

**ADVISORY NEIGHBORHOOD COMMISSION 4B
BYLAWS AS AMENDED April 1, 2001**

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ARTICLE I. NAME

The name of this unincorporated elected body shall be Advisory Neighborhood Commission 4B (ANC 4B) and from this point forward in the Bylaws shall be called the Commission.

ARTICLE II. OBJECTIVES AND RESPONSIBILITIES

Section 1(a). The Commission may advise all units of District of Columbia government, including the Council, the Mayor, executive and independent agencies, boards and commissions and the judiciary, regarding matters affecting the Commission area. The Commission will represent the concerns of its residents with respect to the delivery of services by the District government. In taking advisory actions, the Commission shall take into account the views of its residents, while making decisions for the good of the District of Columbia as a whole.

Section 1(b). The Commission may advise units of the DC government regarding planning, streets, alcoholic beverages licenses, recreation, social services, education, health, public safety, budget, sanitation, and any other matters that affect the Commission area and the quality of life in the District as a whole.

Section 1(c). The Commission may also advise other governmental bodies, such as the federal government or independent agencies, insofar as their actions affect the Commission area.

Section 2. The Commission may hold public hearings on requested or proposed government actions. The Commission may invite public witnesses from any executive or independent

entity to testify before the Commission. Within 45 days of the close of the public hearing, the Commission may submit to the Council a report detailing the Commission's findings and recommendations to be included in any public record of the proposed government action.

Section 3. The Commission may initiate its own proposals for District Government action.

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

Section 6. The Commission may, when appropriate, constitute the citizen advisory mechanism required by any federal statute.

Section 7. The Commission may take any other action not specifically forbidden by law, for the well-being of the Commission area and its residents. Such activities shall not duplicate existing DC Government programs.

ARTICLE III. GEOGRAPHIC BOUNDARIES

ARTICLE IV. MEMBERS

Section 1. The structure of the Commission shall be the collective body of individuals so certified by the Board of Elections and Ethics to have been duly elected by qualified voters in an election held to elect Single Member District representatives for the SMDs of Commission B, Ward 4.

Section 2. Each member of the Commission shall serve for a term of two years, which shall begin at noon on the second day of January following the date that the Board of Elections and Ethics certifies the election of each member. Vacancies shall be filled in accordance with Section 8(d) of the Advisory Neighborhood Council Act of 1975.

Section 3. The members shall serve without compensation. However, the Commission shall be empowered to defray approved expenses for Commission members and community aides.

Section 4. 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(a). The elected officers of the Commission shall be Chairperson, Vice Chairperson, Secretary and Treasurer and such other officers as may be deemed necessary by the Commission. The Officers shall be elected from the voting membership of the Commission.

Section 1(b). Appointed Officers - The Chairperson may appoint additional officers, who shall serve at the pleasure of the Chairperson.

Section 3. The election process for officers shall take place at the first meeting in January.

Section 4. A quorum for the election shall be one-half of the commission membership plus one.

Section 5. Each candidate for office shall be nominated from the floor.

- 1) A candidate may nominate himself or herself.
- 2) A nomination speech of two minutes may be made.
- 3) After nominations are closed, each candidate may make a two-minute speech.

Section 6. When nominations are closed, a non-member of the Commission, or such other person appointed by the outgoing Chairperson of the Commission who has not been nominated, shall conduct the election. This person shall certify the returns.

Section 7. Voting on each office shall occur before the floor is open for nominations for another office.

Section 8. The officers shall be elected to serve for one year or until their successors are elected. Their terms of office shall commence immediately upon their election.

Section 9. A simple majority shall be required for election of officers. In the event there is not a simple majority after the first ballot, there shall be an election between the two candidates receiving the most votes. An officer must give up his/her office upon the election of the newly elected officer.

Section 10(a). In case of vacancies among officers, the next person in line in the order in which the positions are listed in Article V, Section 1(a) shall temporarily fill the vacancy. In case of a vacancy of the office of Treasurer, the Vice Chairperson shall temporarily fill the vacancy. At the next meeting of the Commission, nominations and elections shall be conducted in accordance with the election procedures set forth in these Bylaws to fill the vacant position(s). The officer elected to fill the vacant position shall only serve out the term that he would have had had he been elected at the normal time in January.

Section 10(b). Upon a motion by a Commissioner, after two weeks prior notice to all Commissioners, a majority of the elected Commissioners may remove an officer from office. The Chairperson shall preside over the meeting unless the vote will affect the Chairperson's own position. In that case, the Vice Chairperson shall preside over the meeting.

Section 11. The Commission is responsible for ANC personnel employment activities (hiring, firing, personnel guidelines and other personnel policy matters).

Section 12. The Chairperson shall serve as the convener of the Commission and shall chair the Commission meetings. The Chairperson shall manage and supervise office activities and personnel.

Section 13. The Chairperson may rule on procedural questions from the Chair and such rulings may only be overturned by a majority vote of the Commission.

Section 14. The Chairperson shall keep the Commission informed as well as possible of all government activities affecting the area within the Commission's boundaries.

Section 15. 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, and shall serve as Chairperson in the absence of the Chairperson. He/she shall serve as the official spokesperson to the media as deemed necessary by the Chairperson.

Section 16. The Secretary shall be responsible for the written recording of the minutes for all meetings of the Commission and for assuring distribution of copies of minutes to all members of the Commission. The Secretary shall also be responsible for ensuring that appropriate notice of Commission meetings is provided in accordance with Article VI, Section 4. He/she shall have the assistance of the Commission staff as required. He/she shall be responsible for maintaining updated archives and records of all Commission reports with the assistance of the administrative staff. He/she shall be responsible for assisting the Chairperson in the preparation of the annual report.

Section 17. The Commission's books and records shall be maintained at the Commission office. The files located in the ANC office shall serve as a central repository of copies of Commission and Committee minutes.

Section 18. The Treasurer shall keep a record of all receipts and expenditures of funds. The record shall be consistent with the requirements of the District of Columbia Auditors Office.

Section 19. The depository of all ANC 4B funds shall be a recognized financial institution in the District of Columbia insured by the Federal Deposit Insurance Corporation (FDIC). The financial records of the Commission shall be available for examination and review by the Commission and any other government officials upon request. The Treasurer shall report at each monthly meeting.

Section 20.

Section 21. The Treasurer shall develop an annual fiscal year budget for approval by majority vote of the Commission by March 30 of each year. The Commission shall prepare an annual fiscal year spending plan budget for the upcoming fiscal year within 60 days of notification of the amount of the Commission's annual allotment. Prior to adoption of the budget at a public meeting, the Commission shall present the budget at a public meeting to elicit comments from the residents of the Commission area. The budget, to the extent that it is deemed to authorize specific expenditures, shall be specific enough so that its intent is clear.

Section 22. The Treasurer shall prepare, and the Commission shall approve, 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, Chairperson, and Secretary, and a record of the vote adopting the report, shall be filed with the District of Columbia Auditor within 15 days of approval by the Commission.

Section 23. The Treasurer and the Chairperson shall file with the District of Columbia Auditor and maintain in force during their occupancy of their respective offices, a cash or surety bond in an amount and on a form satisfactory to the Auditor. Participation by the Commission in the Advisory Neighborhood Commission Security Fund shall satisfy the requirement of a cash or surety bond. Within 30 days of assuming the office of Treasurer or within 30 days of any change in the requested information, the Treasurer shall file with the Auditor, on a form provided by the Auditor, a statement giving:

1. The Treasurer's name
2. The Treasurer's home and business addresses
3. The Treasurer's telephone numbers
4. The location of the books and records of the Commission
5. The name and location of any depository, including account numbers.

Section 24. Every expenditure of funds by the Commission shall be authorized by the Commission and recorded in the Commission's books of accounts by the Treasurer. All expenditures over \$200.00, other than budgeted expenditures, must be authorized in advance by the Commission. The Commission shall make no expenditure with the office of Treasurer vacant or at any time when a current and accurate statement and bond or its equivalent are not on file with the District of Columbia Auditor.

Section 25. The Commission shall, by a resolution approved by a majority of its members, designate one or more financial institutions within the District of Columbia as depositories of Commission funds, but the Commission shall establish no more than one checking or negotiable order of withdrawal account. The Treasurer, Chairperson, and Vice-Chairperson shall be authorized signors on the account(s). Any 2 (two) signatures will be required on checks, drafts, or orders of withdrawal.

Section 26. The Treasurer shall maintain the Commission accounts on a fiscal year basis, beginning October 1 and ending September 30.

Section 27. The Chairperson, upon receipt of any notification of proposed action by the District of Columbia Government and/or a citizen and shall promptly forward such notification to the appropriate Single Member District Commissioner.

Section 28. Any Single Member District Commissioner may at any time submit a request for proposed action to the Chairperson. The Chairperson shall refer it to the Commission or a Committee for a report of recommendations to the full Commission, as appropriate.

Section 29. The Commission shall meet at a time and place designated by the Chairperson to determine what action, if any, to take regarding any such requests for proposed action.

ARTICLE VI. MEETINGS

Section 1. Pursuant to the provisions of section 742 (a) of the District of Columbia Home Rule Act, all meetings of the Commission shall be open to the public, except those parts of meetings where personnel or legal matters are discussed.

Section 2. No official action may be taken by the Commission unless a majority of the elected representatives of the Commission are present and voting, not including Commissioners who have resigned, moved, or vacant seats on the Commission.

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

Section 4. No less than seven days' notice shall be given by the Commission of its meetings or convocations (except where shorter notice for good cause is necessary or in the case of an emergency). Notice must include at least two of the following: (a) posting written notices in at least 2 conspicuous places in each single-member district within the Commission area; (b) publication in a city or community newspaper; (c) transmitting or distributing notice to a list of residents and other stakeholders in the community; and (d) in any other manner approved by the Commission.

Section 5. Special meetings of the Commission can be called by the Chairperson or by written request of three Commissioners. The purpose of the meeting shall be stated in the notice and no other topic may be discussed at that meeting, except by unanimous consent at the beginning of the meeting. At least seven days notice will be given to each Commissioner. Reasonable notice shall also be given to the community.

Section 6. Within 30 days of receiving a notification from the District Government of proposed actions or proposed final policy decisions or guidelines, the Commission may forward its written recommendations with respect to the proposed actions to the Council of the District of Columbia, the Mayor and the appropriate agency, board or Commission.

Section 7. The Commission shall set aside a portion of each public meeting to hear the views of residents within the Commission area and other affected persons of problems or issues of concern within the Commission area and on proposed District government actions that affect the Commission area. Community views shall be adequately considered in positions taken by the Commission.

Section 8. Requests for proposed action and complaints regarding delivery of District government services from Commission area residents shall be addressed promptly and, as appropriate, shall be referred to the proper Committee or the Commissioner representing the single-member district affected by said action or complaint for a report of recommendations to the full Commission. The Commission shall address the matter at its following regular meeting and report its intended action to the resident.

Section 9. The Commission shall establish such mechanisms as will ensure the broadest dissemination of information with respect to meetings, positions and actions. The Commission shall make a good faith effort to involve all segments of the Commission population in its deliberations regardless of race, sex, age, voting status, religion, economic status, or sexual orientation.

Section 10. Commission actions, except for amending these Bylaws, shall be approved by a simple majority of those Commission members present and voting.

Section 11. In the case of a tie vote, the motion for Commission action shall fail.

Section 12. Any Commissioner may have an item placed on the agenda of a regular meeting by notifying the Chairperson in advance of that meeting.

Section 13. At least three days in advance of a meeting, the chairperson will provide a tentative agenda to each Commissioner.

ARTICLE VII. JOINT MEETINGS

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

Section 1(a). Joint Commission meetings may be held only after authorization by each involved Commission to participate in such joint meetings and to discuss such matters as have been given to each participant Commission in a meeting held prior to such joint meetings.

Section 1(b). The Commission shall specify in a resolution the scope of any individual Commissioner's participation and the Commission member attending the associated Commission shall follow the general direction of the Commission.

Section 1(c). All associated meetings of Joint Commissions shall be open and at least 14 days notice shall be given by posting written notices in at least two conspicuous places in each Single Member District of the Commission.

ARTICLE VIII. COMMITTEES

Section 1. There shall be two categories of committees.

- 1) Standing Committees - those created permanently with concurrence by majority vote of the Commission.
- 2) Special Committees - those created temporarily by the Commission.

Section 2. The Chairperson of a Standing Committee shall be a Commissioner. Any resident of the Commission area is eligible for appointment as the Chairperson of a Special Committee. The Chairperson of each Standing or Special Committee shall be appointed by the Commission by a majority vote.

Such committees may include resident and local business representation, as appropriate. The Commission may involve representatives of other neighborhood groups in the work of its Standing or Special Committees.

Section 3. The appointment of a Standing Committee Chairperson shall precede the appointment of the Standing Committee members.

Section 4. The Standing Committees shall elect other such officers as are needed.

Section 5. The Commission shall determine the composition, selection and duties of all Committees.

Section 6. Upon transformation of a Special Committee into a Standing Committee, the Commission members serving on, and purpose of the committee shall remain the same.

Section 7. The time and regularity of Standing and Special Committee meetings shall be established by the respective committees themselves.

Section 8. Every Standing and Special Committee shall report on their activities and recommendations to the full Commission at its next regular meeting. The views of the

Standing and Special Committees shall be promptly and adequately considered in positions taken by the Commission

ARTICLE IX. PARLIAMENTARY AUTHORITY

A recognized manual of parliamentary procedure with "Roberts Rules of Order - Newly Revised Edition" shall govern the Commission in all cases in which it is not inconsistent with these Bylaws or any special rules of order the Commission may adopt.

ARTICLE X. GRANT REQUESTS

Section 1. Procedures for considering requests for assistance:

Section 1(a). A grant request must be made on grant forms, which are approved by the Commission and which shall contain the following information:

- i. A description of the proposed project of which the grant is requested;
- ii. A statement of expected public benefits; and
- iii. The total cost of the proposed project, including other sources of funding, if any.

Section 1(b). All grants are subject to the following approval procedures:

- i. The Commissioner representing the single-member district which originated the grant shall endorse the request, if applicable;
- ii. The applicant shall make a presentation to the Commission at a regularly scheduled meeting and shall explain how the grant shall serve a broad public purpose;
- iii. The Commission shall approve or disapprove any request by a majority vote; and
- iv. The 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.

Section 1(c). Grants are dependent upon the availability of funds.

Section 2. No payment shall be made without proper documentation, as required by the Commission.

Section 3. Within 60 days following the issuance of a grant, the grant recipient shall forward to the Commission a statement as to the use of the funds consistent with the grant application, complete with receipts which support the expenditures.

Section 4. The Commission shall provide a copy of the Commission current grants policy and grant form to each applicant.

ARTICLE XI. MISCELLANY

Section 1. The Commission may not solicit or accept funds from Federal or District Government agencies or private sources except as may be specifically or previously authorized by resolution of the District of Columbia City Council. However, contributions of \$400 or less from a single contributor are permitted.

Section 2. No Commissioner shall use his/her position to obtain personal financial gain, any household, or any business with which he/she is associated. Any effort to realize financial gain is a violation of public trust; therefore, Commissioners shall remove themselves from influence over any matter in which a current or potential conflict of interest exists.

Section 3. Any Commissioner may institute a legal action in the courts of the District of Columbia or in the Federal Courts but the Commission itself shall not have such power

Section 4. The Commission shall have no authority to incorporate; however, no Commissioner may be liable for action taken as an elected representative from a Single Member District.

Section 5. All employees of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission.

Section 6. The Commission shall establish job descriptions for its employees. The employees of the Commission may be hired on a full-time or a part-time basis. Persons hired by the Commission shall meet the qualifications established in the job description.

Section 7. All Commissioners within the Commission shall have equal access to the Commission office and its records in order to carry out Commission duties and responsibilities. The office supplies are to be used only for Commission activities.

Section 8(a). All official notices of positions taken by the Commission shall be made on Commission stationery, signed by the chairperson, or if unavailable, another Commissioner designated by the chairperson.

Section 8(b). Commissioners are entitled to submit concurring or minority opinions, to be forwarded along with the majority opinion.

ARTICLE XII. AMENDMENT OF BYLAWS

Section 1. The Commission shall file an up-to-date copy of these Bylaws and any amendments thereto with the Council of the District of Columbia and the Office of the Advisory Neighborhood Commissions within 30 days of any amendment to the Bylaws.

Section 2. Revision of these Bylaws requires a two-thirds vote of the Commission with at least two week's prior notice to each Commissioner that these rules will be recommended for change. Such notification shall include the suggested changes.

Section 3. These Bylaws shall be consistent with all Federal and District law. Any inconsistencies in these Bylaws with such laws are to be held null and void.

Section 4. These Bylaws shall be available to the public.