

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

JUDICIARY SQUARE

441 FOURTH ST., N.W.

WASHINGTON, D. C. 20001



July 20, 1993

IN REPLY REFER TO:

L&O:LNG:lng

(93-195-L)

(LCD 7798)

James D. Berry, Jr.
Chairperson
Advisory Neighborhood Commission 5-C
1723 Third street, N.E.
Washington, D.C. 20002

Re: Must an Advisory Neighborhood Commission provide notarized copies of the minutes of monthly public meetings and quarterly financial reports to the Mayor upon request?

Dear Chairperson Berry:

This is in reply to your May 27, 1993 letter in which you state that the Office of Constituent Services has requested that Advisory Neighborhood Commissions (ANCs) send it notarized copies of minutes of ANC monthly public meetings and quarterly financial reports. You ask whether there is any statute or regulation that requires ANCs to provide such documents to the Mayor or the Mayor's representative upon request.

There is no statute or regulation requiring ANCs to send such documents to the Mayor or the Office of Constituent services, which serves as the Mayor's principal representative vis-a-vis the ANCs. At the June 25, 1993 ANC training session, Regena Thomas, the Director of the Office of Constituent services, explained that the purpose of the request was that such documents would provide the Office of Constituent services with information about the problems and concerns of the ANCs, and thus enable that office to assist ANCs more effectively in addressing such problems and concerns. See § 15(d) (3) (B) and (C) of the Advisory Neighborhood Commissions Act of 1975, as amended, D.C. Code § 1-263(d) (3) (B) and (C) (1992), which provides that the Mayor shall provide ANCs with assistance in "[l]iaison efforts between the individual Commissions and District government entities to ensure responsiveness to Commission requests and compliance with current law" and "[a]ny other assistance necessary to ensure that a Commission is able to perform its statutory duties." Ms. Thomas made clear at the June 25th ANC training session that compliance with the request for copies of meeting minutes and financial reports was strictly voluntary.

In sum, ANCs are not legally obligated to send to the Mayor or to the Mayor's representative copies of the minutes of ANC monthly public meetings or copies of ANC quarterly financial reports. Accordingly, ANCs are free either to decline altogether the request of the Office of constituent services for copies of such documents or to accede to this request in full or in part.

Sincerely,



Garland Pinkston, Jr.
Deputy Corporation Counsel
Legal Counsel Division

cc: The Honorable Harold Brazil
Chairman, Committee on Government Operations

Regena Thomas
Director, Office of Constituent services

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