

## ***“Open Agenda” Notes for the February 21, 2012 meeting (as of Feb 19)***

### ***Public discussion***

### ***Chair's report:***

### ***Secretary's report:***

Minutes of the January 17 meeting (draft sent out January 19)

Meeting notes posted on anc1d.org, January 18, February 19, February 21

### ***Treasurer's report:***

Consent items: Checks to Tony Grillo, \$50, postering; HearSay Interpreting, \$100; Community of Christ, \$125

Other item: reimbursement to Gregg for expenses associated with the Mount Pleasant Library zoning variance matter: \$574.79

### ***Unfinished business***

None

### ***New business***

#### ***1. Reject Ward One ANC redistricting recommendations (Gregg)***

Resolved, ANC 1D advises the DC Council to not accept the recommendations of the Ward One Redistricting Task Force (TF) for the following reasons:

1. The proposed boundaries (both alternatives) do not meet the requirement of law that the division of population be as close to equal as possible, and include 2000 population plus or minus 5%. There was submitted to the TF a plan which would satisfy all requirements of law, but was rejected by the thinnest of margins, 5 to 6.

The existence of the legally adequate plan demonstrates the possibility that a redistricting division of population could both be within the guidelines and be closely equal. Therefore the TF alternatives violate the law requiring that such a possibility be proposed when it exists, and so they must be rejected.

2. The TF composition did not meet the requirements of law - a majority of its members reside in one small corner of the ward and in one of the four current ANCs. This gives the appearance of a concerted campaign to circumvent the law, an appearance that is given greater weight by the following two observations: (1) Members residing in the small corner ("the corner group") got their positions mostly by lobbying for appointments by Councilmembers who did not of the possibility of a stealth takeover. (2) This group tended to vote as a block.

3. The TF majority neither took into consideration arguments for public benefits of neighborhood cohesiveness (as defined by scientific studies on what most folks consider to be their neighborhoods) nor the potential political empowerment of a large minority (Latinos) which make up a substantial portion of ward one. In both of these factors, the TF majority ignored public policy as specified by law. Instead, the TF majority - as readable in transcripts - argued for the preservation of current political boundaries. While these might have benefit to current office holders and activists, there was no rational consideration of the larger public benefit, and indeed a specific ignorance of those arguments made in accordance with law.

## **2. Revise the ANC redistricting law (Gregg)**

Resolved, ANC 1D advises the DC Council to change the ANC redistricting law to assure the following problems be handled in the future:

1. DC Council members consult with each other before appointing the ward Task Forces to better assure that the representation is balanced, that no group can predominate, that all prior ANC areas be equitably represented, and that minority groups be assured of representation to make their interests heard.

2. That the Mayor, starting at least a year in advance, prepare the computer and policy tools so that the benefits of neighborhood cohesiveness and balance of interests can be included on a rational basis. Since the benefits of a careful districting can be so great, and the damages of districting serving only political interests so dire, not only tools but instructional materials should be provided to assure that the exercise better serve the long-term interests of all DC.

3. The tools for a rational assay of cultural and neighborhood cohesiveness and balance of interests should include the encouragement of diversity and civic investment by natural groups (not transient political associations) such as ethnicities and identity groups who have demonstrated active contribution to the general weal, and not just their own interests. This often should mean that the 2000 population rule can be balanced against scientifically grounded benefits of keeping groups together, with a limit of plus or minus 15% variation in the size of ANC districts.

Redistricting offers an opportunity to support social development and to keep coherence in localities with mutual interests that also support their neighbors.

It should mean that ANC areas that actively demonstrate substantial engagement of many diverse groups across a larger area should be rationally supported in maintaining their localities - larger than the few block radius of natural neighborhoods.

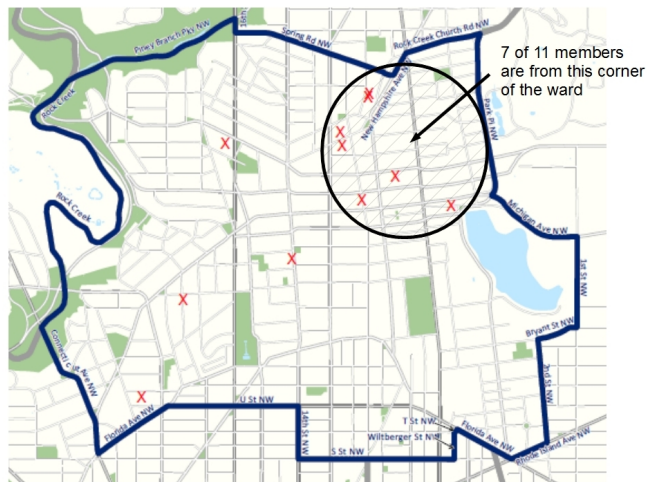
It means that a small area of political activists should not own other areas which seek independence.

It means that ANC areas demonstrating productive integration should be preserved or linked even when they cross ward boundaries.

### **3. ANC1D objects to the procedures of ANC redistricting (Jack)**

ANC1D advises the District Council that the procedures followed by the Ward One ANC Redistricting Task Force, under the guidance of the Office of Planning, were fundamentally flawed, and contrary to law.

First, the Task Force should be fairly representative of the entire ward. This is explicit in the DC Code: “§ 1-1041.01(b) In appointing the members of a ward task force, each Councilmember shall give full consideration to assuring fair representation for all racial and ethnic minorities, women, and geographical areas in his or her ward.” This prescription was ignored, and the Ward One Task Force was dominated by the residents of one corner of the ward. Despite being profoundly nonrepresentative of the geographical areas of the ward, these task force members were permitted to dictate the redistricting results for the entire ward.



Second, ANC areas should be defined first, then those ANC areas divided into SMDs, not the other way around. The intent of the DC Code establishing ANCs and SMDs ought to be clear:

§ 1-309.02. Advisory Neighborhood Commission areas. There are hereby established in the District of Columbia Advisory Neighborhood Commission areas, . . .

§ 1-309.03. Single-member districts. (a) The Council shall, by act, establish single-member districts for each of the neighborhood commission areas in § 1-309.02. . . .

That is, ANC areas are to be defined first, according to what makes sense to the task force, then those ANC areas divided into SMDs. But the instructions given the task forces, requiring that SMD populations be 2000, plus or minus 5%, reverse this process, compelling the task forces to force changes on the ANC boundaries, violating neighborhood sensibilities, in order to fit all SMDs into a 1900-to-2100 population box.

A veteran of ANC redistricting wrote, “you're probably right about the original intent [of the law], since it is by far the most sensible interpretation. Unfortunately, it seems to have been lost over the years, with people getting hung up on the number 2000.”

“Neighborhood cohesiveness” can be invoked to get around this problem, and did allow, in the end, ANC 1D to keep its current boundaries, despite having a population that could not, without great difficulty, be divided into 2000-population SMDs. But factors such as “neighborhood cohesiveness” should be the rule, the guiding principle for ANC redistricting, not the exception.

***1865 Newton Street zoning variance (Jack)***

Resolved, that ANC1D agrees that zoning variance application 18350, for 1865 Newton Street NW, to allow four dwelling units on a lot of 3250 square feet, versus the R-4 zoning requirement for 3600 square feet, can be granted without substantial detriment to the public good. Commissioner McKay is authorized to present the report to the Board.