

# ANC 2F | Regular Monthly Public Meeting

**MINUTES** WEDNESDAY  
MARCH 5, 2014

7:00 P.M.

WASHINGTON PLAZA HOTEL  
10 THOMAS CIRCLE, NW

## Attendance

### **PRESENT**

Peter Lallas (2F01)  
Walt Cain (2F02)  
John Fanning (2F04)  
Jim Lamare (2F05)  
Greg Melcher (2F06)  
Matt Raymond (2F07)

### **GUESTS AND PRESENTERS**

Sherri Kimbel, Office of Jack Evans  
Sgt. David Terrestre, MPD (PSA 307)  
Officer Derrick Tarr, MPD, 3<sup>rd</sup> District Vice Operations  
Roger Kemp, Erin Lyons, and Kate Rakoczy, U.S.  
Attorney's Office  
James Bulger, Ward 2 Liaison, D.C. Mayor's Office

Meeting **called to order** by Commissioner Raymond at **7:08 p.m.** with quorum.

## Commissioner Announcements

1. Commissioner Linn announced his resignation as Commissioner for Single Member District (SMD) 2F03 due to an upcoming move to Columbia Heights. Linn reflected on his 15 months of service as 2F03 Commissioner, and spoke fondly of the learning experiences gained while working on crime, public safety, and education issues. He thanked his constituents for their support and lauded ANC 2F residents for their activism in improving the neighborhood.
2. Commissioner Raymond announced an upcoming special election process for the two vacant ANC 2F Commissioner seats, and shared that petitions for both seats (Single Member Districts 2F03 and 2F08) would be available starting March 10.

## Community Forum

### **Report from Executive Office of the Mayor**

James Bulger

James Bulger, Ward 2 Liaison to the D.C. Mayor's Office, encouraged residents to report potholes to 311. Bulger also reminded attendees about the upcoming State of the District Address on Tuesday, March 11, 7pm, at Kelly Miller Middle School (301 49th St, NE).

### **Report from Office of Jack Evans, Councilmember, Ward 2**

Sherri Kimbel

Sherri Kimbel of Councilmember Jack Evans' office noted that due to the recent snowstorm, many residents trash and recycling was not picked up last week. Kimbel advised residents to bring in their recycling from the curb until collection next Tuesday so as not to be fined.

Kimbel also shared that Councilmember Evans co-introduced legislation with Councilmember Mary Cheh to simplify the process for fining residents and businesses that do not shovel snow from the sidewalks in front of their properties, pursuant to D.C. law. Under the proposed legislation, businesses would be fined more than residents. Allowances would be made for senior citizens.

Kimbel added that Evans' work to push forward legislation that provides a tax break for Senior residents who are earning less than \$60k annually and who have lived in the District for at least 15 years is advancing. Evans' office is hopeful the tax break will be in effect for the 2015 tax season.

**Metropolitan Police Department, PSA 307**

Sgt. David Terrestre; Officer Derick Tarr

Sgt. David Terrestre presented the monthly crime report, noting that compared to last month overall crime is down slightly. Specifically, violent crimes are down; total property crimes are up slightly; theft is up, largely due to package thefts; and auto theft is down.

Officer Derick Tarr from the 3rd District Vice Operations answered community concerns about undercover strategies to target criminals. Tarr spoke to a search warrant operation that occurred two weeks ago on the 1300 block of Riggs St, NW, noting that the arrests resulting from the operation were related to drug possession and intent to distribute.

**Request for Community Impact Statements**

Roger Kemp; Erin Lyons; Kate Rakoczy

Roger Kemp, Erin Lyons, and Kate Rakoczy of the U.S. Attorney's Office for the District of Columbia spoke about a group of recent guilty pleas related to drug dealing and armed robbery resulting from a "long-term, in-depth drug investigation" in the summer of 2012. The attorneys requested that the Commission submit Community Impact Statements (CIS) for the judges' consideration in the March sentencing of the defendants.

## Community Announcements

[none]

## BUSINESS MEETING

Commissioner Raymond noted there was quorum to conduct business.

**Approval of Agenda**

Commissioner Raymond moved to approve the draft agenda with the following modification: addition of "discussion of April 2014 meeting date" under New Business. The motion was seconded and approved unanimously by the Commission. Raymond directed that a copy of the agenda be filed with the meeting minutes.

**Vote: 4-0 (unanimous)**

Fanning, Lallas, and Lamare absent

**Approval of Minutes for February 5, 2014 Regular Monthly Public Meeting**

Commissioner Raymond moved to approve the meeting minutes without modification; the motion was seconded and approved unanimously by the Commission.

**Vote: 4-0 (unanimous)**

Fanning, Lallas, and Lamare absent

**Resolution Thanking Commissioner Linn for His Service**

Commissioner Raymond moved to resolve that ANC 2F thank Commissioner Linn with sincere gratitude for his efforts not just as Commissioner, but for his efforts at the Committee level—especially his lasting contribution of resurrecting a moribund Crime and Public Safety Committee (CPSC). Raymond lauded Linn for the yeomen's work he carried out on a number of neighborhood

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issues within his SMD and wished him well. Sgt. Terrestre then spoke to Commissioner Linn's revitalization of the CPSC and thanked Linn for his service. Raymond's motion was seconded and approved unanimously by the Commission.

**Vote: 6-0 (unanimous)**  
Fanning absent

## Committee Reports

### **ABRA Policy Committee (APC)**

Commissioner John Fanning, Chair

Commissioner Fanning shared that the next APC meeting would be Wednesday, March 19th, 7pm at N Street Village (1333 N St, NW), 2<sup>nd</sup> floor Multipurpose Room. At the March 19 meeting, the APC will vote on final edits to both APC policy language and the template for all future Settlement Agreements. The template will be voted upon by the full ANC at the April 2014 meeting.

### **Community Development Committee (CDC)**

Commissioner Walt Cain, Chair

Commissioner Cain moved for adoption of the CDC report of its February 19 meeting. The report included the Committee's recommendation for HPRB concept and massing approval for 1225 10th St, NW, and a recap of an informational design presentation for 1516 Kingman Pl, NW. The Commission unanimously adopted the CDC report.

**Vote: 7-0 (unanimous)**

### **Crime and Public Safety Committee (CPSC)**

Commissioner Peter Lallas, Chair

Commissioner Lallas provided a summary of the February 19 CPSC meeting, which touched on the topics of prostitution, human trafficking, officer foot and bike patrols in the neighborhood, and community involvement in crime mitigation.

### **Education Committee**

Commissioner Chris Linn and Evelyn Boyd Simmons, Co-Chairs

Linn noted the upcoming Education Committee meeting would be Saturday, March 15, from 10:00-11:30 am at the Schools Without Walls (2130 G St, NW).

Commissioner Linn shared that Councilmember Evans and Mayor Gray have tentatively reached an agreement to fully fund the complete modernization of Garrison Elementary School in fiscal year 2015. Linn presented a resolution to support the full modernization of Garrison Elementary school, urging the City Council and Mayor to allocate sufficient funds in fiscal year 2015. The resolution called for a complete, one-time modernization of both the school building and its grounds. The Commission unanimously approved the motion.

**Vote: 7-0 (unanimous)**

Commissioner Raymond moved that Commissioner John Fanning serve as Acting Co-Chair for the Education Committee along side Evelyn Boyd Simmons until a replacement appointment is made; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

## Old Business

### **Settlement Agreement for 1209 - 1213 10th Street, NW (The American)**

Commissioner Melcher explained that the The American decided not to enter into Settlement Agreement (SA) negotiations with ANC 2F. After weighing its options, the Commission empowered Melcher to attempt continued negotiations with the licensee to reach a mutually satisfactory SA.

### **Resolution regarding Settlement Agreement for 1336 14th St, NW (Ghana Café)**

Commissioner Linn moved to resolve support for a new Settlement Agreement (SA) with Ghana Café. The resolution supported Ghana Café in terminating its existing Voluntary Agreement when it is legally able to do so, and expressed the Commission's concern to the ABC Board regarding the disadvantages establishments with older, multi-party Voluntary Agreements face when trying to make updates or amendments to these agreements if all parties do not cooperate. The motion was approved by the Commission.

**Vote: 6-1**

Commissioner Linn then moved to enter into a new and separately negotiated SA with Ghana Café; the motion was approved by the Commission.

**Vote: 6-0-1**

## New Business

### **DDOT public space application for 1400 M St, NW (Westin Hotel)**

In light of the fact that a representative for the DDOT public space application for 1400 M St, NW did not attend the monthly public meeting, Commissioner Raymond moved that the Commission request that the DDOT Public Space Committee delay consideration of the application until such time as a representative for the application appears before the Commission; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

### **Community impact statement(s) for U.S. vs. Peoples (2013 CF2 001589), Long (2013 CF2 1592), and Green (2013 CF2 016141)**

Commissioner Lallas moved that the Commission write Community Impact Statements for the cases presented by the U.S. Attorney's Office during the Community Forum portion of the meeting; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

### **Discussion of date for April 2014 regular monthly meeting**

Due to space availability issues for the planned April 2, 2014 ANC 2F regular monthly public meeting, Commissioner Raymond moved to change the April 2014 regular public monthly meeting date to the first available date between Tuesday, April 3 and Thursday, April 10; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

## Treasurer's Report

### **Resolution to Adjust FY14 Budget**

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Commissioner Raymond moved to resolve that the Commission adjust the FY14 budget, previously adopted at the January 8, 2014 meeting, to reflect revised budget line items that more accurately project FY14 expenses; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

### **Approval of Expenditures**

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Commissioner Melcher presented the following expenditures:

1. Check #1221 in the amount of \$755.57, payable to Executive Director Adam Beebe, for February 2014 monthly wages;
2. Check #1222 in the amount of \$37.97, payable to Executive Director Adam Beebe, for wages not paid for January 2014 monthly wages (Melcher noted that with the passing of the FY14 budget, Beebe's monthly wage increased to \$755.57 but that entire sum was not paid);
3. Check #1223 in the amount of \$29.00, payable to Executive Director Adam Beebe, as reimbursement for a one-year subscription to online task management website Todoist.com.

**Total expenses: \$822.54**

Melcher moved for the approval of all expenses totaling \$822.54; the motion was seconded and approved unanimously by the Commission.

**Vote: 7-0 (unanimous)**

Commissioner Raymond moved to adjourn the meeting; the motion was seconded and approved by the Commission. Meeting adjourned at **9:43 p.m.**

## **RESOLUTION TO SUPPORT FULL MODERNIZATION OF GARRISON BY FY2015**

WHEREAS, Garrison Elementary School is within the boundaries of ANC 2F, and DCPS designates a number of families in ANC2F to Garrison as their school of right;

WHEREAS, the Logan Circle Community has worked to make our neighborhoods a place where families want to stay and raise their children, and having a system of high quality, matter-of-right DCPS community schools for all Logan Circle residents is essential to that goal;

WHEREAS, over the past three years, parents at Garrison have re-established a Parent-Teacher Association (PTA), developed strong partnerships with local community organizations, reached out to prospective parents, and worked directly with DCPS to improve the school;

WHEREAS, the PTA and community have greatly improved maintenance services at the school and groups through constant vigilance, volunteer efforts, and consistent advocacy;

WHEREAS, professional pro bono services and non-DCPS funds have been secured to defray the costs of modernization, and the PTA and community stand ready to further assist;

WHEREAS, the Logan Circle neighborhood has seen significant population increases over the last several years, and DCPS projects the neighborhood will increase by at least 125 children by 2015, the population of 3 to 11 year olds in the area immediately surrounding Garrison will nearly double by 2017, and grow by another third by 2022;

WHEREAS, retaining these current and anticipated families is essential to our community;

WHEREAS, the population in the neighborhoods surrounding Garrison (Dupont, Shaw, Logan Circle, 14<sup>th</sup> Corridor, U St. corridor) is expected to be one of the densest in the District, recreational areas are scarce, and Garrison with its 3.5 acres of grounds could be greatly alleviate field scarcity and quality of life;

WHEREAS, Garrison has not undergone a single renovation since opening in 1964, and is in desperate need of capital investment, as recognized in the 2010 Master Facilities Plan and the engineering report on which the DME 2013 Public Education Master Facilities Plan is based, including:

“Many interior spaces are in need of renovations”; “Ceiling finishes are in poor condition, Asbestos tile is present throughout and needs to be removed”; “Public address and fire alarm systems are antiquated and require replacement”; [Plumbing] fixtures are outdated and should be replaced; “Wooden exterior doors need to be replaced and all exterior windows have deteriorated and need to be replaced”; ADA compliance is “unsatisfactory” and the building “needs numerous upgrades in order to accomplish [compliance]”;

WHEREAS, Garrison has an educational facilities effectiveness (EFEI) score of 36 percent according to the DME 2013 Public Education Master Facilities Plan—one of the lowest in the District;

WHEREAS, the DME 2013 Public Education Master Facilities Plan defines the Shaw/Logan Circle neighborhood as one of the “areas of greatest need” for strategic capital investment;

WHEREAS, Garrison is one of the only public schools (DCPS or charter) in the Shaw/Logan Circle neighborhood that has not been partially or fully modernized;

WHEREAS, the DME 2013 Public Education Master Facilities Plan first short term recommendation is to “target capital resources for areas of greatest facility condition and quality need with large school aged populations, but low enrollment”;

WHEREAS, the DME 2013 Public Education Master Facilities Plan first long term recommendation is to “reassess the phased modernization approach” and “fully modernize certain facilities in clusters of greatest need”;

WHEREAS, a phased modernization at Garrison would mean having to choose between an ADA compliant school and classrooms in which children can effectively learn, between a field without sinkholes and a non bunker-like school entrance, between windows that open and asbestos removal;

WHEREAS, the FY2014 Capital Improvement Plan, despite advancing Garrison’s Phase 1 to FY2014, still sees the completion of Garrison’s modernization in 2022—9 years away; and

WHEREAS; capital investment in Garrison has been too often postponed and is long overdue in order to meet population growth in the area and to ensure the diversity, vitality and coherence of the community.

WHEREAS Mayor Gray's proposed shifting Garrison’s Phase 1 capital funding to FY2015, pushing back the start of Garrison's modernization by another year - the fifth consecutive year; and

WHEREAS Chancellor Henderson, Mayor Gray and Councilmember Evans announced their support to fully fund Garrison's complete modernization in FY2015;

THEREFORE, BE IT RESOLVED that ANC 2F urge the City Council and Mayor to fully fund Garrison’s modernization by allocating sufficient funds in Fiscal Year 2015 to allow for a complete, one-time modernization of both the school building and its grounds, including adequate space for community programming.

**RESOLUTION TO ENDORSE ANC 2F ENTERING INTO A NEW SETTLEMENT AGREEMENT  
WITH GHANA CAFÉ**

WHEREAS, ANC 2F and additional Protestants entered into a Voluntary Agreement (VA) with Ghana Café, located at 1336 14<sup>th</sup> St NW in 2009; and

WHEREAS, Ghana Café is a family-owned small business that was among the first restaurants to invest in the 1300 block of 14<sup>th</sup> St NW; and

WHEREAS, Ghana Café's owner approached ANC 2F in June 2013 to request their VA be amended to allow for an entertainment endorsement for live bands; and

WHEREAS, the ANC SMD representative reached out to adjoining neighbors who are signatories to the VA to discuss amending it to accommodate the request while being mindful to include protections consistent with the unique commercial and residential composition of the block; and

WHEREAS, ANC 2F and a "Group of 5" neighbors protested Ghana Café's entertainment endorsement while continuing to discuss amending the existing VA; and

WHEREAS, there have been more than seven occasions for public input including ANC meetings, ANC APC Committee meetings, and ABRA mediation hearings and more than 300 e-mails exchanged to gather input to revise the existing VA; and

WHEREAS, after an ABRA sponsored mediation hearing on January 7<sup>th</sup>, an attorney representing the "Group of 5" stated that he would review the latest draft of the ANC's revised draft agreement and send suggested language addressing their concerns; and

WHEREAS, the District of Columbia Alcoholic Beverage Control Board voted to rescind their acceptance of Ghana Café's application for an entertainment endorsement at a Status Hearing on January 15<sup>th</sup>; and

WHEREAS, subsequently, the Group of Five Protestors did not follow-through in sending their proposed language and indicated they would cease to cooperate; and

WHEREAS, ANC 2F has entered in numerous Settlement Agreements and VA's with other establishments, including in the 1300 block of 14<sup>th</sup> St NW, that include entertainment endorsements, making Ghana Café's experience inconsistent and putting it at a competitive disadvantage with other establishments, and

WHEREAS, ANC 2F's business climate, alcoholic beverage laws and regulations, and the ANC's best practices for handling Settlement Agreements have all changed since 2009; and

WHEREAS, ANC 2F desires to be a welcoming neighborhood to small businesses by fostering an environment that values collaboration and a level-competitive field;

THEREFORE, BE IT RESOLVED, that ANC 2F enter into a new and separately negotiated Settlement Agreement with Ghana Café as an individual party; and

BE IT FURTHER RESOLVED, that ANC 2F support Ghana Café terminating the existing VA when the establishment meets the criteria in § 25-446; and

BE IT FURTHER RESOLVED, that ANC 2F express our concern to the ABC Board about the disadvantages establishments with older, multi-party VA's face when trying to make updates or amendments if all parties do not cooperate.

## ADJUSTED FY14 ANC 2F BUDGET

	<u>FY13 (Actual Expenditures)</u>	<u>Adjusted FY14 (Budget)</u>
<b>RECEIPTS:</b>		
District Allotment	<b>17,770.96</b>	<b>18,770.08</b>
 <b>DISBURSEMENTS:</b>		
1. Net Salary & Wages	8,611.20	9,432.51
2. Insurance:	-	-
a. Health	-	-
b. Casualty/Property	-	-
3. Total Federal Wages Taxes (Income and Soc. Sec.)	3,448.22	1,699.45
4. State and Local (DC, MD, VA) Income Taxes Paid	-	332.80
5. Unemployment Insurance Taxes	162.00	191.70
6. Tax Penalties Paid	210.08	210.08
7. Local Transportation	-	-
8. Office Rent	-	-
9. Telecommunication Services	-	-
a. Landline Telephone	571.30	48.91
b. Cellular Telephone	-	-
c. Cable/Internet Services	-	-
10. Postage and Delivery	-	-
11. Utilities	-	-
12. Printing and Copying	-	-
13. Flyer Distribution	-	-
14. Purchase of Service	-	-
15. Office Supplies	121.64	379.95
16. Office Equipment	-	-
a. Rental	-	-
b. Purchase	752.57	-
17. Grants	380.00	401.36
18. Training	-	-
19. Petty Cash Reimbursement	-	-
20. Transfer to Savings Account	-	-
21. Bank Service Charges	120.50	138.00
22. Website/webhosting	-	131.31
23. Other (meeting space rental)	575.00	607.33
<b>Total Disbursements</b>	<b>14,952.51</b>	<b>13,573.41</b>