



## **ADVISORY NEIGHBORHOOD COMMISSION 1B Government of the District of Columbia**

### **Minutes**

**Thursday, September 2, 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, September 2, 2010, at 7:05 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, Juan Lopez, Rosemary Akinmboni, and Eduardo Ferrer. Commissioners absent: Deborah Thomas, Melissa McKnight, Thomas K.D. Smith, E Gail Anderson Holness.

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

Acting Chairperson Raia noted that Chairperson E. Gail Anderson Holness was unable to attend the meeting.

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.
- ✓ Our meeting agenda is based on a strict time frame. We want to address all issues and assure participation by all interested parties, but we also want to make sure that our meeting ends at a reasonable hour and that others would stay to be engaged with all of the concerns of all of the members of ANC 1B. Therefore, we ask that all presentations be limited to three to five minutes. Our staff director, will give each presenter a three-minute and one-minute warning, and then will announce the expiration of time. We request all those asking questions to be as brief and concise as possible, not to make a dissertation, but to ask a question. Community announcements at the end of the meeting are limited to two minutes each.

- ✓ This meeting is audio-recorded for the public record and the draft minutes of the meeting, which will be published on our website as soon as possible.
- ✓ 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. 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**

#### **Office of People's Counsel**

Mr. Lawrence Daniels, Assistant People's Counsel, with the Office of People's Counsel (OPC), said that his office is the statutory advocate for citizens of the District of Columbia with regard to utility concerns. The office is staffed by eight attorneys, six of which are consumer outreach specialists, along with a technical staff.

Mr. Daniels addressed PEPCO's smart grid deployment and OPC's role in that deployment. In April, 2007, PEPCO applied to the Public Service Commission to deploy an advanced metering infrastructure, also known as "Smart Grid." This involves the installation of new smart meters at every residence in the District, a communications network, and a new billing system, which are all tied together. Last December, PEPCO's application was approved in conjunction with DC Council approval. PEPCO received a federal grant of over \$44 million, which will cover about half the cost of the installation, which is scheduled to begin in October, 2010. Residents will be notified by PEPCO about a week in advance of the time when the meter will be installed at their homes. The project will take about 14 months, with completion scheduled for

December, 2011. There will be no changes to the bill format or rate structure until 2013, when new rates will go into effect.

Mr. Daniels said that OPC was doing numerous consumer outreach and education events regarding the new structure. The first event will be on October 14<sup>th</sup> in the Great Hall of the Charles A. Sumner School. PEPCO has been invited to participate and talk about the entire project. The event will include presentations about OPC's concerns, testimony before the District Council, the needs of the smart grid installation, the details of deployment, and the new rate structures that will be in place. In addition, beginning in the second week of October, PEPCO will be sending letters to DC residents regarding smart grid deployment, including contact information to address questions or concerns. In addition, in about ten days, the OPC will have a whole section on its website regarding the smart grid, OPC's position and what OPC is doing as the advocate for the residents of the District.

In conclusion Mr. Daniels said that people could contact him with questions or concerns at his office, 202-727-3071.

Commissioner Moss asked for the name of the vendor who would be installing the new smart meters.

Mr. Daniels said the vendor was Scope Service. He believed they had just had a job fair last week to hire installers who will be trained to do the actual installation.

Acting Chairperson Raia said he understood that there would be actual readings with the new meters and no estimated readings. He asked if meters would be relocated in some cases to give readers access to them.

Mr. Daniels said that the new meters would have electronic two-way communication, so the meter readings would be transmitted wirelessly. There will no longer be a visual reading. The new meters would be installed in the same location as the old meters. If the consumer wanted to relocate the meter, it could be done at the consumer's expense. Mr. Daniels added that the new technology meant that there would be much fewer estimated readings.

Mr. Nicholas Schiller, 900 block of Westminster Street, ANC 1B02, asked if someone driving down the street would be able to access residents' meter readings, or was the technology encrypted. Was there a danger that someone could extract information from a resident's property without their permission?

Mr. Daniels said privacy was a great concern to OPC. OPC had recommended that the Public Service Commission adopt new rules before the system goes live in 2013. PEPCO has said that the technology is encrypted. However, encrypted systems can be hacked and privacy is a very big concern that OPC is discussing regularly with PEPCO.

### **Greater Washington Sports Alliance**

Ms. Diane Thomas, Greater Washington Sports Alliance, said they wanted to advise the Commission that they have now relocated their offices to ANC 1B. She said the Alliance is a non-profit organization, a regional sports commission operating in Washington, D.C. She said recent reports in the newspapers about staff salaries are incorrect and greatly inflated. The reports failed to mention the many programs and services related to sports and sporting events that the Alliance operates and the revenue that these events bring to Washington. The Alliance does receive a stipend of \$500,000 a year from the city government. The issue of police costs for the National Marathon has also been misconstrued. The city government actually approached the Alliance about six years ago to take over organizing and operating the marathon. The Alliance could not afford to do the race on its own. If it did not have the support of the city, especially with regard to police costs, it could not be done. The arrangement began with the Williams administration and carried over into the current administration. The costs are covered by a special fund in the DC Homeland Security Department and funds from the Mayor's office.

Ms. Thomas said this was just some information she wanted to provide. The Alliance is an open non-profit, their door is always open, and the Commissioners and public are always welcome to visit and ask questions. They have a couple of neighborhood programs, including a new events space being used as an incubator for non-profits, and they have a college internship program that they want to open up to youth in the neighborhood who would like to learn sports marketing or event planning. Their space is available for public use if any organization needs a meeting or event space. She has met with Commissioner Thomas and they hope to accommodate the group of youth that she is working with.

Commissioner Nadeau thanked Ms. Thomas for coming and noted that she lived above their office, which is located in the Solea condominium building on the ground floor. She said that Ms. Thomas had kind of breezed over the incubator space, but it was so important. GWSA saw another flagship organization lose its funding and its space and go under, and they resolved not to see that happen again, so they established the incubator space to provide work space for non-profits. It is a great thing that this is located in ANC 1B.

### **Officers Reports**

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

Commissioner Moss moved that the draft minutes of the August 5, 2010 meeting be approved.

Commissioner Ferrer seconded the motion.

The motion was adopted, 6 yes 0 no.

## **Treasurer's Report**

Commissioner Ferrer referred Commissioners to his report which they had in their meeting folders:

### **ANC 1B Treasurers Report – September, 2010**

#### **Overview**

The August, 2010 Industrial Bank Statement is not yet available due to technical difficulties with the bank website. The statement will be e-mailed to all Commissioners as soon as available. Based on reconciliation of the July bank statement, the current balance is estimated to be \$49,467.83.

The following checks were written at the August 5, 2010 meeting:

<b>Name</b>	<b>Check #</b>	<b>Amount</b>	<b>Purpose</b>
James Irwin	1768	\$1,551.56	Staff wages; budget approved 10/1/2009
James Irwin	1769	\$169.73	Office supplies, printing, web hosting fees, approved 8/5/10
Best Buy	1770	\$2,361.68	Computer equipment, installation, data transfer, approved 8/5/10
Capital Services	1771	\$368.81	Office supplies, approved 8/5/10
Howard Theatre Restoration Inc.	1772	\$4,000.00	Grant #10-14, approved 8/5/10
Howard Theatre Restoration Inc.	1773	\$1,000.00	Ad in centennial celebration brochure, approved 8/5/10

The following checks were cashed last month:

<b>Date Cashed</b>	<b>Name</b>	<b>Check #</b>	<b>Amount</b>	<b>Purpose</b>	<b>Meeting Approval Date</b>
	James Irwin	1768	\$1,551.56	Staff wages	Budget approved 10/1/09
	James Irwin	1769	169.73	Office supplies, printing, web hosting fees	8/5/10
	Capital Services	1771	\$368.81	Office supplies	8/5/10
	Howard	1772	\$4,000.00	Grant #10-	8/5/10

	Theatre Restoration Inc.			14	
	Howard Theatre Restoration Inc.	1773	\$1,000.00	Ad in centennial celebration brochure	8/5/10

### Expenses to be approved

Name	Amount	Purpose
James Irwin	\$1,834.16	Staff wages-net pay (Gross: \$1,960.00)
James Irwin	\$11.88	Postage
UPS Store	\$306.00	Printing: business cards, meeting flyers, ANC brochure
Capital Services	380.24	Office supplies: including safe, shredder

Commissioner Ferrer moved that the following expenses be approved:

James Irwin, \$1,834.16, staff wages

James Irwin, \$11.88, postage

UPS Store, \$306.00, printing, business cards, meeting flyers, ANC brochure

Capital Services and Supplies for office supplies including safe and shredder

Commissioner Moss seconded the motion.

The motion was adopted unanimously, 6 yes, 0 no.

Commissioner Ferrer moved that the Treasurer's Report for September 2010 be approved.

Commissioner Akinmboni seconded the motion.

The motion was adopted unanimously, 6 yes, 0 no.

### **FY 2011 Draft Budget**

Commissioner Ferrer noted that he has circulated the draft budget for FY 2011 to all Commissioners. He said he would ask the Commission to vote on the budget at the October meeting and asked that Commissioners give him their comments. He also

noted that he had circulated the line-item disbursements that would be coming out of the 2010 budget this month. They included tax payments and the grant payment to the Columbia Heights-Shaw Collaborative. He said one outstanding expense had not yet been paid, rent for four months. We were still waiting to hear from the Department of Real Estate Services. We have not received either an occupancy agreement or an invoice for rent payments.

Acting Chairperson Raia encouraged all Commissioners to provide their comments to Commissioner Ferrer, and then come to the Executive Committee meeting in October to discuss the draft budget.

Commissioner Lopez asked about the allocation of \$30,000 for grants in the FY 2011 budget. He observed that if the current rate of spending continued, the Commission would be out of money in two years.

Commissioner Ferrer said that the \$30,000 figure is a carryover from the current fiscal year and provides a baseline for discussion. He said that there was a couple of line items that really needed to be looked at and whether they reflected the Commission's current priorities. The Commission needs to determine how the reserve should be expended and at what rate, keeping in mind that some kind of budget reserve should be maintained.

Commissioner Lopez asked about the reduction in salary allocation.

Commissioner Ferrer said that the salary allocation had been reduced from \$26,000 to \$20,000 because that more accurately reflected the actual expenditure over FY 2010.

Commissioner Lopez asked if the Staff Director would not have to put more time into getting the office set up.

Commissioner Ferrer said the hope was that a transcription service could provide support to permit better utilization of the Staff Director's work time.

Commissioner Lopez asked how much a transcription service would cost.

Commissioner Ferrer said that had not been priced.

Commissioner Nadeau said the idea had just come up in the Executive Committee meeting and they were thinking there might be some better tools to make the transcription of minutes less time consuming, including sound recording equipment that could be added to the budget.

Commissioner Lopez said that he thought right now the Commission should consider reducing the amount of money allocated to grants. Because of past circumstances, the Commission had a very large surplus, so the 2010 budget was very generous with grant funds, but it should now be reduced. He said that, as time went on, the Commission

could always vote additional grants if justified, but they should be looked at more closely.

Acting Chairperson Raia said that he had encouraged Commissioners to review the draft budget and give Commissioner Ferrer their comments and suggestions.

Commissioner Nadeau said she wanted to suggest, for the record, that when the budget was adopted in October, at the same time, new guidelines for larger grants should also be adopted.

Commissioner Ferrer noted that there was no line item in the budget for a reserve fund, and suggested that the Commission should consider whether to pass a by-law requiring the maintenance of a reserve, or create a line item in the budget and establish a reserve fund amount in every budget.

Commissioner Lopez agreed and noted that, with \$12,000 per year in office rent, the Commission needed to establish some kind of reserve.

### **Third Quarter Report**

Commissioner Ferrer noted that the FY 2010 Third Quarter report had been provided to all Commissioners.

Commissioner Ferrer moved that the Third Quarter 2010 report be approved.

Commissioner Moss seconded the motion

Commissioner Lopez asked if Federal, State and District payroll taxes had been paid.

Commissioner Ferrer said they would be paid this month.

Commissioner Ferrer also noted that two grant recipients had yet to provide receipts and statements of use of funds, and we were awaiting those to complete the documentation.

Commissioner Nadeau asked which grant recipients had not yet submitted their receipts and statements.

Commissioner Ferrer said the Ethiopian Community Services and Development Council and WeR4U. Friend of Harrison Park had submitted all receipts but we were awaiting a letter statement of use of funds from them.

Commissioner Nadeau asked which Commissioner was working with the WeR4U grant recipient.

Commissioner Moss said she was working with Mr. Muhammad.

Commissioner Nadeau asked if funds had been expended and whether expenditures were allowable. She had heard something about the purchase of caps.

Commissioner Moss said that she had been talking with Mr. Muhammad about the importance of transparency and full documentation. He was under the impression that he had 90 days to provide receipts and a report of expenditures, and she was working with him to make sure that everything was on track.

Acting Chairperson Raia called for a vote on the motion.

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

### **Public Safety and Public Safety Committee Report**

Commissioner Muhammad presented the Public Safety Committee report and asked that it be entered into the minutes of the meeting: The report follows:

#### **ANC 1B September Public Safety Committee Report**

Commissioners,

Below is a summary of some public safety issues that took place between August 5 and today.

##### August 11

DDOT activated DC's first bicycle traffic signals @ Intersection of 16<sup>th</sup> Street, U Street and New Hampshire Avenue, NW

##### August 12

Approx 7:25am  
18 y/o F Pedestrian struck @ 7th & Florida NW

##### August 14

Approx 10am  
2100 blk 14th St NW - small fire - defective dryer - no extension w light smoke

Approx 3:50pm  
Cyclist struck - 7th St & S St NW

##### August 20

Approx 6:30pm  
Ped struck - 14th St & V St NW

##### August 23

Approx 9pm

Haz Mat - CO alarm - 1445 Clifton St NW - report of sick persons - poss CO poisoning

2 sty rowhse evacuated - EMS evaluating 5 or 6 persons for possible exposure- 2 w/ symptoms - haz mat investigating about

DC F&EMS and haz mat investigating - EMS evaluated 2 - all ok - no injuries

August 24

Approx 7:45am

Cyclist struck - Ga Av & Euclid St NW

August 27

Approx 10:40pm

Ped struck - In front of 930 Club - Fla Av & V ST NW

Below is the PSA 304 & PSA 305 Crime Stat Report from August 5 to September 1

**PSA 304**

Crime Type	Number of Crimes that Occurred Between 8/5/2009 to 9/1/2009	08/05/2010 to 09/1/2010	% Change
Homicide	0	0 <a href="#">[view map]</a>	N/A
Sex Abuse	0	0 <a href="#">[view map]</a>	N/A
Robbery Excluding Gun	4	3 <a href="#">[view map]</a>	↓ 25
Robbery With Gun	0	0 <a href="#">[view map]</a>	N/A
Assault Dangerous Weapon (ADW) Excluding Gun	5	4 <a href="#">[view map]</a>	↓ 20
Assault Dangerous Weapon (ADW) Gun	1	0 <a href="#">[view map]</a>	↓ 100
<b>Total Violent Crime</b>	<b>10</b>	<b>7</b> <a href="#">[view map]</a>	<b>↓ 30</b>
Burglary	3	9 <a href="#">[view map]</a>	↑ 200
Theft	16	12 <a href="#">[view map]</a>	↓ 25
Theft F/Auto	25	11 <a href="#">[view map]</a>	↓ 56
Stolen Auto	8	2 <a href="#">[view map]</a>	↓ 75
Arson	0	0 <a href="#">[view map]</a>	N/A
<b>Total Property Crime</b>	<b>52</b>	<b>34</b> <a href="#">[view map]</a>	<b>↓ 35</b>
<b>Total Crime</b>	<b>62</b>	<b>41</b> <a href="#">[view map]</a>	<b>↓ 34</b>

**How the results are calculated:**

Percent change = Number of crimes that occurred within search period minus number of crimes that occurred between the same dates the previous year divided by number of crimes that

occurred between the same dates the previous year.

If the number of crimes that occurred between the same dates the previous year is 0, the percent change cannot be calculated and N/A is displayed.

**Note:**

This report and accompanying maps only include offenses where MPD has provided map coordinates that can be displayed. Since January 1st, 2006, this limitation excludes **1322** out of **157840** total crimes (approximately **0.84%** of the data).

The ability to view the map is removed if there are more than 750 offenses.

**Data Disclaimer:**

All statistics presented here are based on preliminary DC Index crime data reported at least two business days before today's date. The data do not represent official statistics submitted to the FBI under the Uniform Crime Reporting (UCR) program. All preliminary offenses are classified based on DC criminal code and not the FBI offense classifications. Because the data is preliminary, all statistics are subject to change.

**PSA 305**

Number of Crimes that Occurred Between			
Crime Type	8/5/2009 to 9/1/2009	08/05/2010 to 09/01/2010	% Change
Homicide	0	0 <a href="#">[view map]</a>	N/A
Sex Abuse	0	2 <a href="#">[view map]</a>	N/A
Robbery Excluding Gun	7	8 <a href="#">[view map]</a>	▲ 14
Robbery With Gun	4	3 <a href="#">[view map]</a>	▼ 25
Assault Dangerous Weapon (ADW) Excluding Gun	4	3 <a href="#">[view map]</a>	▼ 25
Assault Dangerous Weapon (ADW) Gun	1	1 <a href="#">[view map]</a>	No Change
<b>Total Violent Crime</b>	<b>16</b>	<b>17</b> <a href="#">[view map]</a>	<b>▲ 6</b>
Burglary	4	15 <a href="#">[view map]</a>	▲ 275
Theft	15	19 <a href="#">[view map]</a>	▲ 27
Theft F/Auto	30	28 <a href="#">[view map]</a>	▼ 7
Stolen Auto	2	5 <a href="#">[view map]</a>	▲ 150
Arson	0	0 <a href="#">[view map]</a>	N/A
<b>Total Property Crime</b>	<b>51</b>	<b>67</b> <a href="#">[view map]</a>	<b>▲ 31</b>
<b>Total Crime</b>	<b>67</b>	<b>84</b> <a href="#">[view map]</a>	<b>▲ 25</b>

**How the results are calculated:**

Percent change = Number of crimes that occurred within search period minus number of crimes that occurred between the same dates the previous year divided by number of crimes that occurred between the same dates the previous year.

If the number of crimes that occurred between the same dates the previous year is 0, the percent change cannot be calculated and N/A is displayed.

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Commissioner Muhammad noted the large number of bicyclists and pedestrian accidents in his report and suggested that the Commission invite the District Department of Transportation (DDOT) to meet with it to discuss bicycle and pedestrian safety measures that could be passed on to constituents. He said that additional safety education was needed.

Commissioner Moss agreed with Commissioner Muhammad's suggestion and added that the intersection where the 9:30 Club is located is very dangerous; a number of accidents have occurred there. She thought the Commission should discuss with DDOT the desirability of a traffic study to determine whether a traffic light should be installed or what other measures should be taken.

**Design Review Applications and Design Review Committee Report**

Mr. Tony Norman, Chairperson of the Design Review Committee, presented the committee report:

**ADVISORY NEIGHBORHOOD COMMISSION 1B  
DESIGN REVIEW COMMITTEE  
Tony Norman, Chairperson  
Report and Recommendations  
September 2, 2010**

**SUMMARY**

The Design Committee met on August 17, 2010 to review the African American Civil War Memorial and Museum application for a public space permit to install signage at the Grimke School, 1925 Vermont Avenue N.W.

## **RECOMMENDATIONS**

The Committee unanimously recommends that Advisory Neighborhood Commission 1B support the public space permit application of the African American Civil War Memorial and Museum.

## **REPORT ON RECOMMENDATION**

The African American Civil War Memorial and Museum is moving its museum facility to the Grimke School, 1925 Vermont Avenue N.W. They have applied to the D.C. Department of Transportation (DDOT) for a public space permit to install signage identifying the museum and its main entrance.

Dr. Frank Smith, Executive Director of the Museum, presented the plans for the signage. The following points were elicited Committee questions and discussion:

- The sign will be mounted on aluminum framing and will be made of marine plywood.
- DDOT has extensively reviewed the design and plan.
- Historic Preservation Review Board has the plans, has been in informal discussions with the museum, and may review for approval at a later date.
- The sign is located two inches from the building but cannot touch the building.
- This application is for installation of the sign only. It does not apply to landscaping or other uses of public space.
- The sign will be installed after construction has been completed.
- The Museum has not yet met with the U Street Neighborhood Association, but has received letters of support from residents on the block adjacent to the building.
- Dr. Smith has not yet talked with Commissioner Peter Raia, 1B02, regarding the application, but will talk with him before the Commission meeting on September 2.

Based on the drawings, plans and information presented, the Committee recommends that ANC 1B support this public space permit application.

Mr. Norman noted that Dr. Frank Smith, Executive Director of the African American Civil War Memorial and Museum, was present and available to answer any questions.

Mr. Norman noted that other design issues on the agenda had not come before the Committee, so no recommendation could be made on them.

Commissioner Moss commended Mr. Norman and the Committee for their excellent work on this and other issues. She also congratulated Dr. Smith on the work he was doing and the groundbreaking for the new museum facility at the Grimke School.

Acting Chairperson Raia asked Mr. Norman if the owner of Standard had ever contacted him regarding his public space permit application.

Mr. Norman said no.

Acting Chairperson Raia asked if anyone representing Standard was present.

No representative was present.

Acting Chairperson Raia said that he had been talking with Mr. Kurtz, the owner, and from his point of view, he had already come to the Committee and briefed the Committee on his plans. According to him, he was told something about underground tanks. Acting Chairperson Raia asked Mr. Norman if Mr. Kurtz had been before the Committee.

Mr. Norman said Mr. Kurtz had appeared before the committee several months ago. The Committee reported that he did not have his application ready, did not have plans made, and was not really sure what he was going to do, so the Committee could not make any recommendation at that time. Since then, he has not again met with the Committee to present what he wanted to do.

Acting Chairperson Raia said that Mr. Kurtz had told him that he had showed the Committee his plans and nothing had changed since then. Acting Chairperson Raia said he had not been present at the meeting so he did not know.

Mr. Norman said Mr. Kurtz did not have any plans at that meeting. He knew he was a small business owner who did not have a lot of money to hire professionals and he was at a very early conceptual stage, and was not really sure what he was going to do and how he was going to do it, and he was going to come back to the Committee when he had more specifics, but the Committee had not heard back from him.

### **African American Civil War Memorial and Museum Public Space Permit Application**

Acting Chairperson Raia asked Dr. Smith if he had any comments or if the Commission had any questions for him.

Dr. Smith said that they had the groundbreaking for the renovation of the Grimke building yesterday. The contractor has assured them that the building will be ready for the Museum to move in by December, 2010. He said the issue this evening was the public space permit necessary to erect signage at the entrance to the building to identify the museum. Dr. Smith referred to design drawings to describe where the sign would be located and how it would be installed.

Acting Chairperson Raia thanked Dr. Smith for his work and commitment to the project and asked where a letter of support should be directed.

Dr. Smith said the letter should be addressed to the Public Space Committee of DDOT.

Dr. Smith noted that the Committee had asked him if they would be renovating the sidewalk to get rid of the old and broken concrete. He said that was in their plan and they would be doing that.

Mr. Schiller, a resident, asked if parking was going to be added for residents, since parking in the alley was being eliminated.

Dr. Smith said that the Museum's lease on the building did not include any parking or parking areas at all. He said that the Museum had no control over the current area of parking that Mr. Schiller was referring to.

Acting Chairperson Raia said that he had worked with the fire department to get them to eliminate the illegal parking on the sidewalks and to alleviate neighborhood parking problems. The fire department would be moving at some point to another building, but they haven't yet gotten the parking issues worked out at that building, so the move has not occurred.

Acting Chairperson Raia moved that ANC 1B support the African American Civil War Memorial's application for a public space permit for their signage, including their sidewalk proposal.

Commissioner Muhammad seconded the motion.

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

#### **Four Points LLC – Progression Place Application for Modifications of PUD**

Commissioner Moss introduced Mr. Steven Cassell, representing Four Points LLC and Broadcast Center Partners, for the project formerly know as Broadcast Center One, now known as Progression Place. The project will be the headquarters for the United Negro College Fund, as well as a mixed-use development with residential and retail elements. They have to apply to the Zoning Commission for modifications to their P.U.D. and are asking the Commission for its support. These include increasing the residential units from 181 to 205, modifications to the garage and changing the mezzanine to a full office floor.

Mr. Cassell said they expect to break ground in October and are currently finalizing their financing. They are seeking a minor modification to the P.U.D. for a number of architectural-related matters. He noted that the increase in residential units means an increase in the number of affordable/workforce units from 45 to 51. He said that they considered the modifications modest and minor, and the Office of Planning concurred with that, and will recommend that the Zoning Commission approve them.

Mr. Cassell reviewed the individual modification as listed on the document submitted to the Commission, which is incorporated as part of these minutes (see following page). He concluded by requesting that the Commission support these modifications and urge the Zoning Commission to approve them.

Commissioner Moss noted that she had only learned of the need for this modification two days ago so did not have time to submit it to the Design Review Committee. She said that the need for approval of these modifications had come up suddenly on Mr. Cassell as well.

Acting Chairperson Raia asked if they had priced the retail space on a per-square-foot basis yet.

Mr. Cassell said they had some comparables, but had not developed pricing as yet, or begun marketing of the retail space. He said they expected to contract with a brokerage and begin marketing the space after groundbreaking. He noted that a number of retail spaces would be reserved for local community businesses.

Commissioner Akinmboni asked why the lower level balconies were removed from the plan.

Mr. Cassell said that the balconies were expensive to construct, and the lower level balconies over the alley would tend to become storage areas and rather unattractive. Because of financing considerations, they had to find reasonable ways to reduce construction costs, and eliminating the lower level balconies on the alley side of the building helped to do that.

Mr. Norman invited Mr. Cassell to come to the next Design Review Committee meeting just to present the details of the project and fully inform the Committee.

Commissioner Moss moved that ANC 1B support Four Points LLC application to the Zoning Commission for minor modifications to its P.U.D. for the United Negro College Fund project.

Commissioner Muhammad seconded the motion.

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

**Standard, 1801 14<sup>th</sup> Street N.W., public space permit application for outdoor seating**

Acting Chairperson Raia noted that there was no one present representing the applicant, Standard, and referred Commissioners to information in their meeting folders regarding this application for a public space permit, including design drawings and an e-mail from the owner describing his application. He noted for the record that Mr. Kurtz's statement that he had a voluntary agreement with the Commission referred to a

voluntary agreement with ANC 2B, not ANC 1B. Acting Chairperson Raia said he was a signatory to the agreement, but not as for the Commission.

Acting Chairperson Raia said he could provide some background about the application. Mr. Kurtz's original application was for sidewalk seating for 100 people, and he has now reduced it to 33. The business is located where the old Garden District used to be. There are two spaces, a sidewalk café and a summer garden. The original proposal was for capacity of over 200 people for those two spaces. He has now reduced that capacity to 99, 33 for the sidewalk café and 66 for the summer garden.

Commissioner Nadeau asked about standing room and when the hearing for Mr. Kurtz's application would be.

Acting Chairperson Raia said the hearing had occurred last week, but he had been assured that the Public Space Committee would take the Commission's position into account and consider any opposition or suggested modifications.

Commissioner Ferrer asked why Mr. Kurt was not present.

Acting Chairperson Raia said he did not know. He was told to communicate with Mr. Norman. His e-mail indicates that he believed he had already gone before the Design Review Committee and the Commission.

Commissioner Nadeau said that did not explain why he was not present. Commissioner Moss asked if he did in fact meet with the Design Review Committee.

Acting Chairperson Raia said he had, but it sounded like a different conversation had happened. He thought Mr. Kurtz's conversation might sound different. He did come before the Commission a couple of months ago and was asked all the questions. That was when he agreed to knock it down to two-thirds the size it was.

Commissioner Nadeau recalled that when Mr. Kurtz came before the Commission, there were lots of questions, and she was not sure he had answered them. She asked about his trash management plan and whether we got answers on that.

Acting Chairperson Raia said that Mr. Kurtz had arranged with Cork Market and other businesses to place his dumpster with theirs so that it would not extend out into the alley any farther than the Cork Market dumpster. Cork Market also agreed to share their grease receptacle with him.

Commissioner Nadeau said that she thought even the reduced capacity required more bathroom facilities than he was planning and she asked if he had discussed that.

Acting Chairperson Raia said that the issue before the Commission was a public space permit for a sidewalk café. The question of bathroom facilities rested with the Department of Consumer and Regulatory Affairs (DCRA), and at some point they might

tell him he needed more facilities. That would be DCRA's decision, not the Commission's decision.

Commissioner Moss asked if there were any issues with outdoor music.

Acting Chairperson Raia said Mr. Kurtz would not have outdoor music.

Commissioner Nadeau asked if that was in writing.

Acting Chairperson Raia said that it was in his voluntary agreement with ANC 2B.

Commissioner Nadeau asked if he was planning to have standing room in the sidewalk café area.

Acting Chairperson Raia said that his voluntary agreement with ANC 2B restricted the capacity of the sidewalk café to 33 people. If he had any more than that, he would be in violation of that agreement.

Commissioner Nadeau asked if we had a copy of the voluntary agreement.

Acting Chairperson Raia said the Commission did not have a copy.

Commissioner Ferrer asked about his closing hours.

Acting Chairperson Raia said that he had originally applied for full hours, but in his agreement with ANC 2B, he reduced his closing hour to 11 PM on weeknights and 12 midnight on weekends.

Mr. Scott Pomeroy, member of the Design Review Committee, said that when Mr. Kurtz met with the Committee, he did not have a plan for the outside or sidewalk area. The Committee did ask him to come back with his plan because it is a considerable change and a considerable impact to have the outdoor facility there. He said he wished Mr. Kurtz had come back to the Committee for detailed discussion because he did have concerns about elements of the design. He thought DCRA should be consulted about the occupancy load and the available bathroom facilities. There was only one unisex bathroom in a facility that would have as many as 115-120 people in it. The effect of the public space application is to greatly increase the capacity of the space, which has an impact on the neighborhood if the facility cannot accommodate it. These are issues that might be managed, but he did not know because Mr. Kurtz had been asked to come back to the Committee to discuss them, but had not done so. Mr. Kurtz was not here tonight. Mr. Pomeroy said he did not think the Commission should support this application.

Acting Chairperson Raia asked Mr. Norman if he had received the e-mail Mr. Kurtz had sent to all Commissioners. Mr. Norman said he had received it, and received another e-mail after the Committee meeting, but had not had any further contact with Mr. Kurtz.

Commissioner Akinmboni asked how the number of people proposed could be accommodated by only one bathroom.

Commissioner Ferrer said the drawing seemed to indicate there were actually two bathrooms, but it was unclear whether the second one would be accessible to the public. He said it would be nice if Mr. Kurtz were present so he could answer the question.

Commissioner Lopez asked what Mr. Kurtz would do during the winter.

Acting Chairperson Raia said that was his business model. He was surprised he had not started building since summer is here.

Commissioner Lopez asked if he might put up tents.

Acting Chairperson Raia said he would have to come before the Commission if he wanted to do that, and he would have to get approval from the Historic Preservation Review Board.

Commissioner Nadeau said that, theoretically, he was supposed to come to the Commission, but the Public Space Committee did not wait for the Commission regarding this application. The Commission could not be guaranteed that it would have a say.

Acting Chairperson Raia said he thought there had been some confusion as to whether the information about the hearing did not get to the Commission or did get to the Commission.

Commissioner Nadeau asked if the Commission did or did not get a hearing announcement.

Acting Chairperson Raia said he did not receive the mail.

Staff Director Jim Irwin said that the Commission did not receive any announcement regarding this hearing.

Commissioner Muhammad said that he thought the Commission was spending too much time on this issue. The applicant was not present. His attendance had been requested by both the Design Review Committee and the Commission, and he had not appeared. He said he did not think the Commission should spend another two minutes trying to ask and answer questions that it did not know the answers to.

Commissioner Muhammad moved that ANC 1B oppose the application of Standard for a public space permit for a sidewalk café at 1801 14<sup>th</sup> Street N.W.

Commissioner Nadeau seconded the motion.

The motion was adopted, 6 yes, 1 no. Acting Chairperson Raia voted no.

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

#### **Dickson Wine Bar, 903 U Street N.W., application for substantial change in license**

Acting Chairperson Raia said that Steve Kaufman, the owner of Dickson Wine Bar, had called him to say he was ill and would be unable to attend the meeting.

Acting Chairperson Raia observed that the application was for a new summer garden, a substantial change in the license. In other cases, such as Vinoteca, which applied for a summer garden with over 50 seats, ABRA did not consider that a substantial change, but for some reason, they consider this a substantial change and have sent it before the Commission. He sent out flyers notifying neighboring residents about the application. He has received no negative comments. The summer garden will be located in the back of the building and will have 26 seats.

Commissioner Nadeau asked to clarify the location of the proposed summer garden in relation to neighboring residential buildings.

Acting Chairperson Raia said it would be located in a grassy area behind the Dickson Wine Bar building and adjoining an alley. The residents of neighboring buildings did not have any concerns about conversational noise.

Acting Chairperson Raia moved that ANC 1B support the application of Dickson Wine Bar for a substantial change in its license.

Commissioner Moss seconded the motion.

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

### **Recording Commission Votes**

Commissioner Nadeau asked if the Executive Committee had discussed the issue of recording dissenting votes in the minutes. Acting Chairperson Raia said it had not been discussed. Commissioner Nadeau asked that the minutes of this meeting identify those Commissioners casting no votes. Acting Chairperson Raia said that would be done for this meeting.

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

Commissioner Lopez presented the report of the Grants Committee:

## **GRANTS COMMITTEE REPORT**

**August 24, 2010**  
**Commissioner Rosemary Akinboni, Chairperson**

The Grants Committee met August 24, 2010 at 7 pm. In attendance were Commissioners Brianne Nadeau and Juan Lopez.

***Presentations***

There were no grants applications submitted for review

***Committee Business***

The grants committee discussed proposed guidelines regarding criteria for \$5K grant requests:

- 1) 100% of the grant must be used in ANC1B
- 2) The grant must provide long-term and direct benefit to ANC 1B

The Committee requests that the full Commission discuss proposed guidelines and get additional input for \$5,000 grant requests at the September 2, 2010 meeting.

The Committee requests that the Treasurer provide an estimated grants budget for FY11.

Commissioner Lopez noted that these guidelines were being recommended to the Commission because the \$5,000 grant approved during the August meeting had been a contentious vote.

Commissioner Ferrer asked if the Committee could recommend how much should be allocated to grants in FY 2011.

Commissioner Lopez said that the Committee had requested a list of actual grant expenditures, which Commissioner Ferrer had provided, so they could review what possibly lower amount could be allocated for 2011. He thought that \$5,000 was a lot of money. If it was for a good cause, he could support it 100%, but he thought it would be best if the money was spent 100% inside the community for the community. There are other ANCs, and they have money too. They should be able to pitch in too. There are also community leaders and organizations that can contribute too. The Commission does have funds, but if grant expenditures continue at the present rate, it won't have any money in a couple of years. The Committee was trying to make sure that the resources available were used in the community to help the community.

Commissioner Nadeau encouraged all Commissioners to attend the next Grants Committee meeting to discuss the funding level for 2011 and help the Committee shape the grant policies for the future.

Commissioner Akinmboni moved that the Grants Committee report be inserted into the minutes of the meeting.

Commissioner Lopez seconded the motion.

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

### **New Business**

There was no new business.

### **Community Events & Announcements**

#### **Commission Announcements**

Commissioner Muhammad announced that the South Columbia Heights Neighborhood Association, of which he is the president, would be meeting on Wednesday, September 15<sup>th</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 Devon Brown, Director of the Department of Corrections. He also announced that the ANC 1B Public Safety Committee would meet at 7:00 PM on Wednesday, September 8<sup>th</sup> in the second floor conference room of the Reeves Center.

Commissioner Moss passed a copy of the Howard Theatre Centennial Celebration brochures to the Commission, showing the product of the Commission's grant support. She said that the celebration had been held two weeks ago at the Carnegie Library. It was a very historic occasion and a great day for the residents of Washington, D.C.

Commissioner Moss announced that the Department of the Environment began an environmental study in front of the Howard Theatre. They had removed two old storage tanks from the site of an old gas station across the street from the theater. They will be reporting back to the community regarding any soil contamination or other environmental hazards. The federal Environmental Protection Agency, the Army Corps of Engineers and the DC Department of the Environment are conducting the study.

Commissioner Moss announced that the LeDroit Park community celebrated the groundbreaking for the Gage-Eckington Park on October 1<sup>st</sup>. This is the first park ever in LeDroit Park. It is a great green space, with Common Good Farms, facilities for children to play, and a pavilion for picnics and community activities. Completion of the project is scheduled for January, 2011.

Commissioner Moss announced that today the groundbreaking occurred for the restoration of the historic Howard Theatre. Construction will begin next week. Congresswoman Norton participated along with many members of the community. It was a very moving experience. Commissioner Moss said she had been working on this project for about ten years. The theater will provide a great anchor for ANC 1B.

Commissioner Moss announced that Congresswoman Norton would be at the Florida Avenue Baptist Church, 623 U Street N.W., in LeDroit Park on Wednesday, September 22<sup>nd</sup>, at 6:30 PM to discuss voting rights for D.C.

Commissioner Moss thanked the Commission for its support of the restoration of the Howard Theatre with all its associated activities, and for support for the centennial celebration and the brochure.

Acting Chairperson Raia announced that the MidCity ARTS District had its first branding study meeting at Busboys and Poets. He encouraged everyone to attend the next meeting. He said they had some very good conversation about branding, the name for the area, and the size of the area to be included. He said he was a great supporter of expanding the size of the area to bring more people into the community, rather than excluding people.

Acting Chairperson Raia announced that Desperados had just opened. It is a new burger place on U Street.

Acting Chairperson Raia said that Mr. Ron Briggs of the Greater U Street Historical Foundation (GUSHF) asked him to announce that their U Street Festival on Langston Way would be held again this year, on Saturday, October 9, 12 noon to 6:00 PM. The Commission supported the festival with a grant last year, but they are not requesting any grant funds this year. They will have basketball groups, football skills clinics, lots of activities for children, food, merchandise vendors, children's pavilion, moon bounce, live musical entertainment, and some fraternity and sorority team step-up expositions.

Commissioner Akinmboni asked if all Commissioners could receive a copy of the Howard Theatre Centennial Celebration brochure.

Commissioner Moss said she would make sure that she got a copy to Commissioner Akinmboni.

Commissioner Muhammad asked about the festival scheduled for October 9. He said it was fine that GUSHF was not requesting any grant funding, but he thought that community organizations should not just come to the Commission when they wanted a check. This event had significant impact in Commissioner Thomas's single member district, and he really thought GUSHF should have appeared before the Commission to discuss the street closing. If they come to the October meeting, it will be only 48 hours before the event. He did not think it was fair to Commissioner Thomas's constituents

nor to the Commission that yet again another person did not show up for the meeting to discuss a community issue.

Acting Chairperson Raia observed that GUSHF was not on the agenda.

Commissioner Muhammad said that was part of the point he was making. Last year, there was major confusion GUSHF wanted the Commission to provide money for parking in the Reeves Center garage. Out of common courtesy, Mr. Briggs or someone from his organization should have come to this meeting to discuss their plans and impact on the community. He was quite sure that next month some residents would be upset about the disruptions and the question would be raised how long the Commission had known about this.

Acting Chairperson Raia said he had received several e-mails from Mr. Briggs and Mr. Briggs had shown him the flyers he was distributing to residents. He knew Mr. Briggs had reached out to Commissioner Thomas.

Commissioner Muhammad said that he thought Mr. Briggs should have come to the full Commission to inform the community of what was planned. Last year, there was a major push for financial support. This year, he does not need money, and he has not come to the meeting to make an announcement.

Commissioner Nadeau announced that the last movie in the U Street Movie Series would be Tuesday, September 14<sup>th</sup>. It will be a double feature, showing Soul Power and Duke Ellington's Washington, showing at the Harrison Recreation Center.

### **Community Announcements**

Ms. Camille McKenzie of the Columbia Heights Shaw Collaborative announced that the Collaborative was holding a boxing tournament on Saturday, October 5<sup>th</sup> at the Meyer Elementary School field, 2501 11<sup>th</sup> Street N.W. The event is being co-sponsored by Councilmember Jim Graham.

Commissioner Muhammad commented that everyone commended the collaborative for its good work and admired what it was doing. He had been happy to support the Commission's \$5,000 grant for the collaborative, but he had asked for a commitment from her and the collaborative that they would keep the Commission informed, not just of the grant project, but of what they were doing throughout ANC 1. He found it very disrespectful that this event was being held in his single member district, but this was the first time he had heard anything about it. He had seen Ms. McKenzie at a meeting and he worked for the Councilmember, but no one had notified him as to what was planned. He wanted to note for the record that he found this extremely disrespectful, not just to him, but to the 2,000 residents he represented.

Acting Chairperson Raia suggested that Commissioner Muhammad and Ms. McKenzie continue their discussion after the meeting.

Commissioner Muhammad said he wanted this on the record so that everyone could read it and everyone could know how he felt about it.

Ms. Karen Lethune (?), a resident of ANC 1B06, asked the Commission to pass a resolution regarding the current rulemaking for the administration of medical marijuana. She said there were three problems:

1. The current proposal would vest regulatory and licensing authority for eight cultivation centers and five medical marijuana dispensing centers with the Alcoholic Beverages Regulatory Administration. This was wholly inappropriate and completely unnecessary. The authority should be vested in the Department of Health, with input from the Metropolitan Police Department and other relevant agencies.
2. The selection of the twelve centers is proposed to be on a first-come, first-serve basis. This could be anyone from anywhere who meets the guidelines and can pay the fees. Instead, she would like the Commission urge that the selection be based on merit, and that there be some kind of competitive process.
3. The proposed advisory committee has no patient representation on it. There must be patient representation in the body that advises the program.

Ms. Lethune said ANC 1C and 4B passed resolutions urging changes to address these problems, and she hoped ANC 1B would do the same.

Acting Chairperson Raia said the Commission would take her request under consideration.

Mr. Steven Glazerman, founder of the Washington Yu Ying Public Charter School, said he wanted to introduce his project to the Commission and the community. He said they are currently searching for space to accommodate their school because they are about to outgrow their space in Ward Five. They are anxious to relocate their school to Ward One, and particularly to this ANC. They have been reaching out to a lot of community organizations and wanted to introduce themselves to the Commission. They are working to take community concerns and interests into account in preparing their bids for a building purchase and in working with real estate brokerages. They are anxious to demonstrate that they will be a good neighbor wherever they relocate.

Acting Chairperson Raia suggested that Mr. Frazier should contact the commissioner representing the single-member district where they identify potential building space and work closely with that commissioner from the beginning.

Mr. Morris Copeland said he had a couple of concerns.

Acting Chairperson Raia asked Mr. Copeland if he had announcements.

He said no, he had neighborhood concerns he wanted to ask about.

Acting Chairperson Raia asked Mr. Copeland if he had talked with the Commissioner representing his single-member district.

Mr. Copeland said he did not know who that was. He said he was concerned about the Girard Street Park.

Acting Chairperson Raia said the Commission would not be able to address his concerns if he had not first talked with his Commissioner.

Mr. Copeland said he needed to know who that was.

Acting Chairperson Raia asked Mr. Copeland if he could stay after the meeting and talk with Commissioners then.

Commissioner Muhammad suggested that Mr. Copeland should have five minutes to explain his concerns and issues.

Acting Chairperson Raia agreed.

Mr. Copeland said that before the construction of the Girard Street Park, there was a marker in the crosswalk of Fourteenth Street that made the crosswalk visible. This marker was removed and after the park was completed, it was not replaced. The crosswalk is unsafe and he wanted to have the marker replaced.

Mr. Copeland's second concern was that the bus stop in front of the Tivoli Theater, close to the Giant Store on Park Road, was moved a block away. This was very difficult and inconvenient for seniors and disabled people who took the bus to go to the Giant store and he would like to have the bus stop relocated.

Commissioner Muhammad observed that the bus stop was located in ANC 1A, not 1B. He asked Mr. Copeland to meet with him after the meeting and he would work with him on that issue.

Commissioner Akinmboni said the crosswalk at the Girard Street Park was on the boundary between her single-member district and Commissioner Lopez's district.

Commissioner Lopez said that he had already contacted DDOT and asked them to replace the marker and also make the crosswalk more visible. He said he had also requested the installation of a "stop on red" sign and a relocated stop line, because this was one of the worst intersections in Columbia Heights.

Commissioner Nadeau said she would like to introduce a motion regarding the medical marijuana rulemaking proposals.

Acting Chairperson Raia said the Commission had not had an opportunity to review the issue. Commissioner Moss said she would want to review the rulemaking before taking any action.

Commissioner Nadeau moved that ANC 1B advocate that the medical marijuana program be regulated and licensed by the Department of Health, not ABRA, that the cultivation and dispensing centers be licensed on merit-based criteria, and that patients be represented on the advisory board, in the form of comments on the proposed regulations.

Commissioner Akinmboni seconded the motion.

The motion was adopted 4 yes, 0 no, 3 abstain. Acting Chairperson Raia and Commissioners Ferrer and Muhammad abstained.

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

Commissioner Ferrer seconded the motion.

The motion was adopted unanimously and the meeting was adjourned at 8:47 PM.