

Ms. Deborah K. Nichols
Auditor
District of Columbia
717 14th Street, NW
Suite 900
Washington, DC 20005

February 4, 2008

Dear Ms. Nichols –

We are writing to request that your office conduct an investigation into the question of how the Office of the Deputy Mayor for Planning and Economic Development (“DMPED”) made the decision to issue an RFP offering opportunities for private development on the campus of the Tenley-Friendship Library and the Bernard T. Janney Elementary School, located on Wisconsin Avenue at Albemarle Street (“the Tenleytown project”).

We believe that such an investigation will demonstrate that (a) the Director of Development violated conflict-of-interest guidelines, (b) the concentration of power over public lands in the hands of the Mayor (and the Mayor’s delegation of that power to DMPED) has left individual executive agencies unable to defend their own facilities needs, (c) as a result, such needs are being sacrificed in order to make public land available for private development, and (d) DMPED’s approach to the disposition of public lands effectively excludes both the ANC’s and the Council of the District of Columbia from a meaningful role in such decisions.

We further believe that what has happened in Tenleytown is not an aberration, but is symptomatic of problems that are occurring citywide as the Fenty Administration approaches public land issues in a variety of contexts. The absence of Council oversight and the failure to establish consistent standards and procedures for public land dispositions have created a situation in which the undisclosed actions of a few well-positioned individuals can determine whether public land is lost to private uses.

We are requesting that you undertake this investigation as part of your mandate to provide the information necessary to put the Council in a better position to exercise oversight of executive agencies. The stewardship of public lands is a crucial responsibility of local governments – and it is as important to the District’s long-term financial health as ensuring that tax revenues are properly spent and accounted for. That said, public lands are not simply revenue sources to be liquidated whenever an opportunity presents itself. These lands are entrusted to the care of the Council and the Mayor whose duty is to use them in ways that protect not only the interests of the citizens of the District of Columbia today, but the interests of future generations of DC residents.

We have attached a brief summary of our causes for concern about how DMPED has acted in the Tenleytown case. It is based both on personal experience and on documents we have received to date in response to requests made under the Freedom of Information Act. Because DMPED has withheld hundreds of additional documents based on privilege claims, we have concluded that a full-scale investigation by an agency with the power to subpoena documents and take testimony under oath will be necessary if a more complete picture of DMPED’s decision-making process in this matter is to emerge.

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We look forward to hearing your response to our request. Please let us know if we can be of any further assistance in this matter. We hope for and expect the opportunity to provide additional testimony should you decide to pursue this inquiry.

Sincerely,

Anne C. Sullivan
ANC Commissioner for 3E05
and Chair of ANC 3E's Special Committee on the Tenley-Friendship Library/Janney School Proposal
(202) 244-2461
acsullivan@starpower.net

Daniel N. Carozza
Community Representative
ANC 3E Special Committee
(202) 364-0885
dcarozza@earthlink.net

Suzette M. Hemberger
Community Representative
ANC 3E Special Committee
(202) 364-8423
smithhemb@aol.com

Attachments: "Causes for Concern"
supporting documents