



Advisory Neighborhood Commission 4B

6856 Eastern Avenue, NW - Suite 314

Washington, DC 20012

202-291-6282 (Office)

Ron Austin, ANC 4B06, Chairperson; Douglass Sloan, ANC 4B09, Vice Chairperson;

Judi Jones, ANC 4B07, Secretary Barbara Rogers, ANC 4B08, Treasurer;

Andre Carley, ANC 4B01; Frank Jones III, ANC 4B02; Brenda Parks, ANC 4B04; Brenda Speaks, ANC 4B05;

December 11, 2015

Mr. Keith Anderson
Director
Department of Parks and Recreation
District of Columbia Government
1250 U Street N.W.
Washington, DC 20009

Dear Director Anderson:

At a special public meeting on December 10, 2015 (notice of which was properly given, and at which a quorum of six of eight members was present) ANC 4B voted (4 yes, 2 no) to adopt the attached resolution regarding the application of the Northern Ward Four Dog Park Association to the Department of Parks and Recreation to construct a dog park at the Takoma Recreation Center.

The Commission submits this resolution under the provisions of DC Code 1-309.10(a) through 1-309.10(h)(1), which require, among other things, that Advisory Neighborhood Commission recommendations be given "great weight" by DC government agencies, that DC government agencies "articulate with particularity and precision the reasons why the Commission does or does not offer persuasive advice under the circumstances. In doing so, the government entity must articulate specific findings and conclusions with respect to each issue and concern raised by the Commission."

Sincerely,


Ronald Austin, ANC 4B06
Chairperson

cc: Hon. Brandon Todd, Councilmember, Ward Four
Commissioners, ANC 4B
Mr. John Stokes, Deputy Director, Department of Parks and Recreation
Mr. Brian Sisco, Landscape Architect, Department of Parks and Recreation
Mr. Gottlieb Simon, Executive Director, Office of Advisory Neighborhood Commissions
Mr. Michael Cohen, Northern Ward Four Dog Park Association



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Government of the District of Columbia
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RESOLUTION #15-1201
Recommendations Regarding an Application
For a Dog Park in ANC 4B
Adopted December 10, 2015

Advisory Neighborhood Commission 4B (the Commission) takes note of the following:

- The Northern Ward Four Dog Park Association intends to apply to the Department of Parks and Recreation to construct a dog park at the Takoma Recreation Center within the boundaries of ANC 4B.
- There is both strong support for and strong opposition to this location.
- The policies and procedures for reviewing and approving an application for a dog park established by the DC Department of Parks and Recreation (DPR) require, among other things, that:
 - The application must include a statement of support from the affected Advisory Neighborhood Commission (ANC).
 - The statement of support must identify and support a specific location for the dog park.
 - The application will not be accepted by the DPR without a statement of support from the ANC.
- According to the D.C. Code, DPR must consult the Commission and give “great weight” to any comments or recommendations the Commission may make on a proposed location for a dog park.
- While the Commission, by law, may advise DPR and recommend actions to it, neither the Home Rule Charter nor the D.C. Code give the

Commission the authority to effectively block or veto a location for a dog park.

- The DPR's procedures for reviewing and approving an application for a dog park appear to have the effect of giving the Commission such authority and therefore appear to be inconsistent with the law.
- The Commission is sending a letter to the Attorney General of the District of Columbia requesting his opinion and guidance on this matter.

RESOLVED, that Advisory Neighborhood Commission 4B supports the concept of a dog park in ANC 4B in principle, but declines to support a specific location for a dog park at this time, pending receipt of an opinion and guidance from the Attorney General.

FURTHER RESOLVED, that the Commission calls upon the Department of Parks and Recreation to avoid undue delay in considering this application for a dog park by:

- Accepting the application of the Northern Ward Four Dog Park Association for construction of a dog park without requiring a statement of support from the Commission;
- Utilizing DPR's resources and expertise to analyze alternative sites, receive comments from the affected residents and identify a preferred site for the dog park;
- Notifying the Commission of its decision regarding the preferred location for a dog park, providing the statutorily required thirty-business-days notice, and inviting the Commission to provide its comments and recommendations on the proposed site identified by DPR.

FURTHER RESOLVED, that the Commission designates Commissioner Ronald Austin, ANC 4B06, to represent the Commission in all matters relating to this resolution.

FURTHER RESOLVED, that, in the event the designated representative Commissioner cannot carry out his/her representative duties for any reason, the Commission authorizes the Chairperson to designate another Commissioner to represent the Commission in all matter relating to this resolution.

FURTHER RESOLVED, that consistent with DC Code §1-309, only actions of the full Commission voting in a properly noticed public meeting have standing and carry great weight. The actions, positions and opinions of individual

commissioners, insofar as they may be contradictory to or otherwise inconsistent with the expressed position of the full Commission in a properly adopted resolution or letter, have no standing and cannot be considered as in any way associated with the Commission.

ADOPTED by roll call vote at a special public meeting (notice of which was properly given, and at which a quorum of six of eight members was present) on December 10, 2015, by a vote of 4 yes, 2 no.

The roll call vote:

YES

4B01 Carley
4B05 Speaks
4B06 Austin
4B08 Rogers

NO

4B04 Parks
4B07 J. Jones

ABSTAIN