

**ADVISORY NEIGHBORHOOD COMMISSION 3D**

**BYLAWS**

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## ARTICLE I. COMMISSION NAME AND BOUNDARIES

### Section 1. Name.

The name of this Commission shall be Advisory Neighborhood Commission 3D hereafter referred to as the "Commission". The Commission is established pursuant to the D.C. Self-Government and Governmental Reorganization Act, and the Advisory Neighborhood Commissions Act of 1975 as amended by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000 and the ANC Omnibus Amendment Act of 2016.

### Section 2. Boundaries.

The Boundaries of ANC3D are specified in DC Law<sup>1</sup> as follows: All streets are located in the Northwest quadrant. Beginning at the southwest intersection of the State of Maryland-District of Columbia boundary and Westmoreland Circle; Southwest along the State of Maryland-District of Columbia boundary line to the Commonwealth of Virginia-District of Columbia boundary line on the Commonwealth of Virginia shore of the Potomac River; Southeast along the Commonwealth of Virginia-District of Columbia boundary line on the Commonwealth of Virginia shore of the Potomac River to its intersection with a line extending the eastern boundary of Glover Archbold Park from the north; North along said line extending the eastern boundary of Glover Archbold Park and continuing north along the eastern boundary of Glover-Archbold Park to its intersection with a line extending W Street from the west; West along said line extending W Street to its intersection with the centerline of the former Arizona Avenue right of way within Glover-Archbold Park; North along said centerline of the former Arizona Avenue right of way to its intersection with Van Ness Street; West on Van Ness Street to Nebraska Avenue; Southwest on Nebraska Avenue to its intersection with a line extending Tindall streets to the southeast; Northwest along said line extending Tindall streets to 44th Street; Southwest along 44th Street to the northeast property corner of 4412 Sedgewick Street; South along the property boundary of 4412 Sedgewick Street to its southeast corner; Northwest along the rear property boundaries of the lots fronting along the south side of Sedgewick Street to 45th Street; Southwest on 45th Street to Massachusetts Avenue; Northwest on Massachusetts Avenue to Westmoreland Circle; Clockwise around Westmoreland Circle to the point of beginning.

## ARTICLE II. DUTIES AND RESPONSIBILITIES

### Section 1. Advice to D.C. Government.

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 or service delivery including, but not limited to, decisions regarding zoning, planning, liquor licenses, streets, parks and recreation, social services programs, education, health, safety, budget,

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<sup>1</sup> July 13, 2012, D.C. Law 19-157, § 2(a).

transportation, neighborhood services, taxation, public works and sanitation which affect the Commission area.

## Section 2. D.C. Government Actions.

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, boards and commissions. The Commission may also advise each agency, board or commission before the awarding of any grant or funds to a citizen organization or group, or before the formulation of any 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.

## Section 3. Scope.

The Commission may present its views to public and private entities including, but not limited to, any federal, District or regional government agencies and may initiate its own proposals for neighborhood, District, regional, or federal government action.

## Section 4. Commission Recommendations.

The recommendations of the Commission shall be in writing and such recommendations shall be adopted and communicated in accordance with these Bylaws and all applicable laws or regulations governing Commission action.

## Section 5. Citizen Comment.

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

## Section 6. Programs.

The Commission may operate neighborhood or community enhancement campaigns. In addition, it may operate programs in conjunction with existing governmental activities, provided that such activities on behalf of the Commission do not duplicate already available programs or services and further, that the Commission's programs are not conducted on a contractual basis with existing governmental agencies.

## Section 7: Agreements with Other Parties

The Commission may enter into agreements with any single party that the Commission determines by affirmative vote is in the best interests of the Commission and is consistent with DC law. The Commission, however, must not enter into an agreement with more than one other party unless two-thirds of the current number of Commissioners affirmatively vote to approve such agreement.



Section 8. Other Functions.

The Commission may carry out any other function as shall be provided by law or regulation.

ARTICLE III. COMMISSIONERS.

Section 1. Composition of the Commission.

The Commission shall be comprised of those persons duly elected and certified by the District of Columbia Board of Elections as elected representatives of the Single Member Districts within the Commission's boundaries.

Section 2. Term of Office.

The terms of office of each Commissioner shall be as established in accordance with the laws and regulations of the District of Columbia and the Board of Elections.<sup>2</sup>

Section 3. Vacancies.

Vacancies are to be filled in accordance with the laws and regulations of the District of Columbia and the Board of Elections.<sup>3</sup>

Section 4. Compensation of Commissioners.

The Commissioners shall serve without compensation; however, appropriate expenses may be authorized by the Commission as specified in Article VIII. Section 3 of these Bylaws.

Section 5. Conflict of Interest.

Commissioners shall take due diligence to avoid actual or perceived conflicts of interest and shall at all times comply in accordance with the laws and regulations of the District of Columbia and the Board of Ethics and Governmental Accountability.<sup>4</sup> If a Commissioner is involved in civic, business, political, neighborhood or other organizations that are seeking official action from the Commission, he or she shall notify the Commission of this involvement and disclose his or her role in the matter. A Commissioner may voluntarily recuse himself or herself to avoid an actual or perceived conflict of interest, but recusal will not be required except in cases involving a direct financial interest.

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<sup>2</sup> §1-309.6(b)(1).

<sup>3</sup> § 1-309.06(d).

<sup>4</sup> § 1-1162.23.

Section 6. Commission Policy Statements and Presentation of Testimony.

The Chairperson shall serve as the representative of the Commission before any governmental or public or private body. Notwithstanding the above, the Chairperson may designate another Commissioner, or, where it is in the best interest of the Commission and with a vote of the Commission, someone who is not a Commissioner, to represent the Commission, provided however, that such delegation is limited to the specific authority, if any, stated in the Commission's authorizing resolution or a statement made by the Chairperson which must be approved by the Commission. In the event that the Chair has determined not to serve as the Commission's representative and has not expressly designated another person to represent the Commission, then, by default, the primary author of an approved resolution from the Commission shall be considered as having been designated by the Chairperson to be an authorized representative of the Commission. The Chairperson or the Commission's authorized representative may participate procedurally or substantively in any case or proceeding provided such participation is in accordance with the Commission's stated position. Individual Commissioners shall not make public policy statements for the Commission or assume obligations for the Commission. Any individual Commissioner may communicate his or her views on any issue within the scope of his or her jurisdiction to any government entity; provided, however, that unless such communication has been approved by the Commission as an official action in accordance with these Bylaws, such Commissioner shall indicate in such communication that he or she is speaking as an individual Commissioner, and not for the Commission itself. Commissioners filing minority reports shall specify which commissioners support such minority report. Commissioners speaking on their own behalf shall confine their remarks to the substance of the matter and shall not disparage the Commission, its actions, or any individual Commissioner. Commission stationery shall be used only for the approved business of the Commission. Single member district commissioners may use stationery specific to their individual single member district.

Section 7. Access to Resources.

Each Commissioner shall have at all times equal access to the resources of the Commission, including, but not limited to, the reasonable use of Commission Staff for Commission related purposes, documents of the Commission, the Commission office (if any), and supplies.

ARTICLE IV. OFFICERS

Section 1. Election of Officers.

The Commission shall elect a Chairperson, Vice-Chairperson, Treasurer and Secretary, and such other officers as may be necessary from among the Commissioners. The election of officers shall take place at the first Commission meeting in January of each year, except that, if the certification of a majority of the members of the Commission by the District of Columbia Board of Elections and Ethics has not occurred by the first Commission meeting in January, then the election shall be held at a meeting not later than 30 days following such certification.

Section 2. Term of Office.

The term of office of Officers shall be in accordance with the laws and regulations of the District of Columbia.<sup>5</sup> Officers shall be elected to serve for a term of 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. 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. Notwithstanding the above, no Officer may serve more than two consecutive terms nor more than four total (cumulative) terms in the same office. Any term of office exceeding seven months shall be considered a full term.

Section 3. Nominations.

Each candidate shall be nominated by a Commissioner and must be seconded by another Commissioner. A Commissioner may nominate himself or herself but may not second the nomination.

Section 4. Voting.

Officers of the Commission shall be elected by a simple majority of those Commission members present and voting. In the event that no candidate has a simple majority, there shall be a run-off election between the two candidates having received the most votes. In the event of a tie in such a run-off vote, additional ballots shall be cast in order to attempt to break the tie. If after five (5) tries, the balloting for an officer continues to result in a tie-vote, the candidates who tied shall share the term of the office equally, casting lots to determine the order of their tenure. Voting on each office shall occur before the floor is open for nominations for another office.

Section 5. Vacancies.

In the event of a vacancy among the officers of the Commission, an election shall be held at the next regularly scheduled meeting of the Commission to fill that vacancy. If there is a vacancy in the office of Treasurer, the Commission shall elect a new Treasurer no later than the next regular meeting.

Section 6. Removal.

Removal of any officer shall be undertaken at a special Commission meeting, which shall be called if at least one-half of the elected Commissioners request in writing that the Chairperson take such action. After the request is made, the Chairperson shall schedule the meeting to take place within 30 days of receipt of the request. Notice shall be given to the public in accordance with DC law.<sup>6</sup> The Chairperson shall preside over the meeting unless the vote will affect the Chairperson's own position in which case the Vice-Chairperson shall act as the presiding officer. Provided a quorum is present at the special Commission meeting, the vote of a majority of the

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<sup>5</sup> § 1-309.11(e)(1).

<sup>6</sup> § 1-309.11(e)(2).

Commissioners present shall remove the officer from his or her office. Upon removal, the vacancy shall be filled in accordance with the election procedures set forth in these Bylaws.

Section 7. Duties of Chairperson.

A. Convener.

The Chairperson shall serve as the convener of the Commission and shall chair the Commission meetings. In addition, the Chairperson shall have the power to call additional regular, emergency, and special meetings of the Commission in accordance with the specific provisions for such meetings as set forth in these Bylaws.

B. Ruling on Procedural Matters.

The Chairperson may rule on motions and procedural questions. Such rulings may be overturned by a majority vote of the Commission.

C. Supervision of the ANC Administrator, Contractors, or Staff.

The Chairperson shall be responsible for the supervision of any individuals or entities engaged by the Commission including Commission staff or independent contractors. The Chairperson may delegate any such responsibilities in whole or in part to other Commission officers.

D. Spokesperson.

Except as otherwise provided herein and in accordance with the provisions of Article 3, Section 6, the Chairperson shall be the spokesperson of the Commission. He or she may delegate this duty to another Commissioner.

E. Cosigner of Checks.

Whenever the Chairperson or Treasurer is unavailable, any other officer may serve as cosigner of Commission checks. All Commission checks shall include the words "District of Columbia" on the face of the check and shall have a note describing the purpose of the payment.

F. Issuance of Notices of Meetings.

The Chairperson may ask another officer to be responsible for the issuance of notices of meetings, and where necessary, other appropriate publicity.

G. Inter-Commission Liaison.

The Chairperson may ask another officer to be responsible for liaison between this Commission and other Commissions.

Section 8. Duties of the Vice-Chairperson.

A. Substitute for Chairperson.

The Vice-Chairperson shall fulfill the obligations of the Chairperson in his or her absence or upon request of the Chairperson or as otherwise specified by the Bylaws. The Vice-Chairperson shall provide such assistance to the Chairperson as is requested and shall perform such duties as may be delegated by the Chairperson.

Section 9. Duties of the Treasurer.

A. Financial Management and Records.

The Treasurer shall be responsible for the fiscal management of the Commission and for preparing and maintaining the financial records of the Commission, including, but not limited to, the annual budget and quarterly financial report as set forth in Article VIII below. The Treasurer shall serve as the Commission's contact with the Auditor of the District of Columbia or other District officials on financial matters.

B. Bonding of Treasurer.

The Treasurer shall be bonded in accordance with District of Columbia laws and regulations or, in the alternative, the Commission may participate in the Advisory Neighborhood Commission Security Fund.

C. Cosigning Checks.

The Treasurer shall, with the Chairperson, cosign all checks drawn on Commission accounts.

D. Maintenance of Commission Accounts.

The Treasurer shall maintain the Commission accounts on a fiscal year basis, as established by the District of Columbia government.

E. Compliance with DC Regulations.

The Treasurer shall comply with DC law.

F. Authority in Absence of Chairperson and Vice-Chairperson.

The Treasurer shall fulfill the obligations of the Chairperson and the Vice-Chairperson if both the Chairperson and Vice-Chairperson are absent.

G. Maximum Consecutive Terms.

The Treasurer shall not serve more than two consecutive terms.

Section 10. Duties of the Secretary.

A. Preparation of the Minutes.

The Secretary shall be responsible for the preparation of the minutes for all meetings of the Commission, for the distribution of copies of minutes to all members of the Commission and for making copies of the minutes available to residents of the Commission area. In the preparing of minutes, reports, and other official documents, the Secretary shall have the assistance of any Commission administrator as may be required. The Secretary (or the Commission staff under the Secretary's direction) shall bring a copy of the minutes' book of the Commission to each meeting and shall, at the request of the Chairperson, inform the Commission of its prior actions.

B. General Correspondence.

The Secretary shall be responsible for the general correspondence of the Commission and shall be responsible for maintaining records of all activities, including recordings and a record of notices. The Secretary shall perform such other duties as the Chairperson may direct. These duties may be delegated to a staff person under the Secretary's direction.

C. Central Repository.

The Secretary shall oversee the central repository of the minutes, recordings, and other records of the Commission, which shall be maintained in accordance with the laws and regulations of the District of Columbia.<sup>7</sup> All meeting agendas, minutes, and written recommendations for other government entities shall be electronically transmitted to the Office of Advisory Neighborhood Commissions upon their completion.

D. Reports.

The Secretary of the Commission, or a member of the Commission appointed by the Chairperson, shall compile an annual report or newsletter in accordance with DC law for review, and approval by the Commission.<sup>8</sup> This report shall be published on the Commission's website.

ARTICLE V. MEETINGS

Section 1. Public Meeting Requirement.

All meetings of the Commission at which official action of any kind is taken shall be in accordance with the open meeting laws and regulations of the District of Columbia.<sup>9</sup>

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<sup>7</sup> § 1-309.13(e).

<sup>8</sup> § 1-309.10(n-1).

<sup>9</sup> §1-309.11(g); §1-207.42.

## Section 2. Quorum.

No official action may be taken by the Commission unless a quorum shall be present. A quorum shall be a majority of the current Commission members, provided that a majority of the Single Member Districts within the Commission area has Commissioners.

## Section 3. Types of Meetings.

### A. Regular Meetings.

Regular meetings shall be held in accordance with the laws and regulations of the District of Columbia.

### B. Additional Regular Meetings and Emergency Meetings.

1. Additional regular meetings and emergency meetings of the Commission shall be noticed in accordance with D.C. Code Section 1-309.11(c).<sup>10</sup>

2. Additional regular meetings and emergency meetings of the Commission shall be called, noticed, and convened by the Chairperson upon the occurrence of any one of the following: (a) by majority vote of the Commissioners present during a duly convened Commission meeting with a quorum present; (b) by written request to the Chairperson made by a majority of the Commissioners then in office; or (c) by action of the Chairperson, provided however, that any such meeting called by the Chairperson under this subsection shall be cancelled if a majority of the Commissioners then in office objects to such meeting in writing (including, without limitation, by email) to the Chairperson within 3 days of receiving notice of such additional regular or emergency meeting. No additional regular meeting shall be convened with less than 3 days' notice.

3. No matter may be considered at any additional or emergency meeting except as stated in the agenda that must accompany any request and notification.

### C. Town Meetings.

The Commission may periodically host "town hall" or community meetings to address particular issues or concerns.

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<sup>10</sup> These additional regular or emergency meetings of the Commission shall be a substitute for what is formally considered a Special Meeting under the ANC law.

#### D. Joint Meetings.

The Commission may hold joint meetings in accordance with DC law.<sup>11</sup>

#### Section 4. Hearing of Resident Views.

In accordance with DC laws<sup>12</sup>, 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 on problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area. The Commission shall take action on residents' recommendations as deemed appropriate.

By a majority vote, the Commission may appoint a person to represent a SMD constituency that does not otherwise have representation in meetings of the Commission. Such delegate may serve for 1 year and be reappointed by the Commission. The delegate shall have the right to be recognized by the Chair to participate in discussions as a member of the public or as a witness invited by the ANC to speak but shall not have the right to offer motions, participate in debate, or vote, and shall not count towards the quorum.

#### Section 5. Meeting Places.

Meetings shall be held at such places as may be determined by the Commission.

#### Section 6. Public Notice of Meetings.

All meetings and notices thereof shall be in accordance with applicable DC laws.<sup>13</sup>

#### Section 7. Incorporation of Resident Views.

Community views shall be considered in positions taken by the commission.

#### Section 8. Dissemination of Information.

In accordance with DC law<sup>14</sup>, the following categories of information shall specifically be made available to the public by posting such information on the Commission website:

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<sup>11</sup> § 1-309.12 (a)

<sup>12</sup> § 1-309.11(b)(3).

<sup>13</sup> § 1-309.11(g); §1-207.42; §1-309.11(c).

<sup>14</sup> § 1-309.11(g).



- A. The names, salaries, title, 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 by 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.

In addition to the above, the Commission shall establish mechanisms, such as posting on its website, as will ensure broad dissemination of information with respect to the Commission meetings, positions and actions.

#### Section 9. Commission Actions.

Commission actions, except for amending these Bylaws, shall be approved by a majority of those Commission members present and voting. In the case of a tie vote, the motion for Commission action shall fail.

#### Section 11. Decorum of Members.

Commission members shall not disparage other Commissioner or the Commission itself either in public, or in any communications subject to the District of Columbia Freedom of Information Act. When speaking or debating before the Commission or before any public body, members shall confine their remarks to the issue at hand or questions under discussion or debate, avoiding negative personal comments.

#### Section 12. Records.

The Commission shall maintain a recording of all Commission meetings, with the exception of committee meetings. A copy of the recording shall be posted on the Commission's website, and made available to the public upon request. Each committee of the Commission shall maintain minutes of all committee meetings, including the attendance of its members. Such committee records shall be forwarded to the Commission Secretary (or to Commission staff under the Secretary's direction) and shall be available for public inspection.

### ARTICLE VI. VOTING

#### Section 1. Commissioner's Vote.

Each Commissioner shall have one vote.

## Section 2. Form of Vote.

A Commissioner who states during a vote that he or she is either “present” or abstains from a vote because of a conflict of interest or for any other reason may, upon request to the Chair, have the reason for such non-vote recorded in the minutes.

## Section 3. Proxy Voting.

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 4. Unanimous Consent.

The Commission may act by unanimous consent.

## Section 5. Demand for Roll Call Vote.

Any member, in advance of a vote or promptly thereafter, may demand a roll call vote.

## Section 6. Tie Vote.

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

## Section 7. Voting Requirements.

Except as otherwise provided by law or by these Bylaws, official actions shall be approved by a simple majority of those Commissioners present and voting, provided a quorum shall be present.

## Section 8. New Business.

The Chairperson shall determine whether new business which is raised on the floor and which requires a vote shall be voted upon immediately, deferred to a time certain or directed to a committee. However, upon a motion carried by a majority vote of the Commission, new business shall be permitted to be discussed and voted upon at the current meeting.

## Section 9. Meeting Agenda.

In accordance with DC law<sup>15</sup>, the meeting agenda must be approved or modified at the beginning of any regular, additional or emergency meeting.

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<sup>15</sup> § 1-309.11(c-1)(2).

## ARTICLE VII. COMMITTEES

### Section 1. Establishment of Committees.

The Commission may establish Committees upon the action of a majority of the Commissioners present and voting. The Commission may create standing and special committees. Standing committees are those created permanently; special committees are those created temporarily by the Commission. Each Commissioner shall be an *ex-officio* member of each committee, with the right to participate and vote in its deliberations. Any permanent committee established pursuant to this section may be dissolved only by a two-thirds vote of the Commissioners present and voting.

### Section 2. Committee Mission and Procedures.

The Commission shall charge a Committee with its mission, including its reporting requirements. The Chairperson shall ensure that items requiring committee action are referred to the appropriate committee(s) on receipt. Each Committee shall establish the procedure which, in its opinion, will facilitate its achieving its mission. Committees may not speak for the Commission.

### Section 3. Chairperson.

In accordance with DC laws<sup>16</sup>, the chair of each Commission committee or task force shall be open to any resident of the Commission area, provided, however, that the Chairperson shall generally be a Commissioner. The Chairperson of each such committee or task force shall be appointed by the Commission.

### Section 4: Public Notice.

In accordance with DC laws,<sup>17</sup> public notice shall be given for all committee meetings.

### Section 5: Committee Recommendations.

When recommendations are received from a committee, the Commission shall promptly schedule a review of such recommendations and take appropriate action.

## ARTICLE VIII. FINANCIAL MANAGEMENT

### Section 1. Annual Budget.

Within a month from the date that the Commission is informed of its annual appropriation, the Treasurer (or Commission staff under the Treasurer's direction) shall prepare an annual fiscal year budget for Commission consideration that outlines planned revenues and expenditures for

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<sup>16</sup> § 1-309.11(f).

<sup>17</sup> § 1-309.11(d)(1)(D); § 1-309.11(g); § 1-207.42; § 1-309.11(c)

the fiscal year. Prior to the adoption of the budget, the Commission shall present the budget at a public meeting of the Commission to elicit comments from the residents of the Commission area. The Commission may amend the budget by simple majority at any time during the fiscal year.

#### Section 2. Quarterly Financial Report.

The Treasurer (or Commission staff under the Treasurer's direction) shall submit to the Commission a quarterly financial report within 30 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 seven days of approval by the Commission with the Office of Advisory Neighborhood Commissions. The minutes of the meeting shall note the reading and approval of this report.

#### Section 3. Authorization of Commission Expenditures.

No expenditure of any amount may be made without authorization by the Commission. Each expenditure over \$50.00 must be specifically approved by the Commission, except that recurring expenditures, such as for rent, telephone, employment, and professional services may be approved as general budget items. Amounts of less than \$50.00 may be expended by general authorization, provided that records of general authorization expenditures must be transmitted to the Treasurer prior to any reimbursement for such funds.

#### Section 4. Authorized Signatures.

The signature of two officers, as provided in Article IV, shall be required on all drafts, money orders and expenditures of the Commission.

#### Section 5. Depositories.

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

#### Section 6. Treasurer Vacancy.

No expenditure whatsoever shall be made by the Commission during a vacancy in the Office of the Treasurer, or at any time when a current and accurate budget and a bond or its equivalent is not on file with the District of Columbia Auditor.

#### Section 7. Solicitation or Acceptance of Funds.

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 the Council of the District of Columbia provided that receipt of contributions of \$400 or less from a single contributor need not be approved by the District of Columbia.

Section 8. Pooling Funds with other ANCs.

The Commission may pool its funds with other ANCs in accordance with agreements adopted by the Commission.

Section 9. Grant Guidelines.

The Commission may issue guidelines for the awarding of grants. All provisions of these guidelines and any grants awarded under the guidelines must conform to DC Law.<sup>18</sup>

ARTICLE IX. PARLIAMENTARY AUTHORITY

The most recent edition of Robert's Rules of Order 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 X. LEGAL STATUS

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. Any Commissioner may initiate 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.

ARTICLE XI. COMMISSION STAFF

Section 1. Hiring.

All employees, contractors, and consultants of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission. All such hires shall serve at the pleasure of the Commission.

Section 2. Position Requirements and Eligibility.

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

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<sup>18</sup> § 1-309.13(m).

ARTICLE XII. ENFORCEMENT OF BYLAWS

Should any Commissioner believe that any provision of the Commission Bylaws have been violated either in letter or spirit, then such Commissioner may either raise a point of order at any Commission meeting or pursuant to Article V, Section 3(B). An additional regular or emergency meeting may be called in accordance with the procedures for calling such meeting for the purpose of determining whether such Bylaws have been violated and taking appropriate corrective action.

ARTICLE XII. AMENDMENT OF BYLAWS

Section 1. Copy of Bylaws to Council.

In accordance with DC laws<sup>19</sup>, an up-to-date copy of the Commission’s Bylaws and all amendments thereto shall be filed with the Council and the Office of Advisory Neighborhood Commissions within 30 days of any amendment to the Bylaws.

Section 2. Revision of Bylaws.

At least 30 days’ notice, to each Commissioner and the public, shall be given prior to Commission consideration of any revision of these Bylaws. The notice shall include the suggested revision(s). Readings at two regularly scheduled business meetings shall be deemed adequate notice under this Section, including a meeting where such vote may be taken. A two-thirds majority of the Commissioners present and "voting yea or nay" is required for such revisions to be approved.

Section 3. Bylaws Consistent with Laws and Regulations.

These Bylaws shall be consistent with any and all applicable federal, state and local laws and regulations, including laws of the District of Columbia pertaining to Advisory Neighborhood Commissions, and any inconsistencies shall be held null and void.

Section 4. Public Access to Bylaws.

A current copy of these Bylaws and any amendments shall be available for public inspection and shall be posted on the Commission’s website.

Adopted – February 6, 2019

Attested to:

Amended September 2, 2020

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Chuck Elkins, Chair

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<sup>19</sup> § 1-309.11(d)(3).

## Informational Addendum to ANC3D's Bylaws

*This unofficial Addendum to the ANC3D's bylaws is provided for informational purposes only and does not constitute a part of the adopted bylaws. The Addendum provides the current statutory language referenced in footnotes to the bylaws as of October 28, 2018.*

### **Footnote 2 (Page 3): Section 2. Term of Office.**

#### **Bylaws:**

The terms of office of each Commissioner shall be as established in accordance with the laws and regulations of the District of Columbia and the Board of Elections.

**Statute:** §1-309.6 (b) (1)

(b)(1) Each member of an Advisory Neighborhood Commission shall serve for a term of 2 years which shall begin at noon on the 2nd day of January next following the date of election of such member, or at noon on the day after the date the Board certifies the election of such member, whichever is later.

### **Footnote 3 (Page 3): Section 3. Vacancies.**

#### **Bylaws:**

Vacancies are to be filled in accordance with the laws and regulations of the District of Columbia and the Board of Elections

**Statute:** § 1-309.06 (d)

(d)(1) Whenever a vacancy exists in the office of a Commissioner, and the vacancy does not occur within the 6-month period prior to a general election, the vacancy shall be filled pursuant to paragraph (6) of this subsection. No vacancy shall be filled if it occurs within the 6-month period prior to a general election.

(2) For purposes of this section, a vacancy is deemed to exist upon the publication of a notice of the vacancy in the District of Columbia Register.

(3) Within 90 days of the date that the Board declares a vacancy, the members of the Advisory Neighborhood Commission where the vacancy exists shall fill the vacancy pursuant to paragraph (6) of this subsection.

(4) Each person appointed or elected to fill a vacancy shall meet the qualifications set forth in § 1-309.05(a).

(5) Each person appointed or elected to fill a vacancy shall serve until a successor has been certified and sworn in pursuant to subsection (b) of this section.

(6)(A) Within 5 days (excluding Saturdays, Sundays, and legal holidays) after the date that the Board declares a vacancy, the Board shall make available petitions for the purpose of obtaining the signatures of registered qualified electors within the affected single-member district.

(B) If petitions are not obtained by any registered qualified elector within the affected single-member district within 14 working days after the petitions have been made available, the Board shall recertify the vacancy by republishing the notice required by paragraph (2) of this subsection.

(C) Within 21 days of the date that the Board makes the petitions available, persons interested in filling the vacancy shall submit a petition to the Board that contains the signatures of at least 25 registered qualified electors within the affected single-member district. The Board, after a 5-working-day challenge period, shall transmit a list of the names of persons who qualify for membership on the affected Advisory Neighborhood Commission.

(D) If there is only one person qualified to fill the vacancy within the affected single-member district, the vacancy shall be deemed filled by the qualified person and the Board shall certify the filling of the vacancy by publication in the District of Columbia Register.

(E) If the Board transmits a list of qualified candidates containing more than one name, the affected Advisory Neighborhood Commission shall give notice at a public meeting that at the next regularly scheduled or special meeting there shall be an open vote of the qualified registered electors of the affected single-member district to elect a Commissioner. All registered qualified electors shall display their voter identification card or, alternatively, be listed as a voter in the affected single-member district on the voter registration list provided by the Board. The ballots shall be counted by at least 2 impartial vote counters. The results shall be read aloud by the Chairperson of the Advisory Neighborhood Commission, or alternatively, by such Commissioners as the Chairperson shall designate. In the event that the Chairperson is vacant, the results shall be read aloud by the Commissioner presiding over the meeting.

(F) After a vacancy has been filled pursuant to this subsection, the affected Advisory Neighborhood Commission shall transmit to the Board a resolution signed by 2 officers of the Advisory Neighborhood Commission that states the winner of the Advisory Neighborhood Commission single-member district election and requests that the Board declare the vacancy filled. The resolution shall also be sent to the following:

(i) The Council;

(ii) The Mayor; and

(iii) The person appointed or elected by the Commission.



(G) The Board shall certify the filling of the vacancy by publication in the District of Columbia Register.

(e) Any member of an Advisory Neighborhood Commission who ceases to reside in the single-member district from which he or she is elected shall be considered to have resigned, and the office shall be declared vacant.

(f)(1) Any member of an Advisory Neighborhood Commission who resigns from the single-member district from which he or she is elected shall submit a letter of resignation to the Board of Elections and a copy of the letter to the Council, the Mayor, the Office of Advisory Neighborhood Commissions, the Chairperson of the member's Advisory Neighborhood Commission, and the Vice Chairperson of the member's Advisory Neighborhood Commission. The Board of Elections shall then declare the vacancy.

(2) When a vacancy occurs in an Advisory Neighborhood Commission and no letter of resignation is submitted as required by paragraph (1) of this subsection, the respective Advisory Neighborhood Commission shall petition the Board, by a resolution signed by the Chairperson and the secretary of the Advisory Neighborhood Commission, to declare the vacancy. The resolution shall be considered by the Advisory Neighborhood Commission at a special Advisory Neighborhood Commission meeting called for the purpose of considering the vacancy. Prior to the special Advisory Neighborhood Commission meeting, the Advisory Neighborhood 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 requested, to the Commissioner no later than 15 days prior to the meeting, and shall provide that the Commissioner shall have an opportunity to rebut the alleged vacancy. The resolution, accompanied by minutes of the meeting at which the resolution was adopted and a list of those attending the meeting, shall be sent to:

(A) The Board of Elections;

(B) The Council;

(C) The Mayor; and

(D) The Commissioner, whenever the vacancy is due to removal or failure to continue the qualifications for office under § 1-309.05.

(3)(A) Any qualified elector may, within a 10-day period, challenge the validity of the resolution filed under paragraph (2) of this subsection, by a written statement duly signed by the challenger, filed with the District of Columbia Board of Elections and specifying concisely the alleged defects in said resolution. A copy of the challenged statement shall be sent by the District of Columbia Board of Elections to the Chairperson of the petitioning Advisory Neighborhood Commission.

(B) The District of Columbia Board of Elections shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged

resolution not more than 30 days after the challenge has been filed. Within 3 days after the announcement of the determination of the District of Columbia Board of Elections with respect to the validity of the resolution, either the challenger or the affected single-member district commissioner may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination.

(C) The District of Columbia Court of Appeals shall expedite consideration of the determination. The decision of such Court shall be final and not appealable.

(D) If the resolution is found to be valid, then the District of Columbia Board of Elections shall declare the vacancy.

(4) Any member of an Advisory Neighborhood Commission may resign prospectively by submitting an irrevocable letter of prospective resignation to the Board, with copies to the Council of the District of Columbia, the Mayor, and the Chairperson of the member's Advisory Neighborhood Commission. The letter shall be sworn, state that it is irrevocable, and give the date that the resignation shall become effective. The resignation shall become effective not more than 60 days following receipt of the letter by the Board. Upon receipt of such letter the Board shall declare the prospective vacancy and proceed to fill it as provided in subsection (d) of this section.

(5) The Board shall have the authority to declare and certify a vacancy on its own initiative, without regard to paragraphs (1) or (2) of this subsection, when:

(A) The office of a Commissioner remains vacant after a general or special election; or

(B) The Board determines, through its established procedures for the maintenance of the voter registration roll, that a Commissioner is no longer a registered qualified elector actually residing in the single-member district from which the Commissioner was elected.

**Footnote 4 (Page 3): Section 5. Conflict of Interest.**

**Bylaws:**

Commissioners shall take due diligence to avoid actual or perceived conflicts of interest and shall at all times comply in accordance with the laws and regulations of the District of Columbia and the Board of Ethics and Governmental Accountability.

**Statute:** § 1-1162.23

(a) No employee 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, claim, controversy, charge, accusation, arrest, or other particular matter, or attempt to influence the

outcome of a particular matter, in a manner that the employee knows is likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee.

(b) An employee other than an elected official may seek a waiver, and the prohibition in subsection (a) of this section shall not apply, if the employee:

(1) Advises the employee's supervisor and the Board of the nature and circumstances of the particular matter;

(2) Makes full disclosure of the financial interest; and

(3) Receives in advance a written determination made by both the supervisor and the Board that:

(A) The interest is not so substantial as to be deemed likely to affect the integrity of the services that the government may expect from the employee; or

(B) Another legally cognizable basis for waiver exists.

(c)(1) Any elected official who, in the discharge of the elected official's official duties, would be required to act in any matter prohibited under subsection (a) of this section shall make full disclosure of the financial interest, prepare a written statement describing the matter and the nature of the potential conflict of interest, and deliver the statement to:

(A) In the case of a member of the Council, the Council Chairman; or

(B) In the case of an elected official other than a member of the Council, the Board.

(2) Any employee other than an elected official who, in the discharge of the employee's official duties, would be required to act in any matter prohibited under subsection (a) of this section shall:

(A) Make full disclosure of the financial interest:

(B) Prepare a written statement describing the matter and the nature of the potential conflict of interest; and

(C) Deliver the statement to the employee's supervisor and to the Board.

(3) During a proceeding in which an elected official would be required to take action in any matter that is prohibited under subsection (a) of this section, the Chairman shall:

(A) Read the statement provided in paragraph (1) of this subsection into the record of proceedings; and

(B) Excuse the elected official from votes, deliberations, and other actions on the matter.

(4) No Councilmember excused from votes, deliberations, or other actions on a matter shall in any way participate in or attempt to influence the outcome of the particular matter, in a manner that is likely to have a direct and predictable effect on the employee's financial interests or the financial interests of a person closely affiliated with the employee.

(5) Upon receipt of the statement provided in paragraph (2) of this subsection, the employee's supervisor shall assign the matter to another employee who does not have a potential conflict of interest.

(d)(1) An employee shall not receive any compensation, salary, or contribution to salary, gratuity, or any other thing of value from a source other than the District government for the employee's performance of official duties.

(2) No employee or member of the employee's household may knowingly acquire:

(A) Stocks, bonds, commodities, real estate, or other property, whether held individually or jointly, the acquisition of which could unduly influence or give the appearance of unduly influencing the employee in the conduct of his or her official duties and responsibilities; or

(B) An interest in a business or commercial enterprise that is related directly to the employee's official duties, or which might otherwise be involved in an official action taken or recommended by the employee, or which is related to matters over which the employee could wield any influence, official or otherwise.

**Footnote 5 (Page 5): Section 2. Term of Office.**

**Bylaws:**

The term of office of Officers shall be in accordance with the laws and regulations of the District of Columbia.

**Statute:** § 1-309.11 (e)(1)

(e)(1) Each Commission shall elect from among its members at a public meeting of the Commission held in January of each year, a Chairperson, Vice-Chairperson, Secretary, and Treasurer. Each Commission may also elect any other officers that the Commission deems necessary. For each Commission officer election, the Commission shall nominate a non-Commissioner to count ballots for officer positions.

**Footnote 6 (Page 5): Section 6. Removal.**

**Bylaws:**

Removal of any officer shall be undertaken at a special Commission meeting, which shall be called if at least one-half of the elected Commissioners request in writing that the Chairperson take such action. After the request is made, the Chairperson shall schedule the meeting to take place within 30 days of receipt of the request. Notice to the public shall be given to the public in accordance with DC law.

**Statute: § 1-309.11 e (2)**

(2)(A) 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 Chairperson take such action. After the request is made, the Chairperson shall schedule the meeting to take place within 30 days of receipt of the request.

(C) The Chairperson shall preside over the meeting unless the vote will affect the Chairperson's own position. In that case, the vice chairperson shall act as the presiding officer.

(D) Provided a quorum is present at the special Commission meeting called pursuant to subparagraph (B) of this paragraph, the vote of a majority of the Commissioners shall remove the officer from his or her office.

**Footnote 7 (Page 8): C. Central Depository.**

**Bylaws:**

The Secretary shall oversee the central repository of the minutes, recordings, and other records of the Commission, which shall be maintained in accordance with the laws and regulations of the District of Columbia.

**Statute: § 1-309.13 (e)**

(e) Each Commission shall, by resolution, designate the location at which the Commission's books and records shall be maintained which shall, if the Commission has a regular office, be the Commission office. The Auditor shall have access to the books and records of each Commission pursuant to § 1-204.55(c), and may issue subpoenas to banking and financial institutions requiring the production of financial documents and statements pursuant to an audit conducted under this part. Such financial documents shall include, but not be limited to, bank statements, canceled checks, and signature cards. The Auditor may apply to the Superior Court of the District of Columbia for an order enforcing the subpoena. Any failure to obey the order of the court may be punished by the Superior Court as civil contempt.

**Footnote 8 (Page 8): D. Reports.**

**Bylaws:**

The Secretary of the Commission, or a member of the Commission appointed by the Chairperson, shall compile an annual report or newsletter in accordance with DC law for review, and approval by the Commission.

**Statute: § 1-309.10 (n-1)**

(n-1) By December 1 of each year, each Commission shall publish an annual report or newsletter that summarizes the activities of the Commission in service to the community over the preceding 12 months, including a highlighting of key issues voted upon, comments submitted to District agencies, and issuance of community grants.

**Footnote 9 (Page 8): Section 1. Public Meeting Requirement.**

**Bylaws:**

All meetings of the Commission at which official action of any kind is taken shall be in accordance with the open meeting laws and regulations of the District of Columbia.

**Statute: §1-309.11 (g)**

(g) Each Commission, including each committee of a Commission, shall be subject to the open meetings provisions of § 1-207.42. No meeting may be closed to the public unless personnel or legal matters are discussed.

**Statute: §1-309.11 (c)**

(c) Each Commission shall give notice of all meetings or convocations to each Commissioner and residents of the Commission area no less than 7 days prior to the date of such meeting. Shorter notice may be given in the case of an emergency for other good cause articulated in the notice. Notice of regular and emergency meetings must include, but is not limited to, at least 2 of the following:

(c)(1) Posting written notices in at least 4 conspicuous places in each single-member district within the Commission area;

(c)(2) Publication in a city or community newspaper;

(c)(3) Transmitting or distributing notice to a list of residents and other stakeholders in the community; and

(c)(4) In any other manner approved by the Commission.

(c-1)(1) No fewer than 7 calendar days before any regular monthly public Commission meeting, the Commission shall:

(c-1)(1)(A) Publish a draft agenda for the meeting via each website the Commission maintains; and

(c-1)(1)(B) Transmit the draft agenda electronically to the OANC.

(c-1)(2) The Commission shall retain the right to modify the draft agenda for a public meeting as necessary following publication of the draft agenda; provided, that the Commission shall only discuss or take official action upon an item added to a draft agenda after initial publication pursuant to this subsection upon official approval of the addition of the item to the agenda by the Commission.

(c-2) Any individual or entity whose property or business may be the subject of discussion or official action by a Commission may notify the Commission in writing that the individual or entity wishes to be directly contacted upon the placement of the property or business on a published draft agenda, and of the preferred method of contact. Any Commission so notified shall make a good-faith attempt to contact the notifying individual or entity in a timely manner, using the preferred method of contact specified, upon adding to a published draft agenda any matter directly pertaining to the property or business of the individual or entity.

**Statute:** §1-207.42

a) All meetings (including hearings) of any department, agency, board, or commission of the District government, including meetings of the Council of the District of Columbia, at which official action of any kind is taken shall be open to the public. No resolution, rule, act, regulation, or other official action shall be effective unless taken, made, or enacted at such meeting.

(b) A written transcript or a transcription shall be kept for all such meetings and shall be made available to the public during normal business hours of the District government.



Copies of such written transcripts or copies of such transcriptions shall be available, upon request, to the public at reasonable cost.

**Footnote 10 (Page 9): B. Additional Regular Meetings and Emergency Meetings.**

**Bylaws:**

B.1. Additional regular meetings and emergency meetings of the Commission shall be noticed in accordance with D.C. Code Section 1-309.11(c).

**Statute: §1-309.11(c)**

(c) Each Commission shall give notice of all meetings or convocations to each Commissioner and residents of the Commission area no less than 7 days prior to the date of such meeting. Shorter notice may be given in the case of an emergency or for other good cause articulated in the notice. Notice of regular and emergency meetings must include, but is not limited to, at least 2 of the following:

- (1) Posting written notices in at least 4 conspicuous places in each single-member district within the Commission area;
- (2) Publication in a city or community newspaper;
- (3) Transmitting or distributing notice to a list of residents and other stakeholders in the community; and
- (4) In any other manner approved by the Commission.

(c-1)(1) No fewer than 7 calendar days before any regular monthly public Commission meeting, the Commission shall:

- (A) Publish a draft agenda for the meeting via each website the Commission maintains; and
- (B) Transmit the draft agenda electronically to the OANC.

(2) The Commission shall retain the right to modify the draft agenda for a public meeting as necessary following publication of the draft agenda; provided, that the Commission shall only discuss or take official action upon an item added to a draft agenda after

initial publication pursuant to this subsection upon official approval of the addition of the item to the agenda by the Commission.

**Footnote 11 (Page 10): Section 10. Joint Meetings.**

**Bylaws:**

The Commission may hold joint meetings in accordance with DC law.

**Statute: §1-309.12 (a)**

(a) Commissions may meet jointly either formally or informally to deal more effectively with or respond to common issues and concerns. A Commissioner of an individual Commission may represent and participate in a formal joint meeting only after the

individual Commission has authorized the participation of the Commission in the joint meeting. For any official action taken in a formal joint meeting, the Commission shall specify in a resolution the scope of any individual Commissioner's participation. Action

taken by individual Commissioners in an informal joint meeting shall follow the general direction of the Commission.

**Footnote 12 (Page 10): Section 4. Hearing of Resident Views.**

**Bylaws:**

In accordance with DC laws, 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 on problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area.

**Statute:** §1-309.11(b)(3)

(3) Each Commission shall set aside a portion of each public meeting to hear the views of residents within the Commission area and other affected persons on 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. Each Commission shall establish mechanisms to ensure the broadest dissemination of information with respect to Commission meetings, positions, and actions.

**Footnote 13 (Page 10): Section 6. Public Notice of Meetings.**

**Bylaws:**

All meetings and notices thereof shall be in accordance with applicable DC laws.

**Statute:** See statutory provisions under Footnote 9 (Public Meeting Requirement) and Footnote 10 (Additional Regular Meetings and Emergency Meetings) above.

**Footnote 14 (Page 10): Section 8. Dissemination of Information**

**Bylaws:**

In accordance with DC law, the following categories of information shall specifically be made available to the public by posting such information on the Commission website:

[List]

**Statute:** §1-309.11(g)

(g) Each Commission, including each committee of a Commission, shall be subject to the open meetings provisions of § 1-207.42. No meeting may be closed to the public

unless personnel or legal matters are discussed. Without limiting the scope of § 1-207.42, the following categories of information shall be specifically made available to the public subject to § 2-534:

- (1) The names, salaries, title, and dates of employment of all employees of the Commission;
- (2) Final decisions of the Commission, including concurring and dissenting opinions;
- (3) Information of every kind dealing with the receipt or expenditure of public or other funds by the Commission;
- (4) All documents not related to personnel and legal matters;
- (5) The minutes of all Commission meetings; and
- (6) Reports of the District of Columbia Auditor.

**Footnote 15 (Page 12): Section 9. Meeting Agenda.**

**Bylaws:**

In accordance with DC law, the meeting agenda must be approved or modified at the beginning of any regular, additional or emergency meeting.

**Statute: §1-309.11 (c-1) (2)**

(2) The Commission shall retain the right to modify the draft agenda for a public meeting as necessary following publication of the draft agenda; provided, that the Commission shall only discuss or take official action upon an item added to a draft agenda after

initial publication pursuant to this subsection upon official approval of the addition of the item to the agenda by the Commission.

**Footnote 16 (Page 13): Section 3. Chairmanship.**

**Bylaws:**

In accordance with DC laws, the chairmanship of each Commission committee or task force shall be open to any resident of the Commission area, provided, however, that the Chairperson shall generally be a Commissioner. The Chairperson of each such committee or task force shall be appointed by the Commission.

**Statute: §1-309.11 (f)**

(f) Chairmanship 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. Each 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, sexual orientation, or gender identity or expression.

**Footnote 17 (page 13) Public Notice**

**Bylaws:**

In accordance with DC laws, public notice shall be given for all committee meetings.

See statutory provisions provided under Footnote 9.

**Footnote 18 (Page 15): Section 9. Grant Guidelines.**

**Bylaws:**

The Commission may issue guidelines for the awarding of grants. All provisions of these guidelines and any grants awarded under the guidelines must conform to DC Law.

**Statute: §1-309.13 (m)**

(m)(1) A grant may not be awarded unless the grant is awarded pursuant to a vote of the Commission at a public meeting following the public presentation of the grant request. A Commission may approve grants only to organizations that are public in nature and benefit persons who reside or work within the Commission area. The services provided by the grantee organization must not be duplicative of any that are already performed by the District government.

(2) An applicant for a grant shall submit an application in writing to the Commission and to the OANC. The application shall be in the form of a template designed by the OANC, and shall contain:

(A) A description of the proposed project for which the grant is requested;

(B) A statement of expected public benefits;

(C) The total cost of the proposed project, including other sources of funding, if any; and

(D) An accounting by the grantees of the expected overhead costs the grantees will incur in carrying out the grant. No Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount.

(3) Within 60 days following the issuance of a grant, and every 90 days thereafter during the life of the grant, the grant recipient shall forward to the Commission and the OANC a statement as to the use of the funds consistent with the grant application, complete with receipts that support the expenditures. The OANC:

(A) May prohibit all Commissions from providing a grant to any past grant recipient that used grant funds contrary to the associated grant agreement; and

(B) Shall maintain a list, available to any Commissioner upon request, of prohibited grantees identified pursuant to subparagraph (A) of this paragraph.

(4) Grant disbursements shall be included in quarterly financial reports submitted to the Auditor.

**Footnote 19 (Page 16): Section 1. Copy of Bylaws to Council.**

**Bylaws:**

In accordance with DC laws, an up-to-date copy of each Commission's bylaws and all amendments thereto shall be filed with the Council and the Office of Advisory Neighborhood Commissions within 30 days of any amendment to the bylaws.

**Statute: §1-309.11 (d) (3)**

(3) An up-to-date copy of each Commission's bylaws and all amendments thereto shall be filed with the Council and the Office of Advisory Neighborhood Commissions within 30 days of any amendment to the bylaws.