

ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Minutes

Thursday, November 6, 2008, 7 PM, 1200 U Street NW

The regular monthly meeting of ANC1B was held on Thursday, November 6, 2008, at 7:00 pm in the True Reformer Building, Commissioner Smith being present as Chair, and Commissioner Nadeau present as Secretary. Other Commissioners present: Akinmboni, Moss and Spalding.

Due to a lack of quorum the agenda was not followed as presented on paper. Items that did not require a vote would be addressed first.

Officer's Reports

There were not any officer's reports given.

Treasurer's Report

Commissioner Spalding did not give a treasurer's report due to the lack of quorum at the meeting.

Committee Reports

Chairman Smith spoke about the Design Committee. The Design Committee looks at development coming up in the area and any issues with the District's Department of Transportation. The committee is open to community members, especially those that are computer literate. All interested parties can visit www.commissionersmith.com, and click on the link at the bottom of the page for the design committee. Chairman Smith is also looking for a community member to chair the committee.

Commissioner Moss gave a mini report on the Public Safety Committee. The committee has been working with Lt. Jova and the 3rd District Police Department. They are planning to develop a safety plan for the entire Commission. There is a need for community input for the 3rd District public safety plan. The Public Safety Committee meeting is held the 1st Tuesday of each month at the DC Housing Finance Agency at 7pm. Chairman Smith added that there was a fatal shooting on 11th and Harvard Streets a few days ago. He was talking with Commissioners in 1A because his single member district borders 1A. The Public Safety Committee should look into getting input from bordering ANCs.

Events and Announcements

Commission

Chairman Smith asked the newly elected ANC Commissioners to introduce themselves to the community. Commissioners elect Juan Lopez (1B07) and E. Gale Anderson Holness (1B11) were in attendance. Smith also stated that he expected Commissioner elect Ferer to attend the meeting as well. He stressed to the new Commissioners that a lack of quorum has been an issue for the past few months, and there is a need for strong Commissioners on the Commission.

Smith also announced that every year members of Fidelity Lodge #20 a member of the Most Worshipful Prince Hall Grand Lodge of the District of Columbia provides Thanksgiving baskets for needy families. Last year they gave out twenty baskets. The 9:30 Club assisted Fidelity Lodge by donating turkeys for the baskets. Chairman Smith asked for the community's assistance in identifying families in need and donating items or funds for baskets.

Commissioner Spalding announced that he printed out lists of the new 2009-2011 Commissioners. He then read the list to the community. The list will be posted to the ANC1B website.

Commissioner Nadeau announced the following:

- The Public Service Commission is having a PEPCO hearing on Saturday, November 8, 2008 at 11am. The meeting will be held at 1333 H Street, Suite 700.
- The Department of Housing and Community Development is having a series of needs assessment hearings. The meetings will be held on November 13th at 12:30pm and 6:30pm, November 20th at 6:30pm, and November 25th at 6:30pm. The hearings are being held at multiple locations, so if you are interested in attending see her after the meeting.
- With the help of Councilmember Jim Graham and the Office of Property Management, the ANC has secured 500 square feet of utilities only office space in the Reeves Center. The space will be available in the spring.

Community

Chief Saunders of the 14th and Newton Streets Fire Department was at the meeting. He introduced Lt. Henderson and other members of the fire department. Chief Saunders said that he brings members of the department with him to meetings because they are the people that respond to emergencies. He reminded community members to turn their clocks back and to switch smoke detector batteries if they have not done so already. He stated that hard wire smoke detectors will go out if your electricity goes out, so the batteries in those need to be changed as well. If assistance is needed with changing batteries visit www.fems.dc.gov or call 202-727-1600 (fire prevention division). You can schedule a time and a member of the department will come assist you. You can also schedule to have a smoke detector installed in your home. You must fill out form number 129 for this because there is a limit of one smoke detector installation in each home.

Two members of the Metropolitan Police Department were also in attendance. They attend meetings to see what is on the agenda, to meet business owners, and to address any public safety issues of the community.

Rosetta Li the Executive Director of Asian American LEAD attended the meeting. Asian American LEAD is an organization that serves low income Asian Americans as well as residents from Africa. There is also after-school programming for children ages K-12. There is a luncheon on Friday, November 21, 2008 that the Commission and community are invited to attend. Asian American LEAD is located at 1343 Girard Street, NW.

Wanda Ealy the new Branch Director of the Boys and Girls Club of 14th Street was there to introduce herself to the ANC and the community. Ongoing announcements for the Boys and Girls Club will be on the listserv. The grand opening for the new learning center will be on November 18, 2008 if Councilmember Jim Graham is available. There will also be a volunteer meeting that same day at 7pm.

Anthony Wells a trustee of the Prince Hall Grand Lodge was in attendance to answer any questions of the ANC and the community about parking during the Grand Session from December 8-15, 2008.

E. Gale Anderson Holness announced that on Saturday, November 22, 2008 the Council of Churches of Greater Washington will give away 1500- 2000 Thanksgiving baskets to families in the area. The Mayor, Harry Thomas, and Councilmember Jim Graham will be in attendance.

Presentations

BZA, HPRB, DDOT Applications

Commissioner Moss gave an update on applications in her single member district. HPRB has approved the conceptual design of 1903 3rd Street. The Howard Theatre will go before HPRB this month, and she submitted a letter in support of the conceptual review. The Howard Towne Center has been meeting with potential developers. They are down to three developers and the process is moving forward. Chairman Smith asked about the Howard University Master Plan. Commissioner Moss said that nothing has been released about it. The Master Plan is a document that Howard University develops every 10 years on the campus and all of its properties. Smith stated that the development and start of the Georgia Avenue Great Streets Initiative has been held up because of the Howard property on Georgia Avenue.

ABRA Licenses

At 7:34pm Commissioner Spalding said that because there was not a quorum people should be allowed to exit because the Commission is not going to be able to take action on items.

Chairman Smith indicated that if anyone wanted to leave, they could leave at any time. He also said that several Commissioners have decided to do their own things. As Chairman, he feels that the Commission must do as much as it can to provide as much information as possible to the

community including when a quorum is not present by addressing some of the agenda items so voices of the community can be heard.

A member of the community asked, "Does that mean action items of the agenda will not be discussed tonight?"

Smith replied that he did not have a problem discussing those items, but he does not control the board and majority rules all the time. Commissioner Spalding stated that those who have agenda items and expected a vote may not get it. For liquor licenses, if the ANC does not have a quorum and does not act on these licenses tonight, then the ABC Board will consider that the ANC has no objections. Chairman Smith stated that by addressing these agenda items the Commission does not have to be the only group to protest items or liquor licenses. Individual residents can protest liquor licenses as well. The ANC does hold great weight, but in our failure as a Commission not to provide a quorum tonight, we cannot act on those things.

Commissioner Nadeau asked if there were any licenses that the Commission planned to protest. Commissioner Spalding replied yes. Nadeau then asked if those licenses could be reviewed. Commissioner Spalding replied no and asked why they needed to be reviewed. Commissioner Nadeau rephrased her question and asked if the licenses that would not be protested could be reviewed. Chairman Smith replied yes. Commissioner Spalding asked Smith if he wanted him to review the list. Smith said yes, for the benefit of the community.

Spalding then went through the section of individual liquor licenses.

- International Grill has applied for substantial changes to their operations and to the hours of entertainment. There is a preexisting voluntary agreement. Commissioner Spalding has contacted the lawyer, but has not heard anything. In order for this to happen, the voluntary must be amended. The license cannot be changed while the old voluntary is standing. The Commission might be able to protest the license despite not having a quorum.
- The Republic wants to make an amendment to the voluntary. The amendment is necessary, but can be postponed until next month.
- Solly's has a petition date for December 8, 2008. It is possible to take action on this license at the December 4th meeting.
- LeDroit Park Market, Nicholas Deli, 11 Market, U Mini Mart, Whitelawn Market, Daily Fish of the Chesapeake, Mercadito Ramos Supermarket, High Market, 727 Market, Chuck's Market, Fairmont Market, and Sonia's Market are all B license renewals. He has not received any requests to protests these renewals. Some comments need to be made on a few, but otherwise the Commission will not be protesting any of these.
- There is a new application for Little Ethiopia Restaurant. They are asking for a stipulated license. Commissioner Spalding was going to ask that this be tabled, but without a quorum no action can be taken.

Chairman Smith recapped the list and determined that International Grill is the only pressing item that needs a vote. Commissioner Spalding agreed.

A community member asked, "Can someone who has thoughts about a license(s) voice them despite no quorum?"

Chairman Smith stated that he was sure if that would be appropriate because there was not a quorum, and the ANC could not take any action. He asked the community member if he spoke with the Commissioner for his area, and if he knew his Commissioner. Commissioner Spalding said he that if the resident sent him a letter about problems with a license, he would post it to the listserv. He also questioned the reason for hearing any problems that a resident might have if the Commission was not taking action on anything. Chairman Smith indicated that he was trying to best serve Commissioner Spalding's constituency. The resident then asked, "If a quorum is not achieved at the next meeting, what happens?" Chairman Smith stated that if a group of individuals can protest a license without the ANC. The ANC is not the absolute determining factor in a license being approved. There have been times when the ANC has protested as well as a group of five residents from a neighborhood. The ABC Board will listen and hear community residents. He emphasized that the ANC does have great weight when they do protest, but if the resident has a protest, it should be sent to the ABC Board, and the protest will be considered. The resident asked if he could speak anyway. Chairman Smith granted him two minutes. Commissioner Spalding stated his discomfort with the situation because the Commission would not be voting on the issue.

Bill Riggins a resident of the 1900 block of U Street shared his problems with Solly's application. He stated that he lives very close to the tavern and the noise is no different than the noise you will hear from any bar in the area. His concern arises because he can hear noise from the patio of Solly's in his house, so he is opposed to an extension of hours. The combination of noise from both Solly's and Vinoteca makes it worse. During earlier hours the patio is mellow, but during the evening hours as people drink more the noise level increases. Mr. Riggins just wanted to be on record and wants the ANC to protest this license. This is a nice neighborhood, and he does not want it to become like Adams Morgan. If bars are allowed to have patio hours until 12am or 1am it will turn into Adams Morgan.

Chairman Smith thanked Mr. Riggins. Smith recommended that he speak with the owner of Solly's. The ANC cannot vote due to a lack of quorum, but should he decide to protest he can do it with a group. Smith also stressed that residents must remember that U Street is a commercial street. When you move close to a commercial street, there will be noise and debris that follows.

Commissioner Spalding objected to the situation. If they are going to take up things, they should have presentations by the owners and go through the whole process. He stated that he did not understand why they heard these comments if a vote was not being taken. He questioned why Solly's did not make a presentation. Spalding also asked if they were going to continue popping around the agenda listening to what residents had to say about everything. Chairman Smith stated that the gentleman asked to speak, and he reluctantly offered him the opportunity to speak. Solly's did not ask to speak this evening as of yet. He was not going to ask Solly's to give a presentation if he was not ready to do so. Finally, the people we serve include businesses and residents, if we deny them any say we are wrong. Commissioner Spalding was not denying people a right to speak. He is just uncomfortable with the fact that they are not taking action on anything. Smith stated that they did not take action; they just heard what the man said. Recommendations were offered to mediate the situation. Smith stated that his goal as Chairman is to serve the community

as best he can. He cannot be responsible for those who did not attend the meeting. The Commission can hear from the community and be better prepared.

Grant Applications

Grant applications could not be heard due to the lack of quorum at the meeting.

New Business

Commissioner Nadeau recommended adjourning the meeting. She also asked if she could report on the parking hearing that she attended and testified. Chairman Smith stated that at any time a motion can be made and seconded, but at this time a motion to adjourn cannot be made because there is not a quorum. He will take suggestions on what to do next.

Commissioner Nadeau agreed to make the motion to adjourn after her presentation. Nadeau announced that Councilmember Graham introduced legislation regarding a performance parking pilot zone which is currently in effect in Columbia Heights and other parts of the District not in Ward 1. This effectively allows a neighborhood of mixed commercial and residential use to adjust parking meter usage and RPP zoning so that there is a balance of parking for residents and commercial visitors. The legislation calls for community input, and Commissioner Nadeau recommends that the Design Committee takes this. She will also assist the Design Committee with this issue. The hearing took up a number of issues because this legislation is meant to be a model for the District. Commissioner Nadeau testified in support of this legislation because in her single member district her constituents would benefit greatly from adjusting RPP and parking meters for a better balance in residential and commercial parking. She also testified that in ANC 1B Commissioners prided themselves on working to find a balance between business and residential zones. She has already received a lot of community input via the listserv, and hopefully others will get involved.

Chairman Smith apologized to the community for the lack of quorum. Commissioner Nadeau added that the January meeting would be rescheduled because the regular date is scheduled for January 1, 2009.

The meeting was suspended at 7:50pm.