16814

National Hispanic Council on Aging
2713 Ontario Road, NW
Washington, DC 20009
September 7, 2001

Mr. Richard Nero
Board of Zoning Adjustment for the District of Columbia
441 4th Street, NW, Suite 210
Washington, Dc 20001

RE: 2713 Ontario Road, NW
Square: 2581 Lot: 287
Zoning: C2B

Re: Your telephone call yesterday

Thank you for your very helpful call yesterday. As I mentioned, we had submitted a large amount of information regarding our work in Washington, DC and across the country along with our application. I am not sure what else would help, but I am attaching the following:

1. Letter from Mr. Melvin Mitchell regarding the use of the space in the building.
2. Property Information from the DC Government.
3. A description of our Senior Aid Assignment showing what our senior aides do in the community.
4. A proposal submitted to the DC Escheated Estates Fund, which was approved for funding for our project participants in the amount of $10,000.00.
5. A copy of our Bylaws

Thank you.

Mildred R. Garcia
Deputy Director

BZA
Case No. 16814
Exhibit No. 16

Board of Zoning Adjustment
District of Columbia
CASE NO.16814
EXHIBIT NO.16

NATIONAL HISPANIC COUNCIL ON AGING
2713 Ontario Rd. N.W. ● Washington D.C. 20009
(202) 745-2521 (202) 265-1288 FAX (202) 745-2522 E-Mail: nhcoa@worldnet.att.net.
Web page: http://www.nhcoa.org

Melvin L. Mitchell, Architects
413 Van Buren Street, NW
Washington, DC 20012
Telephone: 202-723-4958

November 2, 2000

Department of Consumer and Regulatory Affairs
Building and Land Regulation Administration
941 North Capital Street, NW
Washington, DC 20002

RE: 2713 Ontario Road, NW
Square: 2581 Lot: 287

Dear Sir:

I have conducted a walk through examination of the above reference property. I have been able to ascertain by a combination of observation and field measurements, that the occupant is currently utilizing 100 percent of the usable square footage in the building.

The building has a total of 3,715 square feet as listed on the city property records. The basement, first floor and second floor each contain a gross area of 1,015 square feet and the attic level contains 670 square feet.

Please contact me at the above district number if you require further clarification or notification.

Sincerely,

Melvin L. Mitchell, AIA
DC Registration Number A-2203

PROPERTY INFORMATION

1)	Property:	2713 ONTARIO RD NW, WASHINGTON DC 20009-2107 C023			
APN/Acct#:	2581-0000-0287				
County:	DISTRICT OF COLUMBIA, DC	Tax Code:	04	Use:	OFFICE BUILDING
Census:	39.00	Prop Tax:	$7,716.36	Total Value:	$358,900
Map Page:	03-0383	Tax Yr:	1999	Land Value:	$104,580
Region:		Sewer Tax:		Imprv Value:	$254,320
Phone:		Exemptions:		Taxable:	
Subdivision:	MT PLEASANT			% Improve:	70%
Owner:	CHAVEZ GUILLERMO & MARTA				
Mail:	2713 ONTARIO RD NW; WASHINGTON DC 20009-2107 C023				

SALES INFORMATION

	LAST SALE	PRIOR SALE
Record/Sale Date:		
Sale Price/Type:		
Liber/Folio:		
Deed Type:		
1st Mtg $/Type:		
Rate/Type/Term:	/ / / . /	
1st Mtg Name:		
2nd Mtg $/Type:		
Rate/Term:		

Sale Comments:
Seller:
#Parcels/Last Sale:
Nominal Info = Date: Doc #: Type:

SITE INFORMATION

County Use:	051	Lot Size:	A0.04
City/State Use:		Lot Area:	1,743
House Type:		Site Influence:	
Zoning:	C2B	Bldg Class:	
Parking Type:		Park #/Size:	
Legal Blk/Bldg:		Legal Lot/Unit:	
Legal Plat Bk/Pg:			
Legal:			

IMPROVEMENTS

Living/Bldg Area:	3,715
# Units:	1
# Bldgs:	
# Stories:	3
$/SF:	
Yrblt/Eff:	1905
Total Rms:	
Bedrms:	
Baths (F/H):	4
Ttl Baths/Fixt:	4
Fireplace:	
Pool:	
Basement:	1,015
Construct:	
Porch:	Y
Ext Wall:	
Int Wall:	
Flooring:	HARDWOOD
Roof Type:	FLAT
Roof Matl:	METAL
Air Cond:	
Heat Fuel:	GAS
Heat Type:	HOT WATER
Foundation:	
Electric:	
Condo Unit Flr:	

Comments: NBRHOOD: MT PLEASANT; ZONING: COMM BUS MED-HI DEN; PORCH: 114; FAR REQ 3.0; 65 HEIGHT REQ

DESCRIPTION OF SENIOR AIDE ASSIGNMENT

Name: _____ **Date:** January 22, 2001
(Senior Aide)

1. Assignment Title: Casework aide, working on community outreach to work with familes with children who have disabilities or chronic illnesses.
(Assignment title should reflect the duties & responsibilities involved)

2. Objective: To alleviate lives of children with chronic illnesses or disabilities and their families through a variety of education and assistance services.
(Training objective for the community service assignment)

3. Host Agency Name: National Hispanic Council on Aging

Address: 2713 Ontario Road, NW

Washington, DC 20009

4. Telephone Number: 202-265-1288

5. Nature of programs & services provided: Senior aides work to help families with children who have disabilities or chronic illnesses. Community work is based at Bazar San Antonio, a place where people gather to share information and network in order to positively affect lives of all involved.

6. Hours and days of work: Senior aides work four hours a day. Assignments are based on needs of children and their families.

7. Rate of pay: Based on availability of program.

8. Supervisor: Mrs. Aura Adams

9. Duties and responsibilities: Senior aides assist children who have disabilities or chronic illnesses and their families. Services are provided in children's homes, and information giving and parenting classes at Bazar San Antonio, where people gather to network and to provide and share information that will positively affect lives. NHCOA and Bazar San Antonio provide office space, accept donations of clothing, toys, furniture and at times, money, in efforts to help the target audience--families with chidren with disabilities and chronic illnesses. Casework aides also gather and interpret information about services available from other sources.

10. Requirements: Ability to assist and to work independently with families. They must read and write Spanish so they can explain and interpret health care and physical needs to families with limited educationa dn parenting skills.

11. Training: Senior aides receive ongoing staff development and training from project supervisor as well as other staff members of the National Hispanic Council on Aging.

Note: If additional space needed use back.

Ms. Beverly D. Rivers, Chairman
Escheated Estates Application Screening Committee
One Judiciary Square
441 Fourth Street, NW, Suite 1130
Washington, DC 20001

Dear Ms. Rivers:

The National Hispanic Council on Aging was very proud to have received a grant from the District of Columbia Escheated Estates Fund to fund a project under our Family Friends *(Amigos de la Familia)*. We thank you for your efforts on our behalf.

You can be assured that we will apply these funds diligently and effectively so that we can maximize services to the community on behalf of the District of Columbia Escheated Estates Fund.

Please feel free to contact me at 202-265-1288 if you have any further questions. We have begun efforts on this project already!

Sincerely,

Mildred R. García
Deputy Director

D.C. Escheated Estates Fund/2001

A PROPOSAL TO THE DISTRICT OF COLUMBIA ESCHEATED ESTATES FUND

I. GENERAL INFORMATION

Applicant: **Family Friends** (Amigos de la Familia)
The National Hispanic Council on Aging

Address: 2713 Ontario Rd., NW
Washington, D.C. 20009

Telephone: 202-265-1288

Fax: 202-265-8153

Ward: One

Email: nhcoa@worldnet.att.net

Chief Executive Officer:
Marta Sotomayor, Ph.D., President
202/265-1288

Project Director: Mildred Garcia
Deputy Director

Project Site Address:
2713 Ontario Rd., NW., Washington, D.C. 2000
Project activities will also involve residents in surrounding areas.

Date Of Incorporation:
July 1, 1983
See attached Articles of Incorporation and Bylaws.

D.C. Tax Exempt Number:
DNP 833115; Certificate Number: 8399-0017015-001

Federal ID Number:
52-130-6347

Amount of Request:
A grant request in the amount of $10,000

Prior Escheated Estates Fund Monies:
No monies have been received from the Escheated Estate Fund

D.C. Escheated Estates Fund/2001

II. EXECUTIVE SUMMARY

The National Hispanic Council on Aging wishes to receive a grant in the amount of $10,000.00 from the Escheated Estates Fund, as established by Mayor's Order 85-71 to continue efforts to serve families with children with disabilities and chronic illnesses. The funds would be used to provide funding for transportation for the project volunteers, senior aides and the families themselves in the various activities. The project works year round with an average of 20 low-income Hispanic, immigrant families at a given time.

The National Hispanic Council on Aging is based in the Adams-Morgan neighborhood of Washington, District of Columbia, one of the city's poorest and most diverse areas. NHCoA works with families previously served by a project funded by a U.S. Department of Health and Human Services, Family Friends. This project works with families who have children with handicaps and debilitating illnesses. These families are among the most marginalized because of lack of resources. A great majority of these families live far below the Federally defined poverty income level, despite the fact that many of the parents work at more than one job at any given time. These families, who have children with disabilities or chronic illnesses, struggle to take care of their children without knowing where to go for resources that could alleviate their lives.

The National Hispanic Council on Aging volunteers and senior aids use our organization as a base of operations to assist families with children with chronic illnesses and disabilities and their families by providing care-giving and parenting education. NHCoA is a place where people network, where we provide and share information that will positively affect people's lives. We provide office space, accept donations of clothing, toys and furniture, and at times, money, in efforts to help this target audience, these families that need help so desperately.

This effort will strengthen our community and help ensure that these marginalized families have access to the fundamental resources that will allow them to achieve healthy, fulfilling, and productive lives. Access to education and information are basic human rights, not luxuries. This value will help guide project participants to establish relationships with these families.

D.C. Escheated Estates Fund/2001

III. STATEMENT OF CAPABILITY:

The National Hispanic Council on Aging (NHCoA) is requesting a grant of $10,000 to continue its Family Friends/*Amigos de la Familia* project. The project will be carried out in conjunction with Washington, D.C.'s chapter *Centro Otoñal*. The NHCoA is a network of local, community based organizations located throughout the country. Its chapters and affiliates host programs that focus on issues of concern to the elderly, families, and communities. The NHCoA was established in 1977 as an advocacy organization to improve the well being of Latino elderly, families and communities. Advocacy is carried out through training, education, development of educational materials, leadership development, and culture and language specific demonstration projects. The NHCoA sponsors affordable housing for the elderly with *Casa Iris*, located at 12th and W, Washington, D.C., housing 40 senior residents (most of them members of the local chapter) that represent the multicultural profile of the city. A communications center publishes a quarterly newsletter, *Tu, Yo, Nosotros* (Family Friends newsletter), *NOTICIAS*, **Action Alerts** and Policy Up-Dates that reflect the local needs and concerns of its chapters and affiliates. The NHCoA's Web site links the organization and its networks to other Latino and non-Latino national and local organizations focusing on activities co-sponsored by local chapters and affiliates. The NHCoA has an Institute on Hunger and Poverty that focus on promoting economic security, independency, and prevents victimization of the elderly.

The NHCoA and its local chapter, *Centro Otoñal*, have hosted several NHCoA's programs in the Washington, D.C. Metro Area since its inception in1987 to include Family Friends, early screening and management of diabetes, early screening for breast cancer, health promotion and disease prevention, an immunization campaign, projects to prevent victimization and abuse of the elderly, and an environmental justice program. All of its programs are consumer driven to facilitate empowerment and self-sufficiency. Local projects are required to have working task forces and/or Steering Committees that provide direction and participate in their project evaluation.

The grant will allow for the continuation of the Washington D.C. Metropolitan Area's Family Friends program supported by the U.S. Department of Health and Human Services Administration on Aging (AoA) for the last three years. Its success is demonstrated by the number of Latino families, children with disabilities and/or chronic illnesses, the number of midlife, older Latinos, and volunteers that have participated and remained in the three-year funding period. While funding from AoA has been completed, the Family Friends' program continues to receive referrals from a variety of hospitals, clinics, and social service agencies in the area. Older workers and volunteers regularly see twenty families.

The NHCoA has considerable experience in administering grants from the federal government, foundations and corporations. It presently receives monies from the Centers for Disease Control (CDC), the Administration on Aging (AoA); the Department of Justice Office of Victims of Crime (OVC); the Andrus and Ameritech foundations; Verizon and SBC Communications. The NHCoA has strong administrative and fiscal systems in place. Regular and OMB audits are conducted by an outside accountant, on a yearly basis. The NHCoA's Personnel Manual and

D.C. Escheated Estates Fund/2001

Bylaws are reviewed every two years by the board of directors that meets quarterly. The board represents the diversity that characterizes the immigrant population in D.C.

IV. DESCRIPTION OF THE PROJECT

Need:
The grant project will focus on addressing the needs of two groups: (1) Latino immigrant families that have children with disabilities and/or chronic illnesses and (2) older Latino immigrants who often feel isolated, neglected, and alienated from the main culture and language. Families and older workers will be matched and a six-month family work plan developed jointly. The plan will be again reviewed after 6 months and an additional six months plan developed based on evaluation and feedback of participants. A group of midlife and senior Latinos are subsidized by the District of Columbia, National Caucus on Black Aged, and Montgomery County Elder Workers Programs who provide a range of services to families and children to enable them to keep medical and social service appointments, to teaching parenting skills, and provide respite and support to parents and other family members. Community partners will be identified to increase referrals and follow-up. The grant from the Escheated Estates Fund would be used to provide transportation

The requested grant will be used to pay transportation costs and insurance for older workers, some emergency costs to cover medications for children with no medical coverage, rental of special equipment, some clothing, shoes, and refreshments for recreational/socialization activities. The grant will also be used to pay for printing of three issues of the Spanish language Family Friends' newsletter that will include articles about parenting, community resources, and recognition of older workers and volunteers, parents, children and organizational partners. A smaller portion of the grant will be used for maintenance of the newly established Bazar San Antonio located at the NHCoA headquarters to generate funds to meet a portion of Family Friends personnel costs. The project has a Steering Committee composed of local agency representatives, parents and senior citizens.

2. Project Objective:
The proposed program will provide a series of services to approximately twenty (20) Latino immigrant families per year who have children with chronic illnesses and/or disability. Six (6) midlife and elderly Latinos will spend up to 15 hours per week providing services at the family's home, hospitals, clinics, and/or social service agencies. The overall long-term goal of this project will be to increase the project participants' capacity for self-sufficiency and independence and increase the life chances of participating children. Participation of the elderly in a help giving relationship will increase their sense of worth and diminish their sense of social and cultural isolation.

3. Target Population:
This project will target primarily Latino immigrant families residing in the District of Columbia who have children with disabilities and/or chronic diseases and midlife and older Latinos who feel isolated and alienated from the mainline culture. Secondary targets will be health care and social service providers who will become more aware of the needs of this population group as they acquire culture and language strategies that are appropriate.

Immigrant families to be involved in the program are characterized by low educational and income levels, limited knowledge of the English language, even more limited knowledge in navigating the service and health care systems, and oftentimes lack family networks for respite and/or emotional support. These could be intact families with the father working at times in two low paying jobs, or women as heads of household. These families are the "working poor", while employed their low paying jobs hardly meet their basic needs and lack the most basic benefits such as health insurance. Most of the children can be eligible for some form of medical care through a variety of public and private programs. The majority of the parents, because of their immigrant status, have limited eligibility for any other government sponsored program.

a) Identifying the Population:

A number of approaches to identify project participants will be used to include: word of mouth; outreach with churches; businesses and organizations; health clinics; children hospitals; social service agencies; schools; and Hispanic Language media. A public information campaign to identify and facilitate the referral of families and elderly to participate in the project will be launched immediately upon notification of grant approval. NHCoA staff maintains contact with the Social Services Departments of the District of Columbia, visit hospitals and work with a wide variety of other community and social service organization that have made and will continue to make referrals to the Family Friends program. These organizations include:

**Clínica del Pueblo*
**Clínica* Cardozo
*Spanish Catholic Center
* Linkages to Learning
* Greater DC Care
* Calvary *Casa Del Pueblo* Center
* St. James Catholic Church
* Fresh Start Program
* ARC of Washington D.C.
* D.C. Volunteers Clearinghouse
* Points of Light Foundation
* *Casa Iris*
* Bell Multicultural High School

Participating families will have children with disabilities and/or chronic diseases. They will be recent immigrants, with limited knowledge of English language, low educational levels, and low income. They will face many barriers to access health care and social services and will benefit from a number of services to be provided by midlife and older Latino participants such as parenting classes, assistance in navigating the health care and social service system. Families in need of respite and assistance and midlife and older participants will be referred by a variety of agencies and/or organizations or be self-referred. There will be no other eligibility requirements.

4. Total Persons to be served:

This project will serve approximately 50 individuals in a period of one year, which include 20 families with a child or children with disabilities and six (6) midlife and senior health educators/health promoters. We anticipate that approximately 500 families and organizations will be reached through the distribution of the newsletter, *Tu, Yo y Nosotros.. Nosotros,* (You, I and Us), flyers, Spanish language articles, and other media strategies to be used. Approximately 10,000 individuals will receive information about the program via the NHCoA national Web site.

4. **Work Plan:** The work plan is divided in quarters (4) for a one year project:

Activity:	Quarter 1:	Quarter 2:	Quarter 3:	Quarter 4:
Press release about program	x			
Letter to referral sources	x	x	x	x
Appointment of Steering Committee:				
Orientation Meeting for participants	x	x		
Project Presentations: to churches, schools, etc.	x	x	x	x
Recruit volunteers	x	x	x	x
Identify, assess, and match families		x	x	x
Develop a family work plan	x	x	x	x
In-Service Training	x	x	x	
Development of Materials		x	x	x
Weekly Supervisory conferences	x	x	x	x
Bimonthly mtgs with administrator	x	x	x	x
Identify & engage partners	x	x	x	x
Newsletter		x	x	x
Recreational Activities		x	x	x
Contacts with the Media		x	x	x
Writing required reports		x	x	x
Evaluation		x	x	x

6. Benefits to Project Population:

Health care and social services for immigrant families, children and the elderly are often unavailable, unaffordable or inappropriate. The barriers are many and complex, and they include lack of health insurance, inability to negotiate large complex systems, language differences, lack of transportation, etc. These circumstances place a high demand on the family and eventually will place equal demands on providers, hospitals, emergency programs, public assistance systems and eventually law enforcement agencies. Often misdiagnosed, untreated and/or ineffectively treated children will eventually become high service users and recidivist. Implementing the proposed project would potentially reduce this demand, resulting in improved service utilization and client outcomes, lower costs and more effective utilization of pubic, formal, and informal resources. Results could be measured in lower institutional admission rates, reduced inappropriate use of emergency care, improved health status, reduction of other indices of individual and family dysfunction, and possibly reduced involvement with the criminal justice system as these children become older. Achieving such outcomes will certainly advance efforts of improving conditions faced by Latino immigrant children and families in the Washington D.C. area.

D.C. Escheated Estates Fund/2001

B. EVALUATION:

The evaluation will be based on the main objective of the project as reflected on the family plan to be developed jointly by family and staff. The evaluation will seek to document the process used to recruit families and older workers; identify barriers to access services; record successes; provide timely feedback to project participants to facilitate reaching objectives; track partnerships and referrals to the project by community agencies and referrals back to the local Family Friends for additional services. Other questions will be raised such: was the family plan actually developed and followed; Does the plan include modifications to meet the conditions faced by Latino immigrants? Did the process allow for feed-back and modification of the family plan? Did the participants find the program useful? Were the various needs of participants attended to? Was the participation of Advisory Committee sufficient and effective? How many agencies were contacted to partner with Family Friends? And how many referrals were made with follow-up from midlife and older participants?

Staff will also be interested in determining the type of coordination and administrative oversight that results in appropriate record keeping and preparation of timely reports.

C. SUPPORT AFTER THE ESCHEATED ESTATES FUND GRANT:

The Family Friends program has been extremely well received by the community. As far as we know, there is no other program that services this population groups in the target community therefore our plan is to continue it. We will work with the Latino and main line community to promote development of a sense of ownership and support for the project. We will continue to identify and approach other sources of monies for continued support.

D. OTHER SOURCES OF FUNDS:

Bazar San Antonio was established in late December of last year for the purpose of raising funds to continue Family Friends. It is located at the headquarters of the NHCoA in the Adams Morgan Area. The amount received to date in the form of donations and sales is modest. However, we plan to do considerable advertising as soon as the government of D.C. issues the required permits. We anticipate approximately $500 per month in revenue and donations after the first year of operations. Senior Workers, supported by the District of Columbia Senior Employment Service and the National Caucus on Black Aged, sponsors 4 senior citizens for Family Friends. Older workers work 20 hour weeks at $5.75 per hour. We are eagerly identifying other sources of funds to support two additional midlife and/or older individuals to work with Family Friends. The NHCoA has contributed the salary of the Project Director, fringe benefits, and it covers its administrative and overhead costs such as rent for Bazar San Antonio and utilities.

D.C. Escheated Estates Fund/2001

E. IS THIS A NEW PROJECT?

The Family Friends project was supported through a grant from the Administration on Aging (AoA) for a period of three years. The grant was terminated in December of 2000. While the funding from AoA has been completed, the magnitude of the need continues to grow as the Latino population grows.

F. ADMINISTRATION AND MANAGEMENT:

1) Management of Funds:

The NHCoA uses QuickBooks 2000 system to record all expenditures and income by project and amount of grant. A bookkeeper manages the day-to-day fiscal activity after approval from the President of the organization. An accounting firm, Bert Smith & Co, reviews daily financial activity on a quarterly basis and conducts a regular and the OMB audit on a yearly basis. A check requisition is written and once approved it goes to the accounting department for process at which time the transaction is entered in the computerized system. The computerized system's journal is reviewed monthly by administration. The accounting office prepares financial reports to agencies. The funds from the EE funds will be handled in the same manner.

2) Itemized EE project expenditures:

Local Travel for volunteers:	$4,500
Newsletter printing (3 issues)	750
Postage	150
Insurance for volunteers	1,000
Miscellaneous	
Emergency medicine	500
Clothes, shoes	500
Recreational activities (3)	
Transportation & snacks	600
Bookkeeping & audit	1,000
Maintenance for Bazar SA	1,000
Grant Total:	**$10,000**

Budget Narrative:

The largest amount of the grant will be spent for reimbursing older workers the amount spent on transportation, which includes cost of gasoline or cost of rail/bus. Based on the amount spent by Family Friends during the prior year, the amount of $4,500 is being requested for this item. Approximately $643 will be allocated to each older worker and director to cover these costs for the one-year period. Three issues of the newsletter, at the cost of $250 per issue or $750 for the three, will be published and mailed to local residents and agencies known to the project. A most modest amount of $150 will be spent in mailing the newsletter and any other materials such as educational flyers to approximately 1,000 readers/supporters. While the D.C. government Older Worker program pays hourly fees to volunteers, we are required to pay the insurance costs. $1,000 is allocated for this expenditure. There are a number of miscellaneous items necessary and these include the purchase of medicines for the amount of $500 when no other source of help

is found, the provision of shoes and clothes for children, for the amount of $500, that are needed and parents cannot purchase because of income levels, and the amount of $600 to pay for transportation to family group activities, three, and snacks. This amount will allow $200 per event. We believe that the management of funds is most important therefore we are asking the minimal amount of $1,000 towards the salary of the bookkeeper at an annual salary of $29,000. The amount of $1,000 is requested to maintain Bazar San Antonio.

3) Total Cost of the Project to the Organization:

Twelve (12) months budget:

Aura Adams, Project Coordinator:	$24,000	
Bookkeeper at $26,000 base salary/pro-rated	6,500	
Administrative support/supervision pro-rated At $55,000/yr:	13,750	
Six older workers at $5.75/hr x 20 hrs/wk for 6 for 53 weeks:	36,570	
Sub total personnel:		**80,820**
Fringe Benefits at 25%	20,205	
Sub-total fringe benefits		**20,205**
Rent pro-rated at $875/mo x 12 mo	10,500	
Telephone - $30/mo x 12 mo:	360	
Insurance:	1,000	
Transportation:	4,500	
Audits pro-rated:	3,750	
Printing-newsletters, flyers	800	
Emergency funds	1,500	
Sub Total Other:		**22,410**
Bazar San Antonio	5,000	**5,000**
GRAND TOTAL:	**$128,435**	

V. ADDITIONAL FINANCIAL INFORMATION

A. See attached sheet, page 12.

B. Support received in last four years:
1. D.C. Government Agencies:

Support:	2001	2000	1999	1998
2 Older Workers (3)	$16,377	$10,918	$10,918	$9,500

Dept. of Employment
Two seniors assigned Family Friends program and one more added in 2001 to assist in Bazar San Antonio maintenance.

NHCoA/11/9/01

Bylaws
of
The National Hispanic Council on Aging (NHCoA)

TABLE OF CONTENTS

Page

ARTICLE I - PRINCIPAL OFFICE....3

ARTICLE II - NAME....3

ARTICLE III - PURPOSES AND GOALS....3

ARTICLE IV - MEMBERSHIP....3

ARTICLE V - REGISTERED AGENT....3

ARTICLE VI - BOARD OF DIRECTORS....3
Section 1. Powers....3
Section 2. Number of Directors....4
Section 3. Election and Term of Office of Directors....4
Section 4. Vacancies....4
Section 5. Resignation and Removal....4
Section 6. Annual and Regularly Scheduled Meetings....4
Section 7. Special Meetings....4
Section 8. Waiver of Notice....4
Section 9. Quorum....4
Section 10. Action Without a Meeting....5
Section 11. Electronic Meetings....5
Section 12. Standard of Care....5
A. General....5
B. Audit....5
C. Investments....5
Section 13. Inspection....6
Section 15. Compensation....6

ARTICLE VII - COMMITTEES....6
Section 1. Board Committees....6
Section 2. Advisory Committees....6

Section 3. Meetings....7
A. Of Board Committees....7
B. Of Advisory Committees....7

ARTICLE VIII - OFFICERS....7
Section 1. Officers....7
Section 2. Elections....7
Section 3. Removal....7
Section 4. Resignation....7
Section 5. Vacancies....7
Section 6. Chair....7
Section 7. Vice Chair....8
Section 8. Secretary....8
Section 9. Treasurer....8

ARTICLE IX - PROHIBITED TRANSACTIONS....8
Section 1. Loans....8
Section 2. Self-Dealing Transactions....8
Section 3. Approval....8

ARTICLE X - INDEMNIFICATION AND INSURANCE....8
Section 1. Right of Indemnity....8
Section 2. Approval of Indemnity....8
Section 3. Advancing Expenses....9
Section 4. Insurance....9

ARTICLE XI - MISCELLANEOUS....9
Section 1. Fiscal Year....9
Section 2. Contracts, Notes, and Checks....9
Section 3. Annual Reports to Trustees....9
Section 4. Amendments....10
Section 5. Governing Law....10

BYLAWS
of
The National Hispanic Council on Aging (NHCoA)
2713 Ontario Rd., NW
Washington, D.C. 20009

ARTICLE I
PRINCIPAL OFFICE

The principal office of this corporation shall be located in Washington, D.C.

ARTICLE II
NAME

The name of the corporation shall be "The National Hispanic Council on Aging" hereafter referred to as the **NHCoA.**

ARTICLE III
PURPOSES AND GOALS

The National Hispanic Council on Aging (NHCoA) seeks to improve the wellbeing of Latino elderly.

ARTICLE IV
MEMBERSHIP

The Board of Directors may, by resolution, establish one or more classes of nonvoting members and provide for eligibility requirements for membership and rights and duties of members, including the obligation to pay dues.

ARTICLE V
REGISTERED AGENT

The registered agent for the Center shall be Ms. Marta Sotomayor, 2813 Ontario Rd., NW,Washington, DC, 20009.

ARTICLE VI
BOARD OF DIRECTORS

Section 1. Powers. NHCoA shall have powers to the full extent allowed by law. All powers of NHCoA shall be exercised by the Board of Directors of NHCoA directly or, if delegated, under the ultimate direction of the Board.

Section 2. Number of Directors. The number of directors shall be eleven.

Section 3. Election and Term of Office of Directors. The directors then in office shall elect their successors. Each director shall be elected for a term of six years, and shall hold office until a successor has been elected. Directors may be reelected to successive terms. Elections shall be held every two (2) years. Every effort should be made to ensure that balance in the number in each class be achieved.

Section 4. Vacancies. A vacancy shall be deemed to exist on the Board in the event that the actual number of directors is less than the authorized number for any reason. Vacancies may be filled by vote of the remaining directors for the unexpired portion of the term and those elected may serve additional terms.

Section 5. Resignation and Removal. Resignation shall be effective upon receipt of notice to that effect in writing by the Chair, unless a later effective date is specified in the resignation. Any director who does not attend three consecutive regularly-scheduled Board meetings during the period of two years of his or her term in office may be asked, by the Chair, to resign as a director. A majority of the directors then in office may remove any director at any time for cause.

Section 6. Annual and Regularly Scheduled Meetings. A meeting of the Board of Directors shall be held at least once a year and shall be called by the Chair. Notice and agenda of the annual and regularly scheduled meetings shall be given to each Director at least 14 days before any such meeting if given by first-class mail or by any electronic means and shall state the date, place, and time of the meeting.

Section 7. Special Meetings. Special meetings of the Board of Directors may be called by the Chair or any three directors, with notice given to each Director as soon as practical, but no later than seven (7) days in advance of such meeting.

Section 8. Waiver of Notice. The transactions of any meeting of the Board of Directors, however called and noticed and wherever held, shall be valid as though taken at a meeting duly held after proper call and notice, if a quorum is present, and if, either before or after the meeting, each of the directors not present signs a written waiver of notice, a consent to holding the meeting, or an approval of the minutes. The waiver of notice or consent need not specify the purpose of the meeting. All waivers, consents and approvals shall be filed with the corporate records or made a part of the minutes of the meeting. Notice of a meeting shall also be deemed given to any director who attends the meeting without protesting the lack of adequate notice before the meeting or at its commencement.

Section 9. Quorum. A simple majority (51%) of the total number of directors then in office shall constitute a quorum. A meeting at which a quorum is initially present may continue to transact

business notwithstanding the departure of directors, if any action taken is approved by at least a majority of the required quorum for such meeting.

Section 10. Action Without a Meeting. Any action required or permitted to be taken by the Board may be taken without a meeting if all members of the Board shall individually or collectively consent to such action. Such written consents shall be filed with the minutes of the proceedings of the Board. Such written consents shall have the same force and effect as the unanimous vote of such directors.

Section 11. Electronic Meetings. Directors may participate in a meeting through use of conference telephones or similar electronic communications equipment so long as all directors participating in such meeting can interact with one another. Participation in a meeting pursuant to this Section constitutes presence in person at such meeting.

Section 12. Standard of Care.

A. General. A Director shall perform his or her duties, including duties as a member of any Board Committee on which the director may serve, in good faith, in a manner such director believes to be in the best interest of NHCoA and with such care, including reasonable inquiry, as an ordinarily prudent person in a like situation would use under similar circumstances.

In performing the duties of a director, he or she shall be entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, in each case prepared or presented by:

(i) one or more officers or employees of NHCoA whom the director believes to be reliable and competent as to the matters presented;

(ii) counsel, independent accountants, or other persons as to matters which the director believes to be within such person's professional or expert competence;

(iii) a Board Committee upon which the director does not serve, as to matters within its designated authority, provided that the director believes such Committee merits confidence; so long as in any case, the director acts in good faith after reasonable inquiry when the need therefore is indicated by the circumstances and without knowledge that would cause such reliance to be unwarranted.

A person who performs the duties of a director in accordance with this Section shall have no liability based upon any failure or alleged failure to discharge that person's obligations as director, including, without limiting the generality of the foregoing, any actions or omissions which exceed or defeat a public or charitable purpose to which NHCoA, or assets held by it, are dedicated.

B. Audit. The Board, to assure the integrity of the finances, will contract at least annually for an independent audit.

C. Investments. Except with respect to assets held for use or used directly in carrying out the NHCoA's charitable activities, in investing, reinvesting, purchasing or acquiring, exchanging, selling, and managing the NHCoA's investments, the Board shall avoid speculation, looking instead to the permanent disposition of the funds, considering the probable income as well as the probable safety of the NHCoA's capital.

No investment violates this section where it conforms to provisions authorizing such investment contained in an instrument or agreement pursuant to which the assets were contributed to NHCoA.

Section 13. Inspection. Every director shall have the absolute right at any reasonable time to inspect all books, records, and documents and to inspect the physical properties of NHCoA.

Section 14. Compensation. In exceptional circumstances, the Board of Directors may authorize by resolution the payment to a director of fees for contracted services. Expenses may be paid or reimbursed for a Director to attend Board and Board Committee meetings.

ARTICLE VII
COMMITTEES

Section 1. Board Committees. The Board of Directors may, by resolution adopted by a majority of the directors then in office, create any number of Board Committees, each consisting of two or more directors and non-voting members as determined by the committee itself, to serve at the pleasure of the Board. Appointments to any Board Committee shall be made by any method determined by a majority vote of the directors then in office. Committees shall include:

- An Executive Committee (consisting of at least the officers of the Board);
- A Finance Committee (chaired by the Treasurer);
- An Economic Development Committee;
- A Personnel Committee;
- A By-laws Committee;
- A Nominating Committee.

A Board committee's authority should be limited to that which is delegated to it by the full Board.

Where it is not reasonably practicable to obtain approval of the Board before entering into a self-dealing transaction, a Board Committee may approve such transaction in a manner consistent with the requirements of Sections 2 and 3 of Article XI of these Bylaws; provided that, at its next meeting, the full Board determines in good faith that the Board Committee's approval of the transaction was consistent with the requirements in Sections 2 and 3 of Article XI and that it was not reasonably practical to obtain advance approval by the full Board, and ratifies the transaction by a majority of the directors than in office without the vote of any interested trustee.

Section 2. Advisory Committees. The Board of Directors may establish one or more Advisory Committees to the Board. The members of any Advisory Committee may consist of directors or non- directors and may be appointed as the Board determines. Advisory committees may not exercise the authority of the Board to make decisions on behalf of the NHCoA, but shall be restricted to making recommendations to the Board or Board Committees, and implementing Board or Board Committee decisions and policies under the supervision and control of the Board or Board Committee.

Section 3. Meetings.

A. **Of Board Committees.** Meetings and actions of Board Committees, limited only to those delegated by the Board, shall be governed by, held, and taken in accordance with the provisions of Article VI of these Bylaws with such changes in the content of these Bylaws as are necessary to substitute the Board Committee and its members for the Board of Directors and its members. Minutes shall be kept of each meeting of any Board Committee and shall be filed with the corporate records.

B. Of **Advisory Committees.** Advisory Committees shall determine their own meeting rules and whether minutes shall be kept.

The Board of Directors may adopt rules for the governance of any Board or Advisory Committee not inconsistent with the provisions of these Bylaws.

ARTICLE VIII
OFFICERS

Section 1. Officers. The officers of NHCoA shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer. NHCoA may also have, at the discretion of the directors, such other officers as may be appointed by the Board of Directors. Any number of offices may be held by the same person, except that neither the Secretary nor the Treasurer may serve concurrently as the Chair of the Board. All officers shall be elected from among the directors of the NHCoA.

Section 2. Election. The officers of NHCoA shall be elected every three years by the Board of Directors, and each shall serve at the pleasure of the Board for not more than three consecutive terms.

Section 3. Removal. Any officer may be removed with cause by the Board of Directors or by an officer on whom such power of removal may be conferred by the entire Board.

Section 4. Resignation. Any officer may resign at any time by giving written notice to the Chair or Secretary of the Board. Any resignation shall take effect on receipt of that notice by such officer or at any later time specified by that notice and, unless otherwise specified in that notice, the acceptance of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the NHCoA under any contract to which the officer is a party.

Section 5. Vacancies. A vacancy in any office for any reason shall be filled in the same manner as these Bylaws provide for election to that office.

Section 6. Chair. The Chair shall preside at all meetings of the Board of Directors. The Chair shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

Section 7. Vice Chair. The Vice Chair shall, in the absence of the Chair, carry out the duties of the Chair and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

Section 8. Secretary. The Secretary shall supervise the keeping of a full and complete record of the proceedings of the Board of Directors and its Committees, shall supervise the giving of such notices as may be proper or necessary, shall supervise the keeping of the minute books of NHCoA, and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

Section 9. Treasurer. The Chair of the Finance Development Committee shall oversee the charge and custody of all funds of the NHCoA, the deposit of such funds in the manner prescribed by the Board, and the keeping and maintaining of adequate and correct accounts of the NHCoA's properties and business transactions, shall render reports and accountings as required, and shall have such other powers and duties as may be prescribed by the Board or these Bylaws.

ARTICLE IX
PROHIBITED TRANSACTIONS

Section 1. Loans. NHCoA shall not make any loan of money or property to, or guarantee the obligation of, any director or officer.

Section 2. Self-Dealing Transactions. Except as provided in Section 3 below, the Board of Directors shall not approve, or permit the NHCoA to engage in, any self-dealing transaction. A self-dealing transaction is one to which the NHCoA is a party and in which one or more of its directors has a material financial interest.

Section 3. Approval. The NHCoA may engage in a self- dealing transaction if the Board determines, before the transaction, that (a) the NHCoA is entering into the transaction for its own benefit; (b) the transaction is fair and reasonable to the NHCoA at the time; and (c) after reasonable investigation, the Board determines that it could not have obtained a more advantageous arrangement with reasonable effort under the circumstances. Such determinations must be made by the Board in good faith, with knowledge of the material facts concerning the transaction and the director's interest in the transaction, and by a vote of a majority of the directors then in office, without counting the vote of any of the directors who have a material financial interest in the transaction.

ARTICLE X
INDEMNIFICATION AND INSURANCE

Section 1. Right of Indemnity. To the fullest extent allowed by law, NHCoA shall indemnify its directors, officers, employees or other agents in connection with any proceeding or claims asserted or filed against NHCoA.

Section 2. Approval of Indemnity. On written request to the Board in each specific case by any agent seeking indemnification, the Board shall determine, by a majority vote of a quorum consisting of directors who are not parties to the proceeding, whether, in the specific case, the agent has met the applicable standard of conduct provided by law, and, if so, shall authorize indemnification to the extent permitted thereby.

Section 3. Advancing Expenses. To the fullest extent allowed by law, the Board may, within it discretion and subject to such terms as it may prescribe, authorize the advance of expenses incurred by or on behalf of an agent of NHCoA in defending any proceeding before final disposition. In considering:

(a) whether the requested advances are reasonable in amount under the circumstances;

(b) whether, before any advance is made, the agent has undertaken in writing to the Board's satisfaction to repay the advance unless it is ultimately determined that the agent is entitled to indemnification for the expenses covered by that advance; and

(c) whether the NHCoA has sufficient resources to make such an advance.

Section 4. Insurance. The Board of Directors may adopt a resolution authorizing the purchase of insurance on behalf of any agent against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, and such insurance may provide for coverage against liabilities beyond the LEP's power to indemnify the agent under law.

ARTICLE XI
MISCELLANEOUS

Section 1. Fiscal Year. The fiscal year of NHCoA shall end each year on December 31.

Section 2. Contracts, Notes, and Checks. All contracts entered into on behalf of the NHCoA must be authorized by the Board of Directors or the person or persons on whom such power may be conferred by the Board from time to time, and, except as otherwise provided by law, every check, draft, promissory note, money order, or other evidence of indebtedness of the NHCoA shall be signed by the person or persons on whom such power may be conferred by the Board from time to time.

Section 3. Annual Reports to Trustees. Within 120 days after the end of the NHCoA's fiscal year, the President shall prepare and the Chair shall convey a written report to all trustees of the NHCoA containing the following information:

(a) the assets and liabilities, including the trust funds of the NHCoA as of the end of the fiscal year;

(b) the principal changes in assets and liabilities, including trust funds, during the fiscal year;

(c) the revenue or receipts of the NHCoA, both unrestricted and restricted for particular purposes, for the fiscal year;

(d) the expenses or disbursements of the NHCoA, for both general and restricted purposes, for the fiscal year.

The foregoing report shall be accompanied by any report thereon of independent accountants or, if there is no such report, the certificate of an authorized officer of the LEP that such statements were prepared without an audit from the books and records of the NHCoA.

Section 4. Amendments. Proposed amendments to these Bylaws shall be submitted in writing to the directors at least one week in advance of the Board meeting at which they will be considered for adoption. The vote of a majority of the directors then in office or the unanimous written consent of the directors shall be required to adopt a bylaw amendment.

Section 5. Governing Law. In all matters not specified in these Bylaws, or in the event these Bylaws shall not comply with applicable law, the law of the District o Columbia as then in effect shall apply.

Approved on this day_____of_____, 1997

Chair of the Board:_____

Secretary of the Board:_____