



ADVISORY NEIGHBORHOOD COMMISSION 8E

Single Member District Commissioners

01 -Deborah Wells; 02-LaQueda Tate; 03-Kelly "Mikel" Williams; 04-Kendall Simmons;
05-Duene Moody; 06-Dolores "Miracle" Bryant; 07- Vacant
08-Rowena "Joyce" Scott; 09-Rhonda Holmes

ANC 8E Resolution 2023-05 to Declare the Vacancy in Advisory Neighborhood Commission
Single Member District 8E04,

Whereas, Advisory Neighborhood Commission 8E met on Thursday, May 18, 2023, with a quorum of 5 to consider this Resolution, to declare Advisory Neighborhood Commissioner Kendall Simmons ineligible to serve as an Advisory Neighborhood Commissioner, which passed at a vote of [Yea-2]; [No-0]; [Abstained-3]; [Absent-3].

The District of Columbia Code states, "**§ 1-309.05. Advisory Neighborhood Commissions — Qualifications of members; nomination by petition.**

(a)(1) No person shall be a member of an Advisory Neighborhood Commission unless the person:

(A) Is a registered qualified elector actually residing in the single-member district from which the person was elected;

(B) Has been residing in such district continuously for the 60 days immediately preceding the day on which the person files the nominating petitions as a candidate as such a member;

(C) Holds no other elected public office; and

(D) With the exception of a member representing the single-member district that includes the Central Detention Facility and Correctional Treatment Facility, has not been convicted of a felony committed while serving as a Commissioner.

(2) For the purpose of this subsection, the term "elected public office" means the offices of Mayor, Chairman or member of the Council, member of the State Board of Education, and the Delegate to the House of Representatives.

Whereas, Kendall Simmons was elected on November 6, 2018, as Advisory Neighborhood Commissioner, in the Single Member District 8E04,

Whereas, Kendall Simmons was sworn in on January 2, 2019, as Commissioner Kendall Simmons, SMD 8E04,

Whereas, Commissioner Simmons was elected Chairperson, on January 7, 2019, by his fellow Commissioners.

Whereas, on September 14, 2019, Commissioner Kendall Simmons was involved in an auto accident while operating a motor (motorcycle) vehicle, that was alleged to have been stolen.



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Whereas, on September 14, 2019, after being involved in an auto accident, Commissioner Kendall Simmons left the scene of the accident in violation of 50 D.C. Code, Section 2201.05c(a)(2)(2001 ed.)

Whereas, on February 7, 2022, as a result of the September 14, 2019, auto accident, Commissioner Kendall Simmons was charged with a Felony, Unauthorized Use of a Vehicle; Felony, Receiving Stolen Property; Felony, Destroying Property (Car); Misdemeanor, Leaving After Colliding; Misdemeanor, Destroying Property (Motorcycle); and Misdemeanor, No Permit;

Whereas, Commissioner Kendall Simmons was brought to trial on February 1, 2023,

Whereas, upon completion of the trial on February 6, 2023, Commissioner Kendall Simmons was convicted on ALL COUNTS

"Whereas, Advisory Neighborhood Commission 8E notified the ANC SMD 8E04 community and Commissioner Kendall Simmons on April 26, 2023, at a Special Meeting of Advisory Neighborhood Commission 8E that the Commission would meet to consider this Resolution at a special meeting to be held on Thursday, May 18, 2023.

"Whereas, upon consideration of the evidence before it, Advisory Neighborhood Commission 8E determined that Commissioner Kendall Simmons has no longer met the requirements to be an Advisory Neighborhood Commissioner, in accordance with the cited statute.

"Be it Resolved, that ANC SMD 8E04 is hereby declared vacant; and,

"Be it further Resolved that the minutes of the May 18, 2023, meeting at which this resolution was adopted and a list of those attending the meeting are attached."

Attest By

Chairman

Secretary

5/26/2023

DATE

5/26/2023

Date

[Handwritten signatures of Duene O. Moody]