers shall be elected to serve one year or until their successors are elected. Terms of office shall begin at the close of the regular meeting in which the election was held.

Section 10. If in any event an Officer of the Commission fails to attend three consecutive regularly scheduled business meetings of the Commission, that member may be deemed by majority vote of the members to have resigned such position as Officer and may be censured by majority vote of the members. Any officer may be removed from office by a majority vote of the Commissioners present and voting at a Special Meeting following at least thirty days' notice, in writing by any Commissioner to all other Commissioners of the intention to seek the removal of the Officer. Upon removal, the vacancy shall be filled in accordance with the election procedures set forth in Article IV, Section 3.

Section 11. If no previous officer of the Commission has been sworn in for a new term, the ANC shall designate by majority vote a member of the seated Commission to preside over the election of new officers.

Section 12. In the event of a vacancy among the officers of the Commission, an election shall be held within 30 days to fill that vacancy. If there is no regularly scheduled Commission meeting within the 30 days, a Special Meeting may be called, except in the event of a vacancy in the office of Treasurer, whereupon a Special Meeting shall be called.

Section 13. For purposes of succession, any term of office exceeding seven months shall be considered a full term of office.

Section 14. No officer may serve more than four consecutive terms in the same office.

Section 15. The Chairperson and the Treasurer shall be bonded, and a record of such shall be filed with the D.C. Auditor, except that the Commission may elect to participate in the Advisory Neighborhood Commission Security Fund in order to obviate the requirement for bonded officers.

Section 16. The duties of the Chairperson shall be to:

- serve as the convener of the Commission and chair the Commission meetings;
- rule on procedural questions from the chair except that such rulings may be overturned by a majority vote of the Commission;
- supervise the Commission staff;
- cosign, with the treasurer, all checks drawn on Commission accounts, except as noted in Article IV, Section 17 (B);
- have the power to call Special Meetings of the Commission; and
- sign all official documents on behalf of the Commission

Section 17. The duties of the Vice-Chairperson shall be to:

- fulfill the obligations of the Chairperson in his or her absence;
- serve as cosigner of Commission checks whenever the Chairperson or Treasurer is unavailable;
- issue notices of meetings, and where necessary, other appropriate publicity;
- provide liaison between this Commission and other Commissions; and
- represent this Commission to other Commissions whenever necessary, with the limitations noted in Article III, Section 6.

Section 18. The duties of the Secretary shall be to:

- prepare the minutes for all meetings of the Commission, distribute copies of the minutes to all members of the Commission, and make electronic copies of the minutes available to residents of the Commission area as well as printed copies, upon request;
- maintain files for all Standing and Special Committees;
- prepare the minutes, reports, general correspondence of the commission, etc., with the assistance of such Commission staff as may be required;
- maintain records of all activities, including a record of notices received and Commission responses to those notices, a chronological file of ANC correspondence, and submitted quarterly financial reports;
- ensure the ability of the general public to inspect any of the documents specifically mentioned in Article IV, Section 18 (D); and
- such other duties as the Chairperson may direct.

Section 19. The duties of the Treasurer shall be to:

- develop an annual fiscal year spending plan budget within 60 days of being notified as to the actual or expected amount of the Commission's annual allotment, and present that spending plan at a regularly scheduled public meeting of the Commission to elicit comments from the residents of the Commission area prior to final adoption of the budget at the next regularly scheduled Commission meeting.
- submit to the Commission a quarterly financial report within 45 days of the close of each fiscal quarter. These reports shall be public documents and shall be available for public inspection. The quarterly report, signed by the Treasurer and the Chairperson of the Commission and attested to by the Secretary as having been approved by the Commission, shall be filed within 15 days of approval by the Commission with the District of Columbia Auditor. The minutes of the meeting shall note the reading and approval of this report.
- disburse funds pursuant to a prior Commission authorization, for every expenditure of funds by the Commission and record these expenditures in the Commission's books of accounts. Records of expenditures of such funds shall be received by the Treasurer prior to any disbursement of the funds.
- with the Chairperson, cosign all checks drawn on Commission accounts, except as noted in Article IV, Section 17 (B).
- maintain the Commission's account at a financial institution within the District of Columbia, pursuant to an adopted resolution by the Commission designating that financial institution as an authorized depository of Commission funds.
- ensure that no expenditure whatsoever is made by the Commission at any time when the ANC is in non-compliance with the District of Columbia Auditor's

regulations. No expenditure can be made by the Commission during a vacancy in the office of Treasurer; however, this does not preclude the authorization by the Commission of such funds as will be necessary for anticipated expenditures.

- **maintain the Commission accounts on a fiscal year basis, as established by the District of Columbia government.**
- **prepare, file, and pay all Federal and State tax reports on a timely basis.**

Article V. Meetings

Section 1. All meetings of the Commission at which official actions are to be taken shall be open to the public, except such meetings called specifically for personnel matters.

Section 2. No official action may be taken by the Commission unless a majority of Commissioners are present and voting.

Section 3. The Commission shall generally meet at regular intervals, not less than nine times a year, to consider business matters before the Commission which may include, but are not limited to, consideration of actions or proposed actions of the Council of the District of Columbia, the executive branch, or any independent agency, board, or commission thereof.

Section 4. Meeting places may be varied so as to be held in all geographical areas of the Commission.

Section 5. The Commission shall give notice of all meetings to each Commissioner, individuals with official business before the Commission, and residents of the Commission area no less than seven days prior to the date of such meeting. Shorter notice may be given in the case of an emergency or for other good cause.

Section 6. Notice of Commission meetings shall be provided through at least two of the following methods:

- **Publication in a city or community newspaper;**
- **Transmission or distribution to a list of residents and other stakeholders in the community, via print or e-mail;**
- **Posting in a conspicuous location on the official ANC 2A website; and**
- **Posting of a written meeting notice in at least two conspicuous locations in each Single-Member District.**

Section 7. Residents' views, both pros and cons, shall be invited before positions are taken by the Commission.

Section 8. The Commission shall establish such mechanisms as will ensure the broadest dissemination of information with respect to the Commission meetings, positions and actions. The Commission shall conduct itself in accordance with the provisions of the DC Human Rights Act.

Section 9. Special Meetings of the Commission may be called by the chairperson or by written request of at least three Commissioners. No less than three days' notice of the

meetings shall be given to each Commissioner, and notice shall be posted in accordance with Article V, Section 6 of these bylaws. The purpose of the meeting shall be stated in the notice, and no other topics shall be considered.

Section 10. Schedule of Commission meetings.

- **The regular meeting schedule of the Commission shall be established and published.**
- **However, emergency meetings for good cause are not precluded and notice shall be given as stated in Article V, Section 6, except for personnel meetings held under the authority of Article V, Section 1.**

Article VI. Voting

Section 1. Each Commissioner shall have one vote.

Section 2. No proxy or absentee voting shall be permitted. However, a Commissioner who is not present may have entered into the record a written statement pertaining to any action or resolution before the Commission. At the Commissioner's request, this statement shall be read before any vote is taken on the action or resolution.

Section 3. In these bylaws, a "majority" shall be defined as more than half of all currently seated Commissioners of the Foggy Bottom and West End Advisory Neighborhood Commission present and forming a quorum.

Section 4. In case of a tie vote, the motion being voted upon shall fail.

Section 5. The Chairperson shall determine whether new business has been raised on the floor and may direct, unless overruled by a majority of the Commissioners present and voting, that the new business: (1) be discussed and acted upon by the Commission at the current meeting; or (2) be directed to a Standing or Special Committee.

Section 6. A Commissioner may call for a "sense of the meeting" vote on the motion on the floor at any time.

Article VII. Committees

Section 1. There shall be two categories of Committees:

- **Standing Committees, those which are established as permanent bodies by a majority vote; and**
- **Special Committees, those which are established as temporary bodies by a majority vote.**

Section 2. The chairperson of each Committee shall be a duly-elected Commissioner, as authorized by a Commission vote. Members of each committee, including residential community member volunteers, shall elect a secretary and other officers as needed.

Section 3. Any resident of the Commission area shall be eligible to be appointed as a designated Committee member. Committee meetings shall be open to the public.

Section 4. Each Committee secretary shall provide the Commission Secretary with minutes and other relevant information for each of the Committee's meetings.

Section 5. Committees shall have the authority to create subcommittees as needed.

Section 6. Each Committee shall have the power and the responsibility to develop attendance requirements for the Committee and its sub-committees. The chairperson of the Committee has the responsibility to recommend to the appointing body the removal of non-complying members.

Article VIII. Parliamentary Authority

Roberts' Rules of Order Newly Revised shall govern the Commission in all cases in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt.

Article IX. General Finances

The Commission may not solicit or accept funds from a federal or District government agency or private source, except as may be specifically or previously authorized by a resolution of the District of Columbia Council provided that receipt of contributions of \$1,000 or less per fiscal year from a single contributor need not be approved by the District of Columbia Council.

Article X. Legal Status

Section 1. Should the Commission feel legal redress is required, it shall petition the Council through its Special Committee on Advisory Neighborhood Commissions or any successor Committee.

Section 2. Any Commissioner may institute a legal action as a private citizen in the courts of the District of Columbia or in the federal courts, but the Commission itself shall not have such power.

Section 3. The Commission shall have no authority to incorporate; however, no member of the Commission shall be liable for action taken as an elected representative from a Single Member District.

Article XI. Commission Staff

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

Section 2. The Commission shall establish position descriptions for its employees. The employees of the Commission may be hired on a full-time or a part-time basis and for an indefinite or for a definite term. Persons hired by the Commission shall meet the qualifications established in the job descriptions.

Article XII. Amendment of Bylaws

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

Section 2. Revision of these bylaws shall be made by a two-thirds vote of the Commissioners after readings at two regularly scheduled business meetings.

Section 3. These bylaws shall be consistent with all Congressional and District Legislation, and other applicable laws regarding ANCs and any inconsistencies are to be held null and void.

Section 4. A current copy of these bylaws and any amendments shall be available for public inspection.

Article XIII. Supremacy Clause

In cases where these bylaws conflict with the laws of the District of Columbia, the D.C. laws shall prevail.

Approved by the Commission on July 16, 2014