

BY LAWS

OF

ADVISORY

NEIGHBORHOOD

COMMISSION 7 E

JANUARY 1992
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BYLAWS

OF

ADVISORY NEIGHBORHOOD COMMISSION 7E

ARTICLE I. NAME

Section 1. The Council of The District of Columbia has established Advisory Neighborhood Commission. This Commission shall be known as Advisory Neighborhood Commission 7E.

ARTICLE II. RESPONSIBILITIES

Section 1. The Commission may advise the Council of the District of Columbia, the Mayor and each executive agency and all independent agencies, boards and commissions of the government of the District of Columbia with respect to all proposed matters of District governmental policy including decisions regarding planning, streets, recreation, social service program, education, health, safety, and sanitation which affect the Commission area. Proposed actions of the District government policy shall be the same as those for which prior notice of proposed rule-making is required pursuant to D.C. Code Section 1-1050 (a) or as it pertains to the Council of the District of Columbia.

Section 2. The proposed District government actions that the Commission 7E shall have the opportunity to comment upon shall include, but shall not be limited to, actions of the Council of the District of Columbia, the executive branch or independent agency. The Commission may 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 to grant applications, comprehensive plans, requested or proposed 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 3. The Commission may present its views to any federal or District agency.

Section 4. The Commission may initiate its own proposals for District government action.

Section 5. The Commission shall monitor complaints of Commission area residents with respect to the delivery of District government services and file comments on same with the appropriate District government entity as well as the Council.

Section 6. 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 actions to be taken by the District government;
- c. recommendations for improvements on the operation of the Commission;
- d. financial reports;
- e. a summary of Commission activities and minority report should be filed.

Section 7. The Commission other than for neighborhood or community enhancements campaigns may operate programs only in conjunction with existing governmental activities provided that such activities on behalf of the Commission not duplicate already available programs or services of the District of Columbia Government and further, provided that the Commission's programs are not conducted on a contractual basis with existing governmental agencies.

Section 8. The Commission may, where appropriate, constitute the citizen advisory mechanism required by any federal statute.

ARTICLE III. MEMBERS

Section 1. The Commission shall be comprised of those persons duly elected and certified by the D.C. Board of Elections to Single Member Districts with in area 7E.

Section 2. Each member of the Commission shall serve for a term of two years which shall begin at noon of the second day of January next following the date of election of such member, or at noon on the day after the date the Board certifies such election of such member, whichever is later.

Any vacancy in office due to death, resignation or change of residence shall be filled by special election held by the Board within a reasonable period, but not to exceed 120 days from such vacancy, except that if the vacancy occurs less than six months prior to a regularly scheduled election of members of Advisory Neighborhood Councils, the vacancy shall be filled at the regularly scheduled election.

Section 3. The members shall serve without compensation, however, appropriate expenses may be reimbursed upon the authorization of the Commission.

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 IV. OFFICERS

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

Section 2. The election process shall take place at a Commission meeting no later than 30 days prior to the expiration of the term of officers. Nominations shall be made by the Commission members at such meeting. There shall be no limit as to the number of nominations except that each nomination must be seconded.

Section 3. A quorum for the election shall be one-half of the Commission membership plus one.

Section 4. 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 all nominations are closed, each candidate may make a two minute speech.

Section 5. When nominations are closed, the election shall take place by roll call vote. The members who have received the most votes shall be elected.

Section 6. Voting on each office shall occur before the floor is open for nominations for another office.

Section 7. 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 office he/she replaced.

Section 8. A simple majority shall be required for election of officers. In the event that there is not a simple majority after the first ballot, there shall be an election between the two candidates receiving the most votes.

Section 9. In case of vacancies among the officers, the Executive Commission shall appoint an interim officer from among Commission persons.

Section 10. The Chairperson shall serve as a convener of the Commission and shall chair the Commission meetings. The Chairperson shall be bonded. The Chairperson shall file with the District of Columbia auditor a cash or surety bond in the amount of \$1,000.00.

Section 11. The Chairperson may rule on procedural questions from the chair and such rulings may be overturned by a majority vote of the Commission. The Vice Chairperson shall fulfill the obligations of the Chairperson in his/her absence.

Section 12. The Chairperson shall have the power to call special meetings of the Commission and of the Executive Committee.

Section 13. The election of the first Treasurer shall be no later than 30 days following the certification of the majority of the members of the Commission by the Board of Election and Ethics. In case of a vacancy in the Office of the Treasurer, there shall be within seven days of such vacancy a special meeting of the Commission to select a new treasurer in accordance of these by-laws.

Section 14. The Chairperson shall have the power to call special meetings of the Commission and of the Executive Committee. The Chairperson may vote only in case of a tie.

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.

Section 16. In the Chairperson's absence, or when the Chairperson wishes to give up the chair, the Vice Chairperson shall act as the Chairperson.

Section 17. The Office Manager, under the Commission approved job description and at the direction of the Chairman, shall be responsible for the preparation of the minutes of all meetings of the Commission and for making the minutes available to all the members of the Commission.

Minutes in draft will be circulated following meetings. Any change or corrections must be submitted prior to or at the next regular meeting during which final approval will be made.

Section 18. The Office Manager, under direction of the Secretary, shall be responsible for maintaining records of all Commission activities, served as central repository of copies of records of all committees and task forces, and shall perform such other duties as may be required. In the preparation of minutes, reports, etc., the Office Manager shall have the assistance of available Commissioners.

Section 19. The Secretary shall be responsible for preparation of the minutes for all meetings of the Commission and for the distribution of minutes to all members of the Commission.

Section 20. The Secretary shall be responsible for maintaining records of all activities and shall perform such other duties as the Chairperson may direct.

Section 21. The Secretary shall have the assistance of the Commission staff in preparing of minutes, reports, *etc.*, as may be required.

Section 22. The Secretary shall serve as the central repository of copies of minutes of all standing, special and administrative committees.

Section 23. The Secretary shall issue notices of meeting and conduct general correspondence of the Commission.

Section 24. The Treasurer shall develop an annual fiscal year budget request on forms to be provided by the auditor 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 comment

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 each Commission and attest to by the Secretary as having been approved by the Commission shall be filed within seven days of approval by the Commission with the District of Columbia auditor.

Section 26. The Treasurer shall be bonded. The treasurer shall file with the District of Columbia auditor a cash or surety bond of \$1,000.00. The treasurer shall file with the District of Columbia auditor on a form provided by said auditor of a statement giving:

- a. the treasurers name;
- b. home address;
- c. business telephone number;
- d. business address;
- e. home telephone number
- f. location of books and records of the Commission; and,
- g. name and location of each depository.

Section 27. Records of expenditures of such funds shall be transmitted to the Treasurer prior to any further disbursement of the funds.

Section 28. The Treasurer with the Chairperson's signature shall be required on every draft of order drawn on the Commission depository. The Commission may, if it desires, require additional signatures on each draft or orders. The Commission shall, by resolution, approve by a majority of its members designate one or more financial institutions within the District of Columbia as depositories of Commission funds. Vouchers shall be signed by the Chairperson and Secretary.

Section 29. All checks shall be signed by two officers of the Commission, one of whom shall be the Treasurer or the Chairperson. All financial books, reports, documents, *etc.*, shall remain in the Archives of the ANC 7 E office. It is the responsibility of the ANC to insure that all monies expended, except for those items that are considered as general operating expenses, for example *i.e.*, rent, insurance, utilities, *etc.*, shall be voted on appropriately. Decision of this type requires that Commission members meet and that a quorum be present before voting takes place. All expenditures that are voted upon should be included as a matter of record in Commission minutes.

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

Section 31. Every expenditure of funds by the Commission shall be authorized in writing by the Treasurer or Chairperson and recorded in the Commission's books of accounts, provided however, that the Treasurer or Chairperson with the specific approval of the Commissioners disburse to another Commission member or employee of the Commission amounts not in excess of \$200.00 out of the petty cash fund.

Section 32. Records of expenditures of such funds shall be transmitted to the treasurer prior to any further disbursements of funds.

Section 33. A final budget shall be submitted to the Council and to the Mayor within 60 days of notification of the amount of the ANC's allotment and that the Commission present a draft budget at a public meeting to receive comments from the public prior to adoption of the budget at a public meeting.

Section 34. Any notification of proposed action by the District of Columbia Government or any request for action by a Single Member Commissioner or a citizen shall be transmitted to the Chairperson of the Commission.

Section 35. The referred body shall within a period of time designated by the Chairperson report its recommendation to the full Commission.

Section 36. The Commission shall meet at a time and place designated by the Chairperson to make a determination as to what action, if any, it will take.

ARTICLE V. MEETINGS

Section 1. Pursuant to the provisions of § 742(a) of the District of Columbia self-government and Government Reorganization Act, all meetings of the Commission shall be open to the public.

Section 2. The Commission may take no official action unless a majority of the elected representatives of the Commission are present and voting.

Section 3. The Commission shall generally meet at Jones Memorial United Methodist Church, 4625 G Street, Southeast. 7 PM on the 2nd Tuesday of each month except for the month of July and August 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 recommendations thereof.

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

Section 5. 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 by posting written notices in at least two conspicuous places in each single member district the in the Commission area.

Section 6. Within 30 days of receiving a notification from the District government or 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. 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 8. Resident views should be incorporated in position taken by the Commission.

Section 9. The Commission may establish such mechanisms as will insure the broadest dissemination of information with respect to the Commission meetings, position 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, or economic status.

Section 10. Special meetings of the Commission can be called by the Chairperson of the Executive Committee or by written request of any two of the Commission membership. The purpose of the meeting shall be stated in the notice and no other topic may be discussed at the meeting. Reasonable notice shall be given in writing.

Section 11. The Commission may hold joint meetings with other ANC's to deal more effectively with or respond to similar concerns and issues which transcend and affect the areas of the Commission, jointly meeting and for informational purposes.

Section 12. Joint Commission meetings may be held only after authorization to participate in such joint meetings and to discuss such matters as has been given to each participant Commission in a meeting held prior to such joint meetings.

Section 13. The Commission members shall reflect, but not necessarily be bound by, the views of the Commission. The Commission members attending the associated

Commissions shall have no power other than what their Commission shall have agreed upon.

Section 14. 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 the Commission.

Section 15. Discussions and voting at such meetings shall be limited to the Commission members.

ARTICLE VI. EXECUTIVE COMMITTEE

Section 1. There is established the Executive Committee of Advisory Neighborhood Commission 7E.

Section 2. The Executive Committee shall consist of the following:

- a. Chairperson
- b. Vice Chairperson
- c. Secretary
- d. Treasurer
- e. All members of the Commission

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 where it is impractical to submit a matter to the Commission as a whole.

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

Section 6. Executive Committee meetings shall be open to the public.

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

Section 8. A regular meeting time of the Executive Committee shall be established and publicized.

ARTICLE VII. COMMITTEES

Section 1. There shall be two categories of committees:

- > Standing committees - those created permanently with the concurrence by a majority vote of the Commission.
- > Special committees - those created temporarily by the Commission and/or Executive Committee of the Commission.

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

Section 2. Each standing committee shall be composed initially of at least one Commission person.

Section 3. The selection of standing committee members shall precede the appointment of a standing committee chairperson.

Section 4. The Executive Committee of the Commission shall have the power to appoint or remove standing committee chairpersons and vice chairpersons.

Section 5. The Executive Committee of the Commission shall appoint the committee chairperson and vice chairperson from among the standing committee membership as appointed by the Commission, and the chairperson of each committee shall have the right to vote.

Section 6. A member of the Executive Committee of the Commission who is an officer, shall not be appointed as a chairperson or vice chairperson of standing committee.

Section 7. 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 8. Any special committee created by the Commission and/or the Executive Committee of the Commission may become a standing committee with the concurrence of the Commission.

Section 9. 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 changes as are necessary.

Section 10. Standing and special committees shall have the authority to set up subcommittees, which can include non-voting non-Commission members.

Section 11. The respective committees themselves shall establish the time and regularity of executive standing and special committee meetings.

ARTICLE VIII. PROCEDURES

Section 1. All official actions of the Commission shall be recorded in full in the minutes of regular or special meetings. An adequate record of activities and recommendations of committees shall also be maintained, along with the Commission decisions with reference to such matters.

Section 2. Committees shall receive and act on request from the Commission as a whole, and may develop additional information as needed in order to make recommendations to the Commission. They shall not act on behalf of the Commission, or represent their recommendations as official Commission policy to others, without having obtained formal authorization of the Commission.

Section 3. a. All official notices of positions or decisions taken by the Commission as a whole, with respect to proposals submitted to it by city agencies or for any other purpose shall be made on Commission stationery, signed by the chairperson, or if available, the next ranking officer, the next most senior Commissioners (in tenure), or a Commissioner designated by the Commission. When the Chairperson intends to decline to sign, this should be indicated no later than before the adjournment of the meeting at which the position or decision is taken.

b. Commissioners are entitled to submit a concurring or minority opinion, in case they take a different position from the Commission majority vote. Concurring or minority opinions may be submitted with the majority opinion on ANC 7E stationery, provided said opinions are clearly indicating as concurring or minority and submitted to the ANC 7E office in time to be submitted with the majority opinion.

Section 4. Other communications by individual Commission members (*i.e.* requests for information, inquiries on behalf of constituents, etc.) on Commission stationery will be properly identified as personal and distinguished from official notices. Copies of all such communications by Commission members will be filed with the Office Manager and will be kept as part of the record of the Commission-related activities.

Section 5 The Commission will seek to ensure the widest possible dissemination of information to its area's as to meetings, policies, and activities.

Section 6. The Commission shall continually strive to involve all segments of its area's population in its deliberations and activities.

Section 7. Each Commissioner shall have the right to:

a. access to the Commissioner office and be provided a key to said office (which is for Commissioner's use only and-must be returned upon completion of term of office). Commissioners wilt comply with established office procedures.

b. review all Commission records and files.

c. review all income and expenses of the Commission including appropriate invoices and receipts.

d. review the check book and bank statements of the Commission; and,

e. Commissioners shall adopt rules for the use of the ANC Office and supplies based on the following two principals:

(1) All Commissioners shall have equal access to the Office.

(2) The use of the Office and Commission supplies shall meet the "Public Purpose" test.

ARTICLE IX. MISCELLANY

Section 1. The Commission may not solicit or accept funds from a federal or District government agency or private funding source, except as may be specifically or previously authorized by resolution of the council, provided that receipt of contributions of \$100 or less from a single contributor need not be approved by the Council.

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 through its special committee on Advisory Neighborhood Commissions or such successor committee.

Section 4. Any Commission member may institute a legal actin 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. All 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 description 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 BY LAWS

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

Section 2. Revision of these bylaws requires a two-thirds 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 bylaws shall be consistent with all Congressional and District legislation and other applicable laws regarding ANC's and any inconsistencies are to be held null and void.

Section 4. Where not otherwise provided, Roberts Rules or Order shall govern the procedures of the Commission.

Section 5. These rules shall be open to the public.

XI. PARLIAMENTARY AUTHORITY

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