

ADVISORY NEIGHBORHOOD COMMISSION 2F
Minutes of Regular Monthly Public Meeting
Wednesday, January 11, 2012 – 7:00 PM
Washington Plaza Hotel
5 Thomas Circle NW

Present: Mike Benardo (2F06), Nick Barron (2F02), Samuel V. Goekjian (2F03), Matt Raymond (2F04), Charles Reed (2F01) (Vice Chairman), Matt Connolly (2F05)

Absent: None

Chairman Benardo called the meeting to order at 7:00 p.m. He noted that a quorum was present and that the meeting had been duly noticed, and he directed that a copy of the notice of the meeting be filed with the minutes.

Installation of Matt Connolly as Commission for SMD 2F-05

Mike Benardo, being informed that **Matt Connolly** has been qualified by the D.C. Board of Elections and Ethics to be seated as Advisory Neighborhood Commissioner for SMD 2F-05, and that Mr. Raymond had been duly sworn in by Council Member Jack Evans prior to the meeting, welcomed Mr. Connolly, and stated he was hereby seated as a full member of ANC 2F.

COMMUNITY FORUM

Election and Installation of Officers 2012

The meeting was called to order by **Mike Bernardo**, who turned the meeting over to Executive Director **Jennifer Dusek** to conduct the annual election of officers. She opened nominations for Chair. **Matt Raymond** nominated **Mike Benardo**. **Sam Goekjian** seconded. No other nominations were made, and a vote was called. **Mike Benardo** was elected **Chairman**, to serve until his statutory term expires or until his successor is duly qualified to serve.

VOTE: (6-0) Unanimous.

Bernardo then assumed the chair. He opened nominations for Vice Chair. **Reed** nominated **Matt Raymond**, seconded by **Barron**. **Goekjian** nominated **Charles Reed**. **Benardo** seconded. **Reed** declined the nomination and recommended **Matt Raymond**. No other nominations were made, and a vote was called. **Matt Raymond** was elected **Vice Chairman**, to serve until his statutory term expires or until his successor is duly qualified to serve.

VOTE: (6-0) Unanimous.

Nominations for Secretary were opened. **Benardo** nominated **Nick Barron**. **Raymond** seconded. No other nominations were made, and a vote was called. **Nick Barron** was elected Secretary, to serve until his statutory term expires or until his successor is duly qualified to serve.

VOTE: (6-0) Unanimous.

Benardo opened nominations for Treasurer. **Reed** nominated **Sam Goekjian**. **Raymond** seconded. No other nominations were made and a vote was called. **Sam Goekjian** was elected Treasurer, to serve until his statutory term expires or until his successor is duly qualified to serve.

VOTE: (6-0) Unanimous.

Commissioner Announcements

Reed announced that he was contacted by Sunshine, Inc. about a grant for educational activities. He requested that they be placed on February's ANC agenda and recommended they contact **Evelyn Boyd Simons**, Chair of Education Committee.

Reed also announced that there will be a hearing this Friday, January 13th at 9am before the ABC board on the lifting of the current suspension of the Mood Lounge.

Reed attended meetings on liquor license reform as part of a task force created by Councilmember **Jim Graham**. The task force has produced a list of proposed legislative changes relating to liquor licenses and participated in a discussion on the recommendations the noise committee formally presented to ABRA. Key issues the task force addressed include new legislation which may prohibit certain matters from being included in a Voluntary Agreements (VA) and the possible addition of a new category of license for "wine" pubs like "beer" pubs (ABRA permit "Brew Pub"). The task force will meet again on January 23rd.

Reed proposed that during the business portion of this meeting the ANC move to oppose some of the provisions **Councilmember Graham** has proposed, stating that the new provisions are essentially limiting the power of the ANC. He suggests improving the VA process and increasing the power of the ANC.

Report from the Office of Jack Evans, City Council Member, Ward 2

Sheri Kimbel, Director of Constituent Services, congratulated the ANC on having the full complement of six members. She also congratulated new appointment, Matt Connolly, and complimented **Reed** on his service to the ANC. **Ms. Kimbel** expressed hope for a positive outcome at the upcoming Mood Lounge Hearing this Friday. She reported that more police officers have been in the area of 14th street which has reduced crime in that vicinity. Mr. Evans will run unopposed in the Democratic primary on April 3rd. The special election to replace councilmember from Ward 5 will be on April 15th, 2012.

Raymond asked about the Reimbursable Detail legislation. **Mr. Evans** has been pushing for this but it has not had a hearing yet. The Reimbursable Detail Expansion and Promoter Regulation Act of 2011 would require participation in the reimbursable program by the Alcoholic Beverage Control licensed nightclubs (class CN) and licensed establishments with entertainment endorsements (class CT), with certain exceptions, that stay open after 11:59pm. It would establish a law directing ABRA to promulgate rules to regulate individuals and businesses that engage in the promotion of events that occur at licensed establishments and last until after 11:59 pm.

Ms. Kimbel suggested that the ANC write letter to **Phil Mendelson**, Chair of the Judiciary Committee, to encourage a hearing on the bill. **Ms. Kimbel** then opened the floor to questions from the community.

PSA 307 Report – Officer Daee

Benardo reported that officers are at training for Homeland Security and are unable to attend ANC and did not provide a report.

Community Announcements

Mr. Ibrahim Mumin announced that there will be a Shaw Training and Resource Fair. Individuals can jump start their prospects for a job in 2012 by enrolling and completing a training program. Come hear from DC Department of Employment Services and training program operators about free, high-quality training that is available. The fair will occur on Wednesday, January 18, 2012 from 10am to 2pm at the Shiloh Baptist Church Family Life Center at 1510 9th Street, NW. For questions, call 202-387-5169 or e-mail muminassociates@aol.com.

Michelle and Chef Noel Canales announced that they have opened up Tortino at 1228 11th Street NW and brought treats to share at this evening's ANC meeting. They asked for support in making changes to the block and improving the community. Tortino will be holding a fundraiser for LCCA on March 11th, 2012 with Ten 10% of the proceeds going back to LCCA. **Benardo** brought up that they are also offering a Grand Opening Special until February and recommended going to website and get 10% off. www.tortino.

- 10 Minute Recess -

BUSINESS MEETING

Approval of Agenda

Upon motion by **Benardo** seconded by **Reed** and after further discussion, the draft agenda was approved with additions, with a direction that a copy of the amended agenda be filed with the minutes and posted on the ANC 2F website:

Add Under ABRA: License Suspension for Mood Lounge

Add Under ABRA: Status of Eagle Café

Add Under CDC: Edward C. Mazique Center 1719 13th Street

Add Under New Business: Proposal iGaming laws as being looked at by the City Council

Add Under New Business: Letter regarding Reimbursable Detail Legislation

Defer: Approval of December Minutes until next month

Vote: (6-0) Unanimous

DCHSEMA/Street Closures

6th Annual Walk for Lupus Now!-Penny Fletcher

Penny Fletcher presented a request for street closing for the LupusNow! which will be held on Sunday, May 1, 2011 from 8:00 AM to 11:00 AM. Ms. Fletcher stated that the request complies with ANC 2F published street closing policy and that they have made substantial progress in dealing with others entitled to notice and provided opportunity to comment. Ms. Fletcher can be reached at 202-419-3145. Fletcher acknowledged that she has been working with Jo-Ann Neuhaus and has made changes.

Upon motion by **Reed**, seconded by **Raymond**, and after further discussion, it was,

RESOLVED, That after review of the street closing application of 6th Annual Walk for LupusNow! Washington, which will be held on Sunday, May 1, 2011 pending before the DC Homeland Security Emergency Management Agency (“DCHSEMA”) and presented to the ANC, ANC 2F advise DCHSEMA to grant such application.

Vote: (6-0) Unanimous

Chris4Life Colon Cancer Foundation 2012 Scope-It-Out 5K-Brandon Hammond

The Scope-It-Out 5K presentation was moved to February agenda. Mr. Hammond could not attend the rescheduled meeting.

ABRA

The Pig, 1324 14th Street NW, Voluntary Agreement

This ANC approved a Voluntary Agreement (VA) with The Pig in November 2011. The VA was accepted by the ABRA Board conditional to certain changes being made to the agreement. **Reed** noted that it has been unnecessarily complicated and delayed. **Goekjian** and **Reed** believe that the changes involving hours and occupancy limitations requested by the board are acceptable to the ANC and have agreed to the language changes. **Reed** will request a clean copy from ABRA for ANC records.

Upon motion by **Reed**, seconded by **Goekjian**, and after further discussion, it was

RESOLVED, ANC advise ABC board that it accepts the requested changes and pursuant to the e-mail that the board sent to the ANC to go ahead and accept the amended VA. **Reed** will communicate to the other parties with this agreement.

Vote: (5-0-1) One abstention

Well-Built Furniture, 1541 Q Street, NW (application ABRA-088504)

This is an application for Reatiler's Class "C" Restaurant License. This is a new restaurant with Italian cuisine and recorded background music with a seating capacity of 85.

Upon motion by **Reed**, seconded by **Barron**, and after further discussion, it was,

RESOLVED, the ANC protest the application of 1541 Q Street, NW Street License ABRA-088504 on grounds that the licensee's proposed new operations will disturb the peace, order and quiet of the community and lower the real estate valuation of nearby properties. ANC will seek to enter into VA to safeguard any breaches of peace, order, quiet and enjoyment.

Vote: (6-0) Unanimous

Mood Lounge 1319 9th Street NW License Suspension

Mood Lounge has been an ongoing problem in this ANC. There have been a number of complaints and a double stabbing which occurred a few weeks ago prompted a license suspension. The Mayor's office, the ANC, and community members will be attending a hearing this Friday, January 13, 2012 at 9am at ABRA.

Upon a motion by **Reed**, seconded by **Raymond**, and after further discussion, it was

RESOLVED, the ANC write a letter to ABRA calling for a permanent closure of the establishment given the number of resident complaints, continuous violations of the VA and DC laws.

FURTHER RESOLVED, the ANC advise that it is unanimous in the view that Mood Lounge has been in continuous violation of its VA and that summary suspension be continued indefinitely.

Vote: (6-0) Unanimous

Café Eagle 1414 9th Street NW-update on VA

ABRA accepted the application for Café Eagle, but declined the VA. The ANC received a memorandum describing the ABC board's position. Their position was that they would have accepted a provision that prohibited entertainments, but would not accept a provision that prohibited the licensee from making an application for an exception. . The ABRA Board also took position that inducements to community residents in order to retain the business plan that they outline would violate the DC Human Rights Act which prohibits discrimination on the basis of where someone lives. The restaurant is currently closed for remodeling, but planning on reopening soon. **Reed** shared Eagle Café's counsel indicated he would change the application to reflect new hours that matched the VA.

Upon a motion by **Reed**, seconded by **Benardo**, and after further discussion, it was

RESOLVED, that ANC authorize counsel to withdraw the notice of appeal and seek to get independent cooperation from the licensee to adjust hours and put in new VA to protect the community.

Upon motion by **Reed**, seconded by **Goekjian**, and after further discussion, it was

FURTHER RESOLVED, that the ANC seek a retainer.

Vote: (5-0-1) Approved, one abstention

Education Committee (Evelyn Boyd Simmons, Chair)

Evelyn Boyd Simmons, could not make it this evening. Report submitted via e-mail post ANC meeting.

Crime and Public Safety Commission (Bryan Goodman)

Current Chair, **Bryan Goodman**, is moving outside of the ANC and will provide a final report next month. The ANC will be looking for someone to replace **Mr. Goodman** as the Chair of the Crime and Public Safety Commission.

Community Development Committee (Mike Benardo)

Edward C. Mazique 1719-21 13th Street NW-Cynthia Faust, BZA

Cynthia Faust shared that the Edward C. Mazique Center's mission is to provide comprehensive services to children. The center's current licensing capacity is 160. They are requesting a variance to increase their capacity to 205 with a staff capacity of 85. They are not requesting an structural changes. They submitted application in September and are scheduled for a public hearing Tuesday, January 17th. The organization is Head Start funded and works in partnership with the Office of State Early Childhood Division with a 45-year history of serving low income families. Edward C. Mazique has solicited and received the support of neighbors and the community.

Upon motion by **Barron**, seconded by **Benardo**, and after further discussion, it was

RESOLVED, that the ANC write a letter advising the BZA grant the pending application for the exception and to increase the capacity from 160 to 205.

Vote: (6-0) Unanimous

iGaming Legislation ANC4B09 Commissioner Douglas Sloan

Sloan indicated he represents a group of ANC Commissioners and other city leaders who wish to influence the allocation of revenue from iGaming. He reported that currently all revenue is allocated by the council from a general fund. He states a goal of seeing legislation that ensures funds are going to citizens of the DC with the majority of the funding from online gaming in the

District of Columbia being used to improve educational facilities, social programming, homeless, job training programs, and infrastructure repair. Sloan advised he is hoping to gain a critical mass of resolutions from ANCs across the city to present to the City Council to further his goals.

Upon motion by **Barron**, seconded by **Benardo**, and after further discussion, it was

RESOLVED, that the ANC defer a resolution until the February ANC meeting to reconsider and educate on the iGaming issue and Mr. Sloan’s proposals.

Vote: (6-0) Unanimous

Reimbursable Detail Legislation

Sheri Kimbel, Director of Constituent Services for the Office of Jack Evans, shared that the proposed legislation will require nightclubs and anyone, like Heritage India, to have reimbursable details. Currently, the legislation does not automatically apply to a CT or a CN. Kimbel will e-mail a copy of the bill to each of the commissioners.

Upon a motion by **Reed**, seconded by **Benardo**, and after further discussion, it was

RESOLVED, that ANC formally recommend to Chair of the Committee that hearings be promptly held on the bill, and to advise the Chair that CT’s with entertainment endorsements be included in the same category as CNs.

FUTHER RESOLVED, that the bill be adopted with the inclusion of CT with entertainment licenses be treated as CNs.

Vote: (4-0-2) Approved with 2 abstentions

Sam motion, Matt second to ANC Security Fund

Treasurer’s Report (Sam Goekjian)

Upon motion by **Goekjian** and seconded by and after further discussion

RESOLVED, That ANC2F hereby approves the ANC2F participation in the ANC Security Fund; as presented to the meeting.

Vote: (6-0) Unanimous

Upon motion by **Goekjian**, seconded by **Reed**, and after further discussion, it was,

RESOLVED, that the following expenses be and are hereby adopted:

Jennifer Dusek	\$696.62
Verizon.....	\$63.73

DOES.....\$91.80
ANC Security Fund..... \$25.00

Vote: (6-0) Unanimous

Adjournment

There being no further business, the meeting was duly adjourned at 9:50 PM.