

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION – 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



Melissa J. Lane 3B03, Chair
Christopher J. Lively, 3B05, Vice-Chair
Charles L. Howe, 3B02, Secretary/Treasurer
Vacant, 3B01
Vacant, 3B04

ANC-3B Minutes
April 8, 2004

A quorum was established and the meeting called to order at 7:06 pm.

Commissioners present

3B02 – Charles L. Howe

3B03 – Melissa J. Lane

3B05 – Christopher J. Lively

Commissioners absent

3B01 – Vacant

3B04 – Vacant

2nd DISTRICT POLICE REPORT:

Officer Tony MacElwee gave the police report for PSA 205. There has been a 60 percent reduction in crime between April 03 and April 04. In March, however, theft from auto numbers have increased. These crimes most often take place after midnight on Thursdays, Fridays, Saturdays, and Mondays.

The changeover in the PSA structure has been put on hold for the time being. No explanation was given. When the restructuring takes place, the number of PSAs in the Second District will decrease from 9 to 7. Glover Park will become part of PSA 204 which will extend from roughly Glover Park to Connecticut Avenue.

Robert Hyman, Vice President of the Glover Park Citizens Association (GPCA) asked if patrols could be increased when the bars in Glover Park close since there has been an increase in vandalism at that time. Ofc. MacElwee said that the Second District has just gotten 10 scooters making officers more mobile. Ten officers will be deployed in PSA 205 in the overnight hours from Tuesday to Saturday to address the problem.

Commissioner Howe asked how many more officers the 2nd District would get since the number of MPD officers in the city is being increased. Ofc. MacElwee does not have information on the new number of officers that will be deployed in the 2nd District.

Lynn Reichhardt asked if patrols could be increased in the wooded areas around 42nd Street and W Street since the Spring has often brought an increase in car vandalism. Robert Hyman suggested that cars parked in the area be notified of the problem with a flyer. Officer MacElwee is going to look into the suggestion.

OLD BUSINESS:

Stoddert Recreation Center Update. Cathy Fiorillo, Co-Chair of the Friends of Glover Park, the group spear-heading the new Recreation center was unable to attend the meeting so Commissioner Lane gave an update. A meeting between the FoGP, ANC 3B representatives, DCPS (Public Schools) representatives, DCPR (Parks and Rec), and community members was held in late March. Many issues still need to be resolved including the size and location of the new recreation center as well as coordination of programming between the Guy Mason and Stoddert Centers. FoGP is scheduled to meet with the Friends of Guy Mason as well as DCPR to discuss programming. Guy Mason will be primarily targeted at adult programming while Stoddert will focus primarily on children's programming. DCPR is also taking under consideration suggestions for revising their current drawings of the new recreation center. DCPR will call a meeting of Glover Park residents to discuss the new recreation center.

Guy Mason Recreation Center Update. Commissioner Howe said that the D.C. Department of Parks and Recreation were considering three alternatives for the recreation center: a) renovate the building, b) add an addition to the existing building, and c) tear down the existing building and rebuild it. Commissioner Howe reported that at the April 1 meeting about the Recreation Center that an architect reported that the building itself had little historical significance so all options were available. Commissioner Lively suggested that Commissioner Howe contact Carlton Fletcher (Glover Park's historian) to ask him his opinion on the issue.

The Friends of Guy Mason have not taken a position on any of the alternatives yet. The next meeting is scheduled for May.

Update on the Proposed Extension for the Liquor License Moratorium in Glover Park. Commissioner Lively reported that the Glover Park Citizen's Association had agreed at its April meeting to partner with ANC 3B to petition for a five year extension in the current moratorium. The ABRA hearing is currently scheduled for June 9th.

Discussion of D.C. Smokefree Workplace Resolution. This discussion was postponed until the May 6th ANC 3B meeting.

NEW BUSINESS:

Presentation by the D.C. Health Care Coalition. The presentation was cancelled. A representative from the Health Care Coalition did not attend the meeting.

ADMINISTRATIVE:

Report of the D.C. Auditor on ANC 3B. Commissioner Lane presented some of the key findings and recommendations from the report of the D.C. Auditor on Activities of ANC 3B, dated March 9th, 2004.

- The audit found that 82 percent of ANC 3B's expenditures lacked adequate supporting documentation between FY 2000-FY 2003 (as of March 31, 2003). This lack of documentation included 53 cancelled checks that were not submitted with ANC 3B's quarterly reports including several that were not returned from the

Internal Revenue Service and the D.C. Office of Tax and Revenue. Commissioner Lane said that the tax problems were extremely complicated and that previous Commissioners had also tried to address it but that it hadn't been resolved yet. Commissioner Lane said that current commissioners would make every effort to straighten out the tax problems. Commissioner also said that additional internal controls have been implemented to insure adequate documentation including adding redundancies into the process so that each Commissioner had a full set of records.

- The Auditor also found that 52 checks were not in full compliance because "D.C. Government" did not appear on the bank statement although it did appear on the face of the checks. Commissioner Lane said that problem had been resolved.
- The Auditor found that only 31 percent of ANC 3B quarterly reports were submitted on-time and complete. ANC 3B Commissioners who were serving during that period claim that quarterly reports were submitted on-time but no copies were kept. Commissioner Lane announced that quarterly reports would be completed in a timely manner, documentation would be kept, copies would be given to all ANC 3B commissioners, and that stamped receipts would be required from the D.C. Auditor's office.
- The Auditor found that in violation of statute, a Commissioner was a paid employee of ANC 3B while simultaneously serving as a Commissioner for a six-month period in 2002. Note: ANC 3B had asked for a ruling from the Corporation Counsel and D.C. Auditor on the legality of this issue in December 2001 before the Commissioner was appointed. Since documents on the D.C. Auditor web site indicated that the practice was legal, the Commissioner was allowed to act in the dual roles. A ruling was received from Corporation Counsel in June 2002 and the D.C. Auditor in October 2002 disallowing the practice and it was discontinued as of the summer of 2002. The Auditor recommended that the \$3,732.80 paid to the Commissioner in his role as employee in 2002 be reimbursed to ANC 3B. The Commissioner reimbursed ANC 3B for the total amount in February 2004 and the D.C. Auditor's office was notified.
- The Auditor found that there was no evidence of a valid employment contract with a paid staff employee between February 1, 2000 and December 31, 2002. The D.C. Auditor recommended that ANC 3B ratify the salary of \$23,199.47 paid to the staff person over that period as well as a biweekly increase of \$1,012 paid during that period (\$1,012 is included in the \$23,199.47). Commissioner Lane introduced a resolution to ratify the salary and the biweekly increase. Commissioner Howe seconded the resolution. The resolution passed 2-0 (attached). Commissioner Lively recused himself from the discussion and the resolution.

Members of the audience expressed concerns about the problems found in the audit and asked for accountability. Commissioner Lane agreed that some of the problems were serious and that the community should continually demand accountability for the actions of its Commissioners.

Approval of the March 2004 Meeting Minutes. Commissioner Lane presented the March 2004 minutes for approval. Commissioner Lively presented a motion to approve the minutes, Commissioner Howe seconded, and the minutes were approved 3-0 (attached).

Quarterly Reports. Commissioner Lane announced that the current commissioners now have full access to the ANC 3B bank account and bank statements and are now able to complete past due and current quarterly reports and submit them to the D.C. Auditor.

Approval of the FY 2003 Fourth Quarter Report. Commissioner Howe presented details for the Fourth Quarter FY 2003 report (July-September 2003). A motion was introduced and seconded to approve the report. The motion passed 3-0.

Approval of the FY 2004 First Quarter Report. Commissioner Howe presented details for the First Quarter FY 2004 report (October-December 2003). A motion was introduced and seconded to approve the report. The motion passed 3-0.

Approval of the FY 2004 Second Quarter Report. Commissioner Howe presented details for the Second Quarter FY 2004 report (January-March 2004). A motion was introduced and seconded to approve the report. The motion passed 3-0.

OPEN FORUM:

Commissioner Lane asked if there were any issues the community would like to bring up. None were forthcoming.

ADJOURNMENT:

Commissioner Lane asked for a motion to adjourn. A motion was so presented, seconded, and passed. The meeting was adjourned at 8:16 pm.

Resolution to Ratify Employment Net Salary Paid February 1, 2000 through December 31, 2002

WHEREAS In a report dated March 9, 2004 from The Office of the Auditor recommends that ANC 3B ratify the \$23,199.47 in net salary paid for an Administrative Assistant during the period of 02/01/00 through 12/31/02, and;

WHEREAS the Office of the D.C. Auditor has recommended that ANC 3B specifically ratify \$1,012.00 in increased biweekly salary payments during the audit period;

NOW THEREFORE BE IT RESOLVED ANC 3B ratifies \$23,199.47 in net salary paid for an Administrative Assistant and specifically ratifies \$1012.00 in increased biweekly salary payments during the audit period, which is included in the \$23,199.49 net salary.

_____/s/_____
Melissa J. Lane
Chair

April 8, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

April 8, 2004

Vote (of 3) Commissioners: 2 in favor with 0 opposed, 1 abstained. (Commissioner Lively recused himself from the discussion and vote.)

ANC 3B Commissioners present:
Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION – 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



Melissa J. Lane 3B03, Chair
Christopher J. Lively, 3B05, Vice-Chair
Charles L. Howe, 3B02, Secretary/Treasurer
Vacant, 3B01
Vacant, 3B04

ANC-3B Minutes
March 11, 2004

A quorum was established and the meeting called to order at 7:15 pm.

Commissioners present

3B02 – Charles L. Howe

3B03 – Melissa J. Lane

3B05 – Christopher J. Lively

Commissioners absent

3B01 – Vacant

3B04 – Vacant

2nd DISTRICT POLICE REPORT:

No officer from PSA 205 was available to attend the meeting.

OLD BUSINESS:

Representation from WASA on Lead Contamination Issue. WASA has been inundated with meeting requests and is unable to meet the demand. Rather than attend community group meetings, they will be holding Ward meetings in March and April to address citizen concerns.

Update on Saveur Restaurant. Commissioner Howe reported that he had visited Saveur Restaurant to check on trash problems and fire hazard issues. He noted much improvement in the situation. The trash problem has been resolved and the restaurant owner is planning on building a shed to store excess furniture. Commissioner Howe did find a standing water problem which the restaurant owners plan to address in the near future.

Process for Handling Proposals to St. Luke's Development Corporation. Commissioner Lane reported on a meeting with Woody Bolton, St. Luke's Development Corporation, Robert Hyman, Glover Park Citizens Association, and ANC 3B Commissioners Howe, Lively, and Lane regarding the establishment of guidelines for proposals to St. Luke's LLC. The guidelines have been issued (see attached) and proposals will be accepted between April 1 and July 1, 2004. (Background: ANC 3B's agreement with St. Luke's Development LLC includes \$25 thousand to support community recreation projects and \$25 thousand to be used to create a Glover Park streetscape within the next two years.)

Ward Three Traffic Policy Meeting. Commissioner Lively reported on the latest Ward Three Traffic Policy Meeting.

- DDOT will be asked to do an evaluation of traffic issues for the next version of the Upper Wisconsin Avenue Corridor Study.
- The Traffic Safety Administration will be taking a more systematic approach by implementing Ward-based coordination on safety issues such as installation of traffic lights, etc.
- There will be a special meeting in April on Schools and Safety Regulation. The purpose is to standardize safety measures. Private schools will be included in the discussion.
- DDOT is beginning to upgrade traffic signals with LED rather than incandescent bulbs as they require less maintenance and are more energy efficient. DDOT is also upgrading pedestrian signals to countdown signals at intersections.

NEW BUSINESS:

Resolution to Install New Pedestrian Signal at Calvert and Wisconsin Avenues, N.W. Commissioner Howe introduced a resolution to install a countdown signal at Calvert and Wisconsin Avenues, N.W. (attached). Commissioner Lively seconded.

The resolution passed 3-0.

Presentation on the D.C. Smokefree Workplace Initiative. Avram Fechter from D.C. Citizens for Smokefree Workplaces discussed the Smokefree Workplace Initiative that they want on the ballot for the November elections (NOTE: The restaurant association is suing to keep it off the ballot). Councilpersons Fenty and Patterson have introduced the measure in Council but it has yet to emerge from Councilperson Schwartz's committee. A. Fechter asked the ANC 3B consider passing a resolution in support of the initiative. Commissioner Lane said that ANC 3B would consider such a resolution at its April meeting and that A. Fechter should consider also presenting the initiative to the Glover Park Citizens Association at its April meeting.

Discussion and Possible Vote on Extending the Liquor License Moratorium in Glover Park. Milton Grossman presented information on the status of the current Liquor License moratorium in Glover Park. It is set to expire on July 20th, 2004. The current moratorium was for a three year period and excluded DR licenses (beer and wine). Any request for extension must be filed fairly quickly as a 45-day notice period and public hearing is required. Commissioner Lane introduced a resolution to support extension of the moratorium for a five year period with the exclusion of DR licenses (attached). Commissioner Lively seconded.

The resolution passed 2-1. Commissioner Howe opposed.

ADMINISTRATIVE:

Approval of July 2003 Meeting Minutes. Commissioner Lane presented the July 2003 minutes for approval. Commissioner Lively presented a motion to approve the minutes, Commissioner Howe seconded, and the minutes were approved 3-0 (attached).

Approval of the February 2004 Meeting Minutes. Commissioner Lane presented the February 2004 minutes for approval. Commissioner Lively presented a motion to approve the minutes, Commissioner Howe seconded, and the minutes were approved 3-0 (attached).

Approval of FY 2003 Fourth Quarter Report and FY 2004 Fourth Quarter Report. Commissioner Lane reported that a request has been made to Wachovia to provide copies of ANC 3B bank statements since former Commissioner Halpin (2003 ANC 3B treasurer/secretary) has not provided the information. Once the information is received, the quarterly reports can be completed and approved.

Update of ANC 3B Bylaws and Introduction of Resolution for Passage. Commissioner Lane reported that the ANC 3B By-laws have been revised. The major revisions included updating ANC 3B boundaries, deleting the section that allowed Commissioners to also be staff persons, and eliminating officer term limits. Commissioner Lane presented a resolution for approval, Commissioner Lively seconded, and the bylaws revisions passed 3-0 (attached).

ANC 3B Payment to the Security Fund. Commissioner Lane introduced a resolution to approve payment of \$25 for the ANC Security Fund. This payment is required by the D.C. Auditor before ANC's are allowed to expend funds. Commissioner Howe seconded the resolution and it passed 3-0 (attached).

Status of the Audit Report. Commissioner Lane reported the D.C. Auditor issued its report on ANC 3B on March 9th. ANC 3B will evaluate the report and respond to it at the April meeting. Commissioner Lively introduced a resolution requiring the D.C. Auditor to turn over all background information used to develop the report on ANC 3B since former Commissioners Orr, Halpin, and Ritzenberg never shared any material that they submitted. Commissioner Howe seconded the resolution and it passed 3-0 (attached).

Resolution on Disposition of ANC 3B Facsimile Machine. One of the recommendations contained in ANC 3B audit was to relocate a fax machine purchased several years ago for ANC 3B to the ANC 3B office at Guy Mason. The fax machine has not been located their previously because of plumbing and heating problems in the office. Commissioner Lane introduced a resolution to relocate the machine from the residence of Commissioner Lively to the ANC 3B office at Guy Mason. Commissioner Howe seconded and the resolution passed 3-0 (attached). Commissioner Lively turned over the fax machine to Commissioner Lane at the meeting.

Resolution to Change Locks to ANC 3B Office. Material regarding ANC 3B operations has been showing up at the ANC 3B office at Guy Mason Center over the past few weeks. This material was not left in the office by current ANC 3B Commissioners. The most recent event was on March 11th when Commissioner Lane found a package of information on ANC 3B tax issues. The ANC 3B office is locked whenever current Commissioners are not using it. Since there is also a possibility that material is also being taken from the ANC 3B office, Commissioner Lively introduced a resolution to authorize up to \$350 to have the locks changed to the ANC 3B office. Commissioner Howe seconded the motion and it passed 3-0 (attached).

OPEN FORUM:

Commissioner Lane asked if there were any issues the community would like to bring up. None were forthcoming.

ADJOURNMENT:

Commissioner Lane asked for a motion to adjourn. A motion was so presented, seconded, and passed. The meeting was adjourned at 7:51 pm.

**Proposal Guidelines for Donations from the St. Luke's
Development L.L.C
11 March 2004**

As part of its agreement with ANC 3B, St. Luke's Development LLC is donating \$25,000 in distributed grants to non-profit organizations that provide services in ANC 3B.

ANC 3B will not receive any financial contribution directly but will select the non-profit organizations that provide services in ANC 3B.

Community organizations eligible to apply for these grants are those that focus on community recreational activities or the promotion of such activities.

The grant provisions include:

- Total contributions to all organizations in the aggregate shall be no less than \$25,000;
- Contributions shall be in the form of grants, and grants will only be made for specific purposes or programs. Eligible applicants for such grants must specify the purpose and benefits or projects in their grant requests;
- The selection of grant awards and the amounts of each grant will be decided by the developers in consultation with ANC 3B and other community leaders.

Grant requests will be accepted between April 1, 2004 and July 1, 2004 with award decisions expected in September 2004.

Requests shall be mailed to ANC 3B at P.O. Box 32312, Washington, D.C. 20007. Questions shall be directed to anc3b@aol.com.

**RESOLUTION SUPPORTING THE INSTALLATION OF COUNT DOWN PEDESTRIAN
CROSSWALK SIGNALS AT THE INTERSECTION OF WISCONSIN AVENUE AND
CALVERT STREET, NW**

WHEREAS ANC 3B IN CONJUNCTION WITH THE GLOVER PARK CITIZENS ASSOCIATION
ADVOCATED FOR THE INSTALLATION OF THE DEDICATED LEFT TURN LANES ON CALVERT
STREET AT WISCONSIN AVENUE TO PROVIDE A SAFER PEDESTIRAN AND MOTOR VEHICLE
INTERSECTION, AND;

WHEREAS THE DISTRICT DEPARTMENT OF TRANSPORTATION, DDOT, IN RESPONSE
TO THE COMMUNITIES REQUEST DID INSTALL DEDICATED LEFT TURN LANES IN 2002, AND;

WHEREAS DDOT IS IN THE PROCESS OF INSTALLING COUNTDOWN PEDESTRIAN
SIGNALS AT INTERSECTIONS THAT ARE IN HIGH USE AREAS, AREAS THAT HAVE A HIGH
NUMBER OF MOTOR VEHICLE ACCIDENTS, AREAS ADJACENT TO SCHOOL ZONE AND
RECREATION CENTERS;

NOW THEREFORE BE IT RESOLVED THAT ANC 3B REQUESTS THE INSTALLATION
OF A PEDESTRIAN COUNTDOWN SIGNAL AT THE INTERSECTION OF WISCONSIN AVENUE
AND CALVERT STREET, NW TO FURTHER INHANCE THE SAFTY OF PEDESTRIANS AND
MOTOR VEHICLES AT THIS INTERSECTION.

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved [] Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

**Resolution Supporting Continuation of the
Liquor License Moratorium in the Glover Park Commercial Area**

WHEREAS a five-year moratorium on the issuance of new liquor licenses in the Glover Park commercial area was established by the D.C. Alcohol Beverage Control Board—now the Alcoholic Beverage Regulation Administration (ABRA)—in 1994; and

WHEREAS the original five-year moratorium has been extended twice; and

WHEREAS the second extension was for a period of three years and class DR licenses for beer and wine were excluded from the moratorium; and

WHEREAS the establishment of this moratorium was strongly supported by ANC 3B, the Glover Park Citizens Association, and the Glover Park community; and

WHEREAS the current extension expires in July 2004;

THEREFORE BE IT RESOLVED that ANC 3B supports the continuation of the current moratorium on the issuance of new liquor licenses for a period of five (5) years; and

BE IT FURTHER RESOLVED that ANC 3B authorizes Milton Grossman, Esq., to represent ANC 3B as legal counsel, to file the necessary documents to extend the moratorium, and to represent ANC 3B at the Alcoholic Beverage Regulation Administration; and

BE IT RESOLVED that the chair of ANC 3B, or her designee, is authorized to represent ANC 3B on this matter.

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 2 in favor with 1 opposed (Howe).

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

RESOLUTION TO APPROVE CHANGES TO THE BY LAWS OF ANC 3B

WHEREAS IN 2002 THE DISTRICT OF COLUMBIA CHANGED THE BOUNDRIES OF WARD THREE AND THE ANC’S LOCATED WITHIN; AND

WHEREAS THE OFFICE OF THE D.C. AUDITOR HAS RULED THAT THE PRACTICE OF ALLOWING A COMMISSIONER TO SERVE AS BOTH COMMISSIONER AND PAID ADMINISTRATOR IS NO LONGER LEGAL; AND

WHEREAS MANY ANC’S HAVE ELIMINATED TERM LIMITS FOR OFFICERS;

WHEREAS ANC 3B PASSED A MOTION AT ITS FEBRUARY 12TH MONTHLY MEETING CHANGING ITS METHODS OF MEETING NOTIFICATION TO INCLUDE A) PUBLISHING IN LOCAL NEWSPAPERS AND NEWSLETTERS, B) POSTING NOTICE AND AN AGENDA ON THE ANC 3B WEB SITE, AND C) ENDING NOTIFICATION TO THE ANC 3B E-MAIL LIST; AND

WHEREAS ANC 3B BYLAWS ARE REQUIRED TO REFLECT THE CURRENT BOUNDRIES AS RECOGNIZED BY THE DC BOARD OF ELECTION AND ETHICS; AND

WHEREAS CURRENT ANC 3B BYLAWS DO NOT REFLECT THE CHANGES NOTED ABOVE;

NOW THEREFORE BE IT RESOLVED ANC 3B APPROVES THESE CHANGES TO THE BY LAWS

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

BYLAWS OF ADVISORY NEIGHBORHOOD COMMISSION 3B

ARTICLE I. NAME AND GEOGRAPHIC BOUNDARY

Section 1. The name of the Commission shall be the Glover Park – Cathedral Heights Advisory Neighborhood Commission 3B. The Commission is established pursuant to Section 738 of the D.C. Self-government and Governmental Reorganization Act, Pub.L. 93-198, 87 Stat. 824, and D.C. Law 1-58, 22 D.C. Reg. 5453 (April 9, 1976).

Section 2. The boundaries of the Commission area are located in Ward Three Starting: at the 4000 block of Massachusetts Avenue, South East on Massachusetts Avenue to 39th Street, South on 39th Street to Fulton Street, East along the rear property line of Fulton Street to Wisconsin Avenue, South on Wisconsin Avenue to Calvert Street, East on Calvert Street to Observatory Circle, South East on Observatory Circle to Whitehaven Parkway, West on Whitehaven Parkway to Wisconsin Avenue, North West on Wisconsin Avenue to 35th Street, South on 35th Street to Whitehaven Parkway, West on Whitehaven Parkway, continuing past 37th Street along the southern boundary of the eastern leg of Glover Archbold Park to the Western boundary of Glover Archbold Parkway (Closed), North on Glover Archbold Parkway to Cathedral Avenue, East on Cathedral Avenue to the 4000 Block, and north to the beginning of the 4000 block of Massachusetts Avenue.

ARTICLE II. OBJECT

Section 1.a. 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 but not limited to decisions regarding planning, streets, recreation, social service programs, education, health, safety, and sanitation which affect the Commission area.

Section 1.b. Proposed District government actions upon which the Commission shall have the opportunity to comment shall include but shall not be limited to actions of the Council of the District of Columbia, the Executive Branch or any independent agency. The Commission may advise each agency, board, and commission regarding the award of any grant or 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 improvements, licenses, or

permits affecting said Commission area, the District budget and city government service delivery and the opening of any proposed facility.

Section 2. The Commission may present its views to entities including but not limited to any federal, regional, or District agency it deems appropriate.

Section 3. The Commission may initiate its own proposals for District, federal, regional or neighborhood government action.

Section 4. The Commission shall monitor complaints of Commission area residents with respect to the delivery of District government services and forward comments of same to the appropriate District government entity.

Section 5. The commission shall receive from the Department of Consumer and Regulatory Affairs, twice a month and review promptly, the list of applications for construction and demolition permits within the boundaries of the commission, reporting to constituents as appropriate.

Section 6. The commission shall receive from the Alcoholic Beverage Control Board at least 45 calendar days prior to a hearing, notice of applications for issuance or renewals of ABC licenses for establishments located within the commission area. The commission will provide an opportunity for public comment on these applications, reporting the outcome to the ABC Board.

Section 7. On or before November 30 of each year, the Commission may 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 provisions required by law including:

- summaries of important problems perceived by the Commission and in order of their priority,
- recommendations for improvements on the operation of the Commission,
- financial reports, and
- summary of Commission activities.

Any Commissioner may submit a minority report, which shall be filed with the annual report.

Section 8. The Commission may operate neighborhood or community enhancement campaigns. It may operate other programs only in conjunction with existing governmental activities, provided that such activities on behalf of the Commission do not duplicate already available programs or services and further provided that the Commission's programs are not conducted on a contractual basis with existing governmental agencies.

Section 9. The Commission may, where appropriate, constitute the citizen advisory mechanism required by any federal statute.

Section 10. The Commission shall develop an annual fiscal year spending plan for the upcoming fiscal year within 60 days of notification of the amount of the Commissions annual allotment. The plan will be discussed and approved at a public meeting.

Section 11. The Commission may carry out any other function as shall be provided by law or regulation.

ARTICLE III. MEMBERS

Section 1. The Commission shall be composed of those persons duly elected and certified by the D.C. Board of Elections and Ethics to Single Member Districts within the Commission's boundaries.

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 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.

Section 3. Each duly elected and certified Commissioner shall have one vote. There shall be no voting by proxy.

Section 4. Vacancies shall be filled in accordance with the laws of the District of Columbia.

Section 5. The Commissioners shall serve without compensation; however, appropriate expenses may be reimbursed in accordance with the laws of the District of Columbia and these bylaws.

Section 6. Any individual Commissioner may communicate his or her views on any issue within the scope of his or her jurisdiction to any government entity; provided, however, that unless such communication has been approved by the Commission as a whole or reflects the views of the Commission as reflected in a formal vote of the Commission, such Commissioner indicates in such communication that he/she is speaking as an individual Commissioner, and not for the Commission itself.

Section 7. Each Commissioner shall have at all times equal access to the resources of the Commission, including, but not limited to, documents (as defined in the Federal Rules of Civil Procedure) of the Commission, the Commission office, and supplies.

ARTICLE IV. OFFICERS

Section 1. In January of each year, the Commission shall elect from among its members a chairperson, a vice-chairperson, a secretary, a treasurer, and such other officers, as may be determined necessary by the Commission.

Section 2. A quorum for the election of officers shall be a majority of the duly elected Commissioners.

Section 3. The chairperson shall serve as convener of the Commission and shall chair the meetings. The Chairperson shall be responsible for the execution of the decisions of the Commission, and may delegate such duties to other Commission members.

Section 4. The chairperson may rule on procedural questions from the chair and such rulings may be overturned by a majority vote of the Commission.

Section 5. The vice-chairperson shall fulfill the obligations of the chairperson in his/her absence.

Section 6. The secretary shall be responsible for the preparation of the minutes for all meetings of the Commission and for the keeping of all important papers, and shall be primarily responsible for providing the community with notice and results of Commission meetings.

Section 7. All official documents, including minutes, financial records, shall be prepared and maintained by the appropriate officer.

Section 8. The treasurer shall be responsible for maintaining the financial records of the Commission in accordance with D.C. laws and regulations.

Section 9. In the case of a vacancy in any office, the Commission shall select a new officer in accordance with these Bylaws at their next regularly scheduled meeting.

Section 10. Officers shall be elected by a simple majority of Commission members present. In the event that there is not a simple majority on the first ballot, there shall be an election between the two candidates receiving the most votes. In the event of a tie in such a run-off vote, the winner shall be decided by a coin-toss.

Section 11. Any officer may be removed from office by a two-thirds vote of the Commissioners present and voting at a meeting following at least seven days' notice, in writing, by any Commissioner to all other Commissioners of the intention to seek the removal of the officer. Upon removal, the vacancy shall be filled in accordance with the election procedures set forth in these By-laws.

Section 12. Any vacancy of an officer position shall be filled at the next public meeting following the resignation or removal of that officer.

ARTICLE V. MEETINGS

Section 1. Discussion at meetings shall be open to all ANC residents and invited guests, in accordance with these Bylaws.

Section 2. The Commission may take no official action unless a quorum of the members of the Commission is present. A quorum is a majority of the duly elected commissioners.

Section 3. The Commission shall generally meet at regular intervals, not less than nine times a year, 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. No less than seven days notice of its meetings shall be given by the Commission, except where shorter notice for good cause is necessary. Methods of notification shall include a) publishing in the *Georgetown Current* and the *Glover Park Gazette*, b) posting on the ANC 3B web site; and c) e-mail notification to the ANC 3B mailing list.

Section 5. The Commission may host "town meetings" in accordance with D.C. law and regulations.

Section 6. Residents' views should be considered in positions taken by the Commission.

Section 7. Any commissioner can put an item on the agenda. All items should state why the item appears on the agenda in order to clarify the public posting.

Section 8. No vote may be taken on any issue that has not appeared on a posted agenda, except with the 2/3 consent of the commissioners present at the meeting when the issue arises.

Section 9. Commissioners introducing motions are responsible for submitting written text of their motions, together with any amendments, to the ANC Administrator by the end of the meeting in which the motion passes.

Section 10. Only resolutions and motions passes by a quorum of the commissioners at a public meeting can and will constitute ANC 3B's official positions. Any other opinion communicated by an ANC commissioner shall be declared as his or her own.

Section 11. ANC letterhead may be used for the following purposes:

- Letters that further the normal business of the ANC, such as invitations and agency queries and responses to administrative issues;
- Statements conveying the official position, as adopted by formal resolution, of the ANC;
- Correspondence relating to ANC matters undertaken by any member of the Commission, so long as the commissioner clearly states when he/she is conveying an official position, when he/she is stating a minority opinion, and when he/she is conducting business for his SMD.

Section 12. The chairperson shall not sign any letter regarding actions taken by the ANC identifying him/herself as Chair unless the action has been passed at a public meeting. The chairperson shall not identify him/herself as Chair in any testimony unless the Commission at a public meeting has passed the content of the testimony.

Section 13. In order for the Commission to effectively address the needs of the ANC 3B community, the procedure for presentations at a public meeting shall be as follows: Presenter shall state their name, organization, purpose of presentation and what action is being requested;

- Presenter shall be allotted no more than 10 minutes for presentation;
- The Chair shall recognize members of the audience for questions;
- Each member of the audience shall state their name and address;
- Each member shall be limited to one question to allow every member to ask a question;
- If time permits, the Chair shall call for additional round(s) of questions;
- The chair shall announce the close of audience question period and recognize each SMD commissioner for a question;
- Each SMD commissioner shall be limited to one question to allow every SMD commissioner the opportunity to ask a question;
- If time permits, the Chair shall call for additional round (s) of questions.

Section 14. In case of inclement weather, ANC 3B meetings will ordinarily be canceled if and only if the D.C. government has announced it will be closed that day. In case of cancellations, the date of the rescheduled meeting, if any, will be available as soon as possible from the ANC office.

Section 15. Special meetings of the Commission can be called upon the written request of two Commissioners. The purpose of the meeting shall, be stated in the request and no other topic may be acted upon at that meeting. Reasonable notice in accordance with the laws of the District of Columbia shall be given in writing.

Section 16. Commission actions, except as otherwise provided herein, shall be approved by a simple majority of those Commission members present and voting.

Section 17. Except as otherwise provided herein, in the case of a tie vote, the motion for Commission action shall fail.

Section 18. The minutes of ANC meetings shall record the commissioners present; the text of any resolution adopted or action taken with a record of the vote distribution and the time that the meeting was convened and adjourned.

Section 19. The Commission shall, at its first meeting of the calendar year, adopt a schedule of regular Commission meeting for the remainder of the calendar year.

ARTICLE VI. COMMITTEES

Section 1. The Commission may create standing and special committees in accordance with the laws of the District of Columbia. Each commissioner shall be an ex-officio member of each committee, with the right to participate and vote in its deliberations.

Section 2. Each committee may adopt rules of procedure and practice under which it shall operate.

ARTICLE VII. EXPENDITURES

Section 1. 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 the chairperson of the Commission and attested to by the secretary, as having been approved by the Commission shall be filed within seven days of approval by the Commission with the District of Columbia Auditor.

Section 2. Every expenditure of funds by the Commission, except those approved in the annual budget, shall be authorized in writing by the treasurer upon the full vote of the Commission, and recorded in the Commission's books of accounts.

Section 3. The signature of two officers shall be required on every draft or order drawn on the Commission's depository.

Section 4. The Commission shall by resolution approved by a majority of its members designate one or more financial institutions within the District of Columbia as depositories of Commission funds.

Section 5. The treasurer shall comply with the regulations issued by the District of Columbia Auditor concerning ANC treasurers.

ARTICLE VIII. USE OF COMMISSION OFFICE AND SUPPLIES

Section 1. All commissioners shall be granted open access to the office, files, supplies, and equipment. ANC resources, supplies, and equipment, may be used only for official Commission business.

Section 2. The commission shall, by resolution, designate the custodian and place where certain equipment that is the property of the District of Columbia shall be stored.

ARTICLE IX. PARLIAMENTARY AUTHORITY

Section 1. 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.

ARTICLE X. OFFICE PROCEDURES

Section 1. No later than five days prior to a public meeting date, each commissioner shall receive:

- The draft agenda
- Copies of all correspondence signed by the chair;
- Draft minutes from the previous public meeting;
- Material submitted by the presenters of agenda items.

Commissioners shall bring these materials with them to the public meeting.

Section 2. Anyone making a presentation before the ANC is required to provide the office with 6 sets of fact sheets five days before the meeting. In the absence of information necessary to make a decision, the Commission may defer the subject.

Section 3. All mail received by the ANC office relating to matters that may come or have come before the Commission should be circulated to all commissioners within three days of receipt. All correspondence delivered to the home address of the chair that is applicable to the Commission as a whole shall be distributed to all other members of the Commission.

Section 4. Copies of outgoing correspondence, along with copies of approved Minutes should be posted electronically.

Section 5. A copy of the agenda should be delivered to properties adjacent to properties under discussion, with the property highlighted, and the owner of that property being discussed should be sent a copy of any letter regarding an ANC position on that property.

Section 6. For each public meeting, each commissioner shall be provided with a packet containing relevant documents not previously provided for each item on the agenda, as well as an agenda, minutes of the previous meeting, and a current Treasurer's report.

Section 7. All documents produce or copied in the ANC office, by ANC equipment, by ANC personnel (temporary or permanent), or where any portion of the production or distribution of the public documents was paid for or reimbursed by ANC funds or accounts shall be deemed public documents and a copy of such must be:

- Retained by the ANC office at all times, and
- Upon request, a copy shall be provided to a member of the public.

The cost of copying all requested documents shall be borne by the requester.

ARTICLE XI. REVISION OF BYLAWS

Section 1. The commission will provide an up to date copy of the bylaws and all amendments, to the Council and the Office of Advisory Neighborhood Commission, within 30 Days of any amendment to the by laws.

Section 2. Revision of these Bylaws shall be made only on at least two weeks' prior notice of the proposed modifications, deletions, or additions of the bylaws to each Commission member. At least two-thirds of the duly elected commissioners must approve bylaw amendments.

Section 3. These bylaws shall be a public document.

ARTICLE XII. MISCELLANY

Section 1. All employees of the Commission shall be hired by the Commission and shall serve at the pleasure of the Commission. 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.

**Resolution Approving ANC 3B's Participation in the Advisory
Neighborhood Commission Security Fund**

BE IT RESOLVED that this Commission approves the ANC's participation in the Advisory Neighborhood Commission Security Fun and authorizes the Treasurer to pay the \$25.00 fee for the period January 1, 2004 to December 31, 2004.

BE IT FURTHER RESOLVED that the Chairperson and Secretary are authorized to execute the attached agreement.

BE IT RESOLVED that the check be made payable to the "ANC SECURITY FUND."

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

**Resolution to Request Supporting Documentation for DC Office
of the Auditor Report Dated March 9, 2004**

WHEREAS ANC 3B is in receipt of the report titled "Audit of Advisory Neighborhood Commission 3B for the Fiscal Years 2000 through 2003 as of March 31, 2003" dated March 9, 2004 and prepared by the District of Columbia Auditor, and;

WHEREAS the Office of the D.C. Auditor has requested a response to the findings contained in the report, and;

WHEREAS ANC 3B requires all documentation compiled to develop the report along with all correspondence between the Office of the Auditor and ANC 3B, its Officers, Current and Former Commissioners, from the time period of October 1, 1999 through March 9, 2004 in order to provide a comprehensive and complete response to the report,

NOW THEREFORE BE IT RESOLVED ANC 3B request all documentation compiled to develop the report along with all correspondence between the Office of the Auditor and ANC 3B, its Officers, Current and Former Commissioners, from the time period of October 1, 1999 through March 9, 2004 in a timely fashion so that a response may be developed prior to the deadlines established by the DC Auditor.

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

RESOLUTION TRANSFERRING THE LOCATION OF ANC 3B FAX MACHINE

WHEREAS ANC 3B has an office located at the Guy Mason Recreation Center, 3600 Calvert Street, NW that has leaking steam radiators, and;

WHEREAS ANC 3B had previously requested that Commissioner Christopher Lively house ANC 3B's fax machine to protect the electronic equipment from damage, and;

WHEREAS the Office of the Auditor has requested that the fax machine be housed at the ANC office,

NOW THEREFORE BE IT RESOLVED that ANC 3B accepts the fax machine from Commissioner Lively and thanks him for his service in protecting the property of ANC 3B.

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)

RESOLUTION AUTHORIZING CHANGING LOCKS ON ANC 3B OFFICE

WHEREAS former ANC 3B Commissioners have not turned over keys to the ANC 3B office located in Guy Mason Recreation Center; and

WHEREAS unbeknownst to current ANC 3B Commissioners material regarding ANC 3B operations has been left in the ANC 3B office several times in the last few weeks, and;

WHEREAS unbeknownst to current ANC 3B Commissioners material regarding ANC 3B operations may also be taken from the office;

NOW THEREFORE BE IT RESOLVED that ANC 3B authorizes up to \$350 to be expending to change the locks on the ANC 3B office in Guy Mason Recreation Center.

_____/s/_____
Melissa J. Lane
Chair

March 11, 2004

_____/s/_____
As Witnessed by Commission Secretary
Charles L. Howe

March 11, 2004

Commission Action:
 Approved Disapproved

Vote (of 3) Commissioners: 3 in favor with 0 opposed.

ANC 3B Commissioners present:

Charles L. Howe (02); Melissa J. Lane (03); Christopher J. Lively (05)