

**DISTRICT OF COLUMBIA GOVERNMENT
ADVISORY NEIGHBORHOOD COMMISSION 5D, SINGLE MEMBER DISTRICT 5D05**



B21-0697, the “Advisory Neighborhood Commissions Omnibus Amendment Act of 2016”

TESTIMONY OF COMMISSIONER KATHY HENDERSON, 5D05

The written comments contained herein supplement my testimony before the Council on three separate occasions. As I stated during each hearing, the proposed legislation is ill-conceived, duplicative and largely unnecessary. No additional legislation is needed to ensure that advisory neighborhood commissions receive “great weight”, which is already a lawful provision in the DC Code. It is incumbent upon the Committee having oversight authority for advisory neighborhood commissions to hold a hearing or series of hearings to determine why the lawful standard of “great weight” is not followed. While the original length of the proposed bill has been reduced from fifty pages to thirty-eight pages, it is unclear what the real purpose of the legislation is. Ensuring that each commissioner and commissions receives adequate notice of proposed action and or rulemaking does not require thirty-eight pages of text to achieve. The proposed bill falls short of a coherent, concise and logical proposal to improve the experience advisory neighborhood commissioners have with the District Government.

Bill 21-0697 appears to be a hodgepodge of thoughts and proposals that are not clearly developed. The Bill simultaneously seeks to burden commissioners with having to provide key performance indicators to justify why persons seek election and why commissioners are qualified to remain in office. Only the respective qualified voters within a commission area are empowered to determine whether or not an individual serves as an elected advisory neighborhood commissioner. The DC Council has no authority to suggest or compel unpaid, elected volunteers to submit key performance indicators to any individual or agency of the District Government. The suggestion that commissioners should provide key performance indicators to the Council when the body fails to supervise the Office of Advisory Neighborhood Commissioners is befuddling and strange. No DC Councilmember appears to know who is responsible for supervising the director of the Office of Advisory Neighborhood Commissions. The Office of Advisory Neighborhood Commissions is not functional and has failed in its mission to provide consistent technical assistance to commissioners. Oversight hearings regarding the Office of Advisory Neighborhood Commissions have not resulted in any direct or indirect improvements to the functioning of the office. Compelling unpaid elected

commissioners to attend a meeting or series of meetings in order to receive a parking pass is also befuddling and strange. The portions of the proposed Bill 21-0697 that address proposed reimbursement of certain expenses is not well thought out or developed and duplicates provisions set forth by the Office of the DC Auditor regarding reimbursements for commissioners.

Finally, the provisions of the proposed Bill 21-0697 that attempts to address advisory neighborhood commissions' election of officers is an overarching attempt to legislatively bully elected representatives of the Government. The Committee has no legitimate reason to interfere with the election of officers, which is already addressed in the *Advisory Neighborhood Commissioners Handbook*; *Robert's Rules of Order* further establishes how such elections are handled. The provisions of proposed Bill 21-0697 regarding Freedom of Information Requests is not well developed and offers no substantive assistance in helping commissioners comply with such requests. The proposed Bill 21-0697 is not consistent, concise, logical or necessary. I recommend that the DC Council not pass this onerous, illogical and ill-conceived legislation. Drafting such legislation with input from developers, bar-industry promoters and groups opposed to historic preservation is the absolute wrong way to craft any legislation impacting commissioners. Such groups are often at odds with commissioners who are elected to represent neighborhood interests. Bill 21-0697 should be tabled and or thrown onto the scrap heap; the Committee should be able to craft a sensible bill that garners widespread support from commissioners, citizens and councilmembers. This Bill does not, underscoring testimony from commissioners opposing the effort and resolutions from commissions that oppose proposed Bill 21-0697.

Respectfully Submitted By,

Kathy Henderson

Commissioner Kathy Henderson, 5D05