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**Council of the District of Columbia
Committee on Government Operations and the
Environment**

**Hearing on B 18-592, a Bill to Authorize a District
Facilities Plan**

**Testimony Submitted by
Nancy MacWood, Vice-Chair,
The Committee of 100 on the Federal City**

February 3, 2010

On behalf of The Committee of 100 on the Federal City I want to thank Councilmember Thomas for introducing a bill to reinstate a required District Facilities Plan and Councilmember Cheh for beginning the process of committee consideration, which will hopefully culminate in Council action on B 18-5922.

The recently passed A 18-0263, the Public Land Surplus Standards Amendment Act of 2009, creates the District Facilities Planning Advisory Committee, which is charged with reviewing the development and provisions of the proposed Facilities Plan and advising the Council on their findings and conclusions. It seems reasonable and efficient therefore to build into the development of the Facilities Plan a significant role for the Advisory Committee. It makes little sense to have the Advisory Committee sit on their collective hands until the Executive has completed the plan and then ask them to critique the plan and advise the Council of its shortcomings. A more productive role for the Advisory Committee would include reviews and comments as the plan is developed. In addition, the committee should consider amending the bill to

**-require public hearings during development of each agency's plan
-mandate consistent features or components to be included in each agency's facilities plan
-require agency's to submit their facilities plan to the Advisory Committee
-require the Mayor to develop the standards for the District Facilities Plan, including the cost of each lease and other relevant costs
-require public hearings when any agency revises its facilities plan
-define the role of the Department of Real Estate Services as coordinator of agency plans.**

The bill calls on the Mayor to develop the plan based on information from the agencies about their facilities needs. There is no requirement in the bill that the agencies hold public meetings which would provide comprehensive information from residents and service

providers to augment the assumptions from the agency staff and there is no requirement for a public hearing to verify that an agency's 5-year plan is responsive to the perceived needs in the community. The bill should be amended to mandate meaningful public participation during development of each agency's facilities plan. This requirement could be fulfilled by mandating that the Advisory Committee will organize these public meetings so that they are consistent from agency to agency.

According to the Department of Real Estate Services ("DRES") in FY08 the Office of Property Management hired 3 architecture firms to help some agencies understand their operational needs and staffing so that baseline information about facility needs could be documented. The goal of the proposed Facilities Plan presumably goes beyond that task and asks each agency to project ahead how they might better serve District residents and more fully meet their mission by expansive and innovative use of public property resources. The Council rather than a contractor should determine how an agency develops its facilities plan by listing the types of information sought and the basic methodology for gathering the information. Each agency should follow the same script for listing and prioritizing needs and identifying which part of the city has the greatest needs and how existing or new facilities (the District has over 1 million square feet of vacant or undeveloped land that could be developed for productive public use) could further their program goals. Thus, the bill should be amended to list standard components of each agency's facilities plan. The public and the Advisory Committee will then have a base for evaluating the responsiveness and reliability of each agency's facilities plan. It is also critical that the Advisory Committee receive the agency plans in addition to DRES so that it can report to the Council whether the Council's directives resulted in a useful linking of agency program mission and public facility use for service delivery in the best interests of District residents.

The role of the Department of Real Estate Services in preparing a District Facilities Plan is critical. It is charged with the logistical task of correlating agency plans into an integrated citywide plan. There should be some concern in the Council about how DRES will do this. Its function has been to develop a portfolio of District property, and manage and maintain those properties through its construction, contracting and procurement, and facilities divisions. It should be clear in the bill that DRES review of the agency plans is for completeness and that its responsibility is to implement the standards developed by the Mayor when it pulls all the plans into a coherent whole. Act 18-0263, Sec. 4(c) (5) gives the Advisory Committee the duty to review and comment on these standards so it is important that B 19-532 require the Mayor to develop them.

The bill also gives DRES the responsibility of organizing one public hearing on the biannual revision of the District Facilities Plan, which will be based on information from the agencies. It seems more appropriate that an agency anticipating changes in its facilities needs should be sponsoring these hearings so that the affected populations can participate. And it is these agencies, rather than DRES, that should "give due consideration to community input into the District Facilities Plan, or revisions thereto." The bill should be amended to transfer responsibility for public hearings on revisions and consideration of public comment to the agencies or to the Advisory Committee on behalf of the agencies, and this process should precede submission of the revisions.

Pursuant to Sec. 4 (c) (e), the Advisory Committee will report to the Council on the appropriate relationship between the District Facilities Plan and other existing planning documents, including the Comprehensive Plan. The bill therefore should require in the standards developed by the Mayor a directive that an agency's 5-year facilities plan correlate to the Comprehensive Plan and any other planning documents relevant to that agency. The Comprehensive Plan is designed to further the public policy goals of the District through land use policies rather than the other way around. Thus, the committee should consider amending Sec. 3 (c) (2) so that it is clear (c) (1) and (c) (2) are not in conflict and the proper hierarchy is stated.

In addition, the District Facilities Plan should include in the summary of all leases and capital projects [Sec. 3 (c) (7)] the cost of each lease and project. The Plan may also include a discussion of the outcome of recommendations from the District Facilities Planning Advisory Committee, but provisions (discussed above) should be included in the bill to define the relationship between the Advisory Committee and DRES. It should be clear that the Advisory Committee primarily advises and reports to the Council.

The Committee of 100 strongly supports the Council in mandating a transparent and comprehensive process that ensures that public property resources are available for program purposes and that District residents are

fully engaged in how public property is used or determined to be surplus. We hope the Council will consider our recommendations and move quickly to pass B 18-352.