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**Government of the District of Columbia**

**ADVISORY NEIGHBORHOOD COMMISSION 3/4G**

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

**Commissioners**

3/4 G-01 - Abraham Clayman 5601 Connecticut Avenue N.W.

3/4 G-02 - Chanda Tuck-Garfield, Treasurer P.O. Box 6252 Washington, D.C. 20015

3/4 G-03 - Randy Speck, Chair Chevychaseanc3@verizon.net

3/4 G-04 - Rebecca Maydak, Secretary http://www.anc3g.org

3/4 G-05 - Gerald Malitz 202.363.5803

3/4 G-06 - Dan Bradfield

3/4 G-07 - Christopher Fromboluti, Vice-Chair

**Minutes:** ANC 3/4G Public Meeting, February 12, 2018, Chevy Chase Community Center, 5601 Connecticut Ave, NW, Washington, DC 20015

**Present:** Speck, Fromboluti, Tuck-Garfield, Maydak, Malitz, Clayman

(Bradfield absent) A quorum was declared.

**Attendance:** Approximately 15 people attended the meeting.

**Adoption of Agenda (video at 00:00):** Commissioner Speck indicated that the developers of 7080 and 7076 Oregon Avenue, NW asked to postpone consideration of their public space permit application, so it was removed from the agenda and will be included in a future meeting agenda. With that modification, the agenda was approved by a vote of 6 to 0.

**Commissioner Announcements (05:00)**

Commissioner Speck:

New Audio/Visual Equipment — The Commission began using new wireless microphones for its meetings. With this meeting, it also began making videos of the meetings. Once the system has been tested, the videos of all public meetings — including this one — will be available on the

ANC’s YouTube channel (<https://www.youtube.com/watch?v=mHSM-o6L76Y>). Commissioner Speck thanked Commissioners Malitz and Fromboluti for their work in acquiring, testing, and setting up this new system.

New Office Manager — The Commission welcomed Stefanie Van Pelt as its new office manager. Stefanie has extensive experience, including as manager of the Washington Post’s Beijing Bureau office. Stefanie will be in the ANC office in the Community Center on Monday, Wednesday, and Friday from 9:00 until noon, though this schedule may be modified.

Mayor’s Budget Forums — The Mayor is in the process of preparing her FY 2019 budget. As part of that process, she has announced several opportunities for the public to express their budget priorities. The first will be focused specifically on seniors and will be a telephone forum on Tuesday, February 20 at noon. To participate, RSVP at 202-442-8150. In addition, the Mayor will host three in-person Budget Engagement Forums, the first of which will be on Wednesday, February 21 at UDC (4200 Connecticut Avenue, NW) beginning at 6:30 pm. To RSVP for a budget engagement forum, visit: [2018budgetforums.eventbrite.com](http://2018budgetforums.eventbrite.com/).

These forums are especially important for our community because they provide an opportunity to let the Mayor know how important it is to include the money we’ve requested to modernize the Chevy Chase Community Center. Please take this opportunity to urge the Mayor to include the $24 million that we’ve recommended for the Community Center.

Council’s Oversight Hearings — Several important oversight hearings have been scheduled in February and March. Of particular importance are (1) District Department of Transportation, Committee on Transportation & Environment, February 27 at 2:30 pm, Room 123 (where comments may be raised about such issues as traffic controls at intersections and street lights); (2) Office of Planning, Committee of the Whole, February 28 at 10:00 am, Room 500 (the process for developing the new Comprehensive Plan); (3) DC Water, Committee on Transportation & Environment, March 2 at 11:00 am, Room 500 (Clean Rivers Impervious Area Charge); (4) Department of Parks and Recreation, Committee on Transportation & Environment, March 5 at 11:00 am, Room 412 (Chevy Chase Community Center); and (5) Department of Public Works, Committee on Transportation & Environment, March 8 at 11:00 am, Room 120 (snow and leaf removal). Anyone wishing to testify at any of these hearings should contact the appropriate committee (Aukima Benjamin, [abenjamin@dccouncil.gov](mailto:abenjamin@dccouncil.gov), 202-724-8062, for the Committee on Transportation & Environment or [cow@dccouncil.gov](mailto:cow@dccouncil.gov), 202-724-8196 for the Committee of the Whole).

Comprehensive Plan — The Council will hold a hearing on the Comprehensive Plan Framework Amendment Act of 2018 (B22-0663, available at <http://lims.dccouncil.us/Download/39567/B22-0663-Introduction.pdf>) on March 20 at 2:00 pm at the Wilson Building, Room 500. This Framework Element of the Comprehensive Plan contains important definitions and background premises for the full Plan and has been the subject of much comment and debate. It is important for the District because it forms the basis for the remainder of the Plan. To testify, contact [cow@dccouncil.us](mailto:cow@dccouncil.us) or call Sydney Hawthorne at 202-724-7130 before the close of business on March 16. The ANC is considering whether to offer testimony, and if it does, will discuss that testimony at its March 12 meeting.

Block Captain Training Session — Councilmember Todd is sponsoring a Block Captain Training session to be conducted by the Citywide Neighborhood Watch/Crime Prevention Trainer, Samantha Nolan, on Tuesday, March 13 from 7:00 pm to 9:00 pm at the Fourth District police station, 6001 Georgia Avenue, NW.

Commissioner Maydak:

Lighting Task Force Meeting — The ANC’s Lighting Task Force will meet on February 13 at 7:00 pm at the Chevy Chase Community Center. The meeting will be an update on the status of the District’s program to install new street lighting. The DC Smart Lighting Project will also hold two public meeting: (1) on February 22, 2018, from 6:30 pm to 8:30 pm at the Capital View Neighborhood Library, and (2) on February 24, 2018, from 11:30 am to 1:30 pm at the Mt. Pleasant Library, 3160 16th Street, NW. Registration is at <https://www.eventbrite.com/e/dc-smart-lighting-project-public-hearing-1-tickets-35406009327> and <https://www.eventbrite.com/e/dc-smart-lighting-project-public-hearing-2-tickets-41611696705>.

Pothole Repair — On behalf of Commissioner Bradfield, Commissioner Maydak said that residents should call 311 (or use the 311 app) now to report needed pothole repairs so that they can get in the queue. Repairs on 41st Street between Livingston and Western are particularly needed.

Commissioner Clayman:

Public Space Permit Application — The Commission discussed the application for a public space permit at 7080 and 7076 Oregon Avenue, NW at its January 8, 2018 meeting. The developer, Tom McCullough, was to make modifications to the plans and return to the Commission. Commissioner Clayman noted that the original plans were objectionable because they would remove all of the trees in public space, which he considers unnecessary. Anyone with concerns about this application should communicate them to Commissioner Clayman ([3g01@anc.dc.gov](mailto:3g01@anc.dc.gov)).

Chestnut Street Sidewalks — Instead of the three to four years DDOT had projected that it might take for engineering, design, and construction of the planned sidewalks on Chestnut Street, DDOT Director Jeff Marootian has indicated that the engineering and design will take about a year to complete. DDOT expects to begin that process in the first quarter of this year. Construction could then begin shortly after design completion. The money has been committed for all aspects of the work — engineering, design, and construction.

Commissioner Fromboluti:

Jenifer Street Traffic — DDOT has agreed to install a “bulb out” on Jenifer Street, NW at Nebraska Avenue, NW in order to slow traffic from Nebraska on to Jenifer. The residents on Jenifer have raised concerns about speeding and have agreed to the installation of the “bulb out” as a way to narrow the street and deter speeding. The problem has also been reduced recently by retiming the lights at Connecticut and Nebraska, which has reduce the need for some drivers to use Jenifer Street as a shortcut to Connecticut.

Commissioner Malitz:

Military Road and Chevy Chase Parkway — In response to concerns raised by residents about accidents at this intersection, DDOT is conducting a safety analysis and has planned an onsite review for February 13.

**Community Announcements (20:00)**

Phil McAuley, from the Mayor’s Office of Community Relations, indicated that the Mayor’s weekly newsletter was available with information about upcoming events (<https://content.govdelivery.com/accounts/DCWASH/bulletins/1d74988>). He also announced that the Mayor will break ground for the Frederick Douglas Bridge on February 13. As noted in Commissioner Speck’s announcements, the Mayor will hold budget engagement forums February 21-23 at three locations (<https://mayor.dc.gov/release/mayor-bowser-announces-budget-engagement-forums>). These forums are a good way to provide feedback to the Mayor about budget priorities and will include roundtable discussions. He also distributed a fact sheet on implementation of the NEAR Act to address areas of miscommunications.

Mr. McAuley also reported that some Department of Public Works’ inspectors have been shifted to new areas, and new inspectors have been hired. This change accounts for the increase number of tickets issued for trash or recycling cans improperly in alleys. This increased enforcement is being implemented District-wide, in part to address safety and rat infestation issues [although the rat rationale seems attenuated]. Commissioner Maydak said that the new level of enforcement was implemented with no warnings to residents who just received $75 tickets that were never issued for the same conduct before. Mr. McAuley said that some flyers had been distributed in Ward 4, and Commissioner Maydak said that such a publicity campaign was necessary everywhere before instituting a new enforcement regimen. Some educational materials are necessary, and she said that fines should be waived until after an informational campaign. Commissioner Malitz noted that DPW regulations require trash/recycling bins to be moved out of alleys by 8:00 pm. Commissioner Tuck-Garfield said that DPW should also communicate changes in the times of pickup, and Mr. McAuley said that emails from Kevin Twine alert Commissioners to any delays or schedule changes. He said that there is no plan to forgive fines for tickets already written.

Anthony Castillo, Councilmember Cheh’s Deputy Director for Constituent Services, reiterated the upcoming oversight hearings at the Council. The entire schedule for oversight hearings is at [http://dccouncil.us/files/user\_uploads/event\_testimony/2-8-18\_%202017-2018%20Performance%20Oversight%20Hearings(1).pdf](http://dccouncil.us/files/user_uploads/event_testimony/2-8-18_%25202017-2018%2520Performance%2520Oversight%2520Hearings(1).pdf). Unlike other Council hearings, the record will only remain open for two days following the hearing instead of the usual two weeks. The hearing on the Office of Aging was on February 12, so additional testimony may be submitted until February 14. In addition to the oversight hearings mentioned, Mr. Castillo noted that the Department of General Service hearing before the Committee on Transportation and Environment will be held on February 20 at 1:00 pm. DGS is responsible for construction and maintenance of District government buildings, including, for instance, the Chevy Chase Community Center. With respect to DC Water, Mr. Castillo noted the letter that Councilmember Cheh sent to DC Water on possible ways to address the Clean Rivers Impervious Area Charge. He also noted that DC Water is governed by a Board of Directors, and the Council’s oversight is limited. The Council may tell DC Water what to do, but it must then pay any added costs. Former Commissioner Allen Beach suggested that the Council could hold the Board accountable whenever the terms are up for DC Water Board members appointed by the District.

A representative from the Office of People’s Counsel distributed a Consumers’ Guide to Third Party Suppliers. The Guide — available on-line at <https://issuu.com/opcdc7/docs/tps_guide_3rd_party_suppliers_28aug?e=18355975/52721586> — answers questions about the option to use third-party electricity or gas suppliers. He emphasized that no one is required to switch suppliers. He warned that under some supplier’s plans, rates may be initially low but can skyrocket later. OPC is available to answer questions at 202-727-3071.

**Presentation by MPD Second District Commander Melvin Gresham on MPD’s steps to implement the NEAR Act (38:00)**

Commissioner Speck indicated that volunteers from a group called the Stop Police Terror Project made a presentation at the Commission’s January 8, 2018 meeting urging the Commission to adopt a proposed resolution supporting full implementation of the Neighborhood Engagement Achieves Results Amendment Act of 2016 (the NEAR Act). The NEAR Act is a comprehensive, public health-based approach to violence prevention and intervention that the District Council passed unanimously in 2016 but only partially funded until FY 2018. The NEAR Act requires some activities to be initiated by MPD and some by other agencies acting alone or in conjunction with MPD.

Commissioner Speck reported that among other points made at the January 8 meeting were (1) that MPD had not implemented the information collection requirements of the NEAR Act, which the Stop Police Terror Project representatives said required collection of information about race, gender, date of birth, reason for the stop, duration of the stop, etc. for all “stops and frisks;” (2) the lack of implementation of the Community Crime Prevention Team Pilot Program, and (3) the need for MPD to make the Homicide Elimination Strategy Task Force a more permanent advisory group.

More broadly than those specific criticisms, however, Commissioner Speck indicated that Commissioners would like to understand directly from MPD what it has done to implement all aspects of the NEAR Act — e.g., continuing training for officers on community policing, broader authority for the Police Complaints Board, and modified overtime rules and minimum hiring requirement to enhance recruitment. MPD Chief Newsham wanted an opportunity to respond and asked Second District Commander Melvin Gresham to provide the Commission with information about what MPD has done to implement the NEAR Act.

Commander Gresham first noted that in our neighborhood, crime was down ten percent in the last 30 days. With respect to the NEAR Act, he went through each provision of the Act and reported on what MPD had done:

* Title IIA — Create Community Policing Working Group: implemented in 2017;
* Title IIB — Establish Homicide Elimination Task Force: Mayor appointed members in 2016-2017 and Council appointed members in 2017;
* Title IIC — Conduct police-community relations survey: Criminal Justice Coordinating Council is conducting survey in 2018;
* Title IID — Narrow the definition of the crime of assault on a police officer: implemented in 2017, and now there have been a minimum of such charges brought;
* Title IIE — Improve officer training in community policing, recognizing bias, use of force, limits on the use of chokeholds, mental and behavioral health awareness, linguistic and cultural competency: officers have received much of this training before the NEAR Act, but enhancements were implemented in 2016/2017, including mandatory 40 hours per year, with officers subject to discipline if they fail to take training;
* Title IIF — Expand the authority of the Office of Police Complaints: implemented in 2016;
* Title IIG — Collect data on stop-and-frisk and all uses of force: implementation begun but requires alternative ways to analyze data;
* Title IIH — Collect crime data and produce reports about victims, suspects, and court outcomes: implemented in 2017;
* Title III — Adopt measures for officer retention and recruitment — implemented in 2016;
* Title IIJ — Rehire retired MPD officers by the Department of Forensic Sciences: implemented in 2016; and
* Title IIK — Create program of rebates for private security cameras: implemented in 2016.

Commander Gresham indicated that MPD has been actively involved in implementing the NEAR Act. On data collection, they have not collected all of the data required, but they are working to make improvements by aligning their efforts with the statute. The data collected will be made available to the public. He emphasized that MPD is not the Census Bureau, but is collecting data and making it available to the Office of Police Complaints. Much of the data was sent to the Council the week of February 5, 2018. With regard to the stop-and-frisk provisions, MPD never had such a policy in the District. Most stops are in response to a call for service, which requires a detailed report. They are creating a NEAR Act website to report data.

Commissioner Maydak asked whether there was any training for interaction with pets, e.g., to determine when a dog is dangerous and when it is not, when less-than-lethal force can be used, and how the officer can avoid reacting out of fear and kill a pet by mistake. Commander Gresham said that they do have such training and often use “dog-catcher poles” successfully to restrain dogs. He said that mace and tasers are not effective against dogs as less-than-lethal measures. Mr. Castillo suggested that residents can include information about pets — e.g., that a dog may bark but will not bite — through [smart911.com](http://smart911.com) and the Office of Unified communications (202-730-0524). (Commissioner Speck noted that Director Karima Holmes of the Office of Unified Communications attended the Commission’s March 27, 2017 meeting and said that the Smart 911 program allows residents to create a profile that will be retrieved when they make a 911 call and may be used by first responders to enhance their ability to address the situation. This profile information is only available to the police or fire responders, not to other agencies or the public.)

Commissioner Tuck-Garfield asked about the type of training officers received to enhance officers’ sensitivity to the diverse communities in the District and particularly to youths. Commander Gresham said that the training includes LGBT sensitivity, handling bias-related incidents, and the use of less-than-lethal force on suspects. He said that MPD conducts comprehensive sensitivity training. MPD also has an entrepreneurs program for youths that is run by Kyi Branch ([kyi.Branch@dc.gov](mailto:kyi.Branch@dc.gov)). This program operates year-round. MPD also has other outreach programs for youths.

Commissioner Malitz asked how and when data is collected and communicated to the public. Commander Gresham said that Michael Tobin, Executive Director of the Office of Police Complaints, offered to speak with the Commission on this issue. Commander Gresham has not seen the data that was collected.

Moyo Myers, a volunteer with the Stop Police Terror Project, asked how the pilot Community Crime Prevention Teams are being implemented. Commander Gresham said that they work with Anthony Hall, Supervisory Social Worker at the Department of Behavioral Health. Ms. Myers asks how those channels of communications operate. Commander Gresham said that arrests are not productive for people with mental health issues. Thus, MPD contacts the Department of Behavioral Health to get medical treatment to move the person to a better life style. This NEAR Act program has been implemented. MPD also has crisis intervention officers. In general, MPD’s efforts to get mental health care for suspects are now more intense. Police officers are now active members of this new office.

Connie Chang asked about recent incidents at Wilson High School and Deal Middle School where the crimes were reported but there was no follow-up to let the community know the outcome and whether anyone was apprehended. She asked whether there was any data base that citizens could access. Commander Gresham said first that the incident involving a Deal student “may not have been a crime.” He said that data on crimes in the Second District are reported on the Second District’s listserv. (Information on signing up for the listserv is at <https://mpdc.dc.gov/node/211702>.) There is generally follow-up and a press release if the case is closed.

Allen Beach asked about the statistics for arrests and convictions as a percentage of all crimes. He said previous reports indicated that about 15% of crimes result in arrests and about 7% in convictions. Commander Gresham said he is not aware of those statistics for the District.

The Commission thanked Commander Gresham for attending our meeting and presenting MPD’s views.

**Presentation by the Gordon Food Group on plans for a neighborhood bistro at the northwest corner of Connecticut Avenue and McKinley Street, including plans for an outdoor cafe in public space and a proposal to relocate the Capital Bikeshare station (1:05:00)**

Commissioner Speck, standing in for Commissioner Bradfield, introduced Robert Gordon, former chair of ANC 3/4G and now Vice President of the Chevy Chase Citizens Association, and his son, Arron. Both are long-time neighborhood residents. As the Gordon Food Group, they are planning to open a new restaurant on the corner of McKinley and Connecticut, the site of the original Chevy Chase Lounge.

Arron said that they currently own three other restaurants and food stores in the District. The new restaurant will be a “best of” these other establishments — a coffee house (with beans fresh roasted by Vigilante), pastries, baked goods, a wood-fired oven for pizzas, vegetables and roast chicken, and a full indoor/outdoor bar. They filed for their building permit and for their liquor license last week. (Allen Beach suggested that they seek a stipulated liquor license in order to substantially reduce the time required to obtain the license.)

They expect to file an application for a public space permit for outdoor cafes on the Connecticut Avenue side (which will be a pet friendly area that they dubbed “Dog Town”) and a deck on the McKinley side. In order to have the planned deck, however, the Capital Bikeshare station will need to be moved. A sidewalk cafe deck must be at least eight feet from the curb, and their planned deck would be nine feet nine inches from the curb, i.e., within the permissible limits. Without moving the Bikeshare station, however, there will be too little room for pedestrians to pass on the sidewalk.

They have contacted Capital Bikeshare and were told that relocation would be possible if they (1) propose a new location that meets Bikeshare’s basic requirements (a footprint of six feet by 51 feet, solar access, and no conflicts with pedestrian access, transit stops, driveways, etc.), (2) pay the relocation costs, and (3) coordinate with the adjacent property owners. The Gordons propose two possible nearby locations in public space — in front of the Safeway (highly preferred) or in front of Citibank. In preliminary discussions with those owners, they have expressed no objections. They met with Commissioner Bradfield about their plans and request that the ANC provide a resolution or letter supporting the Bikeshare station move.

Commissioner Fromboluti noted that the drawings of the outdoor cafe on the McKinley side are inaccurate since they do not depict the correct location of McKinley Street, and the dimensions could not be accurate. Aaron said that the preliminary drawings were done quickly and would be corrected for the public space permit application. Commissioner Speck raised a question about whether the Bikeshare station in its new location requires a public space permit. He said that the Public Space Committee strictly applies the requirements for use of public space, and the Commission needs to know whether another permit will be required for the relocation. (He noted that the ANC was not notified of any permit application for the current Bikeshare station, so there may be a provision that exempts such stations from permitting requirements.) Allen Seeber suggested that the burden should be on Capital Bikeshare to justify the location for its station rather than on the business seeking to use public space.

Commissioner Maydak raised a question about the narrow space between the planned deck and the curb. This sidewalk gets more pedestrian traffic because of its proximity to the bus stop, and the deck may leave too little space for strollers, wheelchairs, or multiple pedestrians to pass. She suggested that the Gordons mark the limits of the deck in chalk on the sidewalk in order to visualize the space that it will take, and they said they would do that. She asked whether the restaurant could open and begin operations without the full outdoor space if there was a delay in moving the Bikeshare station. Aaron said that they could do that. The current plan is to open on June 1, and they hope to take advantage of the nice weather then to use the outdoor space as well. They are optimistic about a solution to the Bikeshare issue.

Commissioner Clayman asked about the name of the restaurant, “Little Beast,” and Aaron said it comes from Maurice Sendak’s “Where the Wild Things Are” and refers to his two-year old. Commissioner Clayman asked about the minimum distance from the proposed deck to the Bikeshare station in its current location, and Aaron said it was six feet. Commissioner Clayman also asked whether the restaurant could include some recognition of the building’s history, particularly its earlier incarnation as the Chevy Chase Lounge, and Aaron said they might be able to include a picture of the old Lounge.

The Gordons will (1) get back to the Commission with accurate drawings for the proposed outdoor cafes, (2) provide additional information on the requirement for a public space permit at the proposed new location, and (3) mark the boundaries of the proposed deck and notify the Commissioners so that they can visualize the sidewalk that will remain. With this information, the Commission will consider a letter of support for relocating the Bikeshare station. No other impediments to sending such a letter were identified.

**Presentation by Jonathan Stafford, Vision Zero Campaign Coordinator, Washington Area Bicyclist Association on Vision Zero, on the initiative to achieve zero traffic fatalities or serious injuries in the District by 2024 (1:35:00)**

Mr. Stafford introduced himself as the community organizer to help the District to achieve zero traffic fatalities by 2024, only six years from now. He said that reference to traffic “accidents” is a misnomer, a holdover from police terminology. They are not “accidents,” however, because all traffic injuries are preventable through better engineering or improved behaviors.

He said that there are relatively few traffic fatalities in our ANC — three pedestrian fatalities since 2010 and no bicyclist or motorist fatalities. Despite his affiliation with the Washington Area Bicyclists Association, he does not focus only on bicyclists because making the roads safe for one category of users means they are safe for everyone. Safety requires cooperation among all road users.

Commissioner Speck suggested that DDOT is a key actor in making roads safe. The Commission has worked with DDOT on several traffic hazards — Chevy Chase Circle, the crosswalk at 30th Place and Military Road, and the Military Road/Chevy Chase Parkway and 39th Street/Reno Road intersections — but concerns remain. The Commission needs help in getting action on these issues from DDOT. Mr. Stafford agreed that nothing beats engineering the road right in the first place to make it safe. He said that the Highway Safety Administration grant that funds his work provides for data collection by DDOT to identify crash locations that could be improved, but crash data alone sometimes does not identify unsafe conditions, and it’s helpful to have input from the community.

Commissioner Malitz noted that the Washington Area Bicyclist Association provides a place on its website and through an app for bicyclists to report accident data (<http://www.waba.org>). He asked whether people report accidents and whether that information on crashes is available to the public. Mr. Stafford said that he monitors the “Crash Tracker” on the website and passes the data along to other agencies. He said that this crash data is combined with other available data to provide an overall picture. He said that there are five or six reported crashes a week on the tracker, including some pedestrian reports as well as bicyclists. That information is provided to DDOT. Commissioner Malitz asked whether reported crashes include any instances when bicyclists ride on sidewalks when they are not permitted. Mr. Stafford indicated that one such incident was reported by a bicyclist who ran into a pedestrian on a sidewalk.

Commissioner Tuck-Garfield asked whether there are educational programs for youths or adults in bicycle safety, including the use of helmets. Mr. Stafford described a program at public charter schools to teach bike riding, including safety. There is also a program to teach adults to ride, which includes a safety component as well. Finally, there is a program to provide bikes to second graders in public schools, and the schools provide teachers.

Commissioner Clayman asked whether Mr. Stafford has a view about the use of dockless bikes in the District, particularly since many riders do not use helmets. Mr. Stafford said that more people on bikes do not necessarily make all bikers safer. He said that there are pluses and minuses to the increased use of shared bikes.

Mr. Stafford can be contacted at [advocacy@waba.org](mailto:advocacy@waba.org) or 202-518-0524, extension 226.

**Discussion and possible vote on a revised resolution to support incentives for private businesses to make bathrooms available to the public (1:53:00)**

Commissioner Speck indicated that at the Commission’s November 13, 2017 meeting, Marcia Bernbaum, from the People for Fairness Coalition, asked the Commission to adopt a resolution urging the Council to pass the Downtown DC Public Restroom Initiative and Public Restroom Facility Installation and Promotion Act of 2017, Bill 22-0223 (<http://lims.dccouncil.us/Download/37807/B22-0223-Introduction.pdf>). That bill would establish “a working group for the purpose of making decisions regarding site selection of and procurement for the installation of public restroom facilities.” The working group was (1) to “identify design criteria for the public restroom facilities,” and (2) to “identify at least 10 locations in the District for installation of public restroom facilities.” The Mayor was then (1) to “initiate procurement of restroom facilities” identified by the working group, and (2) establish a “financial incentive program to encourage private establishments to make their restrooms available to the public free of charge.”

Commissioners raised concerns about parts of the proposed bill at the Commission’s November 27 meeting. The two options for stand-alone toilets discussed were the Portland Loo and Automated Public Toilets. For these stand-alone public restroom options, the Commissioners were concerned about their safety, security, cleanliness, accessibility, and initial and ongoing maintenance costs. For these reasons, the Commission indicated that it could not support the bill as currently drafted.

The Commission does, however, support further investigation of the proposed financial incentive program that would encourage private establishments to make their restrooms available to the public free of charge. Under this “London model,” the government provides financial incentives to private establishments if they maintain signs through a “Community Toilet Scheme” indicating that their restroom is open to all. Some private businesses in the District have voluntarily begun to make their restrooms available to the public, but a publicized incentive program — coupled with signs and maps showing where restrooms may be used by the public and by standards for receiving incentive payments — is likely to provide a safer, more secure, cleaner, more convenient, and less expensive alternative to the installation of public stand-alone restrooms.

For these reasons, the Commission prepared a draft resolution urging the Council not to pass Bill 22-0223 in its current form but to enact legislation: (1) to require the Mayor to establish and implement a program of financial incentives for establishments to make their restrooms available to the public free of charge; (2) to place limitations on the amount of the financial incentives like those in Bill 22-0223, Section 4; and (3) to require a report one year after the program’s implementation on the results of the program.

The Commission adopted this resolution by a vote of 6 to 0.

**Commission Business (2:00:00):**

1. The Commission voted 6 to 0 to approve the minutes for its January 22, 2018 meeting.

2. Commission Speck moved that the Commission approve reimbursement to Commissioner Malitz for $129 in expenditures related to the Community Center survey. The resolution was adopted by a vote of 6 to 0.

3. Commissioner Speck moved, pursuant to Section 1-309.13(g) of the DC Code, that the Commission approve hiring Stefanie Van Pelt as its new Office Manager, effective February 5, 2018, at a salary of $20.00 per hour to work approximately 42 hours a month, in accordance with the personnel policies of the Commission. The resolution was passed by a vote of 6 to 0.

4. Items for the February 26, 2018 meeting may include: Presentation on the role of the Community Engagement group at DDOT by its new manager, Lee Goodall; presentation by DDOT and discussion about the dockless bicycle test program; discussion and possible vote on draft testimony to be given on behalf of ANC 3/4G at the DC Water oversight hearing before the Council’s Committee on Transportation and the Environment on March 2, 2018 to address the Clean Rivers Impervious Area Charge (CRIAC); discussion and possible vote on Public Space Permit application (No. 275813) to close existing driveway, and to construct a new driveway, leadwalk with steps, and landscaping at 7076 Oregon Avenue, NW.

The meeting adjourned at 9:10 pm. (2:04:00)

Signed,

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Randy Speck Rebecca Maydak

Chair Secretary