



COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

July 6, 1992

Mr. David J. White, President  
Chicago/Shannon Block Club  
1127 Chicago Street, S.E.  
Washington, D.C. 20020

Dear Mr. White:

In your June 1 letter and subsequent conversations with my staff, you have raised questions concerning the operation of ANCs. Generally your inquiries deal with what you term "partisan" activities in light of the representative nature of Commissions. You ask: Is it permissible for a Commissioner to become personally involved on one side of an issue and then be allowed to participate in the ANC's decisionmaking regarding that issue? The short answer is yes.

You are not the first to complain that an ANC, or several of its Commissioners, is acting in disregard of the community it was elected to represent. I am enclosing a copy of my October 23, 1991 letter to a Ward 3 constituent on this type of issue. Although Commissioners are representative, they are completely free to exercise their own judgment.

There are, however, requirements which Commissions must follow. Any and all actions of an ANC, to be official, must be taken at a meeting open to the public. Further, those meetings must be properly noticed, as provided in D.C. Code sec. 1-262(c):

II(C) Each Commission shall give notice of all meetings or convocations to each Commission member and residents of the commission area no less than 7 days prior to the date of such meeting. Shorter notice may be given in the case of an emergency or for other good cause. Notice of regular and emergency meetings may be given by:

- II(A) posting written notices in at least 2 conspicuous places in each single-member district within the Commission area;
- II(B) publication in a city or community newspaper;
- II(C) mailing notice to a mailing list; and
- II(D) in any other manner directed by the Commission. "

July 6, 1992

ANCs are not like courts of law, required to maintain impartiality while weighing the pros and cons of an issue. For most issues they are not required to elicit testimony from the differing partisans on an issue. Nor are they required to serve copies of written material to all of the involved parties. On the other hand, Commissioners may be voted out of office for any reason, including the community's perception that the ANC is not being properly representative.

ANCs are advisory. While I understand how important an ANC's position may be, the ultimate decision on whether to close Shannon Place will be made by the Council and the Mayor. First the Executive Branch must forward a legislative proposal to the Council. Then the Council must adopt an act for the Mayor to sign.

Thank you for taking the time to write. I appreciate your activism.

Sincerely,



James E. Nathanson  
Chair, Committee on  
Government Operations

enc.

cc: ANC 8-A