



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA
CATHEDRAL HEIGHTS • CLEVELAND PARK
MASSACHUSETTS AVENUE HEIGHTS • MCLEAN GARDENS
WOODLAND-NORMANSTONE • WOODLEY PARK

Single Member District Commissioners
01-Lee Brian Reba * 02-Gwendolyn Bole * 03-Jessica Wasserman
04- Beau Finley * 05- Emma Hersh * 06-Angela Bradbery
07- Maureen Kinlan Boucher * 08-Malia N. Brink * 09-Nancy MacWood

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ANC3C Resolution 2017-029
Regarding the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017”

WHEREAS, legislation is pending before the D.C. Council that was drafted by the Board of Ethics and Government Accountability (“BEGA”) and is designed to consolidate the District government’s ethics laws by establishing a “Comprehensive Code of Conduct”;

WHEREAS, the D.C. Committee on the Judiciary and Public Safety on Nov. 2, 2017, held a hearing on the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017”;

WHEREAS, there are significant problems with the way Advisory Neighborhood Commissions (ANCs) and Advisory Neighborhood Commissioners are included in the legislation;

WHEREAS, under the legislation, ANC commissioners are classified as District employees, which is incorrect as ANCs are sui generis, and many requirements in the legislation would be unworkable;

WHEREAS, the legislation expands what constitutes a conflict of interest for an ANC commissioner, establishing that an ANC commissioner would have a conflict if the commissioner has a “personal interest” in a matter, rather than just a financial interest;

WHEREAS, the legislation defines “personal interest” to include “memberships in groups and organizations”;

WHEREAS, such an expansion of a conflict, if it became law, would force ANC commissioners to choose between renouncing memberships and affiliations with neighborhood organizations (because retaining membership would create a conflict), or remaining members of organizations, but having to recuse themselves from any ANC matter that could affect those groups, which given the nature of ANCs, could render commissioners unable to participate in many matters of import to the neighborhood;

WHEREAS, ANC commissioners by nature are involved in their communities, and their involvement is considered an asset and helps them keep informed about community issues, resolve problems and conduct their work as commissioners;

THEREFORE, BE IT RESOLVED that ANC3C:

- Supports the D.C. Council’s effort to consolidate and strengthen the District ethics code, but finds that the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017” in its current form would severely hamper the ability of Advisory Neighborhood Commissioners to serve the community;
- Finds that the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017” would create a barrier for many people who might want to serve as ANC commissioners;
- Finds that the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017” represents a sea change in the ANC system that would not serve the District well;
- Calls on the Council to create a separate section within the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017” that pertains solely to ANC commissioners and takes into account the unique role of commissioners, including the fact that they are voluntary public servants (not District employees) and that their involvement in the community is necessary to their service as commissioners;

FURTHER, BE IT RESOLVED that the Chair and Commissioner for ANC3C06 or their designees are authorized to represent the Commission in this matter.

Attested by



Nancy J. MacWood
Chair, on November 13, 2017

This resolution was approved by a voice vote on November 13, 2017 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.