

ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Columbia Heights / LeDroit Park / Shaw / University Heights

5 August 2004, True Reformer Building 1200 U Street NW

Attending: Commissioners Guyot, Spalding, Hammonds, Thomas, Houston, Butler, Skinner, Esters, Wright

Absent: Commissioner Wilson

Quorum was achieved just after 7PM. In the Secretary's report Commissioner Spalding gave an overview and provided materials for those interested in running for ANC Commissioner. Minutes of the July meeting were moved, and Commissioner Esters asked for a small change on page 8 which the Secretary noted and will adjust. Minutes were seconded and adopted on a unanimous vote (8-0-0). In the Treasurer's report Commissioner Esters stated that the balance as of June 30th was \$95,024.08, and we had one check clear in July #1545 for \$2,500.00 to One Common Unity for Grant #04-08, and the current balance as of July 31st is \$92,524.08. Treasurer's report was moved and seconded and adopted unanimously (8-0-0). Secretarial expenses for June and July for \$55.55 and \$242.11 were moved, seconded and adopted unanimously (8-0-0).

In Community Events and Announcements Commissioner Spalding stated that Warner Brothers would be shooting a major motion picture "Syriana" featuring Matt Damon, Amanda Peet and George Clooney beginning next week. 13th Street, Florida Avenue, and the 1200 blocks of V and W would be used during a schedule described by Commissioner Spalding. Scott Pomeroy announced the 5th Annual Dog Days of August Sale which will be held this coming weekend August 7th and 8th. More businesses will be participating, and the first annual dog competition will be held near 10th and U. Cultural Tourism will be conducting walking tours, and the African American Civil War Museum will be exhibiting in a tent located near 10th and U. Table space is still available at 14th and U for local nonprofits who want to do some proselytizing. The entire event has been organized and promoted for under \$1,000, so you're invited to come see what happens when so many of your local businesses pitch in and celebrate their community. Home Roots Foundation announced a meeting on August 30th at 7PM on the second floor of the Reeves Center focusing on affordable housing. Reverend Sandra Butler-Truesdale announced that Campbell Heights will be holding an at large candidates endorsement meeting on August 30th between the hours of 6PM and 8PM. A developer mentioned that he wanted to address the

Commission in regard to ongoing work at 11th and T Streets, and he was referred to Commissioner Spalding to arrange for time on the September agenda. Commissioner Padro announced the Shaw Historic Bicycle Tour, and he presented brochures that explain the program. Tony Norman of the Pleasant Plains Civic Assoc. and also Chairman of the McMillan Park Committee expressed concern with the discussion of Office of Planning's agenda item dealing with an RFP for the Sand Filtration Site.

David Franco from Level 2 Development presented designs for HPRB conceptual approval for 1421 Florida Avenue. This is currently a vacant lot on a very steeply graded slope. It is located between the traditional row houses in mid block and a 1950 office building near 14th, with the back of Jubilee Housing at the rear of the site. The challenge was to weave a design that would be sympathetic to the three very different surrounding properties, and makes a contiguous streetscape. They found the architectural firm responsible for the neighboring buildings, Architects Collaborative, and asked them to design a building sympathetic to their other buildings. They have designed a six unit building of four stories with first level parking, and the total building height is approximately fifty feet. They have also held discussions with the office building and Jubilee Housing to update their facades, and both have expressed an interest in doing so. In order to maintain the continuity of the streetscape the design is in line with the facades of the existing buildings, and presents an additional expense in sheathing and shoring. They have presented to the Florida Avenue Watch Group and received their endorsement, and have received initial conceptual approval from the Historic Preservation Review Board. Commissioner Butler asked about the changes to Jubilee, and Mr. Franco stated that they were considering changes to the back of the property and also extensive landscaping since the bottom three levels were basements. Commissioner Houston asked if they had a commitment to affordable housing, and Mr. Franco detailed the expense of the project prohibited any consideration of affordable housing. Chairperson Thomas asked Mr. Franco to hold discussions with the Belmont Street Assoc., and he agreed to do so. Commissioner Spalding indicated that he was present at the HPRB for the initial review, and the Board was extremely pleased with the project. Mr. Franco was asked if he was seeking approval of the concept for the Board, and Mr. Franco indicated that he was. Commissioner Houston moved support of the design concept, and it was seconded and adopted (7-1-0).

Derrick Woody of the Office of Planning introduced the ongoing work on the Sand Filtration Site at the McMillan Reservoir. Commissioner Esters stated that this is just outside his single member district, but it would affect his constituents, and Commissioner Guyot stated that it adjoined his smd as well. This twenty-five acre site was purchased by the city twenty-eight years ago, and previous efforts to develop the site have failed. There is now unsolicited interest in the site by large developers, and Office of Planning has been working with developers to include issues raised through the previous efforts to develop the site. Public open space and preservation have both been identified as important to the local constituency. A larger community meeting will be held in September and Ward 1 constituents are invited to participate. OP is hoping to issue an RFP for the site by October, and have the Council act on the request by

the end of this year. A combination of housing and retail is being considered as well as maintaining open public space. Commissioner Guyot asked Mr. Woody to involve all of the neighborhood associations near the proposed site. Commissioner Spalding asked if there was any current use of any portion of the identified site, or if the parcel was now completely redundant. Mr. Woody responded that the site is fully redundant at this time. Commissioner Esters asked for the schedule of the public meetings, and whether the possible developers would be present. Mr. Woody responded that the meetings were public, and that he expected that developers would attend. The meeting dates and the RFP issue date are not set, but will be relayed to the Commission. Tony Norman indicated that he's concerned with the fast tracking of this RFP, and that communication with constituency groups who have been involved with planning for this site has been lacking. This is also a national landmark, and NCPC has designated this site as a national treasure. Mr. Woody stated that planners have been considering this site, in conjunction with the community, for the past twenty-eight years, so the 'fast track' label may be exaggerated. A great deal of input has been received by the District from constituency groups over this lengthy period, and all of that input is being used to guide the current RFP. A representative from the Deputy Mayor's Office indicated that they are responding to an unsolicited proposal which has reopened the possibility for development of the site.

Commissioner Hammonds introduced BZA application for special exception regarding the back deck at 1207 Clifton Street. Pablo Martinez explained that they had received ANC1B approval for their back deck in 2003, but had been turned down by the BZA. As part of a retroactive permit process they have been allowed to modify the request and resubmit a proposal to modify the existing deck. The current design would shrink the current deck and result in a lot occupancy of 65.8%, which is within the allowable guidelines for a special exception under the zoning regulations. They have sought and received the support of neighbors in this process, and they have letters indicating that the new deck design would not have a negative impact on the neighboring properties. Commissioner Hammonds stated that she is aware of the new design, and that neighbors have agreed to the modified design. Commissioner Hammonds moved support of BZA Application 17208, and it was seconded. Commissioner Spalding indicated that he had attended three BZA hearings with the previous application, and asked to make a friendly amendment that he be designated to represent ANC1B before the BZA on this application, and it was accepted by Commissioner Hammonds. Motion was adopted unanimously (8-0-0).

Commissioner Guyot introduced Zoning Case 04-20 concerning Howard University's interim use of 1840 7th Street. The proposed change is to allow temporary use to occupy and use the building. Maybelle Bennett from Howard University indicated that they purchased the building in 2002, and its original intended use was as a 125 bed nursing home. After purchasing the building they have been trying to get the use restriction lifted since they have no desire to use the property for a nursing home. They want to put faculty based research into the building on a temporary basis, and in the longer outlook to get the zoning changed to a commercial use. This will be coordinated with the results that come out of the current Uptown Destination District

plans for surrounding properties. Cynthia Jordano, Land Use Counsel for the University, stated that they have no intention of changing the campus boundaries and that the current underlying zoning is residential. The process of changing the zoning takes almost a year, and the University wants to get activity and use prior to the zoning change. Commissioner Guyot asked for the specific language of the zoning application, and Commissioner Spalding indicated that the language was included in Commissioner's packets, and he read the application as printed by the Zoning Commission. Commissioner Spalding asked if Commissioner Guyot would be willing to be designated ANC1B's representative before the September 9th zoning meeting, and Commissioner Guyot stated that he would be proud to do so. Commissioner Guyot moved support of Zoning Commission Case 04-20, and designation of Commissioner Guyot at ANC1B's representative, and it was seconded and adopted unanimously (9-0-0).

Ms. Bennett indicated that Dr. Marshall Banks wanted to discuss the NYSP grant awarded this past summer. Dr. Bennett indicated that they were thrilled with the \$6,200 grant given to Howard to assist with the NYSP program, which allowed them to give free physical examinations to their campers. The daily attendance was over 266 campers, the medical staff from the Howard University family to do the examinations, and in exchange they asked if the monies could be used towards equipment that they needed. From the grant they spent a total of \$300 on the medical exams, but they wanted in exchange to give one laptop and one lcd projector to be purchased for the family health center. That brings the total to \$4,034.94 spent leaving a balance of \$2,165.01, which they are requesting that fans be purchased for the gymnasium which does not have central air conditioning. So, there are fans, portable cd player, and a public address system that are needed. Commissioner Guyot stated that the expenditure is totally consistent with our grant purposes and totally consistent with the nature of the program. Commissioner Guyot reminded Mr. Banks that he was very specific in wanting the names, telephone numbers, and social security numbers of the participating students. Commissioner Spalding indicated that the Commission had voted on a very specific grant for a very specific purpose, and that it would be in the interest of the functioning of the Commission in its grant making that the unspent amounts be returned to the Commission, and that a new grant request be submitted for the new specifics outlined by Dr. Banks. Commissioner Guyot stated that he votes to oppose that. The purpose is totally consistent with our support of the NYSP program. Chairperson Thomas asked what Commissioner Guyot was opposing, and Commissioner Guyot stated that he's supporting using the funds inside the NYSP program, and that he doesn't go against success when it works. Chairperson Thomas asked if we had not strayed from the agenda in discussing this grant, and asked Commissioner Spalding what his motion was. Commissioner Spalding indicated that it was his suggestion, since Commissioner Guyot had already introduced a motion, that the intent of the original grant was to provide physicals to children from ANC1B in order to facilitate participation in the summer camp. That if there are monies that are unspent towards this purpose, that the surplus funds be returned to ANC1B and NYSP be urged to reapply for the new purposes. You had a very warm reception to the original grant request, and I assume that you'll have a warm reception to the new request, however, when we give grant monies for a specific purpose the applicant should use the money for that purpose and any excess should be returned to the Commission. A new use of ANC1B monies should be drafted in a separate grant application. Commissioner Esters requested that in the reporting on

the monies spent the addresses of the campers should be included. Treasurer Esters agreed that it would be more consistent to return the unspent funds and submit a new grant request, and if we're every audited this will consistent with our minutes. Commissioner Skinner indicated that ANC1B had been doing grants for a little while, and I'm not saying this because we've got two Commissioners doing their first term, but we've done plenty of things where we've been able to use our good common sense and still apply the rules that we've had before us. Any time that we've got an organization that's doing such a good work for the quality of life of our community, that comes before us with all the beautiful faces in the room, asking for a motion to amend. We amend so many things; all we're asking is to amend this. For us to say that they should go through the process of returning the money, resubmit and come before us again is just not reasonable. We need to amend what we've put out there based on their request, and if we choose not to then they'll return the money, but they're asking to amend what they originally proposed. This has nothing to do with auditing, or somehow usurping the authority that we've been given by the people who elected us and the District of Columbia. We need to keep a level of common sense though, and these people's time we take it for granted and we need to work with these people who've presented to us with an opportunity to amend our original grant proposal. Chairperson Thomas stated that she was unaware that this request to speak would lead to this discussion, and that she thought this was a presentation on behalf of what was funded. I agree with everyone, but there are guidelines and procedures and I'd like for us to abide by them. Commissioner Thomas offered a motion to table the request to our next meeting, and it was seconded and adopted unanimously (9-0-0).

Commissioner Spalding introduced a request from DDOT's Public Space Department for comment on designs for sidewalks and curb cuts for the Rhapsody development at 2120 Vermont Avenue. Jeremy Rubenstein explained that they are moving the current curb cut from mid block down to the southern edge of their development. Entrance and exit will be achieved with right hand turns only, which we determined to be a much safer design. Commissioner Spalding moved support of the application to install new driveway, new sidewalk and gutter at 2120 Vermont Ave., and also that he be designated as ANC1B's representative to the DDOT hearing. Motion was seconded and adopted unanimously (9-0-0).

Commissioner Houston introduced renewal of Congressional Club's liquor license, and moved support of the renewal. Jan Rainbolt appeared to represent the Congressional Club apologized to the Commission for missing the meeting last month. Ms. Rainbolt stated that they are a completely nonpartisan group, and listed the Democratic members of the current Board of Directors. Ms. Rainbolt also indicated that they are having the Black Caucus for lunch on the 9th. Commissioner Guyot stated that they would have been approved, but that the explanation of their membership helps. Chairperson Thomas stated that she wants to get to know the licensed establishments and owners in our Commission territory. Ms. Rainbolt invited the Commissioners to visit Congressional Club, and indicated that the Dupont Circle Citizens Assoc. uses the Club, and that ANC1B could use the facility as well. Commissioner Skinner stated that we should not take liquor licenses lightly. Do you have any method of dealing with the issues

surrounding liquor and ABRA restrictions, and Ms. Rainbolt responded that she has a manager's license. At this point the Club has closed its kitchen facility, and they don't buy, sell or serve liquor. We have kept the license to allow caterers to use the facility, and until the District of Columbia allows caterers to hold licenses we'll keep the license. If caterers could hold licenses, then we would give ours up. Valet parking is required for any function over seventy-five, and they do notify neighboring buildings of the upcoming month's events. Motion to support the renewal was seconded and adopted unanimously (9-0-0).

Commissioner Spalding introduced the reconsideration of Tena Café's application for a CR license located at 1119 V Street. This has been before us twice before and at our June meeting we voted to support the license, and at our July meeting we voted to reconsider and additionally to take it up at our August meeting with an invitation to the owners. Just prior to this meeting ABRA held the initial hearing on this application, and there were seven protesters of which four were allowed standing, and the other three were given time to establish credentials for standing. Mr. Pappas and the applicants are present. Maurice Evans stated that he is representing the applicant, and agreed that Commissioner Spalding's review was correct with the exception that the applicant was awarded a stipulated license by the ABRA Board. Due to the allowed protesters the stipulated license has been suspended. The ABRA Board has given time for the applicant to meet with protesters prior to the next meeting on Wednesday, August 11th. Mr. Evans stated that he is still attempting to identify all of the protestants, and also attempting to work with the multiple scheduling difficulties presented. The notification from the Board stated that the protest involves an adverse effect on peace, order and quiet of the neighborhood, and that there is an adverse affect on residential parking, pedestrian and vehicular traffic in the neighborhood, and finally an adverse affect on real property values in the neighborhood. I am familiar with the neighborhood through my service as an investigator with the ABCC. This is a very simple restaurant that seats approximately fifteen people. The average age of the patrons of the restaurant is forty-five years old. There is a little Bose stereo system that puts out a little classical music, and it also puts out a little tiny amount into the summer garden area in the rear. I just can't see how this little bitty restaurant is disruptive to a neighborhood. I ask that the ANC support the reinstatement of the stipulated license, and ask that the protestors meet with me as soon as possible. Commissioner Wright asked if any of the protestors of the restaurant were present, and nineteen members of the audience raised their hands. Commissioner Guyot asked to move three things, and stated that I am the man who made the motion to reconsider. I am the person who got a commitment at our last meeting that he would close the yard. This Commission has a chance to do justice and it should do so. Chairperson Thomas asked if it had not been agreed that the single member district Commissioner offer the motion. Commissioner Guyot stated that we've all heard Mr. Spalding, and Mr. Spalding led the demonstration in protest and he has a right to do that. I think to balance this relationship I should have some rights. Chairperson Thomas stated that nobody was denying Commissioner Guyot's rights, but I would still like to hear from the SMD Commissioner, out of respect if nothing else. Commissioner Spalding indicated that he was under the impression that it was Commissioner Wright who brought the motion for reconsideration at the July meeting, and Commissioner Wright agreed. Commissioner Guyot stated that he did not, I offered it, check the minutes, and I offered the motion to reconsider. I know what I did you check the minutes. Commissioner

Spalding stated that he has been to visit the site, he has met with the residential neighbors. I have looked at what the composition of the immediate neighborhood is, and what is proposed for the immediate neighborhood. This section of V St. is now a residential street despite the underlying zoning of Arts Overlay which does provide the opportunity to put in a restaurant. Unfortunately for this applicant he's applying to put a commercial use into a solidly residential neighborhood. I have talked to both the names on the multiple protest petitions and other residential neighbors, and I have not found anyone who supports this application as it has been submitted. Half of the residents do not approve of a restaurant in this location, nothing to do with the applicant, but they do not support a restaurant in this residential context. The other half of the residents would support a restaurant in this location, but only under the terms of a very restrictive (hours, noise, parking) voluntary agreement. There will probably be six and possibly seven protesters to this license, and I think it is in the best interest of this ANC to participate in the process as one of the protesters rather than watch the seven protesting groups attempt the negotiations. My motion is that ANC1B protest Tena Café's application for a CR license as well as the stipulated license. Chairperson Thomas indicated that on page eight of the July minutes Commissioner Wright is identified as offering the motion to reconsider. Commissioner Guyot stated that the minutes are wrong, and I made the motion and I stand on that. Motion was seconded by Commissioner Esters. Commissioner Guyot stated that this is a site that does not serve twenty-five people, this is a site that this Commission voted to support, and this is a site that did everything that we asked him to do. We said please close the yard and he did not hesitate, he said yes. This is a site that has had no violations by ABRA. Our function is not to become an appendage of the police department. Our function is to deal with applicants pure and simple and not as a group of based on any of their characteristics. Here's an applicant who's obeyed the law. I move that we support the stipulated license, and then I will move that we oppose as a Commission any and all attacks on this license. Commissioner Skinner asked the applicant how many people the restaurant serves, and applicant responded fifteen. Commissioner Skinner asked how long they have been in business, and applicant responded six months. With all due respect I think as a Commission we uphold laws. Somebody might not like somebody, somebody might like somebody else, but I think based on what we're charged to do is to evaluate this guy based on the law not based how people feel about it. Some people might want to open up a gay club next to me, and I might not like gay folks, but you know what they've got the right to be there. Somebody might open up a black club, and you might not like black folks, but that's no reason... People's issues related to gender, race, sexual orientation, if a person's an immigrant or not, we shouldn't be using that to decide. I think we've seen a lot more things thrown in here than just is this person going to run a reputable and a law abiding establishment. Thank God it's America. Chairperson Thomas asked if there could be representative spokespeople for the protesters present and three were identified. Sean Steffy, 1223 V St., stated that his neighbors are here and represent different races, different orientations, different genders, different occupations, but we're all coming together before our ANC and we want you to listen to our concerns. We're very concerned about a liquor licensed restaurant on our residential street being open till 2AM on weeknights and 3AM on weekends. We're very concerned about the potential trash problem and how that will be met. We're very concerned about the outside patio in the back which abuts both V and 12th Streets. We have had an opportunity to meet with the owner, and he is genuinely a nice person and I have no doubt he can run a good business, and I would love to have him as my neighbor, and I would love to go to his restaurant if it were on U Street or 14th Street, but V Street is a residential street. It is a small one

way street where we all live, and where we all get our rest at night, and even though this is a small establishment we're all concerned with how this is going to affect the character of V Street. We also moved to this area to enjoy the diversity that is represented by this neighborhood. We have gone out of our way to patronize the Ben's or Cravings instead of Quisnos. We avoid Starbucks and go over to Sparky's Café. We willingly patronize the businesses located on U and 14th Streets, but we're concerned with this restaurant that's located in an area that is becoming more residential. Stewart Bunn stated that this application has generated an overwhelming outcry from local residents, and they are speaking out against having this license in a residential area. This has nothing to do with race or gay issues; it's simply a protest against having a liquor licensed establishment in such a dense residential district. The new neighbors are attracted to this community by the proximity of commercial choices on the commercial corridors. Issuance of a liquor license changes the perception of the restaurant and its history, which has been without a liquor license. I ask my Commissioner Ms. Thomas to oppose this application, and Commissioner Spalding in whose district the restaurant is located to oppose this application, and I ask the other Commissioners to honor and respect the Commissioners who represent this neighborhood and vote in opposition to this license request. Joyce Day, 2107 12th St., and my property abuts their property in the back yards. I would concur that this owner has been more considerate than previous owners, but I still have to get up in the morning, and there is a noise problem due to the courtyard in the back. There's just five feet between my bedroom window and the courtyard behind their restaurant, and music has been piped out there. The requested 2AM and 3AM closing times are what have many of us very concerned. We have to get up in the morning and go to work. Another concern is their trash disposal. The current method of trash disposal is a lady who comes around and she takes the trash can from out back, and she hauls it down by my house. She goes around the block to 11th and W and she proceeds to dump the trash in the public receptacles. If there's not enough room at this location she takes it further down the block. I have followed her and talked with her and asked if the applicant knows what she's doing with the trash, and she responds that yes they know, but I'm just helping them out. There has never been a trash removal contract for this business, and the present situation is just not acceptable. Chairperson Thomas indicated that there was a motion on the table to oppose the application. Commissioner Guyot stated that it failed for not having a second. Chairperson Thomas stated that it had received a second, and Commissioner Guyot moved that we defeat it. Motion to oppose was called and failed on a vote of (2-4-3). Commissioner Guyot moved that we support the provisional license, the stipulated license, after which I will offer a motion that we vote to oppose the opposition to the license. A community member asked if there could be a stipulated license in the context of the four to seven protesters to the application, Commissioner Guyot responded that yes there can be a stipulated license, but it can only be determined by the ABRA Board, and what they will look at is how conciliatory and whether or not there's mutual reconciliation between the two groups. Motion to support the stipulated license for Tena Café passed on a vote of (6-1-2). Commissioner Guyot moved that ANC1B vote to officially oppose any and all challenges to this applicant, and it was seconded. Commissioner Spalding stated that this was an official opposition to his constituents airing their voice in front of ABRA, and I just don't think that such a motion is called for or shows any consideration for my constituents. You can vote for this motion, but my constituents should be allowed to go to ABRA and make their voices heard. This is certainly a controversial application for a licensed establishment in a residential zone, and I can understand other Commissioners deciding to listen to their own voices rather than the neighbors gathered here, but

why should the Commission vote to oppose my constituents? Commissioner Guyot stated that the ABRA Board has never in its history given a single member district power as it relates to how it analyzes an application, the only power resides with the Commission. This Commission will not interfere with the present protestants, and this application is represented by a man who is experienced many years in ABRA. He has committed himself to negotiations, and all my motion says is that we're not voting against anyone, we're voting for a principle that says we as a Commission feel that this gentleman who has obeyed all the laws should not be challenged. Commissioner Skinner stated that he talks about how people are treated differently on the basis of race, gender, sexual orientation and all the rest we often have someone like the Congressional Club who come in here who have a bunch of Congress people willing to say anything, they could have all kinds of things but nobody follows them to the trash can. I don't know how they dispose of their trash because no one has taken the time to find out and that's fine. It's the prerogative of anybody to investigate anybody's trash, and if anybody's breaking that law they should be penalized. As a neighbor who's trying to provide an opportunity for his family he shouldn't encroach on anybody else, just as much as you working late at night and driving home late shouldn't be disturbing your neighbors within reason. But it just seems like all the words like character of V Street, and I know what euphemisms are and I've seen them used a lot of places, when people start talking about those intangible keeping the characteristics. OK, so my point is looking at the real substance of the issue is the trash disposal, 2AM, and the noise, and those seem like reasonable issues that can be agreed upon without prohibiting this person who's already operating a restaurant to also be able to serve some beer and wine. It just seems like when you say you oppose this person's liquor license and oppose his restaurant you're going beyond just saying that I want a good neighbor, you're saying that I should be able to dictate what this person does with his livelihood. As long as they are abiding by the law, and being a good neighbor which means not having some old lady dumping trash illegally, they should be corrected and get an opportunity to work. And if you've got a noisy neighbor, that neighbor should be addressed whether it's a restaurant or just some with some loud funkstead. This all or nothing thing is not the direction that we've spent a lot of time on U Street building this harmony that's not like Adams Morgan and being like a community doing all kinds of ungodly things in our neighborhood, and I'm just saying we've got to be able to manage all of this without trying to exclude people. Chairperson Thomas stated that people have the right, I don't care where you live or where you come from, and people have the right to voice their opinion. They have a right to feel the way the way they do. I don't feel that we should hinder anyone from the chance to speak their minds or express their opinions. In that note I will be opposing your last motion in opposing their protest. We now have a motion to support the stipulated license, and I think the ABRA Board should take it from there. We have an obligation to our constituents to take a stand in favor or against, but let's make those votes and move forward. I'm not willing to sit here for another hour listening to personal opinions. Commissioner Guyot said that he would be the last person on earth to deny their right to protest, and I've supported their right to protest. This motion simply says that we as a Commission are doing what's responsible in saying that we oppose the protest. ABRA always asks what's the position of the ANC, and I'm respectfully submitting, without interfering with anyone's right to protest, but I support my motion. Motion for the Commission to oppose all attacks on this license was seconded and adopted on a vote of (5-3-1).

ABRA application for renewal of a CR license by Delicatessen Judy at 2212 14th St. was introduced by Commissioner Thomas. Representative from ownership was not present. Chairperson Thomas stated that the neighbors have been working with Mr. Lopez for some time, and there have been no complaints. Community meetings have been hosted there. Chairperson Thomas moved support of renewal of this license, and it was seconded and adopted unanimously (9-0-0).

ABRA application for renewal of a CR license by Madjet Restaurant at 1102 U Street was introduced by Commissioner Spalding. Commissioner Spalding indicated that this is an Ethiopian restaurant right down the block, and that there have been no complaints voiced. The owner stated that they have owned and run the restaurant since 1998, and they have no ABRA violations. Commissioner Spalding moved support of renewal of the CR license for Madjet, and it was seconded and adopted (9-0-0).

ABRA application for renewal of a CR license by Zula Restaurant at 1933 9th Street was introduced by Commissioner Guyot. Commissioner Guyot stated that Zula serves excellent food, and to his knowledge there have been no ABRA violations, and he moved support for the renewal of the CR license for Zula, and it was seconded and adopted (7-0-1).

ABRA application for renewal of a CR license by Dukem Ethiopian Market and Restaurant located at 1114-1118 U Street. Commissioner Spalding stated that there have been some small problems with Dukem, but that the owners were proactive in working with community members to solve the problems. Owners of the restaurant were present and stated that they have been here in business for seven years, and that the noise complaints have been successfully addressed. Commissioner Spalding moved support of renewal of the CR license for Dukem, and it was seconded and adopted (8-0-0).

ABRA application for renewal of a CR license by Mangos located at 2017 14th Street. No one was present from Mangos ownership to address the application. Commissioner Spalding stated that he does not know a great deal about Mangos, and he's had a hard time finding the business open. Commissioner Guyot stated that he had not heard any complaints about Mangos. Chairperson Thomas indicated that they used to do poetry readings, and said that they're not open on a regular basis. They seem to open in spurts, and sometimes do wedding receptions, but have never presented any troubles. Commissioner Spalding indicated that he had posted this renewal on the U Street list serve asking for any comments, but had received no feedback at all. Commissioner Spalding moved support of renewal of the CR license for Mangos, and it was seconded and adopted (7-0-1).

ABRA application for renewal of a CR license for Gojo Cottage Café located at 1322 U Street was introduced by Commissioner Spalding. Commissioner Spalding stated that they had removed the blinds from the façade windows; they have been experimenting with menu changes. There was one problem with noise that was interfering with neighboring commercial businesses, but this had been addressed by the restaurant's ownership. One of the owners was present and stated that they are experimenting with both food and entertainment, and currently are hosting an exhibit of Ethiopian artists. Commissioner Spalding moved support for renewal of the CR license for Gojo Cottage Café, and it was seconded and adopted unanimously (9-0-0).

ABRA application for renewal of a CR license for Expo Restaurant located at 1928 9th Street. Commissioner Spalding asked if representatives of Expo were present, and they were not. Commissioner Spalding stated that he does not know a great deal about Expo, but had asked for comments from the community, and no negative sentiments were expressed. Commissioner Guyot stated that the food is excellent, and that they had no ABRA violations. The owners are very involved in the local politics of the neighborhood, and everyone should try out the food at this restaurant. Commissioner Spalding moved support of renewal of the CR license for Expo Restaurant, and it was seconded and adopted (7-0-1).

ABRA application for renewal of a CR license for DC Finest located at 900 U Street was introduced by Commissioner Spalding. Owners of DC Finest were not present to answer questions. Commissioner Spalding stated that he posted this renewal on the U Street list serve and got no response, and he has heard a number of rumors but all are unsubstantiated, and no specific complaints are known. Commissioner Spalding moved support of renewal of a CR license for DC Finest, and it was seconded and adopted (6-0-1).

ABRA application for renewal of a CR license for El Camino Real located at 1833 14th Street was introduced by Commissioner Spalding. Commissioner Spalding indicated that there have been problems with this license holder. They did violate their Public Space Permit, but that has been corrected. There are also ongoing complaints about late night noise, and these are being worked on. Commissioner Spalding moved support of the renewal of a CR license for El Camino Real, and it was seconded. Chairperson Thomas asked why the owners were choosing not to appear before the Commission. Commissioner Esters stated that if we keep voting for them, they'll have no reason to show up. Last month we had the Congressional Club not appear and we tabled it, and this month they showed up. This is why I've abstained from these votes when the owners haven't decided to show up. As Commissioner Spalding just stated "they're willing to work with us" then why don't they show up? Showing up at these meetings should be an indication of their willingness to work with this Commission. Chairperson Thomas stated that she likes to see the owner's faces at these meetings in order to better know them when problems

do arise. Commissioner Guyot stated that as the person who worked to change the rule that prevented the Commission from dealing with absent owners, we found ourselves in some very peculiar circumstances. There was a unanimous vote of the Commission that we would deal with applicants on the merits. Commissioner Spalding agreed that he desperately wants the owners to appear, however, the difficulty lies in the response of the ABRA Board. In the past when we have tabled an application the ABRA Board has concluded that we have no interest in supporting or opposing an application, and essentially our letter gets filed in the trash. If we do not either support or protest a license our Commission's great weight is being tossed out the window. Commissioner Esters responded that if the owners do not show up he will not vote to support their application. Chairperson Thomas asked if we're making an effort to get the owners to these meetings, and Commissioner Guyot responded that he encourages each owner to show up, and Commissioner Spalding indicated that each owner is mailed a letter with the agenda. Motion to support the renewal of CR license for El Camino Real was adopted (7-0-2).

ABRA application for renewal of a CX (Club) license for Columbia Lodge #85 located at 1844-1846 3rd Street was introduced by Commissioner Guyot. Warren Johnson Jr. past exalted ruler of the Lodge represented the Lodge. Mr. Johnson gave a history of the Lodge. They do have entertainment, and do provide security for events. They have been working with the three DJ's to keep the volume down, and also have been working to keep the parking lot and nearby streets clean. We are currently closing down before 2:30AM on Friday and Saturday. Part of our duty as Elk's is to listen to the concerns of the community and respond to those concerns. Commissioner Guyot indicated that he was going to support the renewal, but that he had three concerns voiced by his constituents. First is that you should always be keeping that street clean, and not just in front of your building. Second the noise has to be dealt with and I want you to go back to the Lodge and tell them that this is a concern they have to deal with. Myla Moss, President of the LeDroit Park Civic Assoc., stated that the Lodge has been an integral part of the LeDroit Park community, and thanked them for their help with community days. Ms. Moss reiterated the concern of the LeDroit Park citizens with the noise generated on Friday and Saturday nights. There have also been a number of reports of violence or scuffling outside the establishment on these nights. There is also a concern with the impact on residential parking on these nights. We'd like these issues addressed, and have had trouble in getting the Lodge's officers to attend our LPCA meetings to address these concerns. Commissioner Guyot moved support for renewal of the CX license for Columbia Lodge #85, and it was seconded and adopted (9-0-0).

ABRA application for renewal of CR license for Café St. Ex located at 1847 14th Street was introduced by Commissioner Spalding. This has been a huge hit in the neighborhood, and John Snellgrove was present to represent the restaurant. Mr. Snellgrove stated that the actual ownership name is not Mac Market, but St. Ex Group LLC. Mr. Snellgrove reported that they have had no complaints with ABRA, and they are attempting to institute lunch service on a regular basis. Commissioner Guyot mentioned that every day he passes on the bus, and every day it is packed. Commissioner Spalding congratulated them for exploring the luncheon service,

which is sorely needed in the community. Commissioner Spalding moved support of renewal of a CR license for Café St. Ex, and it was seconded and adopted unanimously (9-0-0).

ABRA application for renewal of a CR license for Kuna located at 1324 U Street was introduced by Commissioner Spalding. Commissioner Spalding noted that the business name as reported by ABRA is Spaghetti House, and stated that ABRA does sometimes have difficulty in getting the ownership and business names correct. This terrific restaurant has been open two years, and the only complaint from constituents is that they have a hard time getting a reservation. Commissioner Guyot mentioned that he understands why Commissioner Spalding is biased in regard to this application, and was prepared to second the motion. Commissioner Spalding moved support for renewal of the CR license for Kuna, and it was seconded and adopted (8-0-1).

ABRA application for a new CR license for Mezgebu Gebeyehu t/a Enkutatash Ethiopian Restaurant to be located at 1909 9th Street was introduced by Commissioner Guyot and the owner was present. Commissioner Guyot stated that this has a history with ANC1B. When Glen Melcher was chairman of this group we agreed that we would go and oppose Mr. Jackson's move to make 1909 and two adjoining properties commercial. Our ANC voted unanimously to do that, and we went before the BZA and we lost everything we went up there with. This is deemed commercial, and I consulted with my expert Mr. Norman Woods who certified that question for me. I know the place and I support it. Mr. Gebeyehu introduced a document from the Zoning Commission indicated a change from R4 to C2B dated April 12, 1999. Commissioner Guyot moved support for a new CR license for Enkutatash Ethiopian Restaurant, and it was seconded. Commissioner Spalding indicated that he had problems with the application. He did check with the Office of Zoning and they stated that this is still R4 residentially zoned. I also checked with the Zoning Administrator's Office on the use code, and they responded that it is still residential. I checked with the Office of Tax and Revenue and they responded that this is in their records as a residential property currently receiving the 'Homestead' deduction. I checked with DCRA and they stated that in March of 2002 they issued a certificate of occupancy for a hair salon at this location, and they also reported that they issued a certificate of occupancy for a restaurant in March of 2004. When asked if they had checked with the Office of Zoning, DCRA indicated that they would do so, and when they had done so they reported that Zoning had confirmed the location as residentially zoned and not compatible with the certificates of occupancy. To my knowledge this is still R4, and to my knowledge this is still a use code 11, and a restaurant would present an inappropriate use of this building. I do not have any knowledge of the owner or business plan for this restaurant; however, I do have enormous concern with siting a restaurant in residential zoning and with residential use codes. I have received confirming reports from all of the District's agencies, and I will not be able to support this application. Commissioner Guyot stated that he vigorously supports the application, and that he fought the case before BZA. There is no ambiguity here; it's shown in the Zoning Commission order. Even more important, I checked with Norman Woods, and I had him research this, and I will bet my life and my reputation on his expertise in zoning. Chairperson Thomas asked which question we were voting on, the zoning or the liquor license.

Commissioner Guyot responded that if it were indeed residential zoning we would have a problem, but it has been shown to be commercial. Motion to support the new CR license for Enkutatash was adopted on a vote of (7-1-0).

ABRA application for renewal of a CR license for Joe Greene Bar & Lounge located at 917 U Street was introduced by Commissioner Spalding, and ownership was not present to answer questions. Commissioner Spalding reported that they had recently received a great write up in one of the local newspapers, and there was no negative response to a list serve appeal for comments. There are no known ABRA violations. Commissioner Spalding moved support of renewal of the CR license for Joe Greene Bar & Lounge, and it was seconded and adopted on a vote of (6-0-1).

ABRA application for renewal of a CR license for Roha Restaurant located at 1212 U Street was introduced by Commissioner Spalding, and owners were not present to answer questions. Commissioner Spalding suggested that this application should be tabled. This is a good restaurant; however, they have recently had two ABRA violations in the past few months. If a restaurant is experiencing this kind of difficulty, then they should be attending to answer to the community. If in addressing our letter to ABRA we mention the two violations, one of which was for a fight and one for an underage drinker, it would be my hope that they would consider this in our asking for more time for consideration. Commissioner Spalding moved to table the application, and it was seconded. Commissioner Guyot stated that a motion to table does not produce a letter to the Board. Commissioner Spalding responded that when we table a request, the letter does include the discussion that led the Commission to table the request. Commissioner Guyot stated that he wanted to balance the letter, and he was present for the hearing before ABRA on the underage case. They have been judged and paid their fine, and the motion to table means a motion to table. If we're going to table and write a letter, then we're not really tabling. To table means to take no position. Now if we write a letter that says just that we decided to table this, then I'm all for that, but I'm certainly not for a letter saying that we decided to table and my god they're criminals. I don't think we got the votes to say they're criminals, so why should we say it. Commissioner Spalding responded that this led back to Commissioner Esters' concerns. The ABRA hearing on this application will happen prior to our September meeting and if I send a letter to ABRA that says we tabled the application they will throw it in the waste paper basket. This goes back to your work to get the Commission to consider applications when the owners did not appear before the Commission. And when the Commission has concerns about an application, and I'm certainly not calling anyone a criminal, just that the concerns of the Commission led to our tabling the request. The letter is our chance to say that we have concerns and that we need time to meet with the owners, and is requesting that the Board move the hearing date forward so the Commission can attempt to get the owners to come and address our concerns. Commissioner Guyot responded that our policy as a Commission, and we voted on it, is that you don't have to be present to be voted on, so why should we use their absence against them? If you want to say that we're concerned and we want to table it to consider those violations, I'm for that. But not that though they weren't here and

you use that against them, and what if they ask about the other owners who weren't here. The last thing I want us to do is use absence or presence as our policy, and we can't attack someone for acting under our policy. Commissioner Spalding withdrew his motion to table. This, however, puts us in the position of either voting to support or protest the application. The ABRA Board does not give us great weight if we don't send a letter, and it's been our experience that they have not given us great weight if we do not make a solid case for delaying a hearing. Commissioner Skinner responded that if the Secretary writes a letter based on our vote that's one thing, but to add anecdotal information beyond a tabling is a tabling, and I didn't like so and so. We should just write what's in the minutes, that we agreed, or supported or tabled and that's all. All the anecdotal stuff just doesn't have a place in the letter. Commissioner Guyot offered a compromise, that we tell the Board that we take note of the fact that there have been two ABRA violations. Commissioner Spalding offered a motion to support renewal of the CR license for Roha Restaurant, and it was seconded and adopted (5-1-2).

ABRA application for renewal of a CR license for Islander Caribbean Restaurant located at 1201 U Street was introduced by Commissioner Spalding, and owners were not present to address the Commission. Commissioner Spalding stated that Islander has been in the community for some time, and they have been good participants in community events and organizations. There have been no complaints about this restaurant, and Commissioner Spalding moved support of renewal of the CR license for the Islander Caribbean Restaurant, and it was seconded and adopted (7-0-1).

ABRA application for renewal of a CX (multipurpose facility) license for the Lincoln Theatre located at 1215 U Street was introduced by Commissioner Spalding, and representatives of the Lincoln were not present to speak to the Commission. This is a fine historic venue in our community, and there are no known complaints about their operations, and I move support for renewal of the CX license for the Lincoln Theatre, and it was seconded and adopted (7-0-2).

ABRA application for renewal of a CR license for U Turn located at 1942 11th Street was introduced by Commissioner Spalding, and owners were present to answer the Commission's questions. Commissioner Spalding explained that there had been an extensive discussion of this applicant when they appeared before the Commission this year to change to a CT, extend their hours, and expand their capacity. This change was approved by the Commission; however, the hearing on the changes will occur after the current restaurant license expires, so they need to renew the CR pending the change to the CT license. Owners confirmed that this was the reason for appearing again so quickly. Owners also explained that they are progressing with the work on the interior, and hope to soon open the ground floor. Commissioner Spalding commented that he had noticed that the newspapers had been removed from the windows and had been replaced with blinds, and that a menu was posted in the window, and thanked the owners for these changes. The community was very concerned with the application for the substantial changes;

however, they are not concerned with the continued licensing as a restaurant. Commissioner Spalding moved support for the renewal of the CR license for U Turn, and it was seconded and adopted unanimously (9-0-0).

ABRA application for renewal of a CR license for La Casona located at 1940 11th Street was introduced by Commissioner Spalding, and owners were not present to answer Commission questions. La Casona is a new Salvadorian restaurant that has been quite popular. They have had an ABRA violation, and they do appear to have taken steps to insure that it doesn't happen again. The management has been willing to work with the community, and Commissioner Spalding moved to support the renewal of a CR license for La Casona, and it was seconded and adopted on a vote of (7-0-1).

ABRA application for renewal of a CR license for F & Z Enterprises located at 2210 14th Street was introduced by Chairperson Thomas, and owners were not present to answer Commission questions. Chairperson Thomas said that they have been very quiet, and she does not see many people going in or out of the restaurant. We have the Florida Avenue Watch right there, and if there had been any problems we all would have heard about it. Chairperson Thomas moved support for the renewal of a CR license for F & Z Enterprises, and it was seconded and adopted (8-0-1).

Commissioner Guyot proposed motion opposing the protest by ANC2B of Coach & Four's renewal of their liquor license was considered. Chairperson Thomas stated that as the SMD Commissioner in whose territory this license was located, she was not aware of a protest. Commissioner Guyot stated that two of the Commissioner's with ANC2B stated that they were moving to protest the license of Coach & Four. Have they acted as of yet, no. Counsel for the licensee said that that was correct. Commissioner Spalding read a letter indicating that ANC2B had indeed voted (8-0-0) to oppose the renewal of Coach & Four's license. Chairperson Thomas asked why she was just learning about this protest, and Commissioner Spalding indicated that he had received the letter just this afternoon, and was too busy getting ready for the meeting to do anything with it. Commissioner Guyot thanked the Secretary for reading the letter into the record. Ramon Estrada led the fight to close the Cada Vez, and he is now a Commissioner in 2B. He has a right to be a zealot advocate, and I don't attack him for that. When you live in a land where there's the rule of law, and the Coach & Four has been before us four times this year, and we voted to support this license. We have jurisdiction in this because they're right across the street from us. All I'm asking us to do is to send a message to ABRA that says, we know them, we've worked with them. I ask that we take a position that says ANC1B opposes the protest by ANC2B of Coach & Four's CR renewal, and that's my motion. Commissioner Spalding commented that there's a reduction ad absurdum here. We voted on a license in ANC2B's jurisdiction, and now they have voted on a license that's in our jurisdiction. I fail to understand why we need to oppose their opposition, isn't our vote of support enough? Taking endless votes

on these licenses only confuses the issue. Commissioner Guyot stated that Mr. Spalding was quoted in one of the local newspapers as saying that the difference between 1B and 2B is that 2B has a lot of voluntary agreements and 1B has none. My concern is this, that the Court of Appeals grants us jurisdiction. The Court of Appeals has decided that when you're in the proximate area of a place that has an interest there's no question of jurisdiction. All I'm simply saying is that this is not tit for tat. This is about establishing very clearly that we see no justification, as a Commission, in a protest filed by a colleague Commission of ours. We have a right to do it, and I suggest we have a responsibility to do it. Commissioner Skinner noted that Cada Vez is different since it was located in our Commission, and we're the ones who supported its initial license. 2B has never had a relationship with Coach & Four. Commissioner Skinner said that Mr. Spalding lied when he was quoted as saying that we don't have voluntary agreements, and they must have misquoted you. We've been one of the architects as Commissions to deal with nightlife and to do it well without the same ramifications in the community like Georgetown and Adams Morgan. So I would say that we're really leaders in how to deal with this nightlife as opposed to the Dupont Circle crowd. Commissioner Spalding responded that he is the official keeper of the records, and he has no voluntary agreements in the files, and if I don't have any I'm not sure how I would know of any. Mr. Parker from the Coach & Four stated that Commissioners Estrada and Halligan from 2B visited with him at the restaurant after an ANC1B meeting, and they stated that Coach & Four needed to have a voluntary agreement, and I disagreed with them. Motion that ANC1B opposes the protest of ANC2B of Levelle, Inc.'s CR renewal was seconded and adopted (8-1-0).

Commissioner Guyot introduced a review of the status hearing in regard to Cada Vez's ABRA application. Owners of Cada Vez explained that the ABRA Board is considering whether the changes discussed at an earlier ANC1B meeting represent substantial changes requiring replacarding. The Board also is considering the possible change to include Hip Hop or Rock music as a part of the substantial change. Chairperson Thomas asked if it were normal for the Board to consider changes in music as substantial, and Commissioner Guyot stated that it is not unusual but that it does not represent a substantial change. Commissioner Butler stated that he has no trouble with Hip Hop music, however, there have been problems with the crowd attending events featuring Hip Hop music. I don't think that Cada Vez should be appealing to teenagers with Hip Hop music. Owner responded that their clientele was 25 years and older, and Commissioner Butler asked how they knew, and owner responded that patrons were carded. Commissioner Esters asked how many of the nearby clubs feature Hip Hop, and owner stated that most of them advertise as having Hip Hop music. Chairperson Thomas asked to speak personally and not for the Commission, and that she finds the protest of these licenses vindictive. Commissioner Guyot moved that ANC1B report to the ABRA Board that we support and recommend that they give careful consideration to the Cada Vez trading as Cada Vez presentation as given to us this evening and that we stipulate in the letter that we support them vigorously and we urge the Board to do so, and it was seconded and adopted on a vote of (8-0-1).

The Commission reconsidered the Georgia Avenue Day financial request tabled at our July meeting. Commissioner Skinner stated that Georgia Avenue Days is coming up, and that permission has been secured from the Department of Recreation, and we have Willie Doggitt applying for a grant to address the issues of the school supplies drive as well as the health fair and DC Agency information booth that will be present asking for our support. Commissioner Spalding stated that he had placed this on the agenda as the tabled request for sponsorship of the Georgia Ave. Days and the fee for the use of Banneker Field, and Chairperson Thomas indicated that that was also her understanding. Commissioner Skinner stated that he wanted to use the agenda item for the grant application that he described. Chairperson Thomas indicated that she was still confused. Treasurer Esters asked if this was the same request as that tabled last month, and Commissioner Skinner said that no, they are pursuing the waiving of the fees for the field. We are asking for a grant for the same event as brought up last meeting to pay for school supplies, tents, tables, portable toilets. Chairperson Thomas stated that this is a different grant request. Commissioner Spalding requested that submission of this type of substantial change be submitted well in advance of the meeting so the Commissioners would have 'a clue' when the issue is raised before the Commission. Commissioner Skinner responded that we can make it really simple, it's Georgia Avenue Day. There will still be expenses to be met with Georgia Avenue Day, and we're just changing the things we're asking for. It's in the same context, it's for the same event, and it's the same thing. Chairperson Thomas stated that she is going to repeat for the fifteenth time, there are rules, regulations and procedures. What was on the agenda was what we had discussed last month, which was the sponsorship and the cost of the field. Commissioner Skinner stated that that is not true. The last meeting we asked for a co sponsorship, and at no time did I say I wanted a grant. Chairperson Thomas stated that she's looking at the agenda and under our Grant Applications there's an entry for Georgia Avenue Day, and that this is a continuation of what we discussed last month, and now we have a grant application that you've supplied this evening. Commissioner Skinner responded that yes it's different. Chairperson Thomas asked if we could take off the table the previous discussion of the co sponsorship and the fees for the field, and Commissioner Skinner agreed. Commissioner Spalding asked what the agenda item "grant from dc jpd ppk cam" was, and if it was related. Commissioner Skinner stated that it's something different, and they're not here. Chairperson Thomas stated, ok, so we're not dealing with the previously tabled Georgia Ave. Day request, instead we're dealing with this new grant application.

Treasurer Esters stated that the previous request could have cost as much as \$15,000 for the co sponsorship. Will you be coming back with that request, or is that completely gone? Commissioner Skinner stated that it is completely gone, and we're finished with that one. Chairperson Thomas asked if the sense of the new grant request was that the Lower Georgia Ave. Business Development Corp. was asking for \$7,350 for school supplies, community information and health fair? Commissioner Skinner indicated that was correct. Commissioner Esters asked why if the intent of the grant was school supplies was the budget for school supplies such a small portion of the request, and how many children will this serve. I'd much rather see our monies going to school supplies than the other items listed. Commissioner Skinner indicated that 250 students would be helped by the \$1,875 budgeted for the school supplies. We're soliciting businesses to donate, but we're using the funds from the Commission to assure at least a minimum amount of supplies, and the donations from the community may fall woefully short. The reason for the high overhead is to assure the quality of the event, rather than just having a

bunch of boxes with school supplies and hoping someone finds them. Commissioner Esters asked how they could determine whether the supplies were going to children from 1B, and Commissioner Skinner responded that he was willing to do whatever was necessary to turn away students from the school supplies if they weren't from 1B. Commissioner Esters repeated his question on how to assure that 1B's monies for these school supplies would end up benefiting children from 1B, and Commissioner Skinner responded that through the outreach to our communities we'll assure that we'll have more than our share of neighborhood kids in attendance. I would be willing to do what we can to assure this. Commissioner Esters again requested that for auditing purposes we need to have some identifiable measure of finding out who the kids are so that we have verifiable proof and that we are serving our constituents. Commissioner Skinner stated that Commissioner Esters might not have been on the Commission, but the items included in the budget are things that have been funded by ANC1B in the past and have survived scrutiny by the auditor. Chairperson Thomas requested that they abide by the same rules as previously stipulated for the NYSP program, that means getting names, addresses and social security numbers. Commissioner Guyot stated that human psychology does not work like that. If we say to kids that toys are available, they're not going to have any consideration for what SMD they're from. Let's go to the schools and give the kids a chip or something and those are the kids that get toys. Chairperson Thomas stated that the grant had to be such that it can be verified that the school supplies are going to 1B kids, and how you manage that is your challenge. Commissioner Guyot stated that he hoped we could leave here with the understanding that there wouldn't be a general distribution of toys. Chairperson Thomas asked if the other budgeted items could be funded e.g. tents, tables, chairs, diesel generators and portable toilets, and Commissioner Skinner stated that these are the things that we can fund. Commissioner Butler asked about the 25 portable toilets around Banneker Field and if they were all necessary, and Mr. Doggitt responded that DCRA had specified the number of portable toilets that were needed for the projected attendance. Commissioner Skinner stated that we can't have people tired of waiting in lines and doing public urination. Commissioner Guyot added that portable toilets are fungible, and that we should move the allotment in the budget from toilets to school supplies. I think the major thrust in this is that we are funding school supplies. Commissioner Skinner stated that we've supported portapotties in the past and it makes sure that when people are in our community they use the toilet. Chairperson Thomas indicated that there was more support for school supplies than portapotties, and Commissioner Skinner stated, ok, let's put the money in school supplies. Treasurer Esters commented that the \$7,350 is equivalent to a quarter of our annual allotment. Chairperson Thomas asked if we had made an amendment about the size of grants, and Commissioner Guyot responded that we had not. Commissioner Spalding responded that it was not a written rule, but rather a guideline suggested by Commissioner Glover. And that the intention was that grants over \$3,000 get special scrutiny by the Commission. I will follow the advice of our former Treasurer, and this grant is over \$3,000 and we received it at the meeting tonight with no time for review. Commissioner Guyot stated that this Commission never ever voted to support that suggestion. Commissioner Skinner responded that we should vote on the merits of the event, and to say \$3,000 arbitrarily when we've got over \$100,000 that we're somehow hoarding. Chairperson Thomas responded that it's not about hoarding, it's about spending our money wisely. Commissioner Skinner stated that we've got needs in our community that have got to be met. Commissioner Guyot moved that we support the grant application of the Lower Georgia Ave. Business Development Corp. for \$7,303.57 with the understanding that the \$1,975 budgeted for toilets be moved to the line item

for school supplies. Commissioner Esters asked to clarify the budget figure presented by Commissioner Skinner, and that the present balance was \$92,000. Commissioner Guyot stated, pardon my sarcasm, but I think we can manage to fund this. Motion was seconded and adopted on a vote of (8-1-0).

Commissioner Thomas introduced a grant request from the Ministries of the Reverend Sandra Butler-Truesdale for \$4,000 for the Arts for Youth and Senior Citizens. Rev. Butler-Truesdale stated that this is an intergenerational education program. Our intention is to employ youth and senior citizens working together to understand Hip Hop, Jazz, Gospel and Rhythm & Blues. The program will be done in collaboration with WPFW. Commissioner Butler asked if the program could be brought to the public schools, and Rev. Butler-Truesdale agreed that it could. Jamal Mohammed from WPFW stated that he would like to have a big event at the Lincoln Theatre with just youths performing. Chairperson Thomas asked where they would be holding the workshops, and Rev. Butler-Truesdale responded that some would be at Campbell Heights, and some at Cada Vez, and some at the Lincoln Theatre. Commissioner Spalding commented that there was no specificity in the application indicating what the monies would be spent on. There are strictures on what the Commission is allowed to fund, and lacking any specifics other than \$4,000 for a worthy program we're at a point where it's hard to determine the ability of the Commission to fund the grant. Rev. Butler-Truesdale responded that she didn't think the application asked for specifics. Commissioner Spalding responded that on the web site where the grant application is available there is all of the updated grant guideline information that's in our printed forms. Rev. Butler-Truesdale stated that she'd learned long ago to only answer the questions that were asked. What I will tell you is that none of this will be used for salaries, it will be for salaries between the two of us, and actually will not be used for the salaries of the children that we plan to have participate. Commissioner Skinner stated that there are very strict guidelines on how the monies can be spent, and we'll help you figure those out. I'm sure that the program has lots of costs and that the \$4,000 is a small part of that, and we can show you exactly what that small part can be. Commissioners Skinner and Esters moved that "include line item budget" be added to the grant application form, and it was seconded and adopted (8-1-0). Commissioner Wright asked if this would benefit all of the children in ANC1B, and Rev. Butler-Truesdale agreed that it would, but with an emphasis on the children in Commissioner Thomas' SMD. Commissioner Guyot moved approval of the \$4,000 grant application conditioned on receipt of an acceptable budget plan, and it was seconded and adopted (7-1-0).

Commissioner Thomas introduced a grant application from the Ministries of the Reverend Sandra Butler-Truesdale, Inc. for \$4,000 to fund an exhibit known as "The History of Rhythm, Blues, Jazz & Gospel in B & W". The Public Welfare Foundation's guard interrupted to let the Commission know that we had to leave by 11:30. This is a collection of 300 black and white photographs that have been housed in a number of locations. Many of the people shown in the photos resided in the Dunbar Hotel. We would use this exhibit in the 'Youth and Senior Citizen' program. Chairperson Thomas asked if this would be an ongoing project, and Rev. Butler-Truesdale said that as long as she could afford to keep it going, and that she has already put over

\$12,000 of her own money into the project. Commissioner Skinner moved that we support the grant application for \$4,000 and instruct the Treasurer to work out the budget item details, and it was seconded. Treasurer Esters indicated that with the grants awarded this evening our budget is now at approximately \$77,000. Commissioner Guyot reminded the applicants that they are required to return with an explanation of how the money was spent within 60 days. Commissioner Skinner thanked the applicants for the time that they had given to the community, and that the \$4,000 in no way can ever approach the time and energy that you've spent doing this. Motion was adopted in a vote of (7-2-0).

The Public Welfare Guard returned to say that we needed to leave the building. Commissioner Guyot stated that he works for Larry Kressley. I spoke with Mr. Kressley about our use of the building.

Commissioner Padro spoke to a resolution regarding the Watha T. Daniel/Shaw Neighborhood Library. The resolution as submitted was moved, seconded and adopted in a unanimous (8-0-0) vote.

ANC support for Council Bill 15-977 was considered. Commissioner Guyot stated that this Commission had voted for the right of local citizens to vote in local elections. This bill speaks to exactly the same consideration of all residents. Commissioner Guyot moved support for Council Bill 15-977, and it was seconded and adopted unanimously (8-0-0).

Commissioner Guyot stated that the President of the LeDroit Park Civic Association was here tonight to discuss the ongoing plans by Zahn Architects for the project in LeDroit Park. The LPCA voted to approve the plans, and I'd like the Commission to communicate with the LPCA President to include the details brought out. Commissioners Esters asked if this was the property on T Street, and Commissioner Guyot agreed that it was. Commissioner Guyot moved approval of the initial concept for this development, and it was seconded and adopted unanimously (8-0-0).

Sylvia Robinson asked for the Commissions support for a proposed application to the Dept. of Housing and Community Development for funding under the Community Development Block Grant. The request is for \$400,000 and is due by Sept. 3rd. Commissioner Skinner stated that this building had been an eyesore for a number of years and they are working diligently to improve it. Commissioner Esters stated that Ms. Robinson has become a very familiar part of the community since she attends numerous community meetings. She has made her presence in

our community known and she deserves our support. Commissioner Spalding added that she had managed to sit through three very long ANC meetings. Motion was made to send a letter of support, and it was seconded and approved (9-0-0).

David Jannarone from Roadside Development spoke to the development of Parcel 34. Mr. Jannarone apologized to Commissioner Houston for not having been in touch, but the phone number for the Commissioner had not been correct. Mr. Jannarone asked the Commissioners to let them know what the community desires are in regard to Parcel 34. They are planning on responding to the RFP for the site, and would like to have as much input from the Commission as possible. Chairperson Thomas indicated that a number of developers are interested in the parcel, and that there is a bidder's conference to be held next Wednesday...

The guard for Public Welfare Foundation interrupted with the request that we leave the building, and Commissioner Guyot responded that we're not leaving the building. The guard stated that he had just been informed by his boss that the building had to be closed at 11:30. Commissioner Guyot asked if his boss was named Larry Kressley, and the guard responded no but he works for Larry Kressley. The guard stated that it was part of his job to close the building, and Commissioner Guyot responded that he would make sure that he didn't have a job if he messes this up. Chairperson Thomas asked Commissioner Guyot to respect the young man, and Commissioner Guyot responded that respects Larry Kressley.

Commissioner Guyot continued the discussion on Parcel 34. Commissioner Guyot stated that hearing this is totally inappropriate, they will attend the bidder's conference, and then the winner will have to come through us and we'll hire him then. Chairperson Thomas asked if they had the names of other neighborhood associations, and Mr. Jannarone said that he would appreciate any information that was extended to him. Chairperson Thomas offered to put Mr. Jannarone in touch with the Florida Avenue Watch and other groups near the parcel.

Commissioner Butler asked for a Commission resolution supporting keeping the Boys and Girls Club in its location of 14th Street.

Meeting was adjourned at approximately 11:35.

