



Government of the District of Columbia Advisory Neighborhood Commission 4B

By Electronic Mail

February 26, 2024

Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue, NW, Suite 11
Washington, DC 20004
oancs@dc.gov

RE: Providing Feedback on the Office of Advisory Neighborhood Commissions' Strategic Plan

Dear Executive Director Boese:

Advisory Neighborhood Commission 4B, at a duly noticed public meeting, with a quorum being the "majority of the total number of commissioner positions currently filled in Commission 4B," at its February 26, 2024, meeting voted with _ Yeas, _ Nays, and _ Abstentions to send this letter providing feedback on the Office of Advisory Neighborhood Commissions' Strategic Plan.

As stated by the Office of Advisory Neighborhood Commissions, "The OANC Strategic Plan sets out both short- and long-term goals and objectives related to services provided by the Office. The plan encompasses both objectives to improve internal operations of the OANC as well as services and programs designed to support operations of Advisory Neighborhood Commissions." The proposed Strategic Plan includes a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis of the Office, as well as six Goals, each containing multiple objectives and strategies.

In providing feedback on the proposed Strategic Plan, Advisory Neighborhood Commission 4B highlights past formal Commission action with regard to the work of the Office of Advisory Neighborhood Commissions:

- [Resolution 4B-23-1101](#): Highlighting Administrative Challenges in Issuing ANC Grants and Requesting Procedural Improvements to Facilitate Commission Grantmaking (Nov. 27, 2023);

- Advisory Neighborhood Commission 4B, [Annual Report 2023](#) (Nov. 27, 2023);
- [Resolution 4B-23-0501](#): Supporting & Providing Recommendations on B25-0257, Hybrid Meeting Accessibility Act of 2023, to Ensure Accessibility & Inclusivity (May 22, 2023);
- [Resolution 4B-23-0102](#): Highlighting History of Advocacy for and Requesting Stronger Centralized Resources for Successful Advisory Neighborhood Commissions (Jan. 23, 2023);
- Advisory Neighborhood Commission 4B, [Annual Report 2022](#) (Nov. 28, 2022);
- Advisory Neighborhood Commission 4B, [Annual Report 2021](#) (Nov. 22, 2021);
- [Resolution 4B-21-0903](#), Encouraging Enhancements to and Formalized Use of ANC Resolution Portal (Sept. 27, 2021);
- [Resolution 4B-21-0703](#), Requesting Centralized Funding and Support for Advisory Neighborhood Commission Technology and Printing Needs (July 26, 2021);
- [Resolution 4B-21-0601](#): Calling for Virtual Testimony Option for DC Government Hearings (June 28, 2021);
- [Citywide Letter](#) to the DC Council, Calling for Hybrid (Virtual and In-Person) Meetings for Advisory Neighborhood Commissions (June 10, 2021) (signed by all Advisory Neighborhood Commission 4B Commissioners);
- [Resolution 4B-21-0509](#): Calling for Legislative Revisions and Supports to Allow Hybrid (Virtual and In-Person) Meetings for Advisory Neighborhood Commissions (May 24, 2021);
- [Letter](#) regarding Ensuring Adequate Resources for Successful Advisory Neighborhood Commissions (Jan. 25, 2021);
- [Resolution 4B-21-0104](#): Calling for Fair and Equitable Elections Procedures and Improved Mechanisms to Fill Advisory Neighborhood Commission Vacancies (Jan. 25, 2021);
- Advisory Neighborhood Commission 4B, [Annual Report 2020](#) (Nov. 23, 2020);
- [Resolution 4B-20-1002](#): Encouraging Best Practices to Assure Broad Inclusivity and Robust Participation in DC Government Hearings at the Commission's (Oct. 26, 2020);
- [Letter](#) regarding Administrative Support and Infrastructure for Advisory Neighborhood Commissions (Sept. 24, 2019); and

- [Resolution 4B-19-0403](#): Supporting Implicit and Unconscious Bias Training and Diversity, Equity, & Inclusion Initiatives for Advisory Neighborhood Commissions (Apr. 22, 2019).

Advisory Neighborhood Commission 4B recognizes the work that went into drafting this proposed Strategic Plan and expresses gratitude for the effort. The Commission is specifically supportive of the following:

- ***Goal 1 (Strengthen and Expand Training)***. Consistent with past efforts, Advisory Neighborhood Commission 4B is generally supportive of the goals and strategies proposed for strengthened and expanded training. Advisory Neighborhood Commission 4B continues to support hybrid and virtual options, as well as meeting recordings, to remove barriers to training.
- ***Objective 3.1 (Improve Support of ANC Office and Business Services). The Office of Advisory Neighborhood Commissions will establish a process for requesting Advisory Neighborhood Commission office space by June 30, 2024.*** Advisory Neighborhood Commission 4B supports the provision of office space by the DC government, as currently provided under the relevant statute but almost never (if ever) provided.
- ***Objective 3.1 (Improve Support of ANC Office and Business Services). The Office of Advisory Neighborhood Commissions will draft a recommendation to the DC Council by June 30, 2025, on shared Advisory Neighborhood Commission support staff.*** As Advisory Neighborhood Commission 4B has previously noted, the Commission was in debt prior to 2019 due to the combined expenses of office space and support staff exceeding the Commission's allotments. Shared support staff is essential to allowing Commissions to have such staff while not exceeding their allotments.
- ***Objective 3.2 (Create an Integrated OANC/ANC Website)***. Advisory Neighborhood Commission 4B has repeatedly called for centralized supports and services for Commission websites. The Commission does not take a position on the technology proposed, but cautions that the transition should not cause a loss in current website functionality, including the Commission's professionally translated website, and should allow sufficient independence in recognition of the unique role of Commissions separate from both the Mayor and the DC Council. The Commission also notes the need for harmonization among the Office of Advisory Neighborhood Commissions' website and websites of individual Commissions, as the Commission regularly encounters inconsistencies with regard to the Office's site as it pertains to Commission information.
- ***Objective 3.3 (Establish Shared Virtual Hybrid Meeting Technology for ANCs). The Office of Advisory Neighborhood Commissions will establish a District-wide network of hybrid meeting locations by December 31, 2024.*** Advisory Neighborhood Commission 4B continues to support centralized efforts regarding meeting locations

convenient to each Commission to allow for fixed hybrid technology setups, including as proposed in [B25-0257](#), the Hybrid Meeting Accessibility Act of 2023.

Advisory Neighborhood Commission 4B provides the following high-level feedback, applicable to the proposed Strategic Plan as a whole:

- ***The Office of Advisory Neighborhood Commissions should conduct a Racial Equity Impact Assessment with regard to the proposed Strategic Plan.*** While Advisory Neighborhood Commission 4B recognizes that the Office of Advisory Neighborhood Commissions is not fully within the legislative branch, the Commission encourages the Office to work with the Council Office of Racial Equity or another entity to conduct a Racial Equity Impact Assessment (or something similar) regarding the proposed Strategic Plan. Racial disparities and systemic inequities are evident across Advisory Neighborhood Commissions and should be considered expressly as part of this process.
- ***The proposed Strategic Plan should refrain from characterizing Commissioners as “activists” or seeking to limit the business of Advisory Neighborhood Commissions by classifying it as “activism.”*** Advisory Neighborhood Commissioners take their oath to “consider each matter before [them] from the viewpoint of the best interest of the District of Columbia, as a whole” and, as noted in the Advisory Neighborhood Commissioner Handbook (2023-2024), “virtually no public policy area is excluded from the purview of the Advisory Neighborhood Commissions.” Yet, the proposed Strategic Plan embodies a different philosophy of the role of Advisory Neighborhood Commissions, repeatedly characterizing some Commissioners as activists and Commission action as activism. See, e.g., [Draft OANC Strategic Plan](#) at 74 (“[J]ust as troubling is the heightened interest in ANCs by special interest groups who have come to see Advisory Neighborhood Commissions as the gateway to amplifying initiatives they hope will eventually be adopted by the Council and Mayor. These groups also frequently misattribute the powers, duties, and responsibilities of ANCs as they seek support for issues that are well outside the purview of ANCs. In many instances this has resulted in newly elected Commissioners being more activist than public servants and created unnecessary friction between Commissioners and their constituents.”). Claiming Commissioners “connect themselves to issues well beyond the scope of their office” and that “ANCs do not set District Policy nor initiate legislation” is an incorrect attempt to limit Commission and Commissioner activity. Designating a Commissioner as “more activist than public servant” is wholly subjective and undermines our democratic elections. A duly elected Commissioner is just that: a duly elected Commissioner. Further, these types of statements veer toward viewpoint discrimination by indicating that the actions of a Commissioner who is deemed an “activist” are for some reason less valid. Unfortunately, this is an overall trend advisory Neighborhood Commission 4B has observed with regard to the Office of Advisory Neighborhood Commissions, including as related to recent advice from the Office strongly discouraging Commissioners from signing onto letters to the DC Council,

Mayor, or others (here, as related to a ceasefire in Gaza and where Commissioners have been signing onto letters for years). (See attached email.)

- ***The proposed Strategic Plan should clearly define the role of the Office of Advisory Neighborhood Commissions in providing legal advice to Commissioners in coordination with the District's Office of the Attorney General.***

The proposed Strategic Plan may overstate the Office of Advisory Neighborhood Commissions' mission and role – as defined by statute – in providing legal advice to Commissioners. While the proposed Strategic Plan correctly recognizes legislative efforts to enhance the Office's ability to provide support when a Commission or Commissioner receives a Freedom of Information Act request and with regard to planned unit developments and community benefit agreements, the proposed Strategic Plan goes further in positioning the Office as the primary entity to provide legal advice to Commissions and Commissioners. The proposed Strategic Plan appears to take an openly hostile position toward the District's Office of the Attorney General, noting the Office's ability to provide needed legal advice "has been hampered ... by ... the potential of conflicts of interest within the OAG's office" [Draft OANC Strategic Plan](#) at 56. This language is unhelpful and fails to recognize an existing difference of opinion regarding which entity has the primary authority for providing legal advice to Commissions and Commissioners. As the District Office of the Attorney General has stated, "Although OANC rightfully plays a major role in providing ANC's with technical and administrative assistance, the primary authority for interpreting the law governing ANC's, within the boundaries set by judicial precedent, rests with the OAG." (See attached Resolution and responses.) Advisory Neighborhood Commission 4B notes a history of inconsistent, unclear, and incorrect legal advice from the Office of Advisory Neighborhood Commissions, as well as an overall lack of transparency with regard to legal advice, which is largely unpublished. The Commission requests a clear delineation of the role of and authority for the Office of Advisory Neighborhood Commissions in providing legal advice to Commissions and Commissioners and notes that the Office of the Attorney General would be responsible for defending Commissions and Commissioners from legal challenges that may result from following legal advice given by the Office of the Advisory Neighborhood Commissions.

- ***The proposed Strategic Plan should recognize the challenges and limitations of the Advisory Neighborhood Commission position as a volunteer, unpaid position and propose measures to assess and respond to these challenges and limitations.*** The proposed Strategic Plan falls short in considering and responding to the challenges of serving as a volunteer,¹ unpaid elected official. At the outset, the

¹ Advisory Neighborhood Commission 4B recognizes that the Office of Advisory Neighborhood Commissions has stated that Commissioners are not volunteers. [Draft OANC Strategic Plan](#) at 85. Perhaps there is a better word, but there must be a recognition that the position of Advisory Neighborhood Commissioner is not and is not meant to be a full-time job, but rather is an extra – and indeed, voluntary – obligation. Residents sometimes say their tax dollars pay Commissioner salaries and oftentimes expect Commissioners to be available all the time, even though many Commissioners have

SWOT analysis lists the diverse abilities of Advisory Neighborhood Commissioners as a weakness of the Office of Advisory Neighborhood Commissions, but it does not grapple with the larger challenges regarding who is able to run and serve, what empowers Commissioners to be successful and have longevity, or why Commissioners are resigning. While the proposed Strategic Plan recognizes the higher-than-expected turnover this last term – a trend Advisory Neighborhood Commission 4B has recognized for years, particularly as related to a significant drop in women serving – the Plan offers no suggestions for figuring out why there was such high turnover and the Plan’s only relevant proposal is to hold trainings for residents contemplating a run for Commissioner. As Advisory Neighborhood Commission 4B has stated previously, the Office should track demographic data regarding Commissioners as a first step to understand who is serving and trends. It should also seek to understand why Commissioners leave their service by conducting exit interviews and/or surveys. While the Commission supports the general idea of additional training, opportunities for engagement with agencies, and mechanisms to provide feedback to the Office, it is essential that consideration of the scope and availability of these opportunities – which would exist in addition to the time Commissioners put toward serving residents, attending Commission meetings, drafting formal Commission items, testifying at hearings, and even serving as Commission officers – is significantly onerous and may simply not be possible for a volunteer position.

- ***While the proposed Strategic Plan focuses heavily on technology, and even mentions a possible register for official actions, it fails to mention the Advisory Neighborhood Commissions Resolution Portal – an essential tool for Commissioners that publishes formal Commission action to the public, ensures transparency, and facilitates cross-Commission information sharing and collaboration.*** The [Advisory Neighborhood Commissions Resolution Portal](#) is one of the most, if not the most, useful tools offered to Commissioners. Created by statute, it allows Commissions to post formal actions and government entities to post their responses, providing a level of transparency that was nowhere near existing previously. See [DC Code § 1-309.12\(d\)\(5\)\(B\)](#) (“[T]he Mayor shall provide ... [a]n online Advisory Neighborhood Commissions Portal (‘ANC Portal’) where District agencies, boards, and commissions may post notices and documentation, Commissioners may post questions and comments, and agencies may respond to questions and comments posted by Commissioners”). The Portal also allows Commissions to observe more easily the actions of other Commissions and to have easier access to their formal actions to facilitate cross-Commission collaboration. Despite the value of the Portal, it is not mentioned once in the proposed Strategic Plan. While this may be because it is maintained by a different government entity, the Office of Advisory Neighborhood Commissions does a disservice to Commissions in failing to recognize its utility and support and enhance its use and functionality. It seems duplicative to suggest creating

other jobs and Commissioner work is done on top of other professional and personal obligations. Further support is needed for education for the public about what Commissioners are and are not.

an ANC register when a tool already exists and is being used by several Commissions. The Office of Advisory Neighborhood Commissions should look for ways to promote and broaden usage of this legally-required tool.

- ***The proposed Strategic Plan fails to address the current benefits offered to Commissions and Commissioners, whether and how they are used, and how to make them more accessible.*** The statute governing Advisory Neighborhood Commissions calls for reimbursement of translation and interpretation service costs, reimbursement for certain childcare expenses, and reimbursement for qualified travel – yet none of these benefits for Commissions and Commissioners are mentioned in the proposed Strategic Plan. [DC Code §§ 1-309.12\(d\)\(3\)\(C-i\); 1-309.13\(l-1\)\(1\)](#). While translation and interpretation are sometimes reimbursed, [no Commissioners have received reimbursement for qualifying travel or childcare expenses](#). These benefits make Commission proceedings more inclusive and accessible, and the Office of Advisory Neighborhood Commissions should be invested in making them work better, even if that means revisions to existing legislation. Additional benefits, such as parking passes, should be examined strategically to determine if those resources are being used, whether they are used in accordance with their intended purpose, and whether they are aligned with the District’s other laws and policies, as well as whether they could be redirected to better support Commissioners in other ways. For example, a more functional transit reimbursement might reduce the need for parking privileges while better serving the District’s overall climate goals.
- ***The proposed Strategic Plan should respond to meaningful Advisory Neighborhood Commission concerns related to grants and include more action and greater transparency in the related performance goals.*** Advisory Neighborhood Commission 4B agrees that “[t]he entire ANC grant process needs to be simplified, strengthened, and include clearer accountability mechanisms in addition to the efforts already undertaken by the OANC.” [Draft OANC Strategic Plan](#) at 49. The proposed Strategic Plan notes that “grant making is not the primary function of ANCs,” similar to how the Office of Advisory Neighborhood Commissions has previously told the Commission it need not offer grants. But, many Commissions seek to offer grants and want advice and support in doing so. The Commission strongly encourages the Office of Advisory Neighborhood Commissions to not just aim to align the grant process with the DC Code, but also to conduct a “deep review” of the relevant statutory language and propose improvements (as recommended in the proposed Plan for other areas of the statute). The Commission also reiterates its request for “a compendium of all of the Office’s actions allowing or disallowing Commission grants, including providing the relevant Commission, the applicant, the grant application subject, and the Office’s disposition and rationale for that disposition to assist Commission grantmaking” and greater overall transparency across Commissions with regard to decisions by the Office with regard to grants. [Resolution 4B-23-1101](#), Highlighting Administrative Challenges in Issuing ANC Grants and Requesting Procedural Improvements to Facilitate Commission Grantmaking (Nov. 27, 2023). In addition, the Commission asks that

characterizations of Commissioners as “angry” and “hostile” because of their confusion over grants be removed from the proposed Strategic Plan as a subjective and unnecessary characterization.

- ***While the proposed Strategic Plan discusses at length the feedback loop from Commissions and Commissioners to the Office of Advisory Neighborhood Commissions, it fails to recognize formal Commission action via Resolution or letter directed toward the Office.*** The proposed Strategic Plan focuses heavily on mechanisms for feedback from Commissions and Commissioners to the Office of Advisory Neighborhood Commissions. Yet, absent from the mechanisms proposed (namely, an Advisory Board appointed by the Office of Advisory Neighborhood Commissions and subsequent issue focused committees and ad hoc task forces also appointed by the Office) are formal actions taken by Advisory Neighborhood Commissions. Advisory Neighborhood Commission 4B, for example, has approved over a dozen formal Commission actions directed toward the Office of Advisory Neighborhood Commissions related to everything from childcare to hybrid meeting technology to grants. The Commission has rarely received a formal response from the Office. Formal Commission action is paramount, and the proposed Strategic Plan should set forward how the Office intends to respond to and engage with such action. An Advisory Board selected by the Office has the risk of supplanting the work of independent Advisory Neighborhood Commissions. The Office of Advisory Neighborhood Commissions should determine if they are the best conveners and appointers of a board to advise the Office if the goal is independent advice and feedback.
- ***The proposed Strategic Plan offers no support for independent cross-Commission collaboration.*** While the proposed Strategic Plan calls for strengthening and expanding connectivity among Advisory Neighborhood Commissions, it makes no mention of existing groups of Commissioners or how the Office of Advisory Neighborhood Commissions could or should support those groups. Contrary to what is stated in the proposed Strategic Plan, some of these groups have existed for years, they are not limited to issue-based caucuses, and they are often open to large groups of Commissioners and not limited to individuals who already know each other. Formalizing connectivity can and should also mean supporting independent efforts by and groups of Commissioners already in existence and yet to crystallize. Acknowledging prior work and how these groups were built, including collaborations around citywide issues, is important to inform forward-looking work in a way that is impactful.

Advisory Neighborhood Commission 4B looks forward to and appreciates consideration of this feedback.

A final note: While laudable in its scope and many of its goals and strategies, the proposed Strategic Plan undermines its own impact by repeatedly labeling Commissioners as “angry”, “hostile,” “lack[ing] ... understanding,” and “activists” driven by “special interest groups.” Further,

the proposed Plan seems in many aspects to expand the role of the Office of Advisory Neighborhood Commissions as an enforcement entity while simultaneously seeking to limit the mandate and immense value that independent Advisory Neighborhood Commissions bring to the table. As the Commission has previously noted, the Commission “calls for a renewed focus on empowering Commissions, educating them on what they can do and how they can do it well, and providing Commissions with the tools and resources necessary to succeed.” [Resolution 4B-23-0102](#), Highlighting History of Advocacy for and Requesting Stronger Centralized Resources for Successful Advisory Neighborhood Commissions (Jan. 23, 2023).

The Commission has voted with _ Yeas, _ Nays, and _ Abstentions to appoint the Commissioner for Single Member District 4B08, Alison Brooks; the Commissioner for Single Member District 4B03, Zurick T. Smith; the Commissioner for Single Member District 4B04, Evan Yeats; and the Commissioner for Single Member District 4B02, Erin Palmer, to be authorized to communicate this letter and represent Advisory Neighborhood Commission 4B in communication with you or any DC government entity regarding this matter.

Sincerely,

Alison Brooks, Chair, ANC 4B08 Commissioner
Zurick T. Smith, Vice Chair, ANC 4B03 Commissioner
Evan Yeats, Treasurer, ANC 4B04 Commissioner
Erin Palmer, Secretary, ANC 4B02 Commissioner

cc: Brian Schwalb, Attorney General of the District of Columbia
Joshua Turner, Legal Counsel Division, Office of the Attorney General of the District of Columbia

Councilmember Robert White, Chair, DC Council, Committee on Housing
Shawn Hilgendorf, Committee Director, DC Council, Committee on Housing

Councilmember Janeese Lewis George, DC Council, Ward 4
Kelly Hunt, Chief of Staff, Office of Councilmember Janeese Lewis George