

ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Columbia Heights / LeDroit Park / Pleasant Plains / Shaw / University Heights

3 February 2005, True Reformer Building, 1200 U Street NW

Attending: Commissioners Moss, Spalding, Hunter, M. Smith, Stephens, Parker, Akinmboni, T. Smith and Mathews

Absent: Commissioners Hammonds and Wright

Quorum was achieved promptly at 7PM. In the Secretary's report Commissioner Spalding stated that negotiations are ongoing in the Café Collage ABRA application protest. In response to constituent requests regarding the testimony at ANC1B's December 2004 meeting implying impersonation of an ANC Commissioner and intimidation the Secretary read from the December minutes, and Commissioner Spalding stated that he had met with Michael Benson who responded that the allegations were untrue. ANC1B has been admitted as a protestant in U Turn's ABRA application for substantial changes. NCRC held a community input meeting on choosing a developer for Parcel 34, and many of the Commissioners were present. Office of Planning held a public workshop to review the Comprehensive Plan, and a local task force member is Cheryl Cort. The Prince Hall Masons have compiled a report on their exploration of development options for the property involved in BZA 16938/17099, and respecting the terms of the agreement with WNA and ANC1B will be meeting to discuss the report with Commissioner Spalding, and with Lynn Johnson and Chuck Baxter of WNA. Minutes of the January 2005 meeting were moved, seconded and adopted (8-0-0). In the Treasurer's report Commissioner Stephens reported an opening balance of \$62,009.30, and the only activity for the month was deposit of the first quarter distribution of \$7,739.55. With the two outstanding checks discussed at the January meeting for \$3,637.86 our current check book balance is \$66,110.99. Treasurer's report was moved, seconded and adopted (8-0-0). Treasurer presented secretarial expenses for January of \$172.87 (postage, ink and web page rental), and motion was made to reimburse for these expenses, and it was seconded and adopted (8-0-0). Chairperson Hunter reported on progress in setting up ANC based committees. In informal discussions the Commission has proposed committees that will mirror those of the DC Council. It is the Commission's desire to set up these committees, and to invite members of the community to serve on these committees and perhaps even chair them. It is also expected that the local neighborhood associations inside ANC1B will designate constituents to serve on these committees. The committees currently being considered are: Committee on Consumer and Regulatory

Affairs, Committee on Economic Development, Committee on Education, Libraries and Recreation, Committee on Finance and Revenue, Committee on Human Services, Committee on Health, Committee on Public Works and the Environment, and a Committee on Public Safety.

In Community Events and Announcements Commissioner Stephens announced that he and Commissioner Parker had met with Councilmember Graham and the head of the Parks and Rec Dept., which resulted in an agreement to gate and control access to Justice Park located at 14th and Euclid. Commissioner Spalding announced that the 14th and U Main Streets Initiative has retained the services of the Responsible Hospitality Institute in order to address pressing issues arising out of the impact of destination districts in close proximity to residential neighborhoods. An initial planning meeting was held earlier this week, and a social at Café St. Ex and a number of public roundtables will be held at the beginning of the week of March 7th. Commissioner Stephens announced that on February 23rd the Ward 1 Neighborhood Core and the local neighborhood watches will be meeting at All Souls at 6:30. Commissioner Moss stated that the Office of Planning will be conducting a meeting on the Uptown Destination District on February 22nd at 6PM at the Florida Avenue Baptist Church.

Chairperson Hunter asked to take items from the agenda out of order, and Commissioner Spalding introduced application for renewal of a Class CN nightclub license for Republic Gardens. Bert Robinson, owner and general managers, was present to answer Commission questions. Commissioner Spalding stated that this business has been in the community for a number of years, and that there had been some difficulty with the previous owner, but in the past two years things have been very quiet. When comments were solicited on the U Street list serve, very few responses came back, but one did generate some discussion and it was an article published in the Washington Blade. Mr. Robinson explained that the article appeared about twelve months ago when they were setting up their restaurant facilities. Commissioner Spalding asked if the parking arrangement was the same as explained at their last appearance, and Mr. Robinson confirmed that they continue to use valet service and the parking at the Reeves Center. Commissioner Spalding moved support of renewal of the CN nightclub license for Whitney Restaurants, Inc. t/a Republic Gardens, and it was seconded and adopted (8-0-0).

Chairperson Hunter introduced consideration of the DDOT Flex/Zip car public space proposal. We had heard that DDOT was considering an option to take forty-six public parking spaces in Ward 1 for the ongoing use by Flex & Zip cars. Rick Rybeck, Deputy Administrator with DDOT, stated that he is a Ward 1 resident and is fully familiar with the challenges presented by parking in this neighborhood. No one silver bullet is going to

alleviate our problems with traffic and parking, but there are an array of new options that can help and one of these concepts is car sharing. Mr. Rybeck described car sharing programs, and stated that the current option grew out of an interest expressed by WMATA two years ago. Two companies responding to the RFP were Flex Car from the west coast and Zip Car from the northeast. We are now the only city with two competing car sharing companies active in the community. Currently all of the locations for storing the cars are on private space, and this means that they are not always in visible or attractive locations. Since statistics show that six households can share a car, this leads to households not purchasing a second car, and some households deciding not to have a car in the neighborhood. The current proposal is to take a few prominent public locations to serve as car sharing locations. The visibility and accessibility of these cars in these public locations will give constituents confidence to participate in the program. The proposed rulemaking to amend 18 DCMR allows DDOT to establish reserved on-street parking spaces for car sharing vehicles. In preparing for this possibility DDOT asked the companies to provide a wish list of locations, and this list is being used to determine which of the desired locations is appropriate. DDOT is thinking that city wide there will be 120 to 130 spaces allocated, and if those figures are divided by the Wards and then neighborhoods, we do not expect to be asking any neighborhood to take on very many locations. Chairperson Hunter stated that the proposed rulemaking indicates that DDOT can take the spaces, but that ANC's will be given just thirty days notice of the intent to do so. Mr. Rybeck referred the question to Callistus Nwadike, Ward 1 Transportation Planner, who has a ward transportation council dealing with these issues. As a practical matter, we will work with these ward councils and get ANC feedback through them in deciding on the amount and location of the takings. Chairperson Hunter indicated that he hoped all the Commissioners would be invited to these meetings. Commissioner Stephens encouraged the Department to continue looking at privately held publicly accessible spaces, and he can think of ten spaces within a few hundred yards of his home that satisfy both the visibility and accessibility requirements, and that before losing any of the precious curb side public spaces they utilize the private space available. Mr. Rybeck responded that they are working with Office of Planning to secure variances for infill developments to include reserved spaces for car sharing programs. Commissioner T. Smith requested that DDOT make available the wish list for the entire city in order to compare our choices with those being made by neighborhoods in the entire city. Commissioner Moss stated that she's pleased to see some innovative 'out of the box' proposals from DDOT, but what if this develops to the point where a community is saturated with spaces reserved for car sharing businesses? Mr. Rybeck explained that if the program advances, DDOT will be writing contracts with the companies for the use of each of the reserved public spaces, and that these will be reviewable when renewed perhaps yearly. Commissioner Spalding reported that he has been ANC1B's representative to the Ward 1 Transportation Planning Committee, and Mr. Nwadike has been giving reasonable notice for these meetings which can be shared with the other Commissioners, and I'm sure that we'd welcome more participation. Commissioner Parker indicated that she has a gas station with spaces for car sharing, however, she notices commuters from Maryland parking in the spaces, and questioned Mr. Rybeck on how they are maintaining control of the spaces for the intended purpose. Mr. Rybeck responded that that is a matter for the property owner and the car sharing companies, but

that the public spaces if developed would be signed specifically for use by the car sharing vehicles only. Ernest Springs stated that his tax dollars go towards the maintenance of the public curb side spaces on his street, and he is wary of the maintenance that will be provided by these car sharing companies, and that he is also wary of the city benefiting private companies with sole use of public space that is severely limited in this neighborhood. Mr. Rybeck responded that after studying the proposal that there are commensurate public benefits that compensate for the use of public space, and that it is similar to taxi stands that provide both a private and public benefit. In truth all of the DC taxpayers pay for all of the public space and its usage, and the city has to determine the public benefit of each program as proposed. In terms of upkeep of the spaces DDOT will be including language in the contracts for the spaces to deal with monitoring and upkeep. We're not looking to take large numbers of spaces in RPP zones, and there should be no reason for an over use of any particular location. Clyde Howard stated that with residential parking as difficult as it is currently people are going to park in these reserved spots and the signs will disappear. My neighbors are already raising Sam Hill over a handicapped reserved spot on the curb, which to me indicates that they are not going to have much regard for a space reserved for a Zip car. Melissa Kramer reminded the Commission that there are a number of residents who don't own cars and use the cars from these companies, and that the Commission voted just last month to sacrifice a public curb space to allow a curb cut to access a private building. I don't see the difference between your action last month to get two cars off the curb and this proposal that will get six cars off the curb. Chairperson Hunter asked those with an ongoing concern to participate in the Public Space Committee that the ANC is forming.

Commissioner Moss introduced Mr. Jonathan Taylor, President of the Kumase Development Group, which is proposing redevelopment of the historic Howard Theater. Mr. Taylor has received endorsements from both ANC1B and the LeDroit Park Citizens Association. Mr. Taylor explained that the property needs to be declared 'surplus property' by DC, and then disposition can go through Councilmember Orange's committee. Mr. Taylor reviewed the design details and participating partners in the development proposal (described in our minutes from February 2004). Commissioner Spalding asked about Councilmember Orange's current position, and Mr. Taylor responded that the Councilmember needs a resolution from the Deputy Mayor's Office and that they are working on this step in the process. Chairperson Hunter asked Mr. Taylor why he thinks that this should be done as an unsolicited offer rather than opening the process up to multiple bids that the community can decide on, and Mr. Taylor responded that they have been working on their proposal since 1998/9, and that their design is consistent with the Office of Planning's designs for neighborhood revitalization. We are also fully aware of the history and importance of the Howard, and are working with a number of local organizations to ensure local participation in the process. Chairperson Hunter reiterated his view that opening up the process to multiple bids would be his preference. Clyde Howard asked about transportation problems that the design might engender, and Mr. Taylor responded that they have been working with the appropriate city agencies and the local residents to work out all the transportation

difficulties that might occur due to the development. Eartha Clarke asked if Kumase had participated in the public forums on the Uptown Destination District, and consequently if they were cognizant of the attention placed on the projected parking demands. Mr. Taylor responded that they had participated, and that the multiple development proposals were design suggestions and not actual developer proposals.

Chairperson Hunter introduced reconsideration of ANC1B's support of an ABRA application for substantial changes for Cada Vez. This application allows Cada Vez to stay open for the maximum allowable hours and to resume booking of amplified music. Since the vote supporting the change, this Commission has been requested to reconsider by ANC2B, the Dupont Circle Citizens Association, the Caroline Street Block Association, the T Street Block Association and constituent groups. Chairperson Hunter explained that he used to represent Caroline and T Streets in an earlier Commission 1B that included this territory which has since been moved to Ward 2 in redistricting. I have agreed to have the Commission consider this request since the Commission appears to be in opposition to a great deal of community concern with this application. Mark Parascandola, resident of 2002 15th Street and a constituent protestant of the application, was present to discuss the reconsideration. Commissioner Mathews asked if Cada Vez was represented, and Chairperson Hunter responded that their attorney Ms. Andrea Bagwell was invited to attend and chose not to appear. Mr. Parascandola stated that he is speaking for a group of residents of 15th Street, and that they are concerned that the business is operating as a nightclub rather than as a restaurant for which they are licensed. Local residents have tried to obtain restaurant service, but the business is either closed or not serving during normal restaurant service hours. Given the size of the establishment we are concerned that its operation as a nightclub will affect our peace and quiet in the adjacent residential areas. We have all tried to negotiate with attorney Bagwell, but she has refused to consider entering into a voluntary agreement. Commissioner Akinmboni asked why there were so few people represented in the protest group, and Mr. Parascandola responded that they are just one of many protest groups. Commissioner Moss asked what proposals they have offered to find a middle ground with the applicant, and Mr. Parascandola responded that they want to address the problem of traffic, the problem of noise with large groups exiting performances early in the morning, and making sure that they stay consistent with their licensing class. Chairperson Hunter explained that the ABRA Board is not seeking to close businesses, but that they are interested in getting both applicants and protesters to sit down and work out voluntary agreements to ensure the well being of both the business and the neighboring residents. I have received copies of the protest documents from Commissioner Estrada and from the DCCA, and it is clear that they want to enter into negotiations to reach an agreement. Commissioner Parker stated that she is hesitant to vote on an issue that the prior Commission took a vote on for whatever reasons were presented at that time. What has occurred since the original ANC1B vote that would encourage us to actually come out with a different decision? Mr. Parascandola responded that the business has continued to operate as a nightclub rather than a restaurant, and they have collected better documentation on the problems that local residents are

experiencing. We have also been diligent in trying to get the business to negotiate towards a voluntary agreement, and we are hoping that some increased pressure from the ANC will help guide them towards negotiating. Commissioner Parker responded that once an ANC vote is taken it should be hard to undo that vote. Chairperson Hunter indicated that the vote on this issue at ANC1B had been (4-2). Commissioner Mathews stated that the Commission may be setting a not so good precedent in revisiting decisions that have already been made by the ANC. Commissioner Mathews asked Mr. Parascandola how long he had lived in DC, and Mr. Parascandola responded for fifteen years. Commissioner Mathews asked if Mr. Parascandola had ever purchased a hip hop cd or gone to a hip hop concert, and Mr. Parascandola responded that he has done neither, but has listened to the music and likes some of the music he's heard. Commissioner Mathews stated that he is concerned with the way this protest is characterized, and I don't see that even though you suggest the family friendly character of the neighborhood I don't see these thirteen names on the petitions represent families. You also speak of the history of small intimate jazz clubs, but my interpretation of U Street as a destination district includes all kinds of clubs playing all kinds of music, and that's just part of living on U Street. All I see is that thirteen people don't like the fact that Cada Vez is a club and plays music. Mr. Parascandola responded that he attends a number of the local clubs, and that he and his neighbors are not opposed to having nightlife options, however, Cada Vez is a restaurant and not a club and because of its size it is having a greater impact on the neighboring residents. Our problem is not with the type of music, rather the size and nature of the business. Commissioner Stephens asked about the effect and response from Campbell Heights across the street from Cada Vez, and Chairperson Hunter responded that Campbell Heights is in his smd and he wants to ensure that the activities of this business to not have a negative impact on the residents of the community. When a business refuses to negotiate with community members it is unlikely that they are going to be good neighbors. Commissioner T. Smith stated that he patronizes Cada Vez, and at this time he hasn't seen any adverse behavior coming out of Cada Vez. Commissioner Akinmboni said that she had contacted some elderly residents who live near the club, and all supported the club. She also stated that in using the club she had parked in the Reeves Center lot. We should find a way for getting both sides to talk this out, and Chairperson Hunter added that the protest process at ABRA includes mediation if it is required. Commissioner M. Smith asked if the business was licensed as a restaurant and also operating as a nightclub, and Chairperson Hunter agreed. Commissioner M. Smith said that they are asking for more rights, but they are not living up to their current agreement. Commissioner Parker stressed that the previous Commission's (4-2) vote was a vote taken with a quorum present, and the fact that a majority of the Commissioners hearing this application and voting on it should not be minimized. Commissioner Parker stated that even if the prior Commission had taken a vote to deny (rather than approve) the application—after considering the views expressed by the community at that time—I would be hesitant to reverse such a decision by the prior Commission as well. Tony Norman, President of the Pleasant Plains Civic Association, stated that they had taken a vote in support of the application. Many of his members have patronized Cada Vez and have been very supportive of the business. I was involved in the opening of Cada Vez and I think there is a history here that the Commissioners are not aware of. This group has opposed the Cada Vez from day one, and I was involved in mediation where these

community people refused to meet with the club to discuss voluntary agreements. And now that the owner has finally opened and they are coming here with this opposition, then I'm a little suspicious of what they're saying about it. We voted as a citizen organization to support Cada Vez when they first opened, and we still support them. Chairperson Hunter asked Mr. Parascandola if he was involved in any previous protest of this business, and Mr. Parascandola responded that he had not been. Mr. Parascandola added that the club has been recently sold to new management and the people on all sides of this are now different. Commissioner Spalding confirmed that this is a substantial change request proffered by the new owners of the business, and not the original owners and operators of Cada Vez. Mr. Norman said that that's incorrect and all the same owners are still involved in this business, it's just not true that this is new ownership or management. A resident of 15th Street responded that he has been involved in both protests, and that the business owners and management are new, and that he sat in Councilmember Graham's office on numerous occasions trying to write a voluntary agreement with the original owners. Commissioner Mathews stated that he's been to Cada Vez on a number of occasions and he has never seen any of the problems cited in the protest. It seems to me that this protest is based on thirteen people's opinions, and Commissioner Akinmboni has told us that there are other nearby neighbors who don't mind the club. Chairperson Hunter moved that ANC1B write to ABRA to withdraw its endorsement of the application by Cada Vez for substantial changes, and it was seconded. Clyde Howard stated that the motion was out order; first you've got to reconsider your previous motion. Chairperson Hunter called for a roll call vote, and Commissioner Parker asked for a point of personal privilege. Commissioner Parker stated that since this is reconsidering a vote of the previous ANC, does this vote require a two-thirds vote of the Commission. Chairperson Hunter indicated that the Secretary had contacted Gottlieb Simon in the OANC office, and his determination was that it did not require a two-thirds vote, and it is also the opinion of the Chair that this does not require a two-thirds vote. In the roll call voting yea were Moss, Spalding, Hunter, M. Smith, Stephens; voting nay were Parker, Akinmboni, T. Smith; abstaining was Mathews, and Hammonds and Wright were absent. The vote passed (5-3-1). Commissioner Mathews protested that the vote was an illegal procedure.

Councilmember Graham was recognized. Chairperson Hunter congratulated the Councilmember on his Chairmanship of the Consumer and Regulatory Affairs Committee of the Council. Councilmember Graham stated that he is very pleased to lead this Committee, and there are several important agencies under the Committee that need to have a new kind of oversight and a different type of leadership. I am looking to have a greater neighborhood orientation, and particularly by the Department of Consumer and Regulatory Affairs. We are hoping for an increased level of attention and engagement with our residents in terms of the licenses and permits that this department deals with. Our first meeting will be devoted to tenant's rights, and I have introduced legislation that clarifies the tenant's right to purchase, which has been eroded recently. The other bills concern rent ceilings, and these have been used to violate rent controls, and another bill extending rent control. We are going to start with tenant's rights, and we are going to

move to nuisance properties. We hope to shape a DCRA that is aggressive and creative in helping our residents. ABRA is a part of the jurisdiction of this Committee, and a number of areas in Ward 1 have large entertainment districts. We have expressed to the ABRA Board that we are committed to more pro public interest. We want to put the word consumer back into DCRA and I welcome the support of this ANC. Commissioner Mathews congratulated the Councilmember on his work on these issues reflected in these bills. Chairperson Hunter moved that ANC1B send a representative to speak at the Committee's hearing on February 16th and to testify in support of B16-47, B16-48, B16-50 and B16-51, and it was seconded and adopted unanimously (9-0-0). Commissioner Akinmboni indicated that she has entered her name to testify, not on behalf of the ANC, before these hearings. Commissioner Stephens asked that in testifying the Commission stress the importance of an affordability component that assures that essential service workers can continue to live in our community.

Commissioner M. Smith introduced the principles with Taurus Enterprise Group. Gail Montplaisir explained that they are currently under construction at 1454 Belmont Street, and an original façade wall that they had agreed in permitting to retain had been undermined by one of their subcontractors and the wall had collapsed. They will be amending their permit to rebuild the wall from existing materials, and are asking the ANC for a letter of support for the amending of the permit in regard to the wall. Chairperson Hunter asked for clarification on the original permit, and Ms. Montplaisir responded that they were retaining part of the façade to help blend with the materials of nearby structures. Commissioner T. Smith asked if the Commission of Fine Arts had weighed in on the design, and Ms. Montplaisir responded that they are not an historic structure or in an historic zone so there has been no oversight from CFA or HPRB. Chairperson Hunter asked if this project had been presented to ANC1B previously, and Ms. Montplaisir explained that they had reviewed the project with Commissioner Ted Butler, however, there was no requirement for seeking ANC review. Commissioner Parker asked about the cause of the failure, and the architect responded that an excavator dug too close to the underpinnings of the wall and it began to fail. Chairperson Hunter asked if these were condos or apartments and whether any parking was part of the design, and Ms. Montplaisir responded that they were condos and that there are fourteen spaces included with the hope of gaining a few more surface slots. A question was asked about their appearance before the ANC, and Ms. Montplaisir responded that once the wall had failed and they knew that the permit would have to be amended they returned to DCRA and that DCRA had suggested review by the ANC. Councilmember Graham stated that he had recently seen the wall, and had remarked on the wonderful coloration of the field stone in the wall, and asked if they would be using the original material, and applicant responded that they would be rebuilding using the original material. Councilmember Graham also questioned why they had been sent for ANC review, and Ms. Montplaisir said that it was on the suggestion of DCRA, and Commissioner Spalding added that it was the first such referral that had come to ANC1B to his knowledge. Ernest Springs, President of the Meridian Hill Neighborhood Association, said that this project is in his back yard. He lamented the loss of the original building, and questioned whether the wall

had been adequately supported during the construction. This area is being considered for inclusion in the historic district, and I would support a developer who is working here but I spoke with a number of local residents recently and they have no idea what's going on at this site. The developer has also not been responsive to community sentiment, and even worked into Christmas Eve despite protests from neighbors. President Springs referred to the problems encountered in a neighboring ANC with a project called Belmont Towers; Chairman Alan Roth of ANC1C was introduced to speak to their interaction with this development team. Chairman Roth stated that he does know what it is like to try to deal with this development team. Not that it is necessarily relevant, but the architect Mr. Smith is married to the developer Ms. Montplaisir. I urge you to not take anything you hear from these folks for granted. You will need a magnifying glass to scrutinize every piece of paper that they show you. You need to go out and buy a hearing aid so that you can listen very closely to every word that you're told. I would urge the Commission to take whatever time is required to determine just exactly what is going on at this site, because our experience is that there may be a lot more to the problems than what you've been told. Chairman Roth asked the Commission to read an article in the Intowner from October 2003, and Chairperson Hunter asked that since it was unlikely that the Commission would act on this request at this meeting that we defer the extended discussion. Chairman Roth read from the article, and the article identified problems with posting permits and curt responses from the construction firm on site. Ms. Montplaisir responded that the project in Adams Morgan has been difficult in many ways, and is not indicative of the twenty years of developing in DC that she represents. Commissioner T. Smith asked if they were working with a specific permitting official at DCRA, and Ms. Montplaisir responded that they had been working with Denzel Noble. Commissioner Stephens asked for clarification on why this had not been previously reviewed by the ANC, and why Commissioner Butler was reviewing when the site is not in his single member district. Commissioner Spalding responded that this site is not in the historic district, and it is a matter of right building not requiring any zoning exceptions or variances, so there have been no triggers for ANC review. DCRA permitting does not normally require ANC review, and why it was Commissioner Butler who was approached, I don't know. Ms. Montplaisir responded that they had tried to find Commissioner Jarvis Houston in whose smd the site was located, but they just couldn't find him, and since Commissioner Butler's territory was across the street they had approached him. Commissioner M. Smith moved to table to the March meeting and Commissioner Mathews requested that language be added to require that meetings be arranged between the developer and interested parties to better inform the Commission at the March meeting, and Commissioner M. Smith accepted the friendly amendment, and it was seconded and adopted (8-0-0).

Commissioner Spalding reported on CFA (Commission of Fine Arts) initial review of plans for a new gymnasium addition to Cardozo High School. The architects will be presenting at our March meeting, however, meetings are currently underway at both CFA and HPRB. The reception to the design at CFA was very enthusiastic with one small caveat on the roof line design. This is a project that will be in the works for a number of

years, but one that will have a large impact on the community. Commissioner Spalding asked the Commission to delegate him to represent the Commission in ongoing hearings on this project, specifically indicating that these reviews may occur prior to our consideration in March. Commissioner Stephens asked that our consideration and review be extensively advertised since this is one of the most important buildings in our ANC. Motion was made that Commissioners Hammonds, Spalding and T. Smith be designated to represent the Commission on this project, and it was seconded and adopted (7-0-0).

Commissioner Parker asked for a point of personal privilege, and stated that she understood that an update on Justice Park was given during the announcements segment earlier in the agenda. I want to assure anyone concerned with this project that Commissioner Stephens and I have met with Councilmember Graham, and we are working to get this park upgraded. There is discussion of moving the park, but I want to assure local residents that I will advocate an interest in having any improvements to the park occur at the current site. Also in addressing abutting neighbors we have worked with Parks and Rec to get the park secured during those hours when most of the suspect activities have been indicated to be occurring.

Treasurer Stephens introduced the annual proposed budget for ANC1B. We come into this year with a balance of \$58,371.44, and the expected allotment for this year to be \$30,958. Due to the newness of the members of the Commission, and with limited debate between members and constituents our proposed budget does not spend down any of the carried over balance, but targets spending our yearly allotment. I would hope that we can revisit this budget in the middle of the year; however, currently we have proposed spending \$4,000 on net salary and wages, \$5,520 on postage, \$12,000 on printing and copying, \$2,000 on office supplies, and \$7,438 on grants. Chairperson Hunter questioned the proposed allotment for grants, and thought that this line had been \$10,000 in previous discussions, and Treasurer Stephens explained that in order to balance the expenditures against the projected allotment this number was decreased. Commissioner Spalding stated that he was pleased to see a budget presented to the Commission and the community since it has not been happening for a few years. I also want to remind the Commissioners that these are just suggestions that indicate where we may spend funds in the upcoming year, and depending on issues before the Commission our final spending may bear little resemblance to this proposal for spending. Commissioner Mathews spoke to the issue of net salary and wages, and expressed concern that this ANC has never hired anyone before, and I want to know what this person will do that is not already taken care of by the Commission in house. I would also express the opinion that we can take care of business in house, and that this could be added to the amount of grants, which I would point out has been substantially reduced. I think that providing life blood to community organizations that are doing different projects is more important than spending money on ourselves. Chairperson Hunter responded that the previous Commission had no limits on grant spending, and in fact gave out more monies in grants during the past two years than

all of the other Commissions combined. This Commission has been very fortunate to have someone working full time to get our work done, and most Commission's who do the amount of work that we do have to hire staff. Most of the Commissions spend their budgets on office and staff, but we do anticipate hiring help with accounting and with development of our web site. Commissioner Mathews responded that he questioned whether that was the kind of priority we want to set, and it doesn't look good to spend more on ourselves. I don't see why the duties of the Treasurer can't be handled in house, what needs to be done that it's so complicated or so urgent? Treasurer Stephens responded that he'd be happy to reduce all spending on the Treasurer's position if that get you to agree. We have already demonstrated a lack of ability to adequately research many of the questions that come before us, and if we could use students to research and provide the information that allows us to do the job we were elected to do, and this is a way of making the Commission more efficient and not spending money on ourselves. Commissioner Parker asked for assurance that we're just voting on a proposed budget, and that it will not change to a final budget, and secondly I concur that we should reallocate monies from the printing line to the grants line. Chairperson Hunter moved that ANC1B adopt the budget with the modification that \$2,600 be added to the grant line and subtracted from the printing and copying line. Motion failed to get a second. Commissioner Mathews questioned the change in the amount listed in the line item for printing and copying and suggested that it represented a breach of trust from the consensus arrived at in informal meetings. Commissioner Stephens responded that in the informal discussions he indicated that there were assumptions concerning some of the costs of accomplishing the mailings and flyers, and the actual estimates came out higher, and I apologize for the difference. I also want to address your comments regarding spending on ourselves. I think if you don't think there's a need for us to take our role seriously enough to ensure that we do this work rather than spend what is a small amount in addressing community needs. We have an allotment of \$30,000 a year and that doesn't come any where near addressing the needs of this community, so let's use that money in the spirit in which the ANC's are set up in that we provide a service of oversight, and that can be administrative or it can be in combination with a series of grants. In my mind we'll do a much better job by leveraging the other resources available rather than trying to ameliorate them with our \$30,000. Commissioner Moss supported the comments of the Treasurer and reminded the Commissioners that this is just a benchmark for how we could operate. These are not figures that we are vested in, and they are not the last word on what our expenditures will be. It is the hope of this body, as I thought our discussion reflected the other day that we want to be as efficient and as cognizant of our fiduciary responsibilities as we can be. Commissioner Spalding moved the proposed 2005 budget as presented by the Treasurer, and it was seconded, and in a roll call voting yea was Moss, Spalding, Hunter, M. Smith, Stephens, T. Smith; and voting nay was Akinmboni, Mathews; and abstaining was Parker, and the motion carried (6-2-1).

Chairperson Hunter introduced discussion of new bylaws for ANC1B. The Commissioners have been reviewing a proposed set of bylaws forwarded by Gottlieb

Simon of the Office of Advisory Neighborhood Commissions. This document has been prepared for the Commission and I ask if there is a motion or discussion. Commissioner Parker suggested that in light of three instances of difficulty this evening she moved that the Commission amend to add a Parliamentarian to the elected officers, and the motion was seconded. Secretary asked where the in the proposed document the amendment should be placed, and Commissioner Parker responded in Article 4, Section 1.

Chairperson Hunter voiced opposition to the proposed amendment. When passed, we will have a set of bylaws that do dictate that our meetings be run by Roberts Rules of Order. I don't think any of us is relatively expert enough to be proclaimed the Parliamentarian. Also the proposed bylaws received from OANC do not include provision for a parliamentarian. Commissioner Parker responded that the difficulties this evening with three items that raised issues of parliamentary procedure are a perfect example of why we could benefit from having a parliamentarian. Commissioner Akinmboni added that we should see the reference in Article 9, and that we do need a parliamentarian. Motion was called and carried in a unanimous (9-0-0) vote.

Commissioner Mathews asked if we could nominate a Parliamentarian, and Chairperson Hunter responded that we have not passed the bylaws. Commissioner Mathews moved adoption of the proposed bylaws as amended, and it was seconded. Commissioner Spalding asked if we did not have to let this document sit for thirty days, or until our next regularly scheduled meeting before adopting it? Chairperson Hunter suggested that since the document has been amended it would need to wait until the next meeting to be adopted. Commissioner Stephens pointed out that since this is February our next meeting will occur in less than thirty days. Constituent Clyde Howard interjected that when you say thirty days you mean until your next regularly scheduled meeting. Constituent Norman voiced objection that public comments were being allowed on the bylaws and had been prevented on the proposed budget. Commissioner Mathews moved that Article 6, Section 1 be amended to include the Parliamentarian, and it was seconded, and it was accepted on a unanimous (9-0-0) vote. Commissioner Mathews asked if we could nominate a Parliamentarian, and Chairperson Hunter explained that the position does not exist yet. Chairperson Hunter moved to table adoption of the bylaws to our next regularly scheduled meeting and it was seconded and adopted unanimously (9-0-0).

Commissioner Spalding asked for review and ratification of Commissioners delegated to represent the Commission in ongoing cases before District Boards and Agencies. Commissioner Parker urged caution in representing the positions taken by the prior Commission, and the impression given to applicants and community members in whether they can count on consistency in the Commissions stand on these issues. Commissioners Spalding and Hunter expressed confusion over Commissioner Parker's statement, and Commissioner Spalding explained that when appearing before a Board like HPRB only those Commissioners officially delegated to speak would be allowed to speak. Chairperson Hunter added that there are a number of outstanding applications, and the ANC must vote to designate individuals to represent the ANC. Commissioner Parker interjected, so this means that on the Secretary's list there aren't any matters that were voted on by the previous Commission, and Chairperson Hunter responded that all of them

are, but the point is that we need to give people the standing required to address the Board's and Agencies. Commissioner Parker asked if the comments differed from previous positions of the Commission, and Commissioner Spalding explained that he can't do that. The person delegated to represent the Commission is bound to represent the position of the Commission and the votes of the Commission and not any individual position. Commissioner Spalding stated that he has been delegated to represent the Commission before NCRC on Parcel 34, and he would like to add SMD Commissioner M. Smith, and Commissioner Akinmboni asked to be added to this list. In BZA case 16938/17099 Commissioner Spalding was designated by the previous Commission, and would like to add Commissioner T. Smith and he agreed. ABRA's ongoing cases include Cada Vez (Hunter and by request Mathews was added), Levelle (Hunter), Café Collage (Spalding), U Turn (Spalding & Hunter), Between Friends (Spalding & Hunter), Kili's (Moss, Mathews & Spalding). In ongoing HPRB cases we have 901 U Street (Spalding & T. Smith), Cardozo Gymnasium addition (Hammonds, Spalding & T. Smith), 1101 T Street (Spalding & T. Smith), and First African New Church (Spalding & T. Smith), and the Gage School (Moss & T. Smith). Chairperson Hunter moved that ANC1B accept the delegation of representation in these ongoing cases, and it was seconded and adopted (9-0-0).

Meeting adjourned at approximately 9:45PM.