



Government of the District of Columbia ADVISORY NEIGHBORHOOD COMMISSION 3/4G

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

COMMISSIONERS

3/4 G-01 - Abraham Clayman
3/4 G-02 - Chanda Tuck-Garfield, Treasurer
3/4 G-03 - Randy Speck, Chair
3/4 G-04 - Rebecca Maydak, Secretary
3/4 G-05 - Gerald Malitz
3/4 G-06 - Dan Bradfield
3/4 G-07 - Christopher Fromboluti, Vice-Chair

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Minutes: ANC 3/4G Public Meeting, December 10, 2018, Chevy Chase Community Center, 5601 Connecticut Ave, NW, Washington, DC 20015 (Video of this meeting is available at <https://youtu.be/Qdt5nI5hUwY>)

Present: Speck, Fromboluti, and Malitz (Tuck-Garfield, Clayman, Maydak, and Bradfield not present). Because there was no quorum, the Commission was unable to conduct any formal business or take any votes.

Attendance: Approximately 20 people attended the meeting.

Adoption of Agenda (video at 00:00): Because there was no quorum, the Commission could not adopt the agenda, but the meeting nevertheless followed the published draft agenda.

Commissioner Announcements (00:01):

Commissioner Speck:

Oregon Avenue Watershed Green Streets Project — On October 25, 2018, Commissioner Speck wrote DDOT Director Marootian asking that he postpone any implementation of the proposed installation of bioretention cells in our ANC until DDOT provides additional information to the ANC and meets with the affected residents. Councilmember Todd joined in that request in a letter to the Director on November 5, 2018. The Director responded to our letters on November 26, 2018, and proposed a “community meeting to engage with neighbors and make any additional adjustments” to the program. The Councilmember’s office and DDOT had apparently agreed to a community meeting on December 17, 2018, but did nothing to give the community notice of the meeting until December 10, 2018 — only one week before the meeting.

Commissioner Speck objected to the lack of notice and to holding the meeting a week before Christmas. In a conversation on December 10, Councilmember Todd assured Commissioner

Speck that the community meeting would be postponed until next year and that he would urge DDOT to meet individually with the affected residents at the site of the proposed bioretention cells to discuss particular concerns.

Relief from CRIAC Fees — The Department of Energy and the Environment (DOEE) has been developing eligibility criteria to provide a total of \$3.4 million to reduce the impact of DC Water’s Clean Rivers Impervious Area Charge (CRIAC) on some of the District’s non-profits organizations. The originally proposed criteria for determining whether the organization experiences a “financial hardship” as a result of CRIAC fees would have made it much easier for “religious” organizations to qualify than for “charitable” organizations to qualify. Commissioner Speck pointed out to DOEE that this distinction appeared to violate the Establishment Clause of the First Amendment. DOEE has now revised the criteria to make no distinction between the standards for religious and charitable organizations. DOEE will soon issue regulations for granting this relief from CRIAC fees, and the public will be permitted to comment on the proposed rules.

Community Center Modernization — The Department of General Services (DGS) still has not issued a Request for Proposals (RFP) to provide design services for the Community Center’s modernization, even though funding has been available since October 1, 2018. The RFP is an essential first step toward planning for this project, and delays in its issuance will delay the entire project. After multiple requests to the Department of Parks and Recreation, on December 10, 2018, Commissioner Speck asked DGS Director Keith Anderson (with a copy to Councilmember Cheh) to provide a timetable for issuing the RFP. Shortly before this meeting, Jackie Stanley at DGS “confirmed with our project team that the procurement for a request for proposal (RFP) for an architectural firm for the Chevy Chase Community Center’s Modernization is scheduled to be released to the public the week of December 17, 2018. Once the RFP is released, I will share with you the link to the RFP as a FYI.” Commissioner Fromboluti will be reviewing the RFP and participating in the contractor selection process for the ANC to the extent that DGS and DPR permit.

Chevy Chase Citizen’s Association (CCCA) Cookie Decorating — The CCCA will have holiday cookie decorating for children at the Community Center on December 15, 2018, from 1:00 pm to 4:00 pm. There will be nut-free and gluten-free cookies for children with allergies.

Commissioner Fromboluti:

DDOT Survey of Connecticut Avenue — On November 26, 2018, DDOT held a meeting to discuss its survey of Connecticut Avenue with a focus on the reversible lanes and on bicycle accessibility. The survey will encompass the length of the Avenue between Calvert Street and Chevy Chase Circle and will also examine the impact of any potential changes on side streets between Rock Creek Park and Wisconsin Avenue. This will be a comprehensive survey. The RFP process will take about three months, and the survey itself is expected to take six months. During that period, there will be a number of public meetings and opportunities to offer

comments. This survey was initiated by the three ANC's that include this portion of Connecticut Avenue — 3B, 3F, and 3/4G — and will affect all of us. Commissioner Fromboluti represents ANC 3/4G on this issue.

Former Commissioner Anne Renshaw asked whether the ANC has taken a position on what should be done with respect to Connecticut Avenue. Commissioner Fromboluti said that the current reversible lanes raise safety concerns, but there are trade-offs that will need to be considered. The Commission will wait to see the results of the survey before taking a position. Commissioner Speck noted that the Commission discussed this survey at its October 22, 2018 meeting, as reflected in the minutes (<http://www.anc3g.org/wp-content/uploads/2018/10/Meeting-minutes-10-22-18-draft-10-26-18.pdf>), and in the resolution that the ANC passed (<http://www.anc3g.org/wp-content/uploads/2018/10/Resolution-requesting-DDOT-Connecticut-Ave-traffic-study.pdf>). Josh Rising, a resident on Patterson Street who also attended the November 26th meeting, said that the primary focus of the survey was only on Connecticut Avenue up to Livingston Street, where the reversible lanes end. Commissioner Speck noted, however, that the effects of any changes to the reversible lanes will have consequences on Connecticut Avenue at least to Chevy Chase Circle. The Maryland portion of Connecticut Avenue will not be considered in the survey.

Commissioner Malitz:

Safety issues at Chevy Chase Parkway and Military Road — Commissioners Malitz and Speck met with DDOT and several residents in February 2018, to examine safety concerns at the intersection of Chevy Chase Parkway and Military Road. One of the concerns identified was the lack of sidewalks that created hazards for pedestrians. DDOT has now completed one step toward enhanced safety — installation of a sidewalk on the east side of Chevy Chase Parkway between Military Road and Legations Street. With this improvement, pedestrians will no longer have to walk in the street.

Community Announcements (0:16)

Jessica Wertheim from the Mayor's Office of Community Relations and Services, announced that the Mayor will host a seniors' holiday party on December 12, 2018, from 10:00 am to 2:00 pm at the DC Armory. More information is available at https://dcoa.dc.gov/sites/default/files/dc/sites/dcoa/publication/attachments/Model%20CITIES%20SWC%20December%202018%20Calendar_0.pdf. She also announced the Mayor's DC2ME program to inform her administration about what residents envision for the next four years. More information is available at the website (<https://www.dc2me.com>), and residents are encouraged to use the hashtag #DC2Me to highlight comments on social media. Open enrollment for health care continues until January 31, 2019, but anyone wishing to begin coverage by January 1, 2019, should complete applications by December 15, 2018. Finally, there will be a 5K run on January 1, 2019, in Anacostia Park.

Jackson Carnes, Councilmember Todd's Director of Constituent Services, announced that the annual Ward 4 holiday party at Lafayette Elementary School on December 8, 2018, collected 500 coats for needy children in the District. Mr. Carnes noted that the Councilmember's legislation creating the Office of Nightlife and Culture is being implemented with the appointment of a Director. This new office will promote nightlife businesses while also controlling noise. The Council has also passed the Councilmember's legislation that further protects immigrants from extortion by defining extortion more broadly. The Council is also considering the Councilmember's bill that would give the Office of People's Counsel responsibility to assist customers who have complaints about their water bills. Finally, Mr. Carnes said that anyone 62 or older or disabled should contact him (jcarnes@dccouncil.us, 202-316-9078) if they need assistance with snow removal from their sidewalks.

Steven Farencic, the Office of People's Counsel's outreach person for Wards 3 and 4, said that OPC is following the legislation that would bring DC Water within its jurisdiction and will be prepared to handle complaints as soon as the legislation becomes effective. He said that OPC is currently customers' lawyer for matters relating to landline telephone service, gas service, and electric service. Customers with any billing or other complaints can call the OPC at 202-727-3071. They can also call with questions about Pepco construction in the neighborhood. Mr. Farencic warned about utility scams where a caller pretends to be Pepco and asks for an immediate payment over the phone. He said that Pepco will never ask for such a payment and will always send a payment notice in the mail. He also warned about third-party energy suppliers and suggested that customers compare offers.

Kim McCall from the District Department of Homeland Security distributed flyers about the Department's services. They help to make sure that the District is prepared for any energy or natural disaster. More information is available at <https://ready.dc.gov>.

Anne Renshaw thanked those in Chevy Chase who contributed new children's gifts to "Holiday Gifts for DC Kids." This annual program collected 958 gifts that were distributed by DC Fire and EMS personnel.

Presentation and possible vote on public space permit application for renovations to the driveway at 5363 29th Street, NW (DDOT Tracking Number 322064) (0:28)

Commissioner Speck summarized the history of public space permits at this location. The developer, District Properties, originally came to the Commission on September 11, 2017, seeking a permit for a 12-foot wide curb cut for a double garage and a retaining wall in public space. The Commission objected to the application. The developer returned to the Commission on October 23, 2017, and again the Commission objected to the application for a 12-foot wide curb cut but did not object to the proposed retaining wall.

At a Public Space Committee meeting on October 26, 2017, the Committee tabled the application with instructions that the developer modify the design to increase the green space

and address the ANC's concern about the width of the curb cut. The developer returned to the Commission on November 13, 2017, with a revised application that increased the green space and narrowed the curb cut to nine feet. With those modifications, the Commission advised the Public Space Committee that it had no objections to the application.

At the Public Space Committee meeting on November 17, 2017, the Committee placed a number of conditions on its approval of the application. On November 20, 2017, the developer submitted a revised application that further increased the amount of green space and maintained the nine-foot wide curb cut. On November 22, the Public Space Committee found that "the applicant has met the conditions" and granted the permit.

The buyers of the house, Gina Kilpatrick and Joni Madison, are now seeking to make some changes in the same public space. Their landscape designer, Aaron Deadman, has proposed changes to the retaining wall, the plantings in public space, and the paving for the driveway, and they have asked to make a presentation to the Commission. So far as the Commission can tell, this application is not yet on the Public Space Committee's agenda. (The Committee's next meeting is on December 13, 2018, and its first meeting in 2019 is on January 24th.)

Mr. Deadman said that he had been working for a couple of months on a design for landscaping improvements to the public space, including trees, shrubs, and evergreen ground cover over permeable pavers. They are also proposing a lead walk on the north side of the property and changes to the end of the retaining walls on either side of the driveway. He said that the ends of the retaining walls had been removed by mistake before realizing that a permit would be necessary. They have done no further work pending receipt of a permit.

Mr. Deadman said that they would keep the width of the curb cut at nine feet up to the property line. With the original retaining wall, the owners' found that it was very difficult to back out of the double garage, and they hit the sharp edge of the retaining wall, damaging their cars. Their proposal is to remove the ends of the retaining wall and replace it with ground cover and permeable pavers. They respect the Public Space Committee's concerns and want to improve the appearance of the public space and make it more harmonious with the neighbors' property. He said that the neighbors approve of the changes. Ms. Kilpatrick said that their plan increases the amount green space and makes the driveway more accessible. She provided a petition that the owners had circulated to neighbors containing 15 signatures of residents in the 5300 block of 29th Street.

Commissioner Fromboluti asked whether this small change to the retaining wall would solve the problem of backing out of the garage. Mr. Deadman said that it would provide an additional 18 inches of clearance on each side and would provide enough room to back out. Ms. Kilpatrick said that removal of the sharp points on the flagstone caps to the retaining wall were particularly important. Commissioner Fromboluti said that the changes would certainly make the public space more attractive.

Anne Renshaw, a resident on Military Road near 29th Street, said that the wide driveway at this location is out of character for the neighborhood. She has no problem with the landscaping, but the proposed changes to the driveway are not a repair, but a reconfiguration. She said that the Public Space Committee had wanted less stone. She said that she had noticed workmen tearing out the wall on October 8, 2018 and had transmitted that information to Commissioner Speck, and the work stopped. She had a meeting on October 20, 2018, with the owners and Commissioner Speck and heard about the plans. She said that there had been prospective owners who backed out of the purchase because of concerns about the driveway, and she wondered if they were aware that they could have sought changes. She said that on December 3, 2018, she had seen one car back out of the right side of the garage with no difficulty. She said that they need a permit “to trifle with public space,” and any changes need approval by the Public Space Committee and the ANC.

Dr. Laura Denardis, a resident at 5327 29th Street, emphasized that the owners are not asking for more than the existing nine-foot curb cut. She said that the neighbors on 29th Street unanimously support these proposed changes because they will improve the look, make it more harmonious with the neighborhood, and make it more functional. The owners are using a topnotch landscaper, and the plans will beautify the neighborhood.

Ms. Madison said that before speaking with Commissioner Speck, they did not realize that they needed a permit, and they were not aware of the history of permitting the structures in this public space. Now that a portion of the retaining wall has been removed, there is no longer a blind spot that made it difficult to exit the garage.

Debra Smith, a resident at 5357 29th Street and block captain for that block, said that she had talked extensively with neighbors about these plans, and no one expressed concerns. Rather, they have been very supportive. The neighbors don’t like the current “awkward” design that is not in keeping with the block.

Commissioner Speck thanked all those who offered their views on the application and apologized for the lack of a quorum that prevents the ANC from voting on this application. He said that he would put this on the agenda for the Commission’s January 14, 2019 meeting, which will give time to report the Commission’s views to the Public Space Committee before its scheduled meeting on January 24, 2018.

Presentation by Josh Rising and possible vote on petition for the installation of a Capital Bikeshare station at site of Farmers Market at Lafayette Elementary School (0:50)

Commissioner Speck indicated that Josh Rising, a bicycle user and advocate who lives on Patterson Street, asked to make a presentation on a petition by a number of residents asking the Commission to urge DDOT to add Lafayette Elementary School to the Capital Bikeshare Development Plan and to prioritize the installation of a Bikeshare station at the plaza on the corner of Broad Branch Road and Northampton Street.

Commissioner Speck provided some background for this proposal. ANC 3/4G has long been interested in expanding the Capital Bikeshare stations within our boundaries. For example, at our last meeting, we again raised the need for a station near 5333 Connecticut. In June 2017, Commissioner Clayman passed on to Commissioners Maydak and Speck an inquiry from one of his constituents asking about a potential Bikeshare station for Barnaby Woods. Commissioner Speck wrote Capital Bikeshare in January 2017, asking whether there were any plans for a bikeshare station at Lafayette Elementary School in light of the renovations at the school.

Mr. Rising, a resident at 3506 Patterson Street, said that he likes to bike because it is fun, provides good exercise, is good for the planet, and is often faster and more economical than traveling by car. Although he often rides his own bike to work, Capital Bikeshare would be a good option in some cases. There are 500 stations in the metro area and 4300 bikes in rotation that can be checked out and back in at fixed locations.

Mr. Rising said that Lafayette Elementary School is a good location for a bikeshare station because the 800+ children are dropped off by perhaps 500 parents each day. The availability of a bikeshare station at the school would permit some of those parents to use a bike to go to the Metro or downtown and could reduce morning drop-off traffic.

Mr. Rising said that he asked the Broad Branch Market to post a petition for neighborhood residents so that he could gauge interest in a bikeshare station at Lafayette Elementary School, and it garnered more than 150 signatures. He said that he had reached out to Commissioners Maydak and Malitz and had gotten their input. He had also reached out to the Principal at Lafayette and to the Home School Association (HSA). The HSA could not take an official position, but they had no objections. He had also asked Councilmember Todd for his support, and had been assured that he would support it.

Mr. Rising said that he had also contacted Aaron Goldbeck at DDOT who said that a resolution from the ANC would carry great weight in deciding on the location for a bikeshare station. Mr. Rising said that about two weeks ago, he sent a draft resolution to Commissioners Maydak and Malitz for their comments. Mr. Rising believes that the Lafayette plaza is a good location for the bikeshare. The space is large enough to accommodate the Saturday Farmers' Market without interfering with the bikeshare station. He said that with the addition of electric bikes in the bikeshare fleet, they will be an even more accessible alternative. He said that DDOT will need a Memorandum of Understanding (MOU) with the school because the station would be on school property, but that should not be a significant obstacle. Moreover, the station is not a permanent fixture — it could be removed at any time if proves to be unpopular.

Mr. Rising said that this resolution may be an opportunity for a larger discussion at the ANC about bikeshare locations throughout the ANC. Commissioner Maydak had suggested other locations as well. He said the Lafayette location provides a central mass of people that could be users for the station.

Commissioner Malitz said that the petition was impressive — he counted 175 names. He asked Mr. Rising whether that represented individuals or households. Mr. Rising said that he had tried to create a spreadsheet, and it did not seem that there were too many repeat addresses. He estimated that there were probably 150 separate households.

Commissioner Malitz noted that there are very few bikeshare stations off of the main streets (e.g., Connecticut Avenue, Wisconsin Avenue, or Nebraska Avenue). A station located in the neighborhood would improve accessibility for residents. Mr. Rising said that Lafayette qualifies as a concentration of employment based on the number of teachers.

Ariel Levinson-Waldman, a resident on 32nd Street, thanked Mr. Rising for organizing the petition and the resolution. He said that he is a bike rider, but he is particularly advocating for his wife, who rides downtown, and this bikeshare station could benefit her. He said it is striking that so many people signed the petition. He said it is a great complement to Lafayette's biking and bike education programs. He said that Broad Branch Market is an important part of the Lafayette experience, and a bikeshare station will show kids that biking is important to the community. A bikeshare station will also support small businesses like Broad Branch Market. The community does not want Broad Branch Market to close like its sister location, Soapstone Market on Connecticut Avenue. He added that in his experience working in the Attorney General's office, MOU's like the one needed here are executed regularly.

Stephen Varga, a resident at 2928 Northhampton Street, spoke in support of the resolution and petition. He said he's an avid bicyclist but some days he would prefer to have a bikeshare option. He said other neighbors think it's a fantastic idea.

Adam Forsyth, a resident on Aberfoyle Street, said that he supports anything that will make transportation easier from his neighborhood. He does not drive, and the E-6 bus is not reliable. A bikeshare station nearby would help, especially if there are electric bikes.

Commissioner Malitz said that he had noted the distances between bikeshare stations in the area, and a station at Lafayette would be in the same range as the distances between existing stations.

Commissioner Speck thanked all those who spoke about the proposed resolution and who signed the petition. He apologized to them that the Commission did not have a quorum and, therefore, was not able to take a vote on the resolution. He said that he would propose this item for the January 14, 2019 agenda.

Presentation by Celeste Duffie on the Department of Public Works' plans for leaf collection and snow removal (1:11)

Commissioner Speck explained that Ms. Duffie was originally scheduled to make a presentation on the Department of Public Work's plans for leaf collection at our October 22, 2018 meeting,

before the leaf collection was scheduled to begin. She was unable to attend that meeting or our November meeting, however, so we rescheduled her for this meeting.

By now, DPW's website (<http://leaf.dpw.dc.gov/leafcollection/>) indicates that the first round of leaf collection should have been completed, and the second round should be beginning. Some posts within the last 24 hours on the Chevy Chase Community listserv have offered comments about DPW's performance:

- From a resident on 31st Place: "the DC leaf crews never made it to our block on 31st Place NW for a first pickup. They were due here the week ending November 10. Our leaves were in the tree box at the beginning of that week waiting for them. When they hadn't come by the end of the week, we checked DPW's interactive map, which showed our block and several surrounding blocks as still needing to be done. I thought they might just be running late, so waited another week. The next week I wrote to Brandon Todd in the hope he could alert DPW there was a problem and they would get a crew out. One of his office staff replied to say she had contacted the DPW supervisor for our area and he had promised someone would come, but no such luck. When the crews come, they do a good job, but this is a basic taxpayer service and we should be able to count on actually receiving it."
- From a resident on 32nd Place: "The leaf trucks drove down 32nd Place west of Utah at the crack of dawn on the first day. Because there were so few leaves out, they made quick work of it. I now have enough leaves in front of my house to fill the truck. We used to have a third pass through in January, but that was discontinued a number of years ago."
- From another resident at an unspecified address: "I called 3-1-1 to report that we hadn't had a first collection. I then received a letter stating that my block had been cleaned and that we had all put leaves out after the date. I forwarded that letter to both Brandon Todd and Kevin Twine [at DPW] saying it was absolutely not true. After three emails and a few phone calls our street was cleaned last week. But only our block, not the many blocks around us that also have leaves piling up."

Commissioner Speck also reported that some feedback on leaf collection had been positive. He said that the Commission would appreciate an update on the status of leaf collection in our ANC and the steps that DPW has taken to resolve problems that were particularly acute in 2017-2018.

Ms. Duffie said that leaf collection is well underway in most locations, and our area is now beginning the second pass. One problem in the first pass was that not many leaves had fallen, but there are many more leaves now. She said that with the greater volume of leaves, there has been an uptick in the number of calls DPW receives.

Ms. Duffie explained that the same equipment is used for both leaf collection and snow removal. Thus, when there is even the threat of snow — as there was on December 9, 2018 — the equipment must be reconfigured for salt distribution and snow removal. In order to return to leaf collection, the equipment must be again reconfigured and cleaned. This sets back leaf collection.

Ms. Duffie said that leaf collection is on schedule this week to begin the second pass. DPW has a quality assurance group that takes photos before and after the collection to be sure all areas are covered. If there is a problem with collection, DPW needs an address so that they can take remedial action. Jessica Wertheim from the Mayor's office interjected that she has followed up with emails to all those who posted leaf collection complaints on the Chevy Chase Community Listserv, and all of those residents' leaves have been collected.

Ms. Duffie said that the leaf collection crew is usually 12 to 13 people with a leaf vacuum. Because of the way they operate, it's very unlikely that a single house will be missed. If it is, the resident should send an email to her (celeste.duffie@dc.gov) with the address.

Anne Renshaw asked that DPW not forget Military Road where the leaves that residents collect in tree boxes are sometimes scattered by the traffic.

Ms. Duffie said that for holiday tree and wreath removal, those items should be put at the same location as recycling pickup and on the same day as that pickup.

Turning to the topic of snow removal, Ms. Duffie said that it is “all hands on deck at the hint of snow.” She said that any resident 62 or older or disabled may get an exemption from the requirement that snow be shoveled from sidewalks within the first eight daylight hours after snow, sleet, or ice stops falling. To get an exemption form, a resident may call 311, and DPW will bring the forms to the home for execution. The form is also available at <https://sse.dcdpw.us/>.

Commissioner Speck thanked Ms. Duffie for providing a clear, concise presentation.

Possible votes on grant applications by Northwest Neighbors Village, the Wilson Crew Booster Club, and Ch/Art (1:25)

Commissioner Speck summarized the Commission's prior consideration of these grant applications. Northwest Neighbors Villages applied for a grant of \$1500 to develop and implement a software platform to manage NNV's operations. The Wilson Crew Booster Club asked for a grant of \$2000 to purchase ten new oars. The Ch/Art group seeks a grant of \$1200 — \$700 to build a website and a presence on social media (Facebook and Instagram) and \$500 to create a marketing presence for the spring art walk through a map, flyers, and posters.

The Commission has \$4546 remaining in its FY 2019 budget, and these three grant proposals total \$4,700 — \$154 short of the full funding amount needed. The Commission may also want to save some of the budgeted funds for the Spring.

At the Commission's November 26, 2018 meeting, commissioners raised questions about grant applications for the Wilson Crew Booster Club and the Ch/Art group. Some of those questions related to whether the applications meet the requirement that the grants benefit the community as a whole. The Commission agreed to defer a vote on these grants until this meeting so that the Commission could seek further advice from the Director of the Office of Advisory Neighborhood Commissions.

On December 10, 2018, Gottlieb Simon, Director of the ANC Office, responded to Commissioner Speck's inquiry:

Unfortunately, neither grant provides sufficient information to conclude that they meet the public purpose test. There are at least two aspects of the "test." Section 1-309.13(m)(2)(B) of the ANC law has long required that applications for ANC grants contain "(a) statement of expected public benefits." I don't see such a statement in either application.

Absent such a discussion an argument might be made that grant activity would include "everybody" and, by definition, provide public benefits. In this case, the numbers do not necessarily appear weighted heavily in the "everybody" direction. The crew grant would include *some* [ANC 3/4G] youths, roughly a third according to the application, but they would be a minority of those benefited, and a relatively small number of [ANC 3/4G] residents in absolute terms. The other application would assist a larger number, i.e. 70, but still a small number of [ANC 3/4G] residents (assuming that they are [ANC 3/4G] residents).

The "Omnibus," as you know, has added a definition of "public purpose" to the ANC law: "A public purpose shall be a purpose that benefits the community as a whole and is not done for the primary purpose of benefitting a private entity." It is difficult to say in either case that the funds would be used in a way that benefited the community as a whole rather than the organizations requesting the grants.

This is not to say that either application isn't for a "good" purpose, only that they may not fit the requirements for an ANC grant

The Ch/Art group also sent a letter to the Commission on December 10, 2018, emphasizing that its "mission statement is clear that our purpose is to serve the community through the visual arts."

Commissioner Speck suggested that because the ANC Office wants the statement of community benefit in the application, we could invite Ch/Art to reapply in the new year and address this requirement more fully. He suggested that the Wilson Crew Booster Club application was not likely to be approved by the ANC Office since it does not appear to meet the criteria for a sufficient community benefit.

Commissioner Malitz asked whether the Ch/Art group had obtained its 501(c)(3) status. Commissioner Speck said that the group's letter said that they "are in the process of [starting] up a tax exempt non-profit. We have submitted our articles of incorporation to the District of Columbia and we anticipate the completion of our status as a 501C(3) in early 2019."

Commissioner Fromboluti agreed that the Wilson Crew application was not likely to be approved, and the ANC must be careful to be sure that grants will be approved. In a previous case, a grant was disallowed, and the amount was deducted from the ANC's allotment, which meant that we had no funds for grants for a significant period. He said that the Ch/Art group needs to make its case for a community benefit. He is troubled that the group members are trying to sell their art at community events organized by the group.

With respect to the NNV application the commissioners would like more specificity about how the computer system benefits the community.

Commissioner Malitz reiterated his statement at the November 26, 2018 meeting that he would not participate in the vote on the Ch/Art application because his wife is a member of the organization.

Because there was no quorum, Commissioner Speck said that any action on the grants would be deferred until 2019.

Commission Business

1. Because there was no quorum, the Commission could not approve the minutes for its November 26, 2018 meeting.
2. Because there was no quorum, the Commission could not consider the Annual Report for FY 2018.
3. Because there was no quorum, the Commission could not approve any outstanding checks.
4. Items for January 14, 2019 meeting may include: Election of new officers; adoption of by-laws; adoption of 2019 meeting schedule; adoption of resolution approving the ANC's participation in the Advisory Neighborhood Commission Security Fund and authorizing the Treasurer to pay the \$25 fee for the period January 1, 2019, through December 31,

2019; discussion of Lafayette Elementary School maintenance issues; report on status of the Community Center Modernization and preparations for transition during construction; presentation and possible vote on public space permit application for renovations to the driveway at 5363 29th Street, NW (DDOT Tracking Number 322064); presentation and possible vote on petition for the installation of a Capital Bikeshare station at site of Farmers Market at Lafayette Elementary School; possible votes on grant applications by Northwest Neighbors Village, the Wilson Crew Booster Club, and Ch/Art

The meeting adjourned at 8:45 pm (1:35).

Signed:

Randy Speck
Chair

Rebecca Maydak
Secretary