

Case # 05-30

Subject: RE: Re: Request to change vote
Date: Thu, 7 Sep 2006 14:37:48 -0400
From: "Simon, Gottlieb (ANC)" <Gottlieb.Simon@dc.gov>
To: "cherita whiting" <cherita_whiting@yahoo.com>

RECEIVED
D.C. OFFICE OF ZONING
006 SEP -7 PM 3:31

Dear Commissioner Whiting:

You have told me about a vote taken at the Commission's meeting Tuesday, September 5, 2006. More specifically, you wanted to know if Commissioner Fred Grant could change his vote.

According to what you told me, and the email you forwarded to me from Commissioner Grant, this is what happened at the meeting. A motion was made concerning the proposed PUD at 6000 New Hampshire. Following a discussion, a roll call vote was held. Five Commissioners voted in favor of the motion, and three Commissioners voted in opposition. Commissioner Grant initially voted in favor of the motion, but then asked to be recorded as opposed to the motion. About this same time, a motion was made and seconded to adjourn the meeting. According to what you told me, and also according to a phone call that I received from Dr. Martin, both of these things occurred before you announced the vote. In addition, according to you and to Dr. Martin, you did not call for a vote on the motion to adjourn or declare the meeting adjourned before Commissioner Grant asked to have his vote changed.

According to Robert's Rules of Order Newly Revised's (p.407) description of the procedure for conducting a roll call vote, "(c)hanges of vote are also permitted at this, before the result is announced." The responsibility for announcing the outcome of a vote rests with the Chairperson.

If the description of the events as outlined above is correct, it follows that Commissioner Grant's request to have his vote changed should be honored and the vote should be recorded as 4 in favor and 4 opposed, i.e. a tie vote. According to RRO and the ANC 4B bylaws (Section 11, p7) a motion fails on a tie vote.

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Gottlieb Simon
Executive Director
Office of Advisory Neighborhood Commissions
Room 8
1350 Pennsylvania Ave NW
Washington, DC 20004
(202) 727-9945 v (202) 727-0289 fax
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From: cherita whiting [mailto:cherita_whiting@yahoo.com]
Sent: Wed 9/6/2006 5:56 PM
To: Simon, Gottlieb (ANC)
Subject: Fwd: Re: Request to change vote

ZONING COMMISSION
District of Columbia

Note: forwarded message attached.

CASE NO. 05-30
EXHIBIT NO. 78

Cherita Whiting
Chair of 4B ANC Commission
McKinley Tech PTA President
DCPTA Board of Directors
Chairperson Ward 4 Education Council
DCPS Education Compact Committee