



ADVISORY NEIGHBORHOOD COMMISSION 1B

Government of the District of Columbia

Minutes

**Thursday, June 3, 2010,
7:00 PM, Reeves Center, 2000 14th Street N.W.**

The regular monthly meeting of Advisory Neighborhood Commission 1B occurred on Thursday, June 3, 2010, at 7:00 pm in the Reeves Center. Commissioner E. Gail Anderson Holness, Chairperson, presiding. Commissioner Myla Moss was present as Secretary. Other Commissioners present during the meeting: Peter Raia, Sedrick Muhammad, Deborah Thomas, Brianne Nadeau, and Rosemary Akinmboni.

Commissioners Ferrer and Lopez absent.

Chairperson Anderson Holness observed the presence of a quorum and called the meeting to order at 7:05 PM.

Chairperson Anderson Holness then made the following announcement:

We ask that you silence your cell phones. By “silence” I mean either put them on “silence” or turn them off if you are able. The vibration and rings interfere with our recording and we sometimes lose valuable information.

- ✓ This meeting is audio-recorded for the public record and the draft minutes of the meeting, which will be published on our website within one week.
- ✓ We welcome and encourage public comment at appropriate points in the meeting. Normally, we will ask for public comment on issues before the Commission before any motion is offered for official action. Once a motion has been made and seconded, comment and discussion is confined to Commissioners.
- ✓ We ask that all those making presentations, asking questions, or making comments speak loudly and clearly for the benefit of our recording device. You can come forward and sit at the witness table and make sure that your comments are picked up. Please state your name, residence address, and what organization you represent. If you are representing yourself as a resident, rather than an organization, please say so.

- ✓ For the accuracy of our public records, we ask that all those making presentations, asking questions, or making comments complete the very brief speaker information form located on the sign in table at the back of the room. Please give the completed form to our Staff Director, Jim Irwin, either before or after you speak to the Commission. The purpose of this form is to assure correct spelling of your name in the minutes, accurate address and accurate statement of representation.

Thank you for your attendance, participation and cooperation.

Chairperson Anderson Holness noted that the meeting had an established time frame not to rush the meeting, but because a process has been implemented whereby individuals with issues to their neighborhood community meetings first. They should involve the community first, then the process at the Commission meeting will be much stricter. We do not want to be here all night and we do not want the public to be here all night. In the past, people had a tendency to leave the meeting after they made their statements, asked questions or made a presentation. We want the entire 1B community to be involved in the process. She also said that people were requested to be cordial and respectful when speaking to the Commission. If you expect respect, you need to give respect. We ask that all be cordial and respectful in their comments to Commissioners and to the community.

Chairperson Anderson Holness asked Commissioners to introduce themselves.

Commissioner Anderson Holness recognized Ms. Maybelle Bennett of Howard University to briefly address the Commission.

Ms. Bennett thanked the Commission for supporting Howard University's request for an extension of the deadline for the submission of its updated campus plan. She had thanked Commissioners by e-mail but wanted to also thank the Commission in person, especially since the Commission waived the protocol of consulting neighborhood organizations first so that the University could meet a deadline. The Commission had asked that Howard consult neighborhood organizations retroactively and that had been done. Howard had met with ANC 1B11, and the LeDroit Park Civic Association. They will be meeting with the Pleasant Plains Civic Association on June 12.

Chairperson Anderson Holness thanked Ms. Bennett and said that all Commissioners had been reading about Howard and its proposal to move the hospital to the Walter Reed site. They were watching developments and looking forward to participating in the task force that would be discussing this proposal.

Commissioner Muhammad expressed his concern that, the day after the May Commission meeting, the *Washington Post* reported that Howard University had submitted a proposal to relocate the hospital to Walter Reed. He said that he, like many residents of the area, supported Howard University. Many residents of the area depended on Howard University. In the interests of transparency, could Ms. Bennett

not have informed the Commission about Howard's plans when she was at the May meeting, instead of Commissioners reading about it the very next day in the newspaper?

Ms. Bennett said that the members of the Community Advisory Committee (CAC) were informed of Howard's intention to submit a proposal regarding the Walter Reed site on April 14th. She said they wanted to be sure that affected community members were informed before they read about it in the newspaper. The CAC includes the Commissioners representing single member districts 1B01, 1B09, 1B10, and 1B11, so these Commissioners were aware of the plan. The presidents of the LeDroit Park, Bloomingdale and Pleasant Plains Civic Associations were also informed. The LeDroit Park Yahoo group also received an announcement.

Commissioner Muhammad said that it was fine that information had been sent to some individuals, but he had not received it and he was in communication with Tony Norman, the Chair of the Commission's Design Review Committee. Each Commissioner represented 2,000 residents and, although one or two had received the information, he had not been informed until he read about it in the paper. Some people do not have computers or watch television. For the record, Ms. Bennett was present at the May meeting. He asked her if, in the future, they could be more proactive and more transparent. He was quite sure there were residents and visitors in the room who had no clue what Howard's intentions were prior to the information being in the *Washington Post*.

Commissioner Moss asked Ms. Bennett if she could bring back to the Commission the plans for the existing hospital site on Georgia Avenue if Howard's proposal to relocate the hospital were accepted.

Chairperson Anderson Holness noted that, in fairness to Ms. Bennett, she had been asked only to come to the Commission to say thank you for its support for the extension of the campus plan deadline. She knew that Commissioners had other questions, but the information had been distributed by the Design Review Committee and was public knowledge. Howard's proposal was public knowledge, although some Commissioners might have gotten the information at different times. A task force had been set up to address the proposal. However, the Commission was invited to be a part of that task force. A meeting had been held last Wednesday evening, June 2. She had sent an e-mail about the meeting to all Commissioners. She thanked Ms. Bennett for coming to the meeting and said that there would be other opportunities to discuss the proposal and ask questions. She said that Commissioner Muhammad's questions were very legitimate, but that the Design Review Committee was handling that aspect of it.

Officers Reports

Secretary's Report – Minutes of May 2010 meeting

Commissioner Moss submitted the draft minutes of the May 2010 meeting for approval.

Commissioner Nadeau noted a correction in the sixth paragraph on page eleven: the word “finders” should read “findings.” She also noted that on page 18, third paragraph, the sentence should read “Commissioner Raia asked Commissioner Nadeau.....”

There were no other corrections

Commissioner Moss moved that the draft minutes of the May 2010 meeting be approved as corrected.

Commissioner Akinmboni seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Treasurer’s Report

Chairperson Anderson Holness noted that Commissioner Ferrer was necessarily absent and said she would provide an overview of the Treasurer’s report for May.

The current bank account balance is \$77,576.27.

The following checks were written at the May 6, 2010 meeting:

- #1753 to James Irwin for staff wages \$1,386.76
- #1754 to James Irwin for reimbursement for office supplies and printing \$380.73
- #1755 to Philip Spalding for reimbursement for web site hosting fees \$107.97
- #1756 to Friends of Harrison Park for Grant #10-07 for \$2,000.00
- #1757 to WeR4U for Grant #10-08 for \$2,000

The following checks were cashed in May:

- #1753 to James Irwin for staff wages \$1,386.76
- #1754 to James Irwin for reimbursement for office supplies and printing \$380.73
- #1755 to Philip Spalding for reimbursement for web site hosting fees \$107.97
- #1757 to WeR4U for Grant #10-08 for \$2,000

Chairperson Anderson Holness reported that two expenses required Commission approval:

- Staff wages for James Irwin: \$1,587.72
- Reimbursement of office supplies, printing expenses and purchase of computer software to James Irwin: \$331.90.

Commissioner Moss moved that ANC 1B approve the reimbursement of the two expenses as stated.

Commissioner Raia seconded the motion.

The motion was approved unanimously, 7 yes, 0 no.

Commissioner Raia moved that ANC 1B approve the Treasurer's Report for May, 2010.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Public Safety and Public Safety Committee Report

Commissioner Muhammad announced that the Public Safety Committee would meet on the second Wednesday of the month, beginning next Wednesday, June 9, in the second floor conference room of the Reeves Center, 2000 14th Street N.W.

Commissioner Muhammad presented a summary of public safety events and issues in ANC 1B:

A homicide case was closed on Friday, May 28 at 12:19 AM. A unit from the 3rd District was flagged down by a citizen who directed the officers to a subject lying on the sidewalk at 1936 9th Street N.W., suffering from a stab wound to the chest. He died at the hospital. On Sunday, May 30th, a suspect was arrested in this case and charged with first degree murder while armed.

A MPD PSA 305 meeting was held this past Tuesday. MPD reported that crime was up in PSA 305 after several months of reductions. Lt. Jova, commanding PSA 305, was awarded Lieutenant of the Month earlier this spring for the most improved PSA.

Robberies and burglaries are driving crime in ANC 1B.

A well-dressed man was arrested for stealing purses from the backs of chairs in restaurants along the U Street Corridor. There are ten to fifteen cases that may be connected to the same individual. MPD has learned that he has been released pending trial. MPD has requested assistance from CSOSA to monitor this individual.

A group of juveniles may be responsible for a series of burglaries of homes with flat screen TVs and other electronic equipment between 7 and 11 AM. There were four serious burglaries over the past month.

MPD has requested the assistance of 12th Street and 9th Street business owners and encouraging them to hire reimbursable detail officers.

In PSA 305, there was one homicide, five robberies excluding gun, eight robberies with gun, one assault with dangerous weapon, fifteen total violent crimes in the past 30 days.

There were three burglaries, 20 thefts, 81 thefts from auto, 17 stolen autos, total property crime, 121, total crime in PSA 305 for the past 30 days, 136.

In PSA 304, just north of PSA 305, there were no homicides, no sex abuse, three robberies excluding gun, three robberies with gun, five assaults with dangerous weapon excluding gun, two assault with dangerous weapon with gun, total 13 violent crimes. There were six burglaries, 13 thefts, 25 theft from auto, and eight stolen autos for total property crime of 54 and total crime in PSA 304 of 67.

Design Review Applications and Design Review Committee Report

Mr. Tony Norman, Chairperson of the Committee reported that the Committee met on May 18, had no action items, but did review three proposals

The Committee heard a presentation from Mr. Sheldon Scott regarding the proposed public space application of the 14th Street 2000 block merchants consortium for a communal trash compactor. He said the public space application had not yet been submitted, but the proposal was reviewed by the Committee in detail and the Commission has supported the concept.

The Committee also heard a presentation by Dr. Eve Higginbotham, Senior Vice President and Executive Dean for Health Sciences at Howard University, regarding their proposal to relocate University Hospital and related academic departments to the Walter Reed site. Mr. Norman noted that the proposal was still in a very preliminary stage. It is not fully developed. There are 23 proposals that are being reviewed by an agency established by the District government. The question of what would happen to the existing hospital site if the Howard proposal were accepted is still up in the air. If we get to that point, there will be a task force composed of Commissioners and residents of the immediate area to review what will actually go on that site. Mr. Norman emphasized that the proposal was in the very preliminary stage. The University would be coming back to the Commission if the situation developed. The Committee strongly recommended that the University should begin consulting with community groups and organizations now about their plans. Mr. Norman said he did not think that many people in the community were aware of the full implications and impacts of the proposal—that it means moving the hospital, as well as moving all of the ambulance services and the level one trauma unit emergency care. He did not think people really understood that.

Chairperson Anderson Holness noted that there were 23 proposals under consideration. Howard's proposal was only one of the 23. That does not mean that Howard's proposal is going to be approved. She cautioned that the Commission and Committee should be careful not to impose too many restrictions on Howard at this point because they had not been granted anything. Nothing has happened.

Mr. Norman said that it would become more concrete if the Howard proposal survived the selection process and was one of the few selected in the narrowing down process. The community really needed to understand the implications of that, because if the

Howard proposal was approved, it would be too late for the community to react, object, or have input. As the proposals are narrowed down, if Howard is included in that, it will become much more serious and the Committee will want to meet with the University again.

Chairperson Anderson Holness asked Mr. Norman to convey that view to the Howard University representatives. She said it was important for them to begin now going to the community so that they would not have to backtrack later, and so that Commissioner Muhammad's concern could be addressed. We want to know now, on the front end, what is planned and what is developing, rather than on the back end after everything has taken place.

Mr. Norman said the Committee had relayed that to the Howard representatives. They had also expressed concern that the plans and proposals be communicated in plain language so that people would understand the implications and impact. He said that Howard did send out a notice of their proposal, but it was not clear that the hospital would be moving. It was expressed in very technical language. He said the Committee wanted everything to be up front to let the community know what it means.

Mr. Norman also reported on a special committee meeting to review an application for a zoning variance at 1201 S Street N.W. to change the property from one non-conforming use to another. The plan is to establish a sandwich shop with outside seating. The Commission never received notice of the Board of Zoning Adjustment hearing on this application because it was mailed to the wrong post office box. The Committee learned of the application only at the last moment. Because the meeting was called at such short notice, only one committee member was able to attend. He said that the questions asked by the committee member and the discussion led the representatives of the applicant to realize that there were some problems with their application and that they should ask for a postponement of the hearing.

Chairperson Anderson Holness said that this issue had been taken off the agenda.

Mr. Norman said that this situation was a good example of why it was important for Commissioners with projects in their single-member districts to attend the Committee meetings and consult with the Committee. The Committee has some very serious experts: five architects, the Dean of the Howard University School of Architecture, a civil engineer, experts in preservation and land use.

Chairperson Anderson Holness emphasized that it was most important for people to go to their community and neighborhood associations, discuss their proposals, determine which Commission committee they should go to, and then take their proposals to the appropriate Committee before coming to the full Commission. In that way, the process in the full Commission meeting will be much more efficient for everyone.

Mr. Norman said it was important for Commissioners to bring the Committee's attention to projects and proposals in their single-member districts, and meet with the Committee

to provide a community perspective on issues, rather than have the Committee just look at projects from a technical point of view.

Chairperson Anderson Holness thanked Mr. Norman and the Committee members for their hard work and diligent service.

Committee Reports

Commissioner Thomas said that she was excited about the work of the Design Review Committee and had attended the last ABC Committee meeting. She asked if the Staff Director could perhaps attend ABC Committee meetings, take notes, and prepare reports as he did for the Design Review Committee.

Chairperson Anderson Holness said this had been discussed in the Executive Committee and they were taking care of it.

Liquor Licenses and ABC Committee Report

Commissioner Raia said that the agenda listed liquor licenses that were going through the renewal process. Liquor licenses are renewed every two years and come before the Commission for review to see if there are any issues with peace, order and quiet, trash, or parking. These licenses are located in three Commissioners' districts. Some of the licenses will be grouped together because they have support and are non-controversial. If there are any questions, issues or concerns about any license, Commissioners should raise those questions when the license is brought up.

Commissioner Raia said that the license renewal process involved applying to ABRA for renewal, posting a placard notifying the community of the application for 45 days. The community then has the opportunity for input regarding any issues. If a protest is filed against a license renewal, it takes longer. There is a hearing about 30 days after the protest is submitted. This is a five-minute meeting to set up mediation between the liquor licensee and the protestants. During mediation, a voluntary agreement may be negotiated between the licensee, the community and the Commission. If an agreement cannot be reached, the license goes to a full protest hearing and the ABC Board decides whether there is a voluntary agreement or not.

Commissioner Raia reported that the ABC Committee meeting had ten members in attendance. Eight of the ten were residents of his single-member district (SMD), 1B02, and two were from Commissioner Thomas's district, 1B04. The Committee discussed identifying some SMD leaders who could monitor liquor licenses in their districts, then bring issues to the attention of the Committee. Leanne Sadowski and William Gerardo of 1B04 and Bill Riggins and Kuk-ja Kim of 1B02 volunteered as SMD leaders. The Committee also discussed community standards and establishing a common closing time for outdoor cafes and rooftop decks of 11 PM on weekdays and 12 midnight on weekends. Other ideas discussed included prohibiting amplified music outside, construction of sound barriers on rooftop decks. Some committee members wanted to

make these standards retroactive so that licenses coming up for renewal would have to adhere to the earlier hours. Commissioner Raia said that Mr. Scott Pomeroy wanted his disagreement with this proposal noted for the record.

Commissioner Nadeau asked if there was any discussion of staggered closing hours and the impact of all businesses closing at the same time in terms of noise,

Commissioner Raia said Mr. Pomeroy had brought that up and the Committee did discuss “soft closings.” The question was whether certain restaurants should get a “soft closing” as an incentive.

Chairperson Anderson Holness asked Commissioner Raia to explain “soft closings” for the benefit of the public attending the meeting.

Commissioner Raia said the idea was to allow some establishments to close later than 3:00 AM so that everyone was not going out into the street at the same time. Liquor service must stop at 2:30 AM anyway, so these businesses would be serving non-alcoholic beverages until a later closing hour.

The Committee discussed concerns regarding renewals of licenses and how Vinoteca got a summer garden without going to the Commission. ABRA decided that the summer garden was not a substantial change and that Vinoteca had notified and consulted with the community by sending out a letter to residents. A formal notification and hearing was not therefore necessary. Members of the committee felt that the Commission and the community should be notified when something like that happened.

Commissioner Raia then asked Commissioner Moss to review the license renewals in her single-member district.

Commissioner Moss introduced the owners of the Ambassador Restaurant and Zula Restaurant. She said those two restaurants and Shashamene Restaurant, all located in the 1900 block of 9th Street NW, were up for renewal. She had met with the owners of all three, they had met with the residents of the neighborhood, all had been good neighbors, had no problems and had negotiated voluntary agreements.

Commissioner Moss introduced the owners of the restaurants, who all stated that they had entered into voluntary agreements with the community and the Commission regarding their operations.

Chairperson Anderson Holness asked if there were any questions from the Commission or the community.

Mr. Brian Card, 11th and S Streets NW, referred to a stabbing that had occurred on 9th Street a few weeks ago. He said the incident originated in one of the businesses on that block and asked which one.

Commissioner Raia said that he did not think any establishment had been identified, but that the incident had occurred close to Expo.

Commissioner Moss said that Expo was located on the other side of 9th Street and was not in her district.

Commissioner Moss moved that ANC 1B support the renewal of the liquor licenses for Ambassador Restaurant, 1907 9th Street NW, Shashemene Ethiopian Restaurant, 1909 9th Street NW, and Zula Restaurant, 1933 9th Street NW.

Commissioner Akinmboni seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Commissioner Moss noted that the owner of Mesobe Restaurant was present. At the May 6 meeting, the Commission voted to protest Mesobe's license renewal. However, the owner had now negotiated a voluntary agreement with the Commission.

Commissioner Moss moved that ANC 1B withdraw its protest of the renewal of Mesobe Restaurant's liquor license and now express its support for renewal.

Commissioner Raia seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Commissioner Raia listed the liquor licenses applying for renewal in his single-member district that appeared to be noncontroversial and asked for questions from the Commission:

Sala Thai, 1301 U Street N.W

Vinoteca, 1940 11th Street N.W.

Red Lounge, 2013 14th Street N.W.

Gori Café, 1119 V Street N.W

La Carbonara, 1926 9th Street NW

El Sol de America, 1930 9th Street NW

Salina Restaurant, 1936 9th Street

Chix, 2019 11th Street

Masa14, 1825 14th Street NW

Source, 1835 14th Street NW

Prince Hall Freemason & Eastern Star Charitable Foundation, 1000 U Street NW

Islander Caribbean Restaurant & Lounge, 1201 U Street

The Saloon, 1205-1207 U Street NW

Ulah Bistro, 1214 U Street

Lincoln Theatre, 1215 U Street

Café Nema-Momo's, 1334 U Street

Commissioner Raia said he had no problems with any of these licenses but wanted to get any comments or questions from the community.

Chairperson Anderson Holness asked for questions from Commissioners. There was none.

Chairperson Anderson Holness asked for questions from the community.

Ms. Kuk-ja Kim, 1336 S Street N.W., asked for an update on the protest of Masa 14's hours of operation for the rooftop deck.

Commissioner Raia said there was no new information on the status of the protest.

Ms. Kim asked about the vote on Masa 14's license at this meeting.

Commissioner Raia said that the renewal of Masa 14's license was a different question from the question of establishing the hours of operation for their roof deck. The vote at this meeting is on the renewal of the license for the overall business.

Commissioner Nadeau asked for a review of the licenses being voted on. Commissioner Raia repeated the list.

Commissioner Moss asked if there were any representatives of Ulah Bistro present. She noted that there was no one present to represent that licensee and said they never attended Commission meetings or talked with the Commission. She said that disturbed her. Commissioner Raia said he would talk with the owner.

Commissioner Raia moved that ANC 1B support the renewal of the liquor licenses for the businesses he had listed. Commissioner Moss seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Commissioner Raia said that Expo Restaurant and Nightclub on 11th Street N.W. had had some issues. He asked if anyone from the community was present to comment on the license renewal.

Ms. Susan Najda, 1919 9½ Street NW, said that she was representing herself and other residents of 9½ Street. She said that the residents would like to work with Expo Restaurant to negotiate a voluntary agreement. They have had ongoing issues with trash and noise. There are neighbors with small children who are finding it very difficult to sleep at night.

Commissioner Raia said he had been trying to work with the owner of Expo on trash and other issues throughout his time as a commissioner and it was a constant battle.

Commissioner Raia moved that ANC 1B protest the application for renewal of the Expo Restaurant and Nightclub Retail Class C License on the basis of peace, order, quiet and parking, and that he be authorized by the Commission to negotiate a voluntary agreement with the applicant.

Commissioner Nadeau seconded the motion.

The motion was adopted, 6 yes, 0 no, 1 abstain. Commissioner Muhammad abstained.

Commissioner Raia said that Yegna at 1920 9th Street NW had had problems with its license, including fines for violations. He did not feel comfortable putting the Commission on record in support of the application. There is already a voluntary agreement and he intended to negotiate with the applicant to get better compliance with the terms of the agreement. At this point, he did not see a need for the Commission to support this license.

Commissioner Nadeau suggested that Commissioner Raia could move support for the application and have it fail. That was something the Commission had done in the past.

Mr. Scott Pomeroy observed that neither Expo nor Yegna had come before the ABC Committee. He asked if they could be invited to come to the Committee meeting so that the Committee could negotiate with them and the community could have a more direct role.

Commissioner Raia said that in the past when negotiating voluntary agreements with other licensees, Commissioners, the MidCity Business Association, and residents who were protesting the license were involved in negotiations. He did not know if the full ABC Committee would now be brought into negotiations. The affected residents would be involved, along with the Commission.

Mr. Pomeroy said that his point was that the ABC Committee was designed to involve the whole community and look at all of the aspects related to the license. The Design Review Committee was a great example of the ability to bring in people with experience and expertise on the issue. He requested that these licensees be requested to meet with the ABC Committee.

Chairperson Anderson Holness said that this matter would be left to the discretion of the Committee Chairperson.

Ms. Eileen Johnson, a resident, asked what effect a complaint about a licensee's compliance with a voluntary agreement would have on the renewal of the license.

Commissioner Raia said that voluntary agreements have a "right to cure" provision that allows the business 30 days to resolve the issue or complaint. If the issue is not covered by the voluntary agreement, it can be amended at any time.

Ms. Johnson asked whether the complaint would suspend or postpone the renewal of the license while the complaint is pending.

Commissioner Raia said that protesting the renewal on the basis of the complaint would slow down the process, but ABRA would ask whether or not the Commission and protestants had gone to the business and given the business the 30 days to resolve the complaint. If not, ABRA would not have to consider the protest because the “cure” provision of the voluntary had not been invoked.

Commissioner Akinmboni asked what the next step was if a licensee was not complying with the terms of the voluntary agreement.

Commissioner Raia said that some people just make enough money that they pay the fines.

Commissioner Thomas asked about the “right to cure” provision and how it worked.

Commissioner Raia said that provision was very specific to each individual voluntary agreement and could be different depending on who negotiated the agreement. The Commission had voluntary agreements negotiated by past commissioners. In addition, businesses had voluntary agreements negotiated with groups of residents independent of the Commission who had protested. The provision could differ from one agreement to another.

Commissioner Thomas asked what role the Commission played if the issue was between protesting residents and the business.

Commissioner Raia said the Commission had to decide sometimes whether the community should continue protesting alone, or should the Commission join with its own formal protest.

Commissioner Thomas asked what was the number of people who could protest a license.

Commissioner Raia said that one person could protest if they lived immediately adjacent to a business, otherwise it was a minimum of five people. The Commission could protest as well.

Commissioner Thomas recognized the manager of Dynasty Ethiopian Restaurant, 1334 U Street N.W. Mr. Mussid Tadossu introduced himself to the Commission. Commissioner Thomas said there had been no complaints about the licensee and he had met with neighborhood groups.

Commissioner Thomas moved that ANC 1B support the application of Dynasty Ethiopia Restaurant for renewal of its liquor license.

Commissioner Nadeau seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Commissioner Thomas said that there were two residents who had complaints about Eatonville Restaurant at 2121 14th Street N.W. They were not present at the meeting. They live right above the restaurant and were concerned about noise. There is a voluntary agreement, which was negotiated before Commissioner Thomas got involved in the issue. She has had several meetings with the residents, the property owner and the restaurant owner. They had installed sound mitigation measures, but that was apparently not enough. Commissioner Thomas wanted to continue working with the residents, the property owner and the licensee. This was really a property management issue. She did not wish to have the Commission take action on the renewal application.

Commissioner Raia said that the voluntary agreement was between residents and the licensee because the Commission did not protest when it had the opportunity. The Commission did not take a stand, so the residents were forced to do it on their own. He said that this was what he was referring to earlier. The Commission now had the opportunity to join with and support the residents in protesting the license renewal, rather than them fight with the business all the time and not getting anywhere.

Chairperson Anderson Holness asked what Commissioner Thomas wished to do.

Commissioner Thomas said she did not want to protest the license or take any action. She wanted to work it out in negotiations with the residents and the business owner.

Chairperson Anderson Holness said that was fine. She thanked Commissioner Raia for his work and the members of the ABC Committee for their work.

Mr. Scott Pomeroy asked that the status of the three licenses that were on the agenda at the May 6 Commission meeting be updated for the record. These were the restaurant at 715 Florida Avenue NW, GII Restaurant on Georgia Avenue NW and Bella Restaurant.

Commissioner Moss said that she had met with the owner of 715 Florida Avenue NW and residents and together they had drafted and agreed to a voluntary agreement which was submitted to ABRA and approved, so that situation was resolved.

Commissioner Raia said that he had talked with the owner and representative of Bella. They needed to meet with the community, including the U Street Neighborhood Association and the ABC Committee, and then they would come to the Commission next month.

Commissioner Raia said GII was in Commissioner Smith's single-member district and was not on the agenda.

Chairperson Anderson Holness said the Commission would deal with GII later.

Commissioner Nadeau said that the voluntary agreement with 715 Florida Avenue NW had to be brought back to the Commission for a formal vote to approve it, to make it legally binding. Otherwise, the agreement could be challenged in court. She said she had an Attorney General's opinion that Commissioner Moss could review, but she might want to cover herself on that.

Commissioner Moss said that the Chairperson had signed the voluntary agreement.

Commissioner Nadeau said that the Attorney General's ruling stated that no one Commissioner has the delegated power to bind the Commission to a legal contract. She had tried to explain this a number of times in previous meetings. In order to make a voluntary agreement a legally binding contract, the Commission must vote to approve it.

Commissioner Raia asked if Commissioner Nadeau could share that paperwork with the Commission.

Chairperson Anderson Holness asked Commissioners Moss and Nadeau to deal with the issue after the meeting and said the Commission would move to the next agenda item.

Grant Applications and Grants Committee Report

Commissioner Akinmboni presented a report on the May meeting of the Grants Committee.

Commissioners Rosemary Akinmboni and Brianne Nadeau were present at the Committee meeting on May 25, along with representatives from the three organizations requesting grants.

Presentations

Heard from Daniel Belayneh with Ethiopian Community Services about the grant application. This program has been taking place for several years and approximately 80 percent of the participants do reside in 1B. They are also receiving support from CRYC, local Ethiopian organizations, and churches. Commissioner Akinmboni asked about reducing the hourly rates. Commissioners expressed concerns about total amount of grant in relation to number of constituents being served. The applicant originally asked for \$2,000, then resubmitted for \$3,250. The committee recommends supporting this grant at the original request of \$2,000, as the grant will be beneficial to

the community, but does not demonstrate additional need beyond the traditional amount awarded to individual organizations.

Roland Barnes attended on behalf of DC Caribbean Carnival. The parade will occur in Ward 1 and Ward 4 and the carnival will take place at Banneker Park. This event, which is taking place for the 18th year will seek to showcase Caribbean culture to the community and celebrate Caribbean heritage. Mr. Barnes explained that although this is a very costly event, those from the organization who assist with this event are not paid – they are all volunteers. The total budget of this event is \$26,517.50, and the request from the Commission is \$2,000 to assist with the clean up operations. The remainder of the budget will be fulfilled by community fundraising they do throughout the year targeting individuals and organizations. The committee asked who was providing this service and how it was being provided. The committee asked if the applicant knew about the Green Team. The applicant indicated the clean up operation is ongoing throughout the festival to make sure the event stays clean and sanitary throughout and uses receptacles DPW. The applicant indicated he would be in touch with the Green Team before the public meeting to see if they might be engaged in this event. Because of the impact of this event on the 1B community the committee recommends this grant be funded in full at \$2,000.

Margery Perko attended on behalf of the Westminster Neighborhood Association with a request to support their work in planting around the park they developed several years ago. They will be planting shrubs and other perennials that will last for years to come and will be maintained with the existing irrigation system. They have sought out donated labor to cut down overall costs of the project and are asking the Commission for \$1,775. The committee recommends that the Commission support the grant in full.

Discussion

The committee briefly discussed two other applications that had been circulated via email, but were not eligible for consideration at the May meeting.

The Columbia Heights Village Together application is for an event in Girard Park and requests \$2,720 for prizes and supplies. Commissioner Akinmboni noted that last year this group was awarded funds for the same event and then moved the event to 1A. The committee suggested that if we do award this grant we get a firm commitment that the event will take place in 1B, or else the funds must be returned. If 1B were to support this program, it might consider whether funding prizes was the best use of Commission dollars or even permissible, and recommends supporting the \$500 for supplies and

perhaps some additional funding for trophies. The committee will follow up with the applicant on these questions.

Capital Cause applied for \$4,746.39 for their Capital Cause Street Festival which raises awareness about the work of DC non-profits among young professionals. What is not clear from the application is whether participants are from ANC1B, which non-profits will be represented and ultimately benefit, what other funding sources they seek, and where it is taking place. In addition, the impact goals of this project are abstract and it is difficult to tell whether 1B will benefit at all. At this time, it does not seem like something ANC1B should fund, but the committee will follow up with the applicant on these questions.

Recommendation

Because the committee now plans to meet regularly the week before the public meeting we believe that if a grant is submitted by the 15th of the month it should be feasible to consider and vote on it at the public meeting approximately 15 days later. The committee requests discussion on this topic at the June public meeting.

Commissioner Nadeau said Commissioner Ferrer would be getting more information on the Capital Cause grant application. That application and the Columbia Heights Village Together application would be further considered at the next Committee meeting and presented to the Commission at the July meeting.

Commissioner Akinmboni said that the Commission should consider and act on the three grant applications on the agenda.

Westminster Neighborhood Association grant application

Commissioner Raia noted that the grant application was for \$1,775.

Commissioner Akinmboni moved that ANC 1B approve the Westminster Neighborhood association grant application for \$1,775.00.

Commissioner Nadeau seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Ethiopia Community Services and Development Council grant application

Commissioner Akinmboni moved that ANC 1B approve the Ethiopian Community Services and Development Council grant application for \$2,000.00.

Commissioner Nadeau seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

D.C. Caribbean Festival Grant application

Chairperson Anderson Holness said the Caribbean Festival was an important event in her single-member district and she strongly supported the grant application.

Chairperson Anderson Holness welcomed Mr. Roland Barnes, the President of the Festival.

Commissioner Nadeau asked Mr. Barnes if he had contacted the Green Team to see if they could be engaged in the event.

Mr. Barnes said Mr. Loughton Sargeant, the Executive Director of the Festival, had been advised of the Committee's recommendation, but he was out of the country at the moment. He would be back next week.

Commissioner Akinmboni moved that ANC 1B approve the D.C. Caribbean Festival Grant application for \$2,000.00.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 7 yes, 0 no.

Chairperson Anderson Holness thanked Commissioner Akinmboni and Commissioner Nadeau for their work and service on the Grants Committee.

Presentation – Councilmember Jim Graham, Ward One

Chairperson Anderson Holness welcomed Councilmember Graham.

Mr. Graham thanked the Chairperson and said that the Commission was doing very important work. He wanted to be as supportive as possible.

Mr. Graham said that the Campbell Heights Apartments, a very important senior residence at 15th and U Streets NW, has a tax (inaudible) relief as the result of a bill he authored. This will enable the residents to avoid having to sell the building and to participate as owners in the property. We want the residents of Campbell Heights to remain in this community and it is very important that they do so.

Mr. Graham said he was working on a similar measure for Sankofa on Belmont Street NW, which is a low-income cooperative owned by the residents. They need a tax abatement to make sure that they can succeed.

The budget has just been completed. It was a very challenging situation. We did come close to increasing the millionaires' tax rate to the prior level. This applies to people who, after their lawyers and accountants have done everything possible to exclude income from being taxed, still end up with \$1 million in taxable income. The DC tax paid by these people can be taken as a deduction on their Federal tax returns. It seemed like a no-brainer to him to increase this tax when 26 families were being turned away from the DC General shelter because there was no room, when emergency services are being cut back, when people in crisis cannot be served because of budget cuts. So they turned to people with \$1 million in taxable income and asked them to pay another \$1,400 a year. That would have generated \$17 million next year. The good news is that he got five votes for his proposal. Last year he had only one vote....his own.

The District does need additional income and it has to spend its money more efficiently too.

Crime, violence and guns are a big issue throughout the District. Mr. Graham commended Police Chief Lanier and said she has been doing a terrific job. She has made a huge difference. In every neighborhood that he represents, the police presence is better, it is more effective, and we are getting better cases brought before judges than before. We can always improve upon this. He wanted to make a special pitch for cost-reimbursable officers, which has been very successful in Adams Morgan. It has worked very well and made the difference in stabilizing police presence in the early hours of the morning on the weekends. We had cost-reimbursable officers on 9th Street and it was making a difference. The businesses had stepped up to provide funds to hire officers and he had authored a public subsidy to reduce the cost by 50%. The night that [inaudible] was shot, there were two reimbursable officers on patrol on 9th Street. [Inaudible] the businesses threw up their hands and stopped hiring the officers. He feels this really needs to be looked at again because the regular police patrols cannot be concentrated constantly in just one area. The ebb and flow of police presence on U Street is going to be determined by police demand in other parts of the city. No one can guarantee a constant stable police presence in one area. The way to do it is to implement the cost-reimbursable officer program. There is in the budget \$1 million to offset the costs to businesses for this program.

Mr. Graham said the other related issue was the number of alcohol licenses that are occurring on U Street. He noted that Chairperson Anderson Holness, Commissioners Moss, Nadeau, Thomas, Muhammad and Raia had all been very involved in this issue. He was very concerned that there were going to be two alcohol licenses in the same relatively small building. The concentration issue is something that we need to seriously look at also. That is, is it time for a moratorium on liquor licenses? How do you fashion a moratorium on licenses on U Street? He said we may reach a different conclusion on this, but it is something that would benefit from discussion, and so he presented this idea to the Commission as well.

Mr. Graham observed that development is proceeding rapidly in ANC 1B and Commissioner Moss has been particularly involved, especially regarding the project that

now involved the United Negro College Fund. They are very excited about being in the building and they make a huge difference in terms of anchoring the project and assuring its success. As Commissioner Moss has pointed out, once this project is in place it will be like a domino and many other developments will occur in the area. The Howard Theatre project will be stimulated and supported by this project.

The Gage-Eckington Park is being constructed. That will make a big difference to the neighborhood.

The Metro project on Florida Avenue where the flea market is now located did not get approved. It had many problems and there were very serious issues with the ability of the parties to actually carry the project through. He thought the Metro board made the right decision when it determined that the project should not proceed with those parties. He hopes that the project can be restarted after a short competition to select a new developer.

Mr. Graham concluded by saying that something very special is occurring in Ward One. Vacant lots with chain link fences that produced nothing have been transformed into productive properties for jobs and prosperity. Leading the way in this transformation was the Ellington and the Roosevelt here in ANC 1B. From there, we moved to other properties on U Street and to a similar transformation in Columbia Heights. At the Giant grocery store in Columbia Heights, 85% of the people working there live in Washington, D.C. These are jobs that did not exist until the Giant was built. The great success is that all this has been done by working together and without tearing up the fabric of the community. Three thousand units of low income housing up and down 14th Street preserved the fabric and the diversity of the community.

Chairperson Anderson Holness thanked Councilmember Graham for his presentation.

Grants Committee recommendation

Commissioner Nadeau asked if the Commission could consider the Grants Committee recommendation regarding procedures.

Chairperson Anderson Holness reviewed the recommendation:

“Because the committee now plans to meet regularly the week before the public meeting we believe that if a grant is submitted by the 15th of the month it should be feasible to consider and vote on it at the public meeting approximately 15 days later. The committee requests discussion on this topic at the June public meeting.”

Commissioner Moss asked if this changes the policy the Commission previously approved.

Commissioner Nadeau said yes.

Chairperson Anderson Holness asked Commissioners to review the recommendation and it would be on the agenda for approval at the July 1 meeting.

Commissioner Nadeau announced that the next Grants Committee meeting would be held on Tuesday, June 29, at 7:00 PM at 1315 Clifton Street.

New Business

There was no new business.

Community Events and Announcements

Commission Announcements

Chairperson Anderson Holness announced that ANC 1B11 would be holding its regular monthly single-member district meeting on Monday, June 14, 2010, in the LeDroit Building where they meet every month. She also announced a summit on violence on July 17 at the University of the District of Columbia, co-sponsored by the Office of Business and Community Affairs, involving residents of Wards 7 and 8, arising out of what is now being called the massacre of young people in Southeast in March. We need to understand that if it happens in Southeast or Southwest, it impacts all of Washington D.C.

Commissioner Muhammad announced that the ANC 1B Public Safety Committee meeting would be held on June 9 at 7:00 PM in the second floor conference room of the Reeves Center. The Committee will meet at that location on the second Wednesday of every month. He also announced that the South Columbia Heights Neighborhood Association, of which he is the president, would be meeting on Wednesday, June 16th, at 7:00 PM, at the Josephine Butler Parks Center, 2437 15th Street N.W. This will be a joint meeting with Metropolitan Police Department (MPD) PSA 304. The guest speaker this month will be Ms. Janice Quintana, Director of the Office of Unified Communications.

Commissioner Thomas announced that the U Street Movie Night series begins June 8th at 13th and V Streets N.W.

Commissioner Raia announced that the ABC Committee would meet on either June 17th or 24th. We are awaiting confirmation from the Thurgood Marshall Center. The date, time, location and agenda will be announced and sent out as soon as possible.

There being no further business, Chairperson Anderson Holness adjourned the June 2010 ANC 1B meeting at 8:55 PM.