

# Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL  
JUDICIARY SQUARE  
441 FOURTH ST., N.W.  
WASHINGTON, D. C. 20001



IN REPLY REFER TO:

AL-99-229

April 26, 1999

Commissioner Gustavo M. Ventura  
Vice Chairman, ANC 6A  
Via Fax: (703) 602-0075

Re: Presiding Officer of Special Meeting

Dear Mr. Ventura:

This letter responds to your oral inquiry today about who should preside over a special meeting of ANC 6A called for May 4, 1999 to consider a resolution to remove Commissioner Pernell as Chairman of the ANC. Although ANC 6A's by-laws call for the Chairman to serve as the presiding officer of Commission meetings<sup>1</sup>, it is clear that if a motion to remove Mr. Pernell was made in the course of a regular meeting, Robert's Rules of Order would require Mr. Pernell to turn over his presiding duties to ~~the~~ Vice Chairman, if present, or other temporary presiding officer during the consideration of the motion.<sup>2</sup> Since the special meeting is called solely for the purpose stated in the notice, to consider a motion to remove Mr. Pernell as Chairman, and no other topic may be discussed at the meeting<sup>3</sup>, then Mr. Pernell may not chair the special meeting of May 4<sup>th</sup>. The Vice Chairman, if in attendance, should preside over the meeting.

If you have any further questions you may contact me at 724-5537.

Sincerely,

A handwritten signature in cursive script that reads "Annette B. Elseth".

Annette B. Elseth  
Assistant Corporation Counsel  
Legal Counsel Division

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<sup>1</sup> ANC 6A By-laws, Art. IV., Section 12.

<sup>2</sup> "Whenever a motion is made that refers only to the presiding officer in a capacity not shared in common with other members... he should turn the chair over to the vice-president or appropriate temporary occupant. ..during, the assembly's consideration of that motion...." §46 of Robert's Rules of Order, Newly Revised (9<sup>th</sup> Edition, 1990).

<sup>3</sup> ANC 6A By-laws, Art. V., Section 3