

**ANC 2B DUPONT CIRCLE ADVISORY NEIGHBORHOOD COMMISSION
REGULAR MEETING MINUTES
Wednesday, February 11, 2009 Jewish Community Center**

The February Regular Meeting of the Dupont Circle Advisory Neighborhood Commission (Commission or ANC 2B) was called to order by Chairman Silverstein at 7:00 pm. The Commissioners identified their Single Member Districts (SMDs). Present were: Mike Feldstein (2B01), William Hewitt (2B02), Bob Meehan (2B03), Jack Jacobson (2B04), Victor Wexler (2B05), Mike Silverstein (2B06), Phil Carney (2B07), Will Stephens (2B08) and Ramon Estrada (2B09). The Chairman noted the presence of a quorum.

Public Testimony and Announcements

Commissioner Meehan: He noted that he attended the groundbreaking ceremony for S & T Street Dog Parks. The parks will officially open on Memorial Day.

Commissioner Estrada: He spoke with the CFO of Room & Board. The establishment did not receive a loan to purchase a building at 14th and T Streets NW. The project would have required \$15 million. The project is on hold for the next six months.

Commissioner Jacobson: He announced the next community meeting on the 17th Street liquor moratorium in the first week in March. The date will be determined in the near future, and constituents will be notified on the Dupont Forum and the ANC listserve.

David Lander (2125 Newport Place) expressed his desire for a soccer field for children in the neighborhood.

Paul Williams, Executive Director, Historic Dupont Circle Main Streets: The Clean Team is in its fourth month in a year long contract. In January, they collected 1,690 garbage bags weighing 49,000 pounds.

Public Safety

Officer Steven Fletcher, MPD, PSA 208
Constituents can access crime maps at mpd.dc.gov
steven.fletcher@dc.gov

Year-to-date:

- Assaults are down 83%
- Burglaries are up 13%
- Theft from auto is down 4%

- Theft is down 24%
- Stolen autos are down 20%
- Overall crime is down 14%

The Dupont Circle Public Safety Committee meets every third Tuesday of the month at 7:00 PM at the Metropolitan Police Department (MPD) station at 1620 V Street NW.

General

Final DDOT presentation of 17th St Streetscape for approval

DDOT representatives stated that the project spans from Massachusetts Avenue NW on the south to New Hampshire Avenue NW on the north. The project will consist of new sidewalks (consisting of concrete, not brick), trees, streetlights, granite curbs, crosswalk ramps and resurfacing of the street. New traffic signals will be installed at Massachusetts Avenue NW, P Street NW, Q Street NW, and New Hampshire Avenue NW. DDOT hopes to begin the streetscape in April 2009.

Commissioner Meehan made the following motion:

Resolved, that ANC 2B approves the *17th* streetscape project as presented at our February 11, 2009 public meeting. ANC 2B further requests that DDOT return to the ANC for approval of the 18th Street Reconstruction Project, hopefully no later than our April meeting.

Commissioner Jacobson seconded the motion. Commissioner Stephens made a point of order and asked Commissioner Jacobson if he had an amendment to add to the motion. Commissioner Jacobson stated that he would wait until DDOT returns before the ANC with an implementation schedule.

The motion carried unanimously (9-0).

Resolution in support of Council legislation legalizing same-sex marriage in the District of Columbia

Commissioner Stephens made the following motion:

Whereas, the right to have one's bond of marriage recognized by the government is a fundamental right and a matter of basic human dignity; and

Whereas, the law of the District of Columbia does not recognize same-sex marriage; and

Whereas, the Dupont Circle neighborhood is internationally recognized as home to a vibrant GLBT community;

Therefore, be it resolved that ANC 2B urges the D.C. Council to introduce legislation, as soon as practicable, recognizing the right of same-sex couples to marry in the District of Columbia and fully recognizing same-sex marriages legally entered into in other jurisdictions; and

Be it further resolved that ANC 2B urges the newly sworn-in Council to place high priority on the passage of such legislation as soon as practicable; and

Be it further resolved that the Chairman send a letter to all D.C. Council Members in accordance with this resolution.

Commissioner Jacobson made a friendly amendment (already included above) to add the language “at an appropriate time” to the motion. Commissioner Stephens suggested adding “as soon as possible”. Commissioner Jacobson suggested adding “as soon as practicable” to the motion. Commissioner Stephens accepted the friendly amendment.

The motion carried unanimously (9-0).

Resolution in support of Council legislation providing D.C. tax credits for purchase of trash compactors

Commissioner Stephens made the following motion:

Whereas, trash compactors are a key line of defense against the spread of rodents and debris; and

Whereas, the addition of trash compactors in the Dupont Circle neighborhood has led to a marked decrease in rodent populations in the areas served by the compactors;

Therefore, be it resolved that ANC 2B commends Councilman Evans for introducing legislation to provide tax credits and other incentives for the purchase and use of trash compactors; and

Be it further resolved that the Commission urges the Council to pass such legislation before the warmer seasons lead to a natural uptick in rodent infestations, as an incentive for business establishments to purchase and install compactors now; and

Be it further resolved that the Chairman send a letter to Councilman Evans and the other D.C. Council Members in accordance with this resolution; and

Be it further resolved that in conjunction with this initiative, ANC 2B also urges the Council to call upon the Department of Public Works and the Mayor to enforce existing laws and regulations that impose fines on garbage and dumpster violations.

Commissioner Carney seconded the motion. Commissioner Hewitt suggested adding language (already included above) urging the city to enforce inspections to further encourage purchase of trash compactors. Commissioner Stephens accepted the friendly amendment. The motion carried unanimously (9-0).

Desi Deschane, Councilmember Jack Evans office, suggested the Commission send letters of support to the Chairman of the City Council, and four At-Large Councilmembers.

Presentation on Francis Field renovations by DPR

DPR representatives presented a master plan for Francis Field, but stressed that there are currently no hard dollars allocated for the project. They noted concern by members of the public regarding the lights at the field.

Members of the public from ANC 2A and 1A expressed concern over the lights at Francis Field.

Commissioner Silverstein made the following motion:

WHEREAS, Francis-Stevens Educational Center is located within the boundaries of ANC2B, and

WHEREAS, Francis-Stevens students have used the facilities of Francis Field for decades, for their football team, track team, and other athletic activities, and their after school program, and

WHEREAS, the Principal and Vice Principal of Francis-Stevens have written to ANC2B to inform us that the removal of field lighting will severely impact their athletic program and create an extreme safety hazard, and

WHEREAS, numerous parents living within the boundaries of ANC2B have written ANC2B to inform us that removal of field lighting at Francis Field will severely impact their recreational play and soccer programs, and

WHEREAS, Francis Field is the only public athletic field in Ward Two used for youth soccer,

BE IT RESOLVED that ANC2B opposes removal of field lighting from Francis Field until the issue of school use by Francis-Stevens and School Without Walls and use by youth soccer programs can be studied in cooperation with ANC2A, and

BE IT FURTHER RESOLVED that ANC2B opposes any installation of new lighting without a facilities management plan that limits use of the field, and

BE IT FURTHER RESOLVED that ANC2B supports efforts to provide preferred use of the field to school programs and local youth soccer programs, and agrees with nearby residents that the field should not be monopolized by for-profit adult softball leagues in the summer, and

BE IT FURTHER RESOLVED that ANC2B supports efforts to create a dog park in addition to the athletic field at the Francis Field site, and

BE IT FURTHER RESOLVED that ANC2B take no position on current plans for the further development of Francis Field until issues including the dog park, lighting, and park management can be clarified.

Commissioner Meehan seconded the motion. The motion carried unanimously (9-0).

Commissioner Jacobson requested that copies of letters from the public submitted to the Commission be included with ANC 2B's letter to DPR.

Regulatory

Review of Concept Plans for Whitman Walker Project (2B09)

Representatives made a presentation with the latest concept plans, after receiving comments from HPRB at its December 2008 hearing. The plans present a more unified structure, revised masonry, and improved pedestrian-friendliness of storefronts, to address HPRB and DCC concerns. Commissioner Estrada expressed concern that the drawings don't address plans for a garage.

Commissioner Estrada made a motion to support the DCC's recommendation, and request the applicants to continue to study, with the neighbors, the placement of the garage door.

Commissioner Jacobson seconded the motion. The motion carried unanimously (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

The project will go before HPRB on February 26, 2009

Single Sales Ban Exceptions

The Commission addressed Single Sales Ban Exceptions:

Commissioner Silverstein noted that none of the following establishments have had any ABC violations in the past year. None of the establishments are located in residential areas. The ANC executed both public and private voluntary agreements with the establishments below.

Request for Exception from Single Sales Ban, 1500 Mass. Ave. Market. Mr. Moon, Owner and Operator (2B05)

Commissioner Wexler recommended the Commission grant the exception. Commissioner Silverstein made a motion to offer an exception subject to the successful negotiation of a voluntary agreement. Commissioner Hewitt seconded the motion. The motion carried (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

Request for exemption from Single Sales Ban. Barmy Liquors, 1912 L Street NW, Mr Saraff, owner and operator. (2B06)

Commissioner Silverstein noted that the applicant has no violations on record, and that they agreed to public and private voluntary agreements. Commissioner Wexler made a motion to offer an exception subject to the successful negotiation of a voluntary agreement. Commissioner Jacobson seconded the motion. The motion carried (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

Request for exemption from Single Sales Ban, Imperial Liquors, 1050 17 St. Mr.Sing Amazit, owner and operator. (2B05)

Commissioner Silverstein noted one violation more than one year ago. Commissioner Wexler noted that he had fully discussed the intent of the Single Sales ban, and that the Commission had reached a voluntary agreement with the applicant. Commissioner Meehan called the question. Commissioner Jacobson seconded the motion. The motion carried (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

Request for exemption from Single Sales Ban. Lillian Morrison Inc t/a Bell Wine and Spirits, 1821 M Street NW. Carlos Nalda, owner. (2B06)

Commissioner Silverstein noted that the applicant has a clean record. He made a motion to offer an exception subject to the successful negotiation of a voluntary agreement. Commissioner Wexler seconded the motion. The motion carried (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

Request for exemption from Single Sales Ban. Connecticut Avenue Wines and Liquors,Inc t/a Connecticut Avenue Wine and Spirits, 1529 Connecticut Ave NW. Mr Bobby Kim. (2B02)

Commissioner Hewitt noted that the applicant has no violations. He made a motion to offer an exception subject to the successful negotiation of a voluntary agreement. Commissioner Jacobson seconded the motion. The motion carried (8-0), with Commissioner Stephens not present in the room at the time of this particular vote.

Request for exemption from Single Sales Ban. Ben Moll Liquors, 1700 U Street NW (2B08)

Commissioner Stephens returned to the meeting. He suggested the Commission support the exception pending the negotiation of a voluntary agreement, to be discussed at the next public ANC meeting. Commissioner Silverstein suggested the Commission take up this issue at the March meeting. Commissioners Silverstein and Stephens tabled the matter, and determined the Commission would consider the matter at the March 2009 meeting.

Review of Concept Plans for 1524 18th Street

The applicant presented his plans and requested the ANC's support for the design concept. Commissioner Carney requested the applicant to respond to DCC's comments, and return before the ANC at the March meeting. He noted that the ANC defers to the DCC on such matters. Commissioner Estrada suggested rejecting the project now, and ask the applicant to meet with DCC. Commissioner Hewitt made a motion to take no action on the project, and allow DCC to speak for themselves at the HPRB hearing. Commissioner Jacobson seconded the motion. The motion carried unanimously (9-0)

**Administrative Matters, Commissioner and Committee Reports, and Unfinished/
New Business**

Committee Report: 17th Street Moratorium Ad Hoc Committee

Commissioner Jacobson noted that the Committee held two walking tours of 17th Street. He noted that the Committee also held a community meeting, and received approximately thirty comments from the public. He noted that they would hold another community meeting in the near future. The Committee determined that the Commission should temporarily extend the current Moratorium for 30 days.

Commissioner Jacobson made the following motion:

WHEREAS, there currently exists within ANC 2B a moratorium on liquor licensing along the 17th Street, NW, commercial corridor, known as the "Dupont East Liquor Moratorium", and

WHEREAS, the moratorium currently in effect expires on March 23, 2009; and

WHEREAS, ANC 2B's ad hoc Committee on the Dupont East Moratorium, constituted by a vote of 9-0 at ANC 2B's January 14, 2009, meeting, has held a community listening session, has solicited community input, and has engaged stakeholders on the potential continuance and/or revision of the Dupont East Liquor Moratorium; and

WHEREAS, ANC 2B would like to hold at least one more meeting to receive community input on a possible Dupont East moratorium extension and finalize a committee report for consideration on the same issue to be presented to the full ANC 2B on March 11, 2009.

THEREFORE, BE IT RESOLVED, THAT ANC 2B requests that the Alcoholic Beverage Regulation Administration ("ABRA") extend the current Dupont East Liquor Moratorium by 30 days with no amendments or adjustments; and

BE IT FURTHER RESOLVED, THAT ANC 2B vote on a final resolution on the Dupont East Liquor Moratorium and provide the same to ABRA no later than March 12, 2009, so that the Administration has ample time to consider our recommendations, notice a hearing, hold a hearing, and finalize a ruling prior to the final expiration of the Dupont East Liquor Moratorium.

Commissioner Stephens seconded the motion. The motion carried (9-0).

Discussion of ANC working paper & resolutions on ANC operations

Commissioners Estrada noted that he spoke with Gottlieb Simon, Director, Office of the ANCs. Mr. Simon noted that the Commission should focus on a policies and procedures manual, rather than amend the bylaws. Commissioner Estrada noted that Mr. Simon stated that the bylaws refer to governance of the ANC, and should not address policies and procedures. Commissioner Estrada made a motion to create a policies and procedures manual to include Commissioner Stephens three proposed motions:

Motion 1:

BE IT RESOLVED that the Commission shall use the following model agenda, to be edited or revised for each meeting at the discretion of the Chair:

Call to Order and Introduction of Commissioners

Approval of Minutes

Public Announcements and Testimony

Public Safety

Committee Reports

Commissioner Reports

General

Regulatory

Administrative/Financial Matters

Motion 2:

Whereas the Voluntary Agreements between the Dupont Circle Advisory Neighborhood Commission (ANC 2B), citizen groups, neighbors, and liquor-serving establishments are public information and should be easily and publicly available for viewing by all interested parties; and

Whereas the website of the Alcoholic Beverage Regulatory Administration (ABRA) no longer includes a search function for Voluntary Agreements; and

Whereas the existing ABRA-enforced moratoria should also be easily and publicly available for viewing;

Therefore be it resolved that a page be added to the Commission's website which provides a link to the text of **all** existing Voluntary Agreements and moratoria within the boundaries of ANC 2B; and

Be it further resolved that individual commissioners shall be responsible for finding an electronic version of each Voluntary Agreement within their respective Single Member Districts; and

Be it further resolved that all Voluntary Agreements be posted to the new page no later than the **May 2009** meeting of the Commission and all moratoria be posted to the new page no later than the **March 2009** meeting of the Commission; and

Be it further resolved that beginning on May 1, 2009, any new or amended Voluntary Agreement or moratorium be posted on the website within 30 calendar days of execution.

Motion 3:

WHEREAS the Commission would like to make its finances as transparent as possible for the public; and

WHEREAS Commission by-law amendments require 15 days of public notice;

THEREFORE BE IT RESOLVED that Article VI of the By-Laws shall be amended as follows:

i. At the end of Section 2, insert the following: “The budget, as amended, shall be posted on the Commission’s website within thirty (30) calendar days of Commission approval or amendment in accordance with this section.”

ii. At the end of Section 3, insert the following: “The quarterly reports shall be posted on the Commission’s website within thirty (30) calendar days of approval by the Commission.”

iii. At the end of Section 5, insert the following: “The resulting final report of any such audit or investigation shall be posted on the Commission’s website within thirty (30) calendar days of receipt of the report.”

iv. Section 6 shall be added as follows: “Section 6 – The Treasurer shall post on the Commission’s website any other Commission financial information as may be appropriate, at the Treasurer’s discretion or by resolution of the Commission.”

BE IT FURTHER RESOLVED that a “Finances” or similarly-named page be added to the Commission’s website, with a link on the Commission’s home page, in order to facilitate the by-law amendments described above.

BE IT FURTHER RESOLVED that the Treasurer shall work with the Executive Director to post the Commission’s current financial information on the new website page no later than the Commission’s 2009 regular public meeting.

BE IT FURTHER RESOLVED that in order to comply with the minimum 15-day public notice requirement for by-law amendments, this resolution shall be placed on the agenda and reaffirmed at the Commission’s 2009 regular public meeting.

Commissioner Estrada noted that interim reports should not be posted online. Commissioner Stephens made a friendly amendment to include deadlines in Commissioner Estrada’s motion. Commissioner Estrada accepted the friendly amendment. The motion carried unanimously (9-0).

Commissioner Stephens stated that he would like the Commission to consider hiring a public policy intern.

Financial Matters

Commissioner Jacobson noted that he disbursed a check to Commissioner Meehan for printing costs for \$5.84.

Commissioner Stephens noted that he was researching new venues for the Commission's monthly meetings. Commissioner Silverstein noted that we currently pay \$1,200 per year at the JCC.

Commissioner Estrada made a motion to approve the November, December and January minutes, subject to technical corrections. Commissioner Stephens seconded the motion. The motion carried unanimously (8-0-1) with Commissioner Feldstein abstaining because he was not on the Commission in December 2008.

Adjournment

At 10:00 PM, Commissioner Silverstein moved to adjourn the meeting, which passed by acclamation.

The next regular meeting of ANC 2B will be held on Wednesday, March 11, 2009, 7:00 PM at the D.C. Jewish Community Center at 16th and Q Streets, NW.

Respectfully submitted,

Alfred E. Blicher, Jr.
Executive Director
Dupont Circle Advisory Neighborhood Commission 2B

ADOPTED: March 11, 2009