

ANC 3/4G BY-LAWS
February 13, 2023

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BY-LAWS approved by a vote of 7-0-0 at a public meeting held on February 13, 2023.

**BY-LAWS
OF THE
CHEVY CHASE
ADVISORY NEIGHBORHOOD COMMISSION 3/4G**

ARTICLE I - NAME

There is established by an act of the Government of the District of Columbia, the Advisory Neighborhood Commission 3G, District of Columbia Government in Chevy Chase, hereinafter referred to as the Commission and known as ANC 3/4G. The boundaries of ANC 3/4G are as follows:

Beginning at the intersection of the State of Maryland-District of Columbia boundary line and at the center line of Rock Creek Park; then south along the center line of Rock Creek; then west along Military Road, N.W.; then southwest along Nevada Avenue, N.W.; then west along Jocelyn Street, N.W.; then southwest along Chevy Chase Parkway, N.W.; then northwest along Reno Road, N.W.; then west along Military Road, N.W.; then north along 42nd Street, N.W.; then west along Livingston Street, N.W.; then northeast along the State of Maryland-District of Columbia boundary line to the point of beginning.

ARTICLE II - DUTIES AND RESPONSIBILITIES

Section 1.

The specific activities, duties and responsibilities of the Commission shall be those set out in DC Code Section 1-207.38 and 1-309.01 et seq.

Section 2.

The ANCs were established to bring government closer to the people, and to bring the people closer to government. The ANCs' main job is to be their neighborhood's official voice in advising the District government (and Federal agencies) on matters that affect their neighborhoods. ANC Commissioners swear an oath of office to support and defend the United States and to perform such duties as may be assigned as a member of the Commission to the best of their ability without fear or favor and to exercise their best judgment considering each matter before them from the viewpoint of the best interest of the District of Columbia as a whole.

Section 3.

Specifically, the Commission is to advise the Council of the District of Columbia, the Mayor and each executive agency, and all independent agencies, boards and commis-

sions of the government of the District of Columbia with respect to all proposed matters of District government policy including, but not limited to, decisions regarding planning, streets, recreation, social services programs, education, health, safety, budget, and sanitation that affect the ANC 3/4G area.

Section 4.

Each 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 and the Council. The Commission will undertake this responsibility as it deems appropriate under the circumstances.

Section 5.

The Commission shall develop an annual fiscal year spending plan budget for the upcoming fiscal year within 60 days of notification of the amount of the Commission's annual allotment. Prior to adoption of the budget at a public meeting, the Commission shall present the budget at a public meeting of the Commission to elicit comments from the residents of the Commission area.

Section 6.

By December 1 of each year, the Commission shall publish an annual report or newsletter that summarizes the activities of the Commission in service to the community over the preceding 12 months, including a highlighting of key issues voted upon, comments submitted to District agencies, and issuance of community grants.

ARTICLE III - MEMBERSHIP

Section 1.

The Commission shall be composed solely of those persons duly elected and certified by the D.C. Board of Elections and Ethics or duly appointed in accordance with the law to its single member districts.

Section 2.

No person shall be a member of an Advisory Neighborhood Commission unless they: A) Are a registered qualified elector actually residing in the single-member district from which elected (B) Have been residing in such district continuously for the 60 days immediately preceding the day on which they file the nominating petitions as a candidate as such a member (C) Holds no other elected public office, and (D) Have not been convicted of a felony committed while serving as a Commissioner.

Section 3.

Any Commissioner who ceases to reside in the single-member district from which they are elected shall be considered to have resigned, and the office shall be declared vacant.

Section 4.

A member who resigns from the single-member district from which they are elected shall submit a letter of resignation to the Board of Elections and a copy of the letter to the Council, the Mayor, the Office of Advisory Neighborhood Commissions, the Chairperson of the member's Advisory Neighborhood Commission, and the Vice Chairperson of the member's Advisory Neighborhood Commission. The Board of Election shall then declare the vacancy.

Section 5.

When a vacancy occurs and no letter of resignation is submitted, the Commission shall petition the Board, by a resolution signed by the Chairperson and the Secretary, to declare the vacancy. The resolution shall be considered by the Commission at a special Commission meeting called for the purpose of considering the vacancy.

Section 6.

Members shall serve without compensation for a term of two (2) years which shall begin at noon on the 2nd day of January following the date of their election, or at noon on the day after the date the Board certifies the election, whichever is later.

Section 7.

All members shall have equal voting rights following the principle of one person, one vote.

Section 8.

A quorum for the conduct of business, including internal organization and election of officers, shall be a majority of the elected or duly appointed Commissioners.

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 and may be offered as a slate. The offices of Secretary and Treasurer may be held by the same person. No individual may serve as both the Chairperson and Treasurer simultaneously for any Commission.

Section 2.

The election of officers shall take place in January of each year. For elections of officers, the Commission shall nominate a non-Commissioner or other person who has not been nominated for election to conduct the election. There shall be no limit as to the number of such nominations. This person shall certify the returns.

Section 3.

When nominations are closed, the election shall take place by open vote and will be conducted in accordance with Article IV, Section 2. The person who has received a simple majority of the votes cast shall be elected to that office.

Section 4.

Voting for each office shall be concluded before the floor is opened for nominations for another office, except when officers are offered as a slate pursuant to Article IV, Section 1.

Section 5.

In the event that there is no simple majority after the first ballot, there shall be a run-off election between the two candidates receiving the most votes.

Section 6.

Officers shall assume office at the close of elections. In the event of a vacancy, the person filling the vacant position shall serve out the term of the officers they replaced.

Section 7.

Removal of any officer shall occur at a special Commission meeting. A special Commission meeting to remove an officer shall be called if at least one-half of the elected Commissioners request in writing that the Chairperson take such action. After the request is made, the Chairperson shall schedule the meeting to take place within 30 days of receipt of the request. The Chairperson shall preside over the meeting unless the vote affects the Chairperson's position. In that case, the Vice-Chairperson shall act as the presiding officer. Provided a quorum is present, the vote of a majority of the Commissioners shall remove the officer from office.

Section 8.

Vacancies among officers shall be filled at the next regular meeting of the Commission. Nominations and elections shall occur in accordance with the election procedures set forth in these By-Laws. In the case of a vacancy in the office of Treasurer, a special meeting of the Commission shall be held within seven (7) days of such a vacancy to select a new Treasurer.

Section 9.

The Chairperson shall serve as a convener of Commission meetings and shall establish the agenda after consultation with Commission members.

Section 10.

The Vice-Chairperson shall fulfill the obligations of the Chairperson in their absence and shall perform such other duties as may be delegated by the Chairperson.

Section 11.

The Secretary or Office Manager if so designated, under the Commission approved job description and at the direction of the Chairman, shall be responsible for the preparation of the minutes of all regular public 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 changes or corrections must be submitted prior to or at the next regular meeting during which final approval will be made.

Section 12.

The Office manager, under the direction of the Secretary, shall be responsible for maintaining records of all Commission activities, serve 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 13.

The Treasurer shall conduct their office according to the regulations adopted by the Government of the District of Columbia.

Section 14.

The Treasurer shall develop an annual fiscal budget request on forms to be provided by the Government of the District of Columbia.

Section 15.

The Treasurer shall maintain an up-to-date Treasurer's report that shall be available for any Commissioner or member of the public to review at each regular public Commission meeting. The Treasurer shall prepare, and the Commission shall approve, a quarterly financial report within thirty (30) days of the close of each fiscal quarter. These reports shall be public documents and shall be available for public inspection.

Section 16.

All checks drawn upon checking accounts and all withdrawal orders upon savings accounts of ANC 3/4G shall be signed by any two of the following four officers: Treasurer, Chairperson, Vice-Chairperson, Secretary, one of whom shall be either Treasurer or the Chairperson. The Treasurer shall deposit all receipts (including the District allotments), except for any interest earned in a savings account, into the Commission's checking account. The Treasurer shall place any funds withdrawn from a savings account only into the Commission's checking account. The Commission may obtain one debit card associated with the Commission's checking account, and in accordance with procedures determined by the Office of Advisory Neighborhood Commissions (OANC), monthly debit card expenditures will be limited relative to the Commission's quarterly allotment.

Section 17.

The Chairperson and Treasurer shall be bonded.

Section 18.

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 all Commission funds.

Section 19.

The officers of the Commission are authorized to take action, in case of urgency and during the interim between regular meetings, on matters of budgetary or any other matter of significance. A vote of three of the four officers is required for any such action.

Section 20.

When an officer is leaving the Commission or will no longer be serving in the same office, the officer shall ensure that all official documents and records for which they are responsible are made available to the incoming Commissioner. The outgoing Secretary shall ensure that new Commissioners have draft minutes of the previous meeting or complete notes covering all the required elements of ANC meeting minutes and access to all other official documents of the Commission. The outgoing Treasurer shall ensure that new Commissioners have a draft monthly financial report for the most recent month and the new Treasurer has the information necessary to access the Commission's accounts to prepare the next required quarterly financial report for the quarter and maintain all financial records for the Commission.

ARTICLE V - MEETINGS

Section 1.

All meetings of the Commission, at which official action of any kind is taken, shall be open to the public, and are subject to the open meetings provisions of section 742 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 831; D.C. Official Code § 1-207.42). No meeting may be closed to the public unless personnel or legal matters are discussed.

Section 2.

The Commission may take no official action unless a quorum (majority) of the members of the Commission is present, notice is properly given, and the meeting is open to the public.

Section 3.

A Commissioner must be physically present at a public meeting in order to participate in the meeting, including being counted toward the presence of a quorum and voting on matters before the Commission.

Section 4.

Notwithstanding any other provision of law, during a period for which a public health emergency has been declared by the Mayor pursuant to § 7-2304.01, the Commission may call a meeting and remotely participate in that meeting and vote on matters before the Commission through a teleconference or other digital means. Members physically or remotely present shall be counted for determination of a quorum.

Section 5.

Types of Meetings:

Business Meetings: Regular business meetings shall be held not less than nine (9) times a year to consider matters before the ANC, which may include but not be limited to consideration of actions or proposed actions of the D.C. Council, the Executive Branch or any independent agency, Board or Commission. Voting will be limited to the Commissioners. Participation in the discussion by citizens will be at the discretion of the Chairperson. A separate agenda item allowing time for citizens' input shall be part of each Business meeting.

Special Meetings: The Commission may call a special public meeting at the request of the Chairperson or two (2) or more Commissioners. Commissioners requesting a special public meeting must submit requests in writing to the Chairperson. The purpose of the special meeting shall be stated in the request, and no other topic(s) may be acted upon at

that meeting, except by unanimous consent of the Commissioners at the beginning of the meeting. The Commission shall provide advance notice to the community of any special meetings, following the procedures for notice of regular public meetings, in accordance with these bylaws.

Administrative Meetings:

The Commission may hold administrative meetings to plan the agenda and discuss logistics of upcoming regularly scheduled public meetings. No resolution, rule, act, regulation, or other official action shall be taken, made, or enacted at administrative meetings.

Committee/Task Force Meetings: ANC committees/task forces are established by the Commission. They may meet to conduct committee business as set forth in their mandate from the Commission. Committee/task force business must be conducted in a manner that is consistent with the District of Columbia code, rules governing ethics, and By-laws of the Commission. Committees/task forces are not empowered to make decisions without having first obtained formal authorization of the Commission. Authorization by the Commission must be obtained before any committee/task force action is effective. ANC Committee/task force recommendations are not entitled to great weight under the ANC Act.¹

Town Hall Meetings: Town Hall meetings may be held to hear residents' views on problems in the ANC area and on proposed District Government action of interest or concern to the community. Town Hall meetings may be held in conjunction with business meetings; however, a separate agenda will be prepared and reported in the minutes of the Commission.

SMD Meetings: A commissioner may schedule and hold a Single Member District (SMD) meeting, open to the general public but with an agenda focused on matters of particular concern to his or her SMD.

Section 6.

The Commission shall publish notice of each of its public meetings no fewer than seven (7) calendar days before the meeting date, except in case of an emergency or other good cause articulated in the notice. Notice shall include the date, time, and location of the meeting. The notice must be provided by at least two (2) methods that reach each SMD in the Commission area. Notice must include at least two of the following: (a) posting written notices in at least 2 conspicuous places in each single-member district within the Commission area; (b) publication in a city or community newspaper; (c) transmitting

¹ See id. § 1-309.10(d)(3).

or distributing notice to a list of residents and other stakeholders in the community; and (d) in any other manner approved by the Commission.

Section 7.

No fewer than seven (7) calendar days before a regular public meeting, the Commission shall publish a draft agenda on its website and other means deemed appropriate and shall transmit the draft agenda electronically to the OANC. The Commission shall retain the right to modify the draft agenda for a public meeting provided that the Commission shall only discuss or take official action upon an item(s) added to a draft agenda after initial publication and upon official approval of the additional item(s) by the Commission.

Section 8.

Any Commissioner may have an item placed on the agenda of a regular meeting by notifying the Chairperson in advance of that meeting. Constituent recommendations may be received at any time by a Commissioner or by the Commission electronically or in its office and shall be processed and considered as soon as practicable after receipt. The Commissioner in whose single member district the constituent recommendation arose shall be responsible for assuring that the matter is placed upon the agenda of an upcoming Commission meeting or otherwise resolved. Any such constituent recommendation may be referred to a committee or task force of the Commission as appropriate and in any event shall be acted upon by the Commission as soon as it has been reviewed and is ready for full Commission consideration.

Section 9.

Within and on the agenda of each regular, public meeting convened by the Commission, the Commission will set aside an adequate portion of time to hear and consider the views of residents within the Commission's geographic area and other affected persons, as provided in the D.C. Code. The amount of time for the expression of community views shall initially be determined by the Chair in setting the agenda and may be altered by a majority vote of the Commissioners in attendance; provided that (except as set forth in the following sentence), there shall be at least an aggregate of fifteen minutes during the discussion of all major agenda items as they are taken up individually on the agenda (and/or at other appropriate times during the meeting) for the expression of community views and opinions. Due to particular, unusual exigencies of an agenda or in the event that all attendees wishing to speak have already been heard, by majority vote the Commissioners may reduce the amount of time for public comments as necessary, but the Commission shall nevertheless at all times strive to include the maximum, feasible amount of time on its agendas to hear and consider the views of neighborhood residents.

Section 10.

Meetings shall in general follow the parliamentary forms set out for conduct of business in “Robert’s Rules of Order”.

Section 11.

Commissioners shall take due diligence to avoid actual or perceived conflicts of interest and shall at all times comply with the laws and regulations of the District of Columbia and the Board of Ethics and Governmental Accountability. A Commissioner shall notify the Commission, in writing, of any instance where they have a financial interest in an action before the Commission. A Commissioner shall not participate in deliberations or vote on, any motions related to a matter where they have a direct financial interest. If a Commissioner is involved in civic, business, political, or neighborhood organizations with business before the Commission, they shall notify the Commission of this and their role in the matter.

ARTICLE VI – COMMITTEES/TASK FORCES

Section 1.

The Commission may establish committees through which the Commission can conduct its affairs, apart from its regular and special meetings, upon a majority vote of Commissioners present and voting. Any permanent committee established pursuant to this section may be dissolved only by a two-thirds vote of the Commissioners present and voting.

Section 2.

There shall be two categories of committees:

- Standing Committees. Standing Committees are those established as permanent bodies by a majority vote. The Standing Committees shall be appointed to address the areas of greatest ANC concern; and
- Ad Hoc Committees (Task Forces). Ad Hoc Committees are those which are established as temporary bodies by a majority vote to address a specific issue or need.

Section 3.

The Commission shall charge a committee with its mission, including its reporting requirements. The Commission Chairperson shall ensure that items requiring committee action are referred to the appropriate Committee(s) upon receipt. Each committee shall establish the procedure which, in its opinion, will facilitate achieving its mission.

Section 4.

Committees and task forces shall be advisory to the Commission only and 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. A Commission shall not delegate official decision-making authority to any Committee or task force. Chairpersons of Committees/task forces shall be formally designated following election by active members of those Committees/task forces or after consultation with Commission members, by the Commission Chairperson.

Section 5.

Any resident of the Commission area is eligible for appointment as the Chairperson of any committee. The Chairperson of each Standing or Ad Hoc Committee shall be appointed by the Commission by a majority vote.

Section 6.

The appointment of a committee Chairperson shall precede the appointment of committee members.

Section 7.

Any resident of the Commission area shall be eligible to be appointed as a designated committee member. Such Committees may also include local business or non-profit representation, as appropriate. The Commission may involve representatives of other neighborhood groups in the work of its Standing or Ad Hoc Committees. Committee member slates shall be submitted to the full Commission for approval. Commissioners are ex officio members of all Committees.

Section 8.

The Commission should make every effort to appoint committee members that represent each Single Member District.

Section 9.

Each Committee may elect officers as they determine to be necessary. Committee officers shall hold office coterminous with those of the Commission.

Section 10.

Committees shall have the authority to create sub-committees as needed. The sub-committee must consist of members of the Committee, except in circumstances where the sub-committee requires expertise beyond those of sub-committee members. Sub-committees report directly to the committee.

Section 11.

Each committee shall adopt rules of procedure and practice under which it shall operate, to be submitted to the full Commission for approval. Committees shall prepare a mission statement to be submitted to the full Commission for approval.

Section 12.

Each Committee shall have the power and the responsibility to develop attendance requirements for the committee and its sub-committees. The time and schedule of committee meetings shall be established by the respective committees. The chairperson of the committee has the responsibility to recommend to the appointing body to remove non-complying members. The Commission shall have the power to remove the Standing Committee and Ad Hoc Committee Chairpersons.

Section 13.

Each committee shall designate a member to record and report, to the Commission Secretary, the results of each committee meeting.

Section 14.

All meetings of committees shall be open to the public. Each committee shall give the public at least seven days' notice of each meeting.

Section 15.

Committees shall require a quorum to adopt any recommendations. It shall satisfy this requirement if a meeting is attended by either a majority of the committee's members then serving or the committee Chair and one other committee member. There shall be no voting by proxy.

Section 16.

Upon transformation of a Special Committee into a Standing Committee, the Commission members serving on, and purpose of the committee shall remain the same. An Ad Hoc Committee or Task Force shall be dissolved upon completion of the task(s) assigned to it. All Standing and Ad Hoc Committees shall operate in conformity with the By-Laws of the Commission and in conformity with relevant District of Columbia law regarding the scope of Commission activities.

Section 17.

Committee recommendations for Commission action shall be placed on the agenda for the Commission's first public meeting after committee recommendations have been submitted to the Commission.

Section 18.

When the report of a committee has been presented to the Commission, the next order of business is the proper disposal of the report based on its content.

1. If the report contains only a statement of fact or opinion, no action on the report is required. However, the Commission can accept, adopt, or agree to the report, which has the effect of endorsing the statements contained within the report.
2. If the report includes recommendations, the recommendations should all be placed at the end of the report, even if they have been given separately before, and the proper action is the Commission's consideration on adopting the report recommendations.
3. If the report concludes with a resolution or a series of resolutions, the appropriate course is to vote on whether the resolution(s) should be adopted.

Section 19.

A partial or interim report of a committee is treated the same as the final report. If the report presents progress only, it is treated as any other report of information and no action is required. However, if the partial or interim report recommends action, then the Commission should vote on whether to adopt the report, its recommendations, or its resolutions, the same as if it were a final report.

Section 20.

Each committee shall, in its deliberations, hear from all constituents who wish to participate, regardless of race, sex, age, voting status, religion, economic status, or sexual orientation.

ARTICLE VII - 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/task forces shall also be maintained, along with the Commission decisions with reference to such matters.

Section 2.

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 unavailable, the next ranking officer, the next most senior Commissioner (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 3/4G stationery,

provided said opinions are clearly indicated as concurring or minority and submitted to the ANC 3/4G office in time to be submitted with the majority opinion.

Section 3.

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 Commission-related activities.

Section 4.

The Commission will seek to ensure the widest possible dissemination of information to its area's residents as to meetings, minutes, policies, and activities with a minimum of publishing the information on its website: <https://anc3g.org/>.

Section 5.

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

Section 6.

Each Commissioner shall have the right to:

- a. access the Commission office and be provided a key to said office (which is for Commissioner use only and must be returned upon completion of term of office). Commissioners will 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. be notified of the time for submission of Commission majority, concurring, and minority opinions.

ARTICLE VIII - AMENDMENTS

Section 1.

Amendments of these By-Laws require a 2/3rd vote of the Commissioners at a regular meeting with at least two (2) weeks prior notice to each Commissioner of the proposed amendment.

Section 2.

The approved by-laws shall be a public document.

Section 3.

The Commission will provide an up-to-date copy of the by-laws, including all approved amendments, to the D.C. Council and the OANC within thirty (30) days of any amendment to the by-laws.