

ANC 4A BYLAWS

2/7/2023

ARTICLE 1. NAME

Section 1. The name of this Commission is Advisory Neighborhood Commission 4A. (ANC 4A). It is established by DCL 14-133, as amended. (ANC Law).

ARTICLE II. GEOGRAPHIC BOUNDARIES. The boundaries of the Commission are proscribed by the DC Code. The current DC Code descriptions and maps referenced in Section 1-309.02 (Advisory Neighborhood Commission Areas) are attached and incorporated by reference. The neighborhoods included within ANC 4A are described as follows: Brightwood, Colonial Village, North Portal Estates, the Parks at Walter Reed, and Shepherd Park. See Appendix for detailed list of the Single-Member Districts (SMD) geographic boundaries.

ARTICLE III. OBJECT

Section 1. The Commission has the duties and powers described by law.

Section 2. ANC law (Section 1-309.10(a)) states that each Advisory Neighborhood Commission (“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 DC government with respect to all proposed matters of District government policy including, but not limited to, decisions regarding planning, streets, recreation, social services programs, education, health, safety, budget and sanitation. 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 policies and actions. In this sense, the ANCs are the body of government with the closest official ties to the people within the neighborhood or single member district. No public policy area is excluded from the purview of the ANCs. The Home Rule Charter authorized the ANCs to expend funds for “public purposes within its neighborhood council area.” ANCs are authorized to operate programs for the benefit of their communities themselves and to give grants for the benefit of the community.

ARTICLE IV. COMMISSIONERS

Section 1. The Commission shall be comprised of those persons duly elected, certified by the Board of Elections and sworn in by the DC Board of Elections to represent the

Single Member Districts within the Commission area (Advisory Neighborhood Commission 4A).

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

ARTICLE V. OFFICERS

Section 1. The Commission shall elect a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer. Other officers may also be elected.

Section 2. The election shall take place in January of each year. If the Commission is unable to hold its election in January, the election shall take place at the next regularly scheduled, duly noticed, ANC meeting.

Section 3. Each candidate for office shall be nominated by a member of the ANC 4A Commission. Candidates may also self-nominate.

Section 4. When nominations are closed, the voting shall take place as determined by the Commission at that time, consistent with Robert's Rules of Order or guidance from the ANC Office. 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 immediately following the vote (after the vote is taken and not at the close of the meeting) at which they are elected. In the event of a vacancy, the Commissioner filling the vacant position shall only serve out the term of the officer he or she replaced, unless the Commissioner is elected to serve in that position at the next regular election.

Section 6. A simple majority shall be required for election of officers. If there is not simple majority after the first ballot, there shall be an election between the candidates receiving the most votes.

Section 7. In the event of a tie, the candidates will consider and recommend to the Commission a mutually satisfactory resolution of the tie vote to end the deadlock. If no resolution is reached, the tie will result in a shared office (Shared Presidency, as an example, to reflect the will of the Commission).

Section 8. If there is a vacancy among the Offices of Chair, Vice Chair or Secretary, the Commission shall hold an election 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, consistent with the DC law. Only persons certified to serve on the ANC 4A may be elected to serve as an Officer.

ARTICLE VI. Commission Roles and Responsibilities

Section 1. The Chairperson shall serve as a convenor of the Commission and shall chair the Commission meetings. The DC Code also directs the Chairperson to sign certain documents. The law does not, however, give the Chairperson other responsibilities such as supervising staff, deciding the ANC's meeting schedule, or being the ANC's sole representative to the DC government. ANC Handbook, page [31].

Section 2. The Chairperson [or a majority of the Commission] shall have the power to call special meetings of the Commission and of the Executive Committee. No meeting shall be scheduled within 2 days of the regularly scheduled meeting.

Section 3. In the Chairperson's absence, or when the Chairperson wishes to give up the chair, or a majority of the Commission requests, the Vice-Chairperson shall act as the chair.

Section 4. 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 (or the Office Manager, under the direction of the Secretary) shall also ensure that notice is given for all Commission meetings as required by District law. Adequate notice is hereby defined for these bylaws as: notice announced at the regular meetings, OANC website, signs, ANC 4A website or list-serves.

Section 5. The Secretary shall serve as the central repository of copies of minutes of all standing, special and administrative committees. Commission staff or other persons designated by the Commission under the direction of the appropriate officer (Secretary) may perform these tasks. If the ANC has an office, the records should be stored at the ANC office and available to the Commissioners and the public for review. The Secretary (of Secretary's designee) will also ensure that the voice mail is updated, messages are retrieved, or that the Secretary's designee carries out this function. Each Commissioner is responsible for responding to inquiries within their own SMD.

Section 6. The Treasurer shall be responsible for developing and submitting to the DC Auditor an annual fiscal year budget by the start of each fiscal year, preparing quarterly financial reports, keeping the Commission's financial records and accounts, and for executing its expenditures in accordance with District law and the decisions of

the Commission. Commission staff or other persons designated by the Commission under the direction of the appropriate officer (Treasurer) may perform these tasks.

Section 7. The Commission as a whole will determine responsibilities for supervising staff, deciding the ANC's meeting schedule, or representation to the DC government.

ARTICLE VII. FINANCIAL INTEGRITY AND ACCOUNTABILITY / CONFLICTS OF INTEREST

Section 1. All checks must be signed by two officers one of whom must be either the Treasurer or the Chairperson.

Section 2. No expenditure of funds, whatsoever, shall be made by the Commission without the approval of the Commission prior to the expenditure. All expenditures for purchase of services, staffing, or equipment must be consistent with a duly authorized budget and authorization by the vote of the Commission, consistent with the ANC fiscal year budget. Every expenditure of funds by the Commission shall be authorized in writing by the Commission and recorded in the Commission's records. Receipts are required to support the ANC 4A expenditures and Commissioners are encouraged to continue their diligence in ensuring that we fully comply with the requirements of the DC laws.

ARTICLE VIII. STAFFING

Section 1. The Commission shall have the assistance of the Commission staff, or other persons designated by the Commission, in carrying out their official ANC Commissioner / SMD duties, as may be required.

Section 2. To be fully compliant with the DC law, the ANC 4A will develop and implement a position description which will fully delineate the duties and responsibilities and expectations for the staff in terms of hours of work, location of work, supervision, timesheets and salary. This will be voted on, prior to the selection (hire) or extension of an offer, at an ANC public meeting, unless there are overriding reasons not to make the terms of the ANC 4A contract public.

ARTICLE IX. MEETINGS

Section 1. Each January, the Commission shall decide and vote on a schedule of meeting times and places for the next 12 months. The Commission, however, may modify the schedule, if necessary, due to emergencies or unforeseen circumstances. In the case of an emergency or unforeseen circumstances, the

Chairperson may reschedule the meeting time or location, ideally with the consent of the Commission.

Section 2. In the event of a cancellation, the Chair (or his or her designee) shall contact each of the Commissioners and anyone scheduled to appear at the meeting at least 48 hours in advance of the cancellation, when possible.

Section 3. The Commission shall meet in public session at regular intervals at least nine times per year virtually and/ or at locations that are designed to reasonably accommodate the residents of the ANC 4A area.

Section 4. The Commission shall give notice of all meetings or convocations to each Commissioner, individuals with official business before the Commission, and residents of the Commission area no less than seven (7) days prior to the date of such meeting. 1-309.11(c). Shorter notice may be given in the case of an emergency or for other good cause. Notice may include, but is not limited to: posting written notices in at least 4 conspicuous places in each single member district; publication in a community newspaper; notice announcements at the meeting; posting on the website; notices on the telephone message greeting and distribution of the meeting schedule at the January meeting.

Section 5. No official action may be taken by the Commission unless it is at a regularly scheduled, public ANC meeting at which a quorum is present and a majority of those "voting yea or nay" vote in favor of the action. The absence of a quorum does not prevent the Commission from meeting or deliberating. The Commission also has the ability to suspend the rules for the purpose of deciding on an order of proceeding or which matters to consider.

Section 6. A quorum is a majority of the current Commission members. However, there is not a quorum unless a majority of the SMDs have Commissioners. In that case, ANC 4A will follow the applicable ANC law in handling this situation.

Section 7. Special meetings of the Commission can be called by the Chairperson, or by the 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, unless authorized in advance by the Commission. Reasonable notice shall be given in writing.

Section 8. A portion of the ANC 4A Commission meeting (up to but no less than fifteen minutes) will be dedicated to hearing (and addressing) community concerns. The ANC may also hold Town Hall Meetings or community meetings.

These are often held jointly with a civic or citizens association for the SMD neighborhood.

Section 9. Commissioners are encouraged to schedule their Single-Member District Meetings to avoid conflicts with the regularly scheduled ANC 4A Commission meeting, to the extent possible. No SMD meeting should be held within the same week as the ANC 4A meeting.

Section 10. Each Commissioner has the responsibility for responding to their (the single-member district commissioner's) own SMD issues. No other Commissioner should interfere, or assume any responsibility, for another's SMD. We recognize that there may be common issues and interests, but we agree, through these bylaws, to respect the autonomy of each respective ANC SMD areas. To the extent that a Commissioner may be approached by a resident of another SMD, the commissioner will notify the elected SMD representative and let that representative address the situation.

Section 11. All resolutions should be coordinated through the ANC 4A Secretary (or the Secretary's designee). The duly adopted resolutions serve as the means by which the Commission act, unless or until the Commission votes to have its views presented by another Commissioner. Only commissioners have the authority to direct the Commission or speak on behalf of the Commission. There is nothing to prevent a Commissioner from speaking on behalf of that Commissioner's SMD. It is understood and agreed that, if a Commissioner testifies in the Commissioner's individual capacity, the Commissioner agrees to make that fact explicitly known at the beginning of the Commissioner's testimony.

ARTICLE X. EXECUTIVE COMMITTEE

Section 1. There is established the Executive Committee of Advisory Neighborhood Commission 4A. The Executive Committee shall consist of, and be limited to, all current ANC 4A Commissioners. No Single Member District Commissioner (or SMD) is more important to any other SMD. Each SMD is on equal footing. Each Commissioner has one vote.

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 act on behalf of the Commission in emergency situations. An emergency situation is one that is time-sensitive, unforeseen and the matter is such that it requires immediate

attention and cannot wait until the next scheduled meeting. Non-controversial matters may be voted through a consent agenda.

Section 4. A majority of the members of the Executive Committee shall constitute a quorum if at a duly noticed public ANC meeting.

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

Section 6. The consensus of the Commission is reflected in the resolutions that are passed by the Commission at a public ANC meeting.

Section 7. Testimony – Any member of the Commission is authorized to speak on behalf of their single member district on matters pertinent to their SMD. [Note: the term “their” is used as a gender-neutral term and was a recommended change from the earlier draft.] In addition, the Commission and / or Executive Committee (Commission as a whole) is authorized to determine who may speak or testify for the Commission.

ARTICLE XI. COMMITTEES

Section 1. There shall be two categories of committees, standing committees and special committees. Standing committees are those created permanently by majority vote of the Commission 4A. Special committees are those created temporarily by the Commission or the Executive Committee.

Section 2. The recommended standing committees are:

- Website / communications (newsletter)
- Department of Consumer and Regulatory Affairs
- Zoning / Board of Zoning Adjustment / Office of Planning / Redistricting Schools
- Economic Development/ Liquor Licenses
- Environment / Water / Utilities /
- Transportation and Infrastructure
- Police / Fire / Emergency Preparedness
- DC Council – DC Register & DC Council Meeting tracking / Consent Calendar
- Historic Preservation
- Parks and Recreation

Section 3. In accordance with District law, the 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. It is the role of the committee chairs to bring matters to the attention of the Commission that require a vote or action.

Section 4. The Chairperson (or impacted SMD Commissioner) shall ensure that items requiring committee action are be referred to the appropriate committee(s) or impacted SMD Commissioner upon receipt. Each commissioner is responsible for checking for matters with regard to their SMD.

Section 5. 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. Resolutions should be coordinated and vetted before being scheduled on the ANC meeting agenda.

ARTICLE XII. 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 regularly scheduled Commission 4A meeting.

Section 2. The Commission shall adopt rules for the use of an ANC office and supplies based on the following two principles: (1) all Commissioners shall have equal access to the office and supplies; and (2) the use of the office and Commission supplies shall meet the "public purpose" test.

Section 3. The Commission shall adopt standing rules (operating procedures) for handling constituent recommendations. The rules shall designate one person to ensure that constituent recommendations are referred to the appropriate SMD Commissioner for that SMD, or to a government agency for action. The Secretary (or Secretary's designee) shall keep a log or other record as to how the issues were resolved or the reasons for not achieving resolution.

Section 4. The Commission has adopted guidelines for the awarding of grants. Those guidelines are incorporated by reference and are available on the ANC 4A website. The Commission by vote of the Commission, may also authorize other Community Enhancement expenditures, in addition to grants, if there are funds allocated and available. Community Enhancement expenditure reporting requirements are the same as the requirements for grants.

Section 5. Communications – the ANC 4A has an existing website. The website shall include, at a minimum, the names and contact information for the ANC 4A, the description of the ANC, these bylaws, the meeting schedule, the minutes of the meetings and other information and announcements provided by the Commission. For example, an ANC phone number should be listed.

Section 6. The Commission is authorized to hire a professional service to maintain the ANC website(s). The Commission may also issue ANC 4A flyers, newsletters, letterhead, ANC 4A business cards and signage to facilitate communication with the 4A community.

ARTICLE XIII. PARLIAMENTARY AUTHORITY

Section 1. ANC actions must be consistent with the Home Rule charter and the DC Code and maps pertinent to the ANCs. 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 XIV. AMENDMENT OF BYLAWS

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

Section 2. Any revisions to these Bylaws must abide by DC law. Any revisions are deemed null and void if they are inconsistent with the DC Home Rule law and other applicable DC laws regarding ANCs. We follow Robert's Rules, but to the extent that Robert's Rules are fully consistent with the DC ANC law.

Section 3. These Bylaws may be placed on the Consent Calendar and voted, without objection (if no objection) as a matter on the consent calendar. If the Bylaws are reconsidered at a meeting for which there is not a quorum, the bylaws must be ratified (voted) at the next regularly scheduled ANC meeting. They may not go into effect until there has been at least two weeks public notice and notice to the ANC 4A Commissioners.

ARTICLE XV. APPENDIX

Section 1 – Geographic Boundaries for ANC 4A and 4A SMDs, as noted in the DC Code (incorporated by reference)

Section 2 – ANC 4A Grant Guidelines (incorporated by reference)

Section 3 – New Conflict of Interest guidance (incorporated by reference – see ANC [2015] Handbook).

ANC Meeting Date: 2/7/2023

Date Approved: 2/7/2023