

On 14 Mar 2023, the General Membership, under a Suspension of the Rules, held a vote with the options Revised Final Resolution, Revised Amendment in Nature of a Substitute, Abstain. The vote was Revised Final Resolution, 71 (70.3%); Revised Amendment in Nature of a Substitute, 30 (29.7%); Abstain, 8.

Resolution to Restore the Public's Confidence in Arlington County Governance

FINAL REVISION, 28 February 2023

Whereas, public participation processes are based on the belief that those who are affected by a decision have the right to be involved in the decision-making process and all perspectives should be represented in civic engagement.^{1, 2, 3, 4}

Whereas, a signature feature of Arlington County governance is the "Arlington Way," which relies on extensive "bottom-up" community engagement with Arlington residents to build consensus and implement policies with community support.^{1, 2}

Whereas, in this process Arlington residents had a meaningful seat at the decision-making table, which resulted in robust community discussion, producing consensus-driven outcomes that have made Arlington one of the most sought-after places to live in the nation.^{16, 17, 18, 19, 20, 21, 22, 23, 24, 25}

Whereas, on September 14, 2021, the Arlington County Civic Federation approved a Resolution observing that "the perspectives of all communities including all racial, cultural, philosophical, and economic backgrounds, all sexual orientations, and all capabilities have not been historically represented in the viewpoints in civic engagement."^{5, 6}

Whereas, it appears to many residents that the current community engagement methods are unevenly applied or have fundamentally changed and no longer consistently includes critical engagement principles and features.

Whereas it appears that these shortcomings have given many residents the impression that the County pursues predetermined outcomes, stifles public feedback, ignores criticisms of policies in development, and makes decisions without community consensus and where far-reaching decisions may be made without incorporating substantive resident input or broad community consensus such as Missing Middle Housing Study and other recent planning initiatives which have highlighted these shortcomings of the County's methods of engaging residents.^{26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39}

Whereas, it appears to many residents that the Arlington County Board and County Manager frequently dismiss concerns of individuals, civic groups, civic associations, multi-family residence associations, and the Arlington County Civic Federation, which historically have played an integral role in the county's decision-making processes.^{40, 41, 42, 43, 44, 45}

Whereas, the current Arlington County Board, County Manager and staff conduct processes frequently led by outside consultants that, from the perspective of many affected residents, lack transparency and seem to be designed to reach a single, predetermined conclusion (e.g., Sector

Plan updates, Public Spaces Master Plan update, Site Plan approvals, increased density and other mechanisms) without addressing substantive community concerns expressed during the process.^{46, 47, 48, 49, 50, 51, 52, 53}

Whereas, the current community engagement process is perceived by many to marginalize or stifle criticism from residents about proposed County policies by such methods as not recording public comments, using “push poll” surveys that are structured to support a singlepoint of view, providing on-line only presentations that do not allow for two-way communications, encouraging advocacy group support, not recording or posting public minutes, and failing to include some letters from the public record.^{54, 55, 56, 57}

Whereas, the citizen-commissioner appointment process and objectives lack transparency for member and Chair selection and seems to result in commissions that lack a diversity of opinion or thought and do not necessarily reflect the views of the public at large.^{58, 59, 60, 61, 62, 63, 64, 65, 66}

Whereas, it appears to many of our members that the County frequently conducts a planning review process without two-way engagement with residents and residents report that in some planning reviews, paid developer staff have the opportunity for two-way engagement at the table with planners while residents are limited to short, one-way comments. The information presented to planners can thus be considered “unbalanced” and “skewed”.⁶⁷

Whereas, certain types of meetings exclude public attendance—even when the planning is holistic in nature (not a specific site plan)—permitting developers, approved “stakeholders” and staff to meet and consider planning during “office hours” in a way which limits public discussions public and skirts public “sunshine” laws’.^{68, 69, 70, 71, 72, 73, 74, 75}

Whereas, the outcome of land-use planning and development processes appears to focus almost exclusively on increasing density and satisfying developers’ goals and interests without providing specific metrics to document an equitable focus on achieving a balanced outcome that mitigates negative community impacts and enhances the long-term livability of both existing and new residents.^{76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86}

Whereas, there is no accurate, measurable public accounting of the value of the “community benefits” developers offer as part of the site plan process and likewise no accurate public accounting of the value of the density and other benefits that property developers receive in return, leaving the public in the dark as to whether or not what is received is of roughly equivalent value.^{87, 88, 89, 90, 91, 92, 93}

Whereas, the County continues to enact further restrictive rule and limitations on public speaking.^{94, 95, 96, 97}

Whereas, there is a lack of data transparency, accessibility, and properly working systems such as policies, processes, broken website links, website links to meetings, documents, historic content,

minutes and video resulting in significant impediments to residents' ability to view, research, and participate in County activities in a transparent way.^{98, 99, 100, 101, 102, 103, 104, 105, 106,107, 108, 109, 110}

Therefore let it be resolved, the County can increase public confidence in County governance by providing more opportunities for two-way conversations, improving accessibility of information about policies in development, explaining how public input shapes those policies, and engaging with more residents—including renters, lower-income residents, disabled residents, and residents of color.^{13, 14, 15}

The Arlington County Civic Federation calls on the Arlington County Board, the County Manager and staff to reaffirm their commitment to meaningful public/civic engagement to increase public confidence in County governance by; with the Arlington County Civic Federation and the diverse organizations of our whole community to restore authentic civic engagement and faith in Arlington County governance and the "Arlington Way", beginning with the following high-priority actions:

1. **Recommit to the "Arlington Way" principles and processes** by where the intent of community engagement is to give community members a meaningful role at the decision-making table by including the public in robust two-way conversations – by providing more opportunities at the decision-making table, by ensuring that its engagement methods adequately inform residents of policies in development and fairly capture the range of diverse views within the community;^{3 4} incorporate and address public concerns and ideas; acknowledge and address substantive public criticism; encourage a diversity of thought and information in all processes; improve accessibility of information about policies in development, explaining how public input shapes those policies, and engaging with more residents—including renters, lower-income residents, disabled residents, and residents of color fully answer the public's questions and concerns (providing all relevant information/documentation whether or not it supports the County's position); provide a full accounting of support and public participation; identify areas of common objectives to build genuine consensus in order to produce outcomes that better serve the community's interest and are perceived as legitimate, unbiased, and fair; improve engagement timeframes; hold regular meetings of the County Board and advisory groups in neighborhoods of historically marginalized residents, provide information in advance with proper notice; create neutral survey tools to collect statistically valid, unskewed results; improve transparency of the Board's monitoring of the implementation of policy; create an equitable balance between development interests and residents' interests; relax public comment requirements and reduce reliance on both Consent Agenda and Closed Sessions; and further expand the Six Step Guide beyond Capital Projects, such as planning and zoning initiatives; expand public notice, engagement times, engagement timeframes and languages; revisit prior recommendations to improve civic engagement; and realign the County Ombuds role to allow for independence from County operations;
2. **Support in spirit (not just the letter of the law) open-data and open-government principles and regulations** by revamping the county's current policies and methods, especially with

respect to Freedom of Information Act (FOIA) requests, to ensure the prompt release of all relevant data and to significantly reduce the withholding of information or making the public pay to obtain public information. Make all notices, policies, guidance, data, analysis and objectives available to the public before, during and after each process; allowing participants to observe meetings and review notes from ALL county meetings including using technology to record and livestream its public meetings, to publish all residents' feedback frequently drafting community surveys in ways that minimize jargon and allow for expression of a wide range of viewpoints and broadly, on County policies in development, with sufficient specificity and clarity that the community can understand whether, how, and what that feedback will shape policy and to restore transparency in all its process and engagement activities; and providing public notices to larger audience bases to comply with the spirit of the law;

3. **Reconvene and reinvigorate the Arlington County Open Data Advisory Group and Open Data Portal**; *develop a more sophisticated, data-driven toolkit for anticipating and addressing likely impacts from County policies; encourage the County Manager, Staff, and County Advisory Groups to use the best available data and data driven analysis to form their recommendations; and allow the public free access to all data, analysis, and information .ensuring that minutes and recordings of meetings of the County Board and advisory commissions are prepared and posted within 24 hours to the County's website and made available to County commissions and other Advisory Groups, including data sources, methodology and data analysis results; make additional information available in the Open Data Portal such as conflict of interest, financial, real estate, candidate and other disclosures as well as County award applications, conference presentations, papers, articles, policies, Advisory Group appointment/tenures, Six Step Guide and other engagement documentation;*

4. **Reinvigorate and empower County Commissions and other Advisory Groups** *by recruiting and selecting members with a wider diversity of perspectives and backgrounds; by offering them unfettered access to all relevant data, analysis and information; and by applying the same county open-data, open-government and public-engagement standards to enable these volunteer groups to better meet their intended purpose—*
 - *Bolstering recruitment for County advisory groups by advertising vacancies more prominently and sharing more information about selection criteria;*
 - *Advise the Board consistent with their roles in publicly and systematically setting and monitoring the implementation of policy;*
 - *Serve as an essential link between elected officials and the governed, eliciting meaningful public/community feedback and providing an open and neutral forum for discussing and sharing information, ideas, concerns and suggestions;*
 - *Evaluate and critically analyze policy, plan and project proposals or changes, using all relevant sources of information and data (tapping volunteer experts in the community, as available and as necessary) to provide part-time County Board members with as much objective information and independent analysis as possible to support better informed decision-making that furthers and protects the community's interests;*
 - *Update the Advisory Group Handbook to accurately reflect roles and responsibilities and provide more detailed guidance to Advisory Groups, Chairs,*

Board Liaisons and Staff Liaisons;

- Reinststitute and improve the Staff Liaison Handbook and provide Staff Liaison training;

5. **Establish interdepartmental after-action, lessons-learned review committees** (including community representatives) to track/document outcomes and continuously improve.

- Authorize review to collect data (and, where necessary, to request the collection of relevant data) for analysis of major policy/procedure, planning and project initiatives or changes to empirically determine what has worked, what hasn't worked (and why) in order to recommend changes that correct negative or unintended consequences, better inform future decision-making, and improve outcomes going forward.
- Apply the same county open-data, open-government and public-engagement standards. Publicly present lessons learned, improvement recommendations and implementation, and other information to the County Board consistent with the Board's role of monitoring the implementation of policy;

6. **Enact a policy preventing the implementation of plans, policies or projects (new major initiatives or revisions) in the absence of a thorough and data-supported analysis of the potential and cumulative impacts** (net effects on costs, budgets, personnel, capacity and service delivery).

7. **Updating and maintaining the County's website to fix broken links promptly and make pertinent information about County policies more accessible**

The below endnotes provide detailed support for the whereas clauses, consistent with Arlington County Civic Federation guidance. The *Report on Erosion of Public Confidence in Arlington County Decision Making* (<https://www.civfed.org/newContent/2023-02/2023-02-06%20CivFed%20Res%20Report%20Restore%20Public%20Confidence%20in%20Arlington%20County%20Governance.pdf>), submitted by five former ACCF Presidents and delegates, may provide additional context. The report has not been approved by ACCF and does not necessarily represent the views of the ACCF. Approval of this resolution does not constitute approval of the report or examples contained therein.

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