

# ANC 5A Bylaws

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## Article 1 - Name

There is established by the Council of the District of Columbia Advisory Neighborhood Commission 5A. This Commission shall be called the Advisory Neighborhood Commission 5A of the District of Columbia as described in the District of Columbia Self-Government and Governmental Reorganization Act 87 Stat. 788. Section 412. The Ward 5 Commission consists of Single Member Districts 5A-01 through 5A-08 as is established by Single Member District boundaries subject to legislative amendments and citizen ratification.

## *Article II -Object*

Section 1.a. This Commission shall advise the Council of the District of Columbia, the Mayor and each executive agency and Government of the District of Columbia with respect to all proposed matters of District of Columbia policy including decisions regarding planning, streets, recreation, social service programs, education, health, safety, and sanitation which affect the Commission area. Proposed actions of the District governmental policy shall be the same as those for which prior notice of proposed rule-making is required pursuant to D.C. Code S 1-1505(a) or as it pertains to the Council of the District of Columbia. Upon date of receipt of any notification and intended action this Commission; notices shall be given to the general public within a seven (7) day period. After hearing consideration from citizens and agencies, the Commission shall respond to the action agency, and citizens within a twenty (20) day time frame. Any decisions made during emergency sessions will be in effect only until such time when notification can be made.

Section 1.b. Proposed District Government actions that the Commission shall have the opportunity to comment upon shall not be limited to actions of the Council of the District of Columbia, the executive branch or independent agency. The Commission will advise each agency, board and commission regarding the award of any grant funds to a citizen organization or group, the formulation of any final policy decision or guideline with respect or proposing zoning changes, variances, public improvement, licenses, or permits affecting said Commission area, the District budget and city goals and priorities, proposed changes in District Government service delivery and the opening of any proposed facility system.

Section 2. The Commission will present its view to any Federal of District agency.

Section 3. The Commission may initiate its own proposals for District Government action. Any proposal submitted by the Commission will bear the signature of the chairperson and the corresponding secretary to the Commission.

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Section 4. The Commission will acknowledge and monitor written complaints of Commission area residents with respect to problem and the delivery of services provided by the District Government, Federal Government, and other agencies; and will me comments on same with the appropriate District Government, Federal Government, and other agencies entities as well as the City Council of the District of Columbia. Complaints will be filled in the Commission's office with a copy to the chairperson of the Commission. The Duties and Responsibility Act also provided that "each Commission shall have access to D.C. officials and to all District Government official documents and public data pursuant to Commissions Order 1171~370 that are material to the exercise of its development of recommendations to the District Government." The Commission's order referred to is the local Freedom of Information Act by which citizens can obtain certain information from the District.

Section 5. 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. Such report shall include but shall not be limited to:

- a. Summaries of important problems perceived by the Commission and in order of their priority,
- b. Recommendations for action to be taken by the District Government.
- c. Recommendations for improvements on the operation of the Commission.
- d. Financial reports.
- e. Summary of Commission activities.

Section 6. The Commission other than for neighborhood or community enhancement campaigns may operate programs only in conjunction with existing governmental activities provided that such activities on behalf of the Commission not duplicate already programs or services and further, provided that .the Commission's programs are not conducted on a contractual basis with existing governmental agencies.

Section 7. The Commission shall constitute the citizen, advisory mechanism required by any Federal statute, working in conjunction with all other citizen groups as lead agency.

### *Articles III -Members*

Section 1. The Commission shall be comprised of those persons duly elected and certified by the District of Columbia Board of Elections to Single Member Districts within area 5A.

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 next following the date of election of such n member, or at noon on the day after the date the Board certifies such election of such member, whichever is

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later, except that the terms of the members elected at the first election for members of Advisory Neighborhood Commission 5A shall begin at noon on the first day of March 1976, or at noon on the day after the date Board certifies the results of such election, whichever is later, and shall terminate at noon on the second day of January 1978. Vacancies shall be filled in accordance with Section 8(d) of the Advisory Neighborhood Commission Act of 1975. Vacancies that occur less than six (6) months prior to regularly scheduled election of members of Advisory Neighborhood Commission should be filled on a temporal basis by the chairperson and members of Advisory Neighborhood Commission 5A.

Section 3. The members shall serve without compensation; however, appropriate expenses may be reimbursed upon authorization by the Commission as specified in Article IV, Section 28 of these By-Laws.

Section 4. All members shall have equal voting rights following the principle of one person, one vote. There shall be no voting proxy. The Commission as well as each commissioner of the Commission shall maintain a record of attendance of the members. Commissioner's absence from meetings will be indicated as excused or unexcused. Such records shall be forwarded to the commissions recording secretary for recordation and shall be available for public inspection. All meetings of Advisory Neighborhood Commission 5A should be recorded and kept for one year until such time when the compilation of all information for the District Government (budget) has been made. Minutes shall be transcribed and copies provided all commissioners within a reasonable time after meeting dates.

### *Article IV -Officers*

Section. 1. The Commission shall elect a chairperson, a vice chairperson, secretary, treasurer, parliamentarian and such other officers as may be necessary from among the Commission members.

Section 2. The election of officers shall take place in January of each year on a day specified by the Commission, following the certification of a majority of the members of the Commission by the District of Columbia Board of Elections and Ethics.

Section 3. The election process shall take place at a Commission meeting no later than 30 days prior to the expiration of the terms of officers. Nominations shall be made by Commission members at such meeting. There shall be no limit as to the number of nominations except that each nomination must be seconded.

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

a. The chairperson shall attempt to hold elections at times when all commissioners can ' be available giving consideration t deaths and natural disasters.

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b. The chairperson will give at least a fourteen (14) day notice to all Commissioners informing of election date, time, and place.

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

a. A candidate may nominate himself or herself but may not second the nomination.

b. A nomination speech of two minutes may be made.

c. Each nomination must be seconded, but no seconding speech will be permitted.

d. After nominations are closed, each candidate may make a two minute speech.

Section 6. When nominations are closed, the election shall be conducted by the recording secretary of the Commission or such other person appointed by the Executive Committee, who has not been nominated, shall certify the returns. The members who have received the most votes shall be elected.

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

Section 8. The elected officers shall be elected to serve for one year or until their successors are elected, and their terms of office shall commence at the close of the regular meeting at which they are elected. In the event of a vacancy, the officer filling the vacant position shall only serve out the term of the officer he/she replaced.

Section 9. 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 two candidates receiving the most votes.

Section 10. In case of vacancies among officers, the Executive Committee shall appoint interim officers from among Commission persons. A special meeting shall be called for the purpose of nominating and electing officers to fill vacancies.

Section .12. The chairperson shall serve as a convener of the Commission and shall chair the Commission meetings. The vice chairperson shall fulfill the obligations of the chairperson in his/her absence.

Section 13. The chairperson may rule on procedural questions from the chair and such rulings may be "overturned by a majority of the Commission.

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Section 14. Each standing committee shall be chaired by a commissioner. The chairperson of each such committee or task force shall be appointed by the Commission as shall be the members to that task force or committee.

Section 15. In the case of a vacancy in the office of treasurer there shall be within seven (7) days of such vacancy a special meeting of the Commission to select a new treasurer in accordance with these By Laws.

Section 16. 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 17. In the chairperson's absence; or when the chairperson wishes to give up the chair, the vice chairperson shall act as the chairperson.

Section 18. The secretary shall be responsible for the preparation of the minutes for all meetings of the Commission and for the distribution of copies of minutes to all members of the Commission pursuant to forthcoming amendments. In addition the secretary shall be responsible for maintaining records of all activities

Section 20. In the preparing of minutes, reports, etc., the secretary shall have the assistance of the Commission staff as may be required.

section 21. The secretary shall serve as a central repository of copies of minutes of all standing, special, administrative committees, and shall issue notices of meetings and conduct the general correspondence of the Commission

Section 23. The treasurer and the Commission as a whole shall develop an annual fiscal year budget request forms to be provided by the Mayor of the District of Columbia office prior to which such budget shall be submitted to the residents of the Commission's area, in March of each year for their review and comments.

Section 23a. Draft form of the Commission's proposed budget will be available no later than February 28th of each year.

Section 24. A final budget shall be submitted to the .Council of the District of Columbia and to the Mayor on or before April 30th of each year provided that submission of any different dates may be required to conform with the District of Columbia budget schedule.

Section 25. The treasurer shall prepare and the Commission approve 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 chairperson of the Commission and attested by the recording secretary as having been approved by the Commission with the District of Columbia auditor.

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Section 26. The treasurer shall be bonded. The treasurer shall file with the District of Columbia auditor a cash or surety bond in the amount of \$1,000.00 or utilize the \$25 security fee offered by the DC Auditor. The treasurer shall file with the Office of the District of Columbia Auditor on a form provided by said auditor a statement giving:

- a. The treasurer's name.
- b. Home address.
- c. Business telephone number.
- d. Business address'
- e. Home telephone number
- f. Location of the books and the records of the Commission.
- g. Name and location of each depository.

Section 27. The treasurer and Commission will secure and investigate a local bank within Ward 5 boundaries as an institution of depository with affirmative action program:

- a. The Commission will establish a checking account in the name of Advisory Neighborhood Commission 5A at a District of Columbia bank in Ward 5. In addition, a savings account District of Columbia savings institution in Ward 5 may be established to invest funds not immediately needed for the Commission's operations. If the Commission desires to establish more than these accounts it will do so only after obtaining the written approval of the District of Columbia Auditor
- b. All checks will bear the name of the Commission on the face checks and be pre-numbered by the bank. A commercial type checkbook will be used, which has space for entering each check and a brief explanation of the nature of the disbursement.
- c. All checks will be issued by the treasurer in consecutive order.
- d. All voucher packages will be retained for a period of seven (7) years.

Section 28. Every expenditure of funds by the Commission shall be authorized in writing by the treasurer and recorded in the Commission's books of accounts, provided, however, that the treasurer may disburse to another Commission member or employee of the Commission amounts not in excess of \$50.00 out of petty cash funds.

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## *Article V -Meetings*

Section 1. Pursuant to the provisions of S742(a) of the District of Columbia Self-Government and Government Reorganization Act, all meetings of the Commission shall be open to the public. The Commission shall have its regular meetings on the fourth Wednesday of each month with the exception of July, August and December. If the meeting is canceled due to a holiday, emergency, etc., the meeting shall take place within a fifteen (15) day period. All members shall have equal voting rights following the principle of one person, one vote. There shall be no voting by proxy. The Commission as well as each committee of the Commission shall maintain a record of attendance of the members. Commissioner's absence from meetings will be indicated as excused and unexcused. Such records shall be forwarded to the Commission's recording secretary for recordation and shall be available for public inspection. All meetings of the Advisory Neighborhood Commission 5A should be recorded and kept for one year until such time when the compilation of all information for the District Government (budget) has been made. Minutes shall be transcribed and copies provided all commissioners within a reasonable time after meeting dates.

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.

Section 3, The Commission shall convene the residents of its Commission area at regular intervals at least four times a year to hear resident views on problems in the Commission area' and on proposed District Government actions affecting said area.

Section 4. The Commission shall generally meet at regular intervals, to consider matters before the Commission which may include but not be limited to consideration of actions or proposed actions of the Council of the District of Columbia, the executive branch or any independent agency, board or commission and recommendation thereof.

Section 5. Meeting places shall be held at one centrally located meeting space unless such a location is unable to be secured. In the event a fixed location is not available the Commission may hold meetings in varied locations spread geographically across the Commission's boundaries.

Section 6. No less than seven (7) days' notice shall be given by the Commission of its meetings or convocations by posting written notices in at least two conspicuous places in each Single Member District within the Commission area, except when shorter notice for good cause is necessary 0 in the case of an emergency.

Section 7. Within 30 days of receiving notification from the District Government of proposed actions or proposal final policy decisions or guidelines, the Commission shall forward its written

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recommendations with respect to the proposed actions to the Council of the District of Columbia, the Mayor of the District of Columbia, and the appropriate agency, board or commission.

Section 8. If, with respect to the proposed action, the Commission does not have a recommendation, it shall indicate same in writing within the required time.

Section 9. Resident views will be incorporated in positions taken by the Commission.

Section, 10. The Commission may establish such mechanisms as will insure the broadest dissemination of information with respect to the Commission meetings, positions, and actions. The Commission shall make good faith effort to involve all segments of the Commission population in its deliberations regardless of race, sex, age, voting status, religion, or economic status.

Section 11. Special meetings of the Commission can be called by the chairperson or by the Executive Committee or by written request of one-sixth of the Commission membership. The purpose of the meeting shall be stated in the notice and no other topic may be discussed at that meeting. Reasonable notice shall be given in writing.

Section 12. The Commission may hold joint meetings with other Advisory Neighborhood Commission to deal more effectively with or respond to similar concerns and issues which transcend and affect the areas of the Commissions, jointly meeting and for informational purposes.

Section 13. Joint Commission meetings may be held only after the Commission votes by a majority 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 each such joint meeting.

Section 14. The Commission members shall reflect but not necessarily be bound by the views of the Commission. The Commission members attending the associated Commission shall have no power other than what their Commission shall have agreed upon.

Section 15. All associated meetings of 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 Commission.

a. The Commission may appoint a spokesman and other representatives to the joint commission.

Section 16. Voting at joint meetings shall be limited to the Commission members. The hosts bylaws shall prevail.

Section 17, Commission actions except for amending these By-Laws, shall be approved by a simple majority of those Commission members present and voting.



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Section 18. In the case of a tie vote, the motion for Commission action shall fail.

## *Article VI -Executive Committee*

Section. 1, There shall be established Executive Committee of Advisory Neighborhood Commission 5A.

Section 2. The Executive Committee shall consist of, and be limited to:

- A. Chairperson
- B. Vice Chairperson
- C. Secretary
- D. Treasurer
- E. Parliamentarian

Section 3. The Executive Committee of the Commission shall have the authority to establish special committees.

Section 4. The Executive Committee of the Commission shall have the power to act with the full authority of the Commission in emergency situations providing an attempt is made to contact individual commissioners on the issue.

- a. All actions of the Executive Committee shall be subject to the approval of the full Commission at a later meeting.

Section 5. Vacancies on the Executive Committee shall be promptly filled, using the procedure, and maintaining the composition outlined in these Bylaws.

Section 6. The Executive Committee may recommend the removal of a member of the Executive Committee for sufficient cause that is detrimental to the Advisory Neighborhood Commission; but removal must be by majority vote of the Commission.

Section 7. A majority of the members of the Executive Committee shall constitute a quorum for executive meetings.

## *Article VII-Committees*

Section 1. There shall be two categories of committees:

- a. Standing committees -Those created permanently with the concurrence by majority vote of the Commission.

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b. Special Committees - Those created temporarily by the Commission and/or the , Executive Committee of the Commission.

Such committees may include citizen representation. Each Commission may involve representatives of other neighborhood groups in he work of its standing or special committee;

Section 2. Each standing committee shall be chaired by a citizen of ANC 5A or a commissioner.

Section 3. The Executive Committee of the Commission shall have the power to recommend the appointment or removal of standing committee chairpersons.

Section 4. The standing committees shall also elect or appoint such other officers as are needed.

Section 5. The composition, manner of selection and duties of all special committees shall be determined by the Executive Committee of the Commission, with the concurrence of the Commission.

Section 6. Any special committee created by the Commission becomes a standing committee with the concurrence of the Commission.

Section 7. Upon transformation of a special committee into a standing committee, the Commission members serving on, and purpose of the committee, shall remain the same; except that the Executive Committee of the Commission may make such changes as are necessary, with the concurrence of the Commission.

Section 8. The time and regularity of Executive Committee, standing and special committees meetings shall be established by the respective committees themselves.

a. Each committee shall have the power and the responsibility to develop attendance requirements for the committee its sub--committees. The chairpersons of the committees have the authority to remove non-participating members.

### ***Articles VIII Parliamentary Authority***

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

### ***Article IX Miscellany***

Section 1. The Commission may not solicit or accept funds for a Federal or District Government agency or private source except as my be specifically or previously authorized by resolution of the Council of the District of Columbia, provided that receipt of contributions of \$100.00 or less from a single contributor need not be approved by the Council of the District .of Columbia. '

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Section 2. The Commission within its ward may pool its funds in accordance with agreements established by the Commission members.

Section 3. Should the Commission feel legal redress is required, it shall petition the Council of the District of Columbia through its special committee on Advisory Neighborhood Commissions or such successor committee.

Section 4. Any Commission member 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 5. The Commission shall have no authority to incorporate; however, no member of the Commission may be liable for action taken as an elected representative from a Single Member District.

Section 6. Employees of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission.

Section 7. The Commission shall establish position descriptions for its employees. The employees of the Commission may be hired on a full-time or a part-time basis and for an indefinite or for a definite term. Persons hired by the Commission shall meet the qualifications established in the job description.

### *Article X. Amendment of Bylaws*

Section 1. The Commission shall file an up-to-date of each and all amendments thereto with the Council of the District of Columbia within seven (7) days of the initial adoption.

Section 2. Revision of these By-Laws requires a two-third vote of the entire Commission with at least two weeks prior notice to each Commission member that the rules will be recommended for change. Such notification shall include the suggested changes.

Section 3. These By-Laws shall be consistent with all Congressional and District of Columbia legislation and other applicable laws regarding Advisory Neighborhood Commissions and any inconsistencies are to be held null and void. .

Section 4. Where not otherwise provided, the procedure of the Commission shall be governed by Roberts' Rule of Order.

Section 5. These By-Laws shall be open to the public.