



# **ADVISORY NEIGHBORHOOD COMMISSION 1B**

## **Government of the District of Columbia**

### **Minutes**

**Thursday, July 1, 2010,  
7:00 PM, Reeves Center, 2000 14<sup>th</sup> Street N.W.**

The regular monthly meeting of Advisory Neighborhood Commission 1B occurred on Thursday, July 1, 2010, at 7:00 pm in the Reeves Center, Commissioner Peter Raia, Vice Chairperson, presiding. Commissioner Myla Moss was present as Secretary. Other Commissioners present during the meeting: Sedrick Muhammad, Brianne Nadeau, Rosemary Akinboni, Juan Lopez, and Eduardo Ferrer. Commissioners absent: E. Gail Anderson Holness, Melissa McKnight, Thomas K.D. Smith.

Acting Chairperson Raia observed the presence of a quorum and called the meeting to order at 7:00 PM.

Acting Chairperson Raia 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.

Acting Chairperson Raia asked Commissioners to introduce themselves.

## **Presentations**

### **Councilmember David Catania**

Acting Chairperson Raia introduced Councilmember David Catania.

Councilmember Catania said he wanted to address issues of healthcare briefly, then take questions. He said he had been chair of the City Council's Committee on Health since 2005. He referred to an Urban Institute study which found that Washington DC has the second lowest rate of uninsured residents in the country, with a rate of 6.2%. Among children, DC is tied for the lowest rate with another city at 3.2%. These rates are exactly half of what they were five years ago. This can be traced to expansion of health insurance benefits. It is not just a matter of making sure all residents have health insurance, which is very important, but also the type of health insurance that we are offering.

One example is dental insurance. Councilmember Catania said that until 2005 there were no dental benefits for people on Medicaid. In effect, people were allowed to have their teeth rot in their mouths while the rest of them was getting treatment. They were not allowed to get preventive dental care, but they could go to the emergency room and insurance would pay for emergency extractions, which could range from \$8,000 to \$12,000. This was public policy. But now, in addition to greatly reduced rates of uninsured, we have a very expansive dental benefit, one of the most generous in the country. It includes full restorative dental services for those who have lost their teeth and routine preventive care. It is working pretty well. There have been 60,000 unduplicated patient visits since the benefit went into effect. The money to pay for this came from not paying for emergency room visits and targeted efforts to tighten controls on other spending.

An example of tightened controls on spending is non-Medicaid transportation. DC will pay for non-emergency transportation to take an individual to and from a doctor's office. For years, there was no due diligence, no appropriate management of this program. Vendors simply billed the government; there was no effort to verify if the person was Medicaid eligible or if they had actually gone to the doctor's office. DC had the second-highest rate of spending for this program in the country, behind Alaska. By right-sizing that program and improving its administration, we saved enough money to pay for dental insurance for 60,000 people.

Another issue was health care for children. Five years ago, only one in three DC schools had a full-time school nurse. Now, all but two of our schools have full-time nurses.

Right now the project which is first and foremost on the Committee's agenda is youth violence and youth mental health. The evidence is compelling that if you engage in early intervention, if you have early screening, you can identify issues before they emerge and get kids on the right path. No jurisdiction in the country has this kind of universal screening. DC will be the first. The committee is also looking at additional items to improve parental responsibility. Truancy is the gateway to trouble. Kids are not in school, they fall behind, they don't reappear, and they end up on the streets and in trouble. The Committee is looking across the country at what other jurisdictions have done to improve children's participation. He expects legislation to be introduced that will be similar to a California program called Attendance Review Boards. In this program, after three unexcused absences, certain things start to happen, up to and including citation of parents and sanctioning of public benefits. A similar program in Pima County, Arizona has resulted in a 64% reduction in truancy. He plans to explore the idea of a truancy court so that there can be quick adjudication. Our juvenile justice system has not asked anything of our parents so the children get into one issue after another outside of public view because the records are confidential. No one is held accountable for these actions. One proposal would be a first of its kind in the country—that a parent or guardian be held responsible and be part of the sentencing procedure. The parent signs a contract about what they are going to do to make sure that the child does not offend again.

Mr. Catania said that, whereas 20 years ago the District was lagging behind on healthcare policy, now it is on the leading edge and will benefit greatly from the President's healthcare reform package. The federal government is now coming behind the District and next year DC will save \$40 million of what would have been spent because of healthcare reform.

Acting Chairperson Raia thanked Councilmember Catania for his time and his service to the city.

### **Howard Theatre Restoration – Ellis Development**

Commissioner Moss introduced Mr. Chip Ellis, President of Ellis Development, one of the principals in the Howard Theatre Development Project. She asked him to provide the latest update to the Commission on the status of the project.

Mr. Ellis said that after eight years of working on revitalizing the Howard Theatre, renovation work will begin in August. The Howard Theatre is an historic theatre; it will be 100 years old in August. It is the oldest theatre build for African American entertainment in the country. The theatre will include a soundstage and restaurant, very similar to the past uses of the building. It has been many different things throughout its

history, but at one point it was a cabaret, and the plan is to bring that back. The cabaret seating will be flexible so that the space can accommodate many different types of events. There will be an educational component. They are currently working to raise \$3 million to build phase 2 of the project, which will include classrooms, a listening library for young people to learn classical jazz, and facilities for recording music. The theatre will focus on the music genres that have been historically associated with it -- Jazz and rhythm and blues. They are planning a community celebration to mark the theatre's 100<sup>th</sup> anniversary on August 22<sup>nd</sup>.in front of the theatre at 3:00 PM and also at the DC Historical Society on the same day at 4:00 PM.

Mr. Ellis described his plan to restore the original 1910 façade, restoring original windows and adding a "Jazz Man" sculpture to the peak of the roof.

Commissioner Nadeau asked if liquor would be served as part of the cabaret.

Mr. Ellis said food and drinks would be served.

Commissioner Moss said that they would be applying for a liquor license.

Mr. Ellis said it would be a full liquor license.

A member of the community asked what measures would be taken to deal with rodents and other pests that would be forced out into the neighborhood by the construction activity.

Mr. Ellis said that they would be doing everything possible to mitigate pest infestations. He was also engaged in a mixed use development nearby that would also cause issues, plus there were other challenges, such as the Metro and an underground stream (Tiber Creek) that runs beneath the site. That was part of the reason why the development of this project had taken several years. He assured the commission that all practical pest abatement measures would be taken.

Mr. Torrance Hucks asked about provisions for parking with all the events that would be taking place at the theatre.

Mr. Ellis said there would be 100 parking spaces for the Howard Theatre under the mixed-use development next door. In addition, he said they were working with Howard University to have access to the parking lot across the street from the Howard University Book Store. He said they are also discussing with Howard University a proposal to build a multi-level above-ground garage on the University parking lot closest to Florida Avenue. This garage would accommodate 400 cars and would benefit nearby churches, businesses and the University, as well as the Howard Theatre.

Acting Chairperson Raia thanked Mr. Ellis for his presentation. Commissioner Moss said that the presentation was just to update the community and keep everyone informed, and no action from the commission was needed at this time.

## **Douglas Development**

Commissioner Moss introduced Mr. Paul Milstein of Douglas Development. She asked him to give the Commission a brief update on their on-going projects.

Mr. Milstein said that the building at 7<sup>th</sup> and Florida, formerly Popeye's Chicken, has two new tenants: Pharmacare pharmacy and a Seven-Eleven store. The Seven-Eleven is locally owned and will not sell liquor. They are still looking for a tenant for the top floor.

The Wonder Bread factory at 641 S Street has been stalled due to the economy. There is some new interest on the part of a hotel in New York City to establish a boutique hotel.

Commissioner Moss noted that the Pharmacare pharmacy and the Seven-Eleven will both be a good source of jobs for residents of ANC 1B and are committed to hiring residents.

Commissioner Moss noted that no one from the D.C. Environmental Agency was present to discuss the issue of the vacant lot across from the Howard Theatre. This lot used to be a gas station. The agency has conducted tests and it is quite possible that there are contaminants in the old storage tanks. A cleanup operation may be necessary. Businesses in the area should be aware that there could be traffic pattern changes and other disruptions if the storage tanks have to be removed.

## **Officers' Reports**

### **Treasurer's Report**

Commissioner Ferrer referred Commissioners to the report in their meeting folders.

The current bank account balance is \$69,881.65.

The following checks were written at the June 3, 2010 meeting:

- #1758 to James Irwin for staff wages \$1,587.72
- #1759 to James Irwin for reimbursement for office supplies and printing \$331.90
- #1760 to Westminster Neighborhood Association for Grant #10-09 for \$1,775.00
- #1761 to Ethiopian Community Services and Development Council for Grant #10-10 for \$2,000.00
- #1762 to DC Caribbean Carnival Inc. for Grant #10-11 for \$2,000

The following checks were cashed in June:

- #1756 to Friends of Harrison Recreation Center for Grant #10-07 \$2,000.00
- #1758 to James Irwin for staff wages \$1,587.72
- #1759 to James Irwin for reimbursement for office supplies and printing \$331.90

#1760 to Westminster Neighborhood Association for Grant #10-09 for \$1,775.00  
#1762 to DC Caribbean Carnival Inc. for Grant #10-11 for \$2,000

Commissioner Ferrer reported that three expenses required approval by the Commission:

Staff wages for James Irwin: \$1,777.60  
Reimbursement of office supplies and printing expenses to James Irwin: \$93.76  
Payment of furniture moving and assembly expenses to Configuration Inc. \$1,470.88.

Commissioner Nadeau asked if the checks to pay taxes to the IRS had to be voted on by the Commission.

Commissioner Ferrer said no, those expenses were included in the budget.

Commissioner Ferrer moved that ANC 1B approve the reimbursement of the three expenses as stated.

Commissioner Moss seconded the motion.

The motion was approved unanimously, 8 yes, 0 no.

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

Commissioner Lopez seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

Commissioner Lopez asked if a draft 2011 budget could be given to the Commission in August so that it could be reviewed and then considered at the September meeting.

Commissioner Ferrer said he would provide a draft budget by August 1<sup>st</sup> so that the Commission would have the entire month of August to review it.

Acting Chairperson Raia asked about the grant to the Westminster Neighborhood Association. They intended to plant trees, but Casey Trees cannot provide the trees until September and the 60 day period for the grant report expires on August 22<sup>nd</sup>. He asked if the unspent funds would have to be returned.

Commissioner Ferrer asked if the trees would be paid for before August 22.

Acting Chairperson Raia said no, but they had spent some of the funds.

Commissioner Nadeau said that the receipts for what they had spent should be submitted with a statement of use of funds by August 22.

Commissioner Ferrer said that they should submit a new grant application for the unspent funds for September.

### **Secretary's Report – Minutes of June 2010 meeting**

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

Commissioner Moss moved that the draft minutes of the June 3, 2010 meeting be approved.

Commissioner Muhammad seconded the motion.

The motion was adopted, 7 yes, 0 no, 1 abstain. Commissioner Ferrer abstained.

### **Public Safety Committee Report**

Commissioner Muhammad referred Commissioners to his report, which he had distributed by e-mail in advance of the meeting.

Commissioner Muhammad said there had been three serious public safety issues on June 9, the same day as the Public Safety Committee meeting.

From approximately 6:25 PM to 7:45 PM, the 1300 block of U Street NW was shut down due to a multi-vehicle accident. No injuries were reported.

At approximately 8:05 PM, a multiple shooting occurred on the 2100 block of 8<sup>th</sup> Street NW. There were three victims, two seriously injured, one with life-threatening injuries. Commissioner Deborah Thomas was on the scene, along with officials from the Metropolitan Police Department (MPD) and the Mayor's Office. She later gave a report on the incident to the Committee.

At approximately 10:11 PM, a pedestrian was struck at 9<sup>th</sup> and Florida NW.

Commissioner Muhammad also reported that the death of a 32- year old woman that occurred on April 6<sup>th</sup> at approximately 11:30 AM in the 1300 block of Clifton Street N.W. was ruled a homicide by the Chief Medical Examiner's Office on June 8. MPD detectives are investigating and a reward of up to \$25,000 has been offered for information leading to the arrest and conviction of the person or persons responsible.

Commissioner Muhammad also reviewed the Public Safety Area (PSA) reports for ANC 1B, which includes PSA 304 and 305 for the period June 3-30.

PSA 304 is bounded by Florida Avenue on the south, Harvard Avenue on the north, 16<sup>th</sup> Street on the west and Georgia Avenue on the east. In PSA 304, there was reported:

1 sex abuse crime

4 robberies excluding gun

5 robberies with gun  
6 assaults with dangerous weapon excluding gun  
1 assault with dangerous weapon  
Total of 17 violent crimes in PSA 304

Total property crime in PSA 304 was 39. Total crime in PSA 304 was 56.

In PSA 305 there was reported:  
9 robberies excluding gun  
9 robberies with gun  
2 assaults with dangerous weapon  
1 assault excluding dangerous weapon

Total of 21 violent crimes in PSA 305.

Total property crime in PSA 305 was 120

### **Design Review Committee Report**

Mr. Tony Norman, Committee Chairperson, recognized committee members who were present.

#### **928 Euclid Street N.W.**

Mr. Norman said the owner of the vacant lot at 928 Euclid Street wanted to build a two-unit town house. He needed to go to the Board of Zoning Adjustment to get a variance for lot size. The structure will be three stories. The owners will be living there and their relatives will be living in the other unit. The Committee reviewed the design and strongly recommended that the owners meet with Commissioner Anderson Holness and with the neighborhood. They have done that. The Committee recommended approval of the project.

#### **1201 S Street N.W.**

Mr. Norman said the Committee had not had an opportunity to review this project. It had come before the Commission before, but the BZA hearing was postponed. However, the Committee did not receive notice of the project or the original hearing date until after its June meeting.

Mr. Norman called on Committee member Joel Heisey to review the project, as he had met with the applicant.

Mr. Heisey said he wanted to note for the record that he owns a similar building in a different ward and had not voted on anything connected with this project.

Mr. Heisey said the building in question was on the corner of 12<sup>th</sup> and S Streets NW. It had been a long-time grocery store, but had been vacant for several years. The applicants were proposing a sandwich shop/deli, which is a change of use, so they must get a special exception from the Board of Zoning Adjustment (BZA). It will have seating for 18 plus outdoor seating, which will require a separate public space permit application to the Department of Transportation. The only design concern that he had was that there was no provision for trash storage and removal. The project architect said he would address that issue and had since identified a location for trash storage and pickup next to the building.

Mr. Heisey said that, aside from the one design issue, the owner of the building and the manager of the proposed shop were not present at the meeting with him, and he had recommended that they attend this Commission meeting.

Mr. Norman said the Committee had not voted or taken a position on this application.

Commissioner Moss asked when 1201 S Street would go before the BZA. Mr. Norman said on July 28<sup>th</sup>.

Acting Chairperson Raia noted that there were representatives of the applicant for 1201 S Street present at the meeting.

Acting Chairperson Raia called for a motion regarding the Committee's recommendation on 928 Euclid Street N.W.

Commissioner Moss moved that ANC 1B support the application for a zoning variance for 928 Euclid Street N.W.

Commissioner Ferrer seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

Mr. Norman concluded his report with a Committee recommendation that the Commissioner of jurisdiction for a project coming before the Committee should attend the Committee meeting to provide her/his opinions and insights on the project.

Commissioner Nadeau asked that Committee reports be inserted into the minutes of the Commission meetings.

Acting Chairperson Raia agreed that this should be done.

**DESIGN REVIEW COMMITTEE**  
**Tony Norman, Chairperson**  
**Report and Recommendations**  
**July 1, 2010**

**SUMMARY**

The Design Committee met on June 15, 2010 to receive a presentation on the proposed construction of a new two-unit row house at 928 Euclid Street N.W.

**RECOMMENDATIONS**

The Committee unanimously recommends that Advisory Neighborhood Commission 1B support the application of Mr. and Mrs. Reynaldo Paniagua to the Board of Zoning Adjustment for a zoning variance for lot size, width and occupancy to permit construction of a two-unit, three-story row house at 928 Euclid Street N.W, and that the Commission support the design of the project.

**REPORT ON RECOMMENDATION**

**928 Euclid Street N.W. – BZA 18088 – Application for variance**

Mr. and Mrs. Reynaldo Paniagua own the vacant lot at 928 Euclid Street N.W. This lot is non-conforming, and no construction can occur as a matter of right. The owners are therefore applying to the Board of Zoning Adjustment for a variance for lot size, width and occupancy to permit the construction of a three-story, two-unit row house. Their application will be considered at a BZA hearing on July 20, 2010.

Mr. Jerald Clark, the architect for the project, presented plans and drawings to the Committee. His presentation and the subsequent questions and discussion elicited the following points:

- Although the property is not located in a historic district, the owners desire the house to match other houses on the block, so the design reflects the historic appearance of existing structures.
- The footprint of the structure will match the footprints of existing houses; in fact, the new house will be slightly smaller. The structure will occupy 67% of the lot.
- There will be one parking space in the back of the house, although it will probably accommodate two small cars. Only one parking space is required.
- The structure will be three floors with a basement. The basement will be one living unit with two bedrooms and one bath. The main house will have five bedrooms, three full and two half-baths.
- Mr. Clark has tried to talk with the immediate neighbors, but they do not speak English, so communication has been limited.
- The structure will be wood frame with stucco exterior. Stonework will be employed for the sills and caps above the windows.

Members of the Committee strongly recommended that Mr. Clark communicate with and consult with the residents of the block. Mr. Norman recommended that Mr. Clark consult with Commissioner E. Gail Anderson Holness. She lives on the same block and the property is located in her single-member district.

After extensive discussion and questions, the Committee unanimously recommended that the BZA application and the design of the proposed row house be supported by the full Commission.

## **COMMITTEE PROCEDURES**

The Committee discussed its meeting procedures and agreed on the following:

1. Eight members of the Committee constitute a quorum for the purpose of taking official action.
2. All issues to be considered by the Committee must be submitted for the agenda not later than seven days before the date of the Committee meeting.
3. The Committee strongly recommends that Commissioners with projects under consideration by the Committee in their single-member districts attend the Committee meeting to discuss such projects and give the Committee the benefit of their views and concerns. Because the Committee is able to consider proposals and projects at length and in detail, participation by Commissioners of jurisdiction will be very helpful in expediting consideration and action by the full Commission.

### **1201 S Street N.W. – applicant presentation**

Acting Chairperson Raia invited the applicants for 1201 S Street N.W. to speak to the Commission.

Mr. Nicholas Anuforoh, Mr. Toye Bello and Mr. Casey Dalton introduced themselves to the Commission. Mr. Anuforoh will manage the sandwich shop, Mr. Bello is the project architect and Mr. Dalton is the owner of the property.

Mr. Anuforoh said the project was a coffee shop/deli. They would be tenants in the building owned by Mr. Dalton. The shop will be run to serve the community and will be staffed by students from the Sunrise Academy, which is located across the street, and will be managed by their staff.

Mr. Dalton said he had tried to persuade the prior owner/operator of the grocery store to stay as he was in the process of buying the property, but he said he made no money and left. The beer and wine license for the store was sold to somebody in a different location. Mr. Dalton said that he had tried to market the property and get a tenant without success until now. The proposed shop is the first viable tenant he has had in ten years.

Acting Chairperson Raia said the property was located in his single-member district. He had met with the applicants before this meeting.

Mr. Bello said that the applicants would like the Commission to support their application for a special exception to zoning regulations to change from one non-conforming use to another.

Commissioner Ferrer asked if the Sunrise Academy was a high school.

Mr. Anuforoh said it was a comprehensive charter school.

Acting Chairperson Raia asked if there were questions from the community.

Mr. Brian Card, a resident of the 1100 block of 12<sup>th</sup> Street, said that residents had concerns about problems with students from the Academy, trash issues, hours of operation, and parking. The community feels that impacts on the neighborhood are not being accurately described. There are concerns about whether this will change from being a sandwich shop to something else.

Acting Chairperson Raia asked if there were any plans to change the nature of the operation at some point.

Mr. Anuforoh said there was no intention or plan to change the nature of the operation. He addressed the other concerns mentioned by saying that there was a pad and trash containers would be placed there and emptied as often as every other day. They intend to contract with a trash collection company.

With regard to students, they will be hired to work in the shop, which will be owned by a separate stand-alone company. The students will be managed by personnel from the Academy.

With regard to parking, Mr. Bello said there was no requirement to provide parking and the shop will be a neighborhood business. It is not designed to attract large numbers of people. Those who visit the shop will come from the neighborhood and will be on foot.

Mr. Dalton said he had spoken with neighbors and had suggested to his tenants that a meeting be arranged with residents of the neighborhood at the store so that people can see what is planned, how it would work, and discuss all the issues and concerns with everyone in one place.

Commissioner Nadeau asked if they had considered how deliveries would be handled and timed so as not to disturb the neighborhood.

Mr. Anuforoh said that operational details had not yet been fully determined, but they would certainly take that into consideration and work around it.

Mr. Eric Fidler, a member of the Committee, asked if it was a two-story building and if so what the second floor would be used for.

Mr. Dalton said it was a two-story building and the second floor had apartments, with the store on the first floor. A two-bedroom apartment was located directly above the store. He said it had been configured that way since it had been built.

Acting Chairperson Raia moved that ANC 1B support the application to the BZA for a special exception to change 1201 S Street NW from a non-conforming use as a grocery store to a non-conforming use as a coffee shop/deli.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

### **Liquor Licenses and ABC Committee Report**

#### **American Ice Company, 917 V street N.W.**

Mr. Joe Riza, LeDroit Park, the owner of American Ice Company, said they were proposing a small (99 capacity) bar and restaurant with sandwiches and deli-type food. They are located in an old garage. They will retain the structure very much as it is now, but will add a perimeter wall around the front patio to reduce noise. However, there should not be much noise because they are not proposing any live music or DJs.

Acting Chairperson Raia said that the owner had met with about 30 residents of the community on June 6<sup>th</sup>. Overall there was support for the business, but there were some concerns that would probably be expressed at this Commission meeting. They are willing to negotiate a voluntary agreement with the residents and the Commission.

Commissioner Nadeau asked how the building was situated, related to other properties.

Mr. Riza said that the building right next door, the only building touching his building, is an office building. He had talked with the owners of that building about three or four years ago. To the right is an alley and another alley behind the building. The Rhapsody is on the other side of that alley. Those were the people he really wanted to meet with first to let them know what they were doing and answer questions.

Commissioner Moss asked what the timeline would be if his liquor license application was approved.

Mr. Riza said sometime between September and the end of the year.

Acting Chairperson Raia asked for questions from the community.

Ms. Leila \_\_\_\_\_, a resident of the Rhapsody Condominium, said that her building was shaped like a U and there was a section with about 30 residents that would be most affected by this new business. She said she thought the meeting had been attended mainly by those residents not most directly affected. The building section along the

alley is all bedrooms and now if two people are talking in the alley, people inside can hear them clearly. The application proposes about 44 people outside on the patio. This means 44 drunk people just 20 feet away from her bedroom window. If it is so easy to hear two people talking in the alley, she could not imagine what 44 drunk people would sound like. She thought it was a much bigger issue than was being described. She thought the location of the business was definitely a problem

Mr. Riza said that he had told the residents that he would work with the company that had installed sound mitigation measures for Marvin and the Gibson and would try to reduce the noise as much as possible. He said the patio was at the front of the building, which was another sixty feet from the alley. There will not be people out in the back of the building. In addition, there will be no overall cover to the patio (just umbrellas), so use of the patio will be affected by inclement weather.

Commissioner Moss asked if they would consider installing additional sound reduction barriers further down the road. Mr. Riza said yes.

Commissioner Nadeau asked if the door to the garage opened onto the patio. Mr. Riza said yes. Commissioner Nadeau asked if the garage door would be closed. Mr. Riza said the door would be open to the patio, except in inclement weather. He agreed that the music inside could be heard on the patio. He said they would not be hosting live bands or DJs or playing loud music.

Acting Chairperson Raia said that a restriction on live music or DJs could be placed in the voluntary agreement.

Mr. Charles White, a resident of Vermont Avenue with a garage opening onto the alley behind the proposed business, said that, without a voluntary agreement, any commitments made by the applicant were meaningless. He urged the Commission to protest the license so that an effective voluntary agreement could be negotiated with the applicant.

Another resident expressed great concern about noise on weeknights disturbing residents of the condominium building. She said there were solutions, so a voluntary agreement was very important to make sure those solutions were implemented.

Acting Chairperson Raia said that if a voluntary agreement were to be negotiated, there would be another meeting with residents to get their input.

Acting Chairperson Raia moved that ANC 1B protest the liquor license application of American Ice Company on the basis of peace, order, quiet and parking to develop a voluntary agreement to be sent back to the Commission.

Commissioner Muhammad seconded the motion.

The motion was adopted unanimously, 8 yes, 0 no.

### **Bella, 900 Florida Avenue N.W.**

Mr. Mike Pappas, the agent for the owner of Bella, said that this would be a new restaurant at 9<sup>th</sup> and Florida Avenue N.W. featuring ethnic and Italian-American food. The owner has bought the building and remodeled it from top to bottom.

Acting Chairperson Raia said that the owner was willing to negotiate a voluntary agreement and had addressed some concerns brought up at the ABC Committee meeting. There were no more questions after that.

Commissioner Ferrer asked what concerns had been brought up at the Committee meeting.

Acting Chairperson Raia said there were concerns that they might turn into a nightclub, what kind of restaurant it was going to be, what kind experience the owner had as a restaurant operator.

Commissioner Moss asked if the business was solely a restaurant with no music.

Acting Chairperson Raia said they had applied for an endorsement for music.

Commissioner Moss asked what type of music.

Mr. Pappas said the most the owner would have would be a three-piece band. There would not be music that would disturb the neighbors.

Acting Chairperson Raia said that the owner had done soundproofing on the back wall and insulation to reduce noise.

Commissioner Nadeau asked where the nearest residents were located. Mr. Pappas said all the neighboring buildings were businesses. There were no residential buildings nearby.

Acting Chairperson Raia moved that ANC 1B protest the liquor license application of Bella on the basis of peace, order, quiet and parking in order to establish a voluntary agreement.

Commissioner Moss seconded the motion.

The motion was adopted, 7 yes, 1 no, 0 abstain. Commissioner Nadeau voted no.

### **Grant Applications and Grants Committee Report**

Because Commissioner Akinboni had to leave the Commission meeting for another commitment, Commissioner Nadeau presented the report of the Grants Committee.

# **GRANTS COMMITTEE REPORT**

**June 29, 2010**

**Commissioner Rosemary Akinmboni, Chairperson**

Grants Committee Members Commissioner Akinmboni, Commissioner Nadeau, Halima Roebuck, and grant applicants from Capital Cause, R Kesia Williams, Gresham, LaMotte, Corey, Brittany Whaley and applicant for the Tournament of Games Mack Thompson and community member Scott Pomeroy and Commissioner Raia joined the meeting as well.

## ***Presentation from Capital Cause***

Kesia Williams from Capital Cause spoke on behalf of the grant in the amount of \$4,984.88. The committee had asked for additional input from the original submission. The grant will be a funding source for participating non-profit and for Capital Cause. It will take place at Howard University. They have recruited 14 Ward One non-profits. They will be doing heavy marketing in 1B. ANC1B grant funds would go to rentals for equipment and supplies. They worked to get the cheapest quotes on these items and always looked for donations before planning to rent. They are soliciting corporate sponsorships and are charging non-profits a fee to participate. Commissioner Akinmboni moved that the ANC support this grant in the amount of \$2,000 and that they work to attain some of these items at a lower cost through DPR with the help of the ANC. Commissioner Nadeau seconded the motion. The vote was unanimous 3-0.

## ***Presentation from Columbia Heights Village Tenants Association***

Mack Thompson from Columbia Heights Village Together spoke on behalf of the grant in the amount of \$2,720. The Tournament of Games will take place in Girard Park July 17<sup>th</sup>. They anticipate 1,000 people to attend. Other sources of income have been cultivated in make up the balance of the budget and they have requested only the items permissible for ANC grants. Mr. Thompson itemized the manpower costs between the event organizer, facilitator, judges, servers, helpers, youth helpers. Commissioner Nadeau raised the issue of paid versus volunteer manpower, and her discomfort with paying for manpower. Mr. Thompson made the point that there were very few things in this budget the ANC was permitted to pay for and manpower was one of them. Commissioner Akinmboni moved that the grant be awarded in the amount of \$2,620, which is \$100 less than requested. Halima Roebuck seconded the motion. The motion was adopted 2-1 with Commissioner Nadeau dissenting.

## ***Committee Business***

The grant committee has requested that the treasurer give them an updated budget for the remainder of the year, taking into account grants awarded and new office expenses.

The committee also had an informal discussion with Scott Pomeroy about an application he will submit in the future, and had questions about what was permissible for ANC grant funds. The committee agreed to refer the question to the Staff Director.

## **Capital Cause Grant Application**

Commissioner Ferrer noted that a non-profit organization that he works with is applying to participate in the non-profit fair organized by grant applicant Capital Cause. He asked the Commission for guidance as to whether he should recuse himself from any discussion of the Capital Cause grant application and from voting on the application. He said that he would receive any pecuniary benefit. He works as a volunteer for the organization, but wanted to avoid any appearance of conflict of interest.

Commissioner Moss said that Commissioner Ferrer's insight and information about the group would be important, but she suggested he recuse himself from voting.

Ms. Kesia Williams and Mr. Gresham Harkless of Capital Cause presented their grant application.

Ms. Williams said that she is the Chair of Capital Cause. The goal of the organization is to engage young professionals in the giving process and public service. The To DC With Love Festival is actually a fund-raiser. A portion of the proceeds will go back to non-profit organizations. Five of the participating non-profits are ANC 1B organizations. They have a marketing plan and will be aggressively soliciting the residents of ANC 1B to attend and participate in the event. The goal is to get 300 people to attend. Flyers will be distributed at the Columbia Heights, U Street, and Shaw-Howard metro stations. Ms. Williams said that at the Committee meeting they had requested over \$4,900 to cover the cost of purchasing essential items to fulfill logistical requirements for the event. They were pre-approved for \$2,000.00. The Committee made suggestions about how they could acquire several hundred dollars in supplies by donations. They listened to the advice and followed it and are patiently waiting for results. Nevertheless, even with these useful suggestions, and if they are successful in getting donations, still 44% of their essential needs will be unfunded. They therefore respectfully requested that the Commission reconsider the committee recommendation and approve the original grant request of \$4,984.88. If the funds were provided, they would be used as specified in the grant application, to rent chairs, tables, staging, purchasing disposable tableware, and renting audio-visual equipment. In addition, any remaining funds would go towards funding unexpected expenses such as purchasing liability insurance, paying for an open flame permit, paying for a lighting electrician and paying for a special events

permit. These costs have added about \$616 to the non-food, non-beverage expenses. Their total costs have come to about \$5,600, which is a small portion of the \$10,000 they need to host the event.

Commissioner Ferrer said that the original proposal was to have a block party in his single-member district and close a block of Gresham Place N.W. In order not to disturb the residents, they worked with Howard University and relocated the site of the event to the Howard University parking lot next to the reservoir behind Drew Hall. That relocation has caused much of the additional expenses that they have to deal with. In order to sign a contract with Howard University, they had to get liability insurance and go through permit processes that they otherwise would not have to deal with.

Commissioner Ferrer said that the event was exciting because it targeted young professionals and got them involved in a part of ANC 1B that was not really known among a younger crowd. The event will be a great way to get young professionals involved and interacting with Howard University.

Commissioner Muhammad said that he respected Capital Cause's efforts and initiative, but the Commission several months ago had approved a grant of \$5,000.00 to the Columbia Heights-Shaw Collaborative, an outstanding non-profit organization serving ANC 1B. In comparing the work the Collaborative is doing to their proposal, he was not comfortable approving such a large amount for a one-day event.

Commissioner Ferrer said he considered the grant an investment of Commission funds in the community. They would take whatever amount the Commission approved and the event would multiply that amount by two or three times, then redistribute it, so it was really an effective investment in the community. The Commission normally gave a grant to a single organization, but in this case, the grant would support an event that would provide a platform for a neighborhood in our single-member district, then also turn around and give out more grant money that the Commission would be restricted from providing. He said he looked at it as (1) a great investment and (2) a great marketing tool for our single-member district.

Commissioner Muhammad said that the Columbia Heights-Shaw Family Collaborative had not just name recognition, but outstanding community service. He thought the grant approved for them was the highest amount that the Commission had approved for the year, and to even come close to that for a one-day event—he was not comfortable with it at all.

Ms. Williams said that the admission fee to the fair would be \$20.00, but 50% of that would be redistributed to non-profit organizations, so the funds would be reinvested in the community. The 300 or more people who attend the event would have the opportunity to visit the tables of non-profit organizations, learn about their work and be able to volunteer for community service. They feel that the event will make a financial investment in the community and a human resource investment as well.

Commissioner Nadeau said that she was challenged by the fact that five of the twenty non-profit organizations that would benefit were located in ANC 1B, but the Commission was being asked to support 80% of the bottom line costs. There was the potential for great results, but the project is unproven and we just don't know what the results will be, so it is something of a risk to put tax dollars into this project. She said she wanted to support their efforts, but she was having a problem with the number; it was just a lot of money.

Ms. Williams said the goal of the project was to recruit as many as twenty non-profit organizations, but to date they had twelve organizations signed up, so ANC 1B participation was closer to 50% of the total number of organizations.

Commissioner Muhammad observed that the low response of non-profits to the event might be because they were duplicating efforts already ongoing in ANC 1B.

Commissioner Nadeau said that a good point for the Commission to hear was where they were marketing the event.

Ms. Williams said that 70% of the marketing effort would be in ANC 1B, especially around the metro stations.

Acting Chairperson Raia added that they were all volunteers and this creates a movement in the city when residents do things like this. This is movement for change. This is what we want to do.

Commissioner Nadeau moved that ANC 1B approve the Capital Cause grant application for the amount of \$2,000.00.

Commissioner Muhammad seconded the motion.

Acting Chairperson Raia asked if Commissioner Nadeau would accept a friendly amendment to increase the grant amount to \$3,000.00 to get them closer to their goal.

Commissioner Nadeau declined to accept the friendly amendment.

Commissioner Moss said she liked the middle-of-the-road approach and supported Acting Chairperson Raia's friendly amendment. She said that although the Commission's funds were limited, they were intended for community support and Capital Cause's initiative deserved the Commission's support.

Commissioner Lopez asked how close the grant expenditures were to the budgeted amount.

Commissioner Nadeau said the Committee had requested that information from Commissioner Ferrer in their report.

Commissioner Ferrer said he would be providing the grant expenditure balance to the committee and the commission.

Acting Chairperson Raia called for a vote on Commissioner Nadeau's motion. The vote was taken by roll call.

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Nadeau	Moss Raia Muhammad Thomas Lopez	Ferrer

The motion failed, 1 yes, 5 no, 1 abstain.

Acting Chairperson Raia moved that ANC 1B approve the Capital Cause grant application for \$3,000.00.

Commissioner Moss seconded the motion.

The motion was adopted, 5 yes, 1 no, 1 abstain. Commissioner Nadeau voted no. Commissioner Ferrer abstained.

### **Columbia Heights Village Tenants Association Grant Application**

Commissioner Nadeau said the Tenants Association was represented by Mr. Mack Thompson, who is working to coordinate the tournament of games. She said that it was important for Commissioners to look at the grant application budget for total expenses and total sources of income. She said that what was not included in the grant application budget, but had been provided to the Committee by Mr. Thompson, was a breakdown of the manpower costs of the project, which represented a very large part of the budget. The total labor/manpower cost was \$2,200.00. The Committee went over these costs quite extensively at the meeting. Mr. Thompson provided the following breakdown:

Event organizer	\$750.00 for organizing the event over a period of months
Facilitator	\$300.00 for the day
Judges	\$200.00 each for five judges
Servers	\$50.00
Helpers	\$30.00 each for two
Youth Helpers	\$20.00 each for three

Commissioner Nadeau said that the balance of the grant budget was \$500.00 for supplies. She said that Commissioner Akinmboni negotiated and got the organizer's fee reduced by \$100.00, so the Committee's recommendation is \$2,620.00.

Acting Chairperson Raia offered one correction to the report, which was that the Committee agreed that the Commission should not dictate the details of how people were paid, but did specify how much it was willing to recommend for manpower costs.

Commissioner Nadeau agreed.

Commissioner Moss asked what expenditures were included in the supplies budget.

Commissioner Nadeau listed the supplies to be purchased, including disposable cameras, developing of film, markers, certificates and frames, score pads, etc.

Commissioner Nadeau pointed out to the Commission the other sources of funds for this project. Councilmember Graham was providing \$500.00. The Mayor's Office was providing \$250.00. She said that in her mind, there was a very sharp contrast between what these other sources were doing and what the Commission was being asked to do. On the other hand, she noted that the event was taking place in ANC 1B and ANC 1B residents were benefiting.

Acting Chairperson Raia said the majority of those being hired for the event were residents of ANC 1B.

Mr. Mack Thompson said the event would be the sixth Tournament of Games. Games would include chess, checkers, ping pong, spades, dominoes, horseshoes, volley ball. He said they expected a total of 1,000 people to participate at some point during the day. The event will take place in the park at 14<sup>th</sup> and Girard Streets N.W. The goal is to provide a recreational opportunity that brings together the very diverse population of Columbia Heights. There will be high security and a very visible police presence. He said there had never been a negative incident.

Commissioner Nadeau noted that she had voted against this application in the Committee meeting, but in the absence of Commissioner Akinmboni, she would offer a motion to act on the Committee's recommendation, then vote against it.

Commissioner Nadeau moved that ANC 1B approve the Columbia Heights Tenant Association grant application for \$2,620.00.

Acting Chairperson Raia seconded the motion.

The motion was adopted, 6 yes, 1 no. Commissioner Nadeau voted no.

Mr. Thompson presented a certificate of support to ANC 1B, thanking the Commission for its support of the Spring 2010 Tournament of Games.

## **Revision of Grant Policies and Procedures**

Commissioner Nadeau said that the final item of the Committee's report was a recommendation to revise the grant policies to reduce the amount of time between receiving a grant application and considering it for approval at a Commission meeting.

Commissioner Nadeau moved to revise paragraphs 9 and 10 of the grant policies to provide that if a grant application is submitted 15 days before a public meeting of the Commission and if the applicant attends the Grants Committee meeting, the application may be considered at the next public meeting of the Commission.

Acting Chairperson Raia asked if the normal rules would apply if the applicant did not come to the public meeting.

Commissioner Nadeau said that the Commission had the discretion in any case not to consider a grant application, so we are not locked into considering any grant application, but we are reducing the amount of time between applying for a grant and having that grant considered for approval.

Commissioner Moss said that the recommendation was really to mandate that applicants must appear before the Grants Committee before their application can be considered by the full Commission. She asked if that could not be stated explicitly.

Commissioner Nadeau agreed that it could.

Commissioner Ferrer suggested that the policy state that grant applications must be received by the 15<sup>th</sup> of the month before the Grants Committee and Commission meetings. Commissioner Nadeau agreed.

Commissioner Nadeau withdrew her motion and restated it as follows:

Commissioner Nadeau moved that the policies governing grants to community organizations be revised: that paragraph nine will read: applicants must meet with the Grants Committee before being considered by the full Commission; that paragraph ten will read: the application must be received by the Staff Director by the fifteenth day of the month.

Commissioner Muhammad seconded the motion.

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

Commissioner Moss announced that a grant application from the Banneker City Little League and the Howard Theatre Restoration Inc. had been submitted for consideration at the next meeting.

## **New Business**

Commissioner Muhammad asked about keys for the new office. It was agreed that the Staff Director will have keys made for all Commissioners.

Commissioner Nadeau said that one of the things she had asked when the Commission first considered getting office space was that the Executive Committee draft office policies and procedures for full Commission review and approval. She said it was important to set guidelines for appropriate office use for future Commissions and to be accountable to our constituents.

Acting Chairperson Raia noted that the ANC Handbook provided to all Commissioners states that Commissions should adopt office policies and procedures.

Commissioner Nadeau asked that the Executive Committee meet to address this issue as soon as possible and offered her assistance.

## **Councilmember Phil Mendelson**

Acting Chairperson Raia noted that Councilmember Phil Mendelson was present and asked if he would like to make a few remarks.

Councilmember Mendelson said he wanted to give an update on some of the issues before the City Council.

The Public Safety and Judiciary Committee, which he chairs, is considering legislation that would open the court of juveniles convicted of a violent crime to public review. In addition, the Committee is revising the law to allow police access to juvenile justice records without the need for a court order. This legislation will come before the City Council in mid-July and will be acted on later in the year.

His view is that the budget, although balanced, is a mess and will have to be revisited later in the year. The city has dipped into its fund balance too much, and the fiscal stability of the city is at risk.

Councilmember Mendelson invited questions.

Commissioner Moss noted that the Third District is an outstanding law enforcement group, but they are woefully understaffed. She asked what was in the budget for public safety and the expansion of manpower.

Councilmember Mendelson said they tried not to cut the police budget, but there is about a \$10 million reduction. This means that the number of police officers will not increase, but will hold at about 4,000. Hiring will continue, but the total number of officers will be frozen. For many years, the force was around 3,800. His sense is that the budget for the department is OK for the short term, but we need to get past this

difficult fiscal situation so that we can begin adding police officers again. He commented that he believed PSA 305 had eighty officers assigned to it.

Commissioner Moss said that at night only 25 officers were available to cover a very large PSA area.

Commissioner Ferrer asked if the interim leadership at DYRS was going to become permanent or just continue until after the election.

Councilmember Mendelson said he did not know. He said that while his committee had jurisdiction over the juvenile justice law, it did not have oversight over DYRS. He did not know what the Mayor was going to do with the acting director, Mark Schindler.

Acting Chairperson Raia asked if funds for reimbursable details could be redirected to hire more police officers.

Councilmember Mendelson said no, that money was really for police overtime and could not be redirected.

Acting Chairperson Raia thanked Councilmember Mendelson for his time and his service to the city.

### **Community Announcements**

Commissioner Muhammad announced that the ANC 1B Public Safety Committee meeting would be held on Wednesday, July 14<sup>th</sup> at 7:00 PM in the second floor conference room of the Reeves Center. The Committee meets 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, July 21<sup>st</sup>, at 7:00 PM, at the Josephine Butler Parks Center, 2437 15<sup>th</sup> Street N.W. This will be a joint meeting with Metropolitan Police Department (MPD) PSA 304. The guest speaker this month will be Ms. Millicent Williams, Director of the DC Homeland Security Agency.

Ms. Andrea Doughty, Chairperson of the ANC 2F Arts Overlay Committee, reported that the Zoning Commission (ZC) took action this past Monday on recommendations of the committee that ANC 1B had endorsed and supported. The ZC approved a proposed action to increase the cap on bars and restaurants in the arts district to 50%, a proposed action to change the measurement to block by block, and accepted the committee's recommendation to apply a much more stringent test to any applicant who would exceed the 50% cap, changing it from a special exception to a variance.

Ms. Doughty also announced a new project supported by \$200,000 in grants from the DC government to develop a major branding and marketing campaign for the arts district. This is the first time in the city's history that they have funded a branding and marketing campaign. She referred Commissioners and the public to a flyer she had left

on the information table, which gave detailed information on the project and exactly what the grants would support. There will be public workshops, meetings and other opportunities for public input into the design of the campaign.

Acting Chairperson Raia asked if people got appointed to the workshop.

Ms. Doughty said that the grant applications had to designate the individuals who would be executing the project. Those persons included herself as coordinator and other professionals, including a compliance officer, a lawyer, and a program leader expert in branding and marketing. She said that members of the public could participate through the workshops and other public meetings.

There being no further business, Commissioner Ferrer moved that the July 2010 meeting of ANC 1B be adjourned.

Commission Moss seconded the motion.

The motion was adopted unanimously and the meeting was adjourned at 9:25 PM.