

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 3B
GLOVER PARK AND CATHEDRAL HEIGHTS



ANC3B Public Meeting Minutes
March 8, 2018

Chairman Brian Turmail (ANC3B05) opened the meeting at 7:00 pm. All the other Commissioners were also in attendance: Ann Mladinov (ANC3B01), Jackie Blumenthal (ANC3B02), Melissa Lane (ANC3B03), and Mary Young (ANC3B04), which constituted a quorum.

Chairman Turmail made a motion to approve the agenda as presented. The motion was seconded and the Commission approved the agenda by a vote of 5-0.

Police Report

Lt. Ralph Neal presented the crime statistics for ANC3B. Lt. Neal said the most recent 30-day period had seen no violent crimes and 8 property crimes (2 stolen autos and 6 thefts), a reduction from last year.

Several residents asked about the “drug bust” at the house on 38th Street at W Street and the status of that case. Lt. Patrick Loftus from the MPD 2nd District Vice Unit/Special Mission Unit gave an update on the arrest for manufacturing with intent to sell narcotics (marijuana). He said the case has been referred to the grand jury, and the Nuisance Property Abatement process is being handled by the DC Office of the Attorney General (OAG). He explained that the residence qualifies as a “nuisance property,” defined as a property used for activities related to the sale or manufacture of controlled substances or drug paraphernalia, prostitution, or firearms. The OAG contact, Cameron “Cam” Windham, was also at the meeting. Lt. Loftus and Mr. Windham explained that residents should not try to encourage the tenants to leave the residence or the landlord to evict them, because that could be cited as harassment and could interfere with the legal processes already in progress to prosecute the case and get an eviction of the residents who participated in the illegal activities.

A resident asked about cars parking along the north side of Observatory Lane (east side of Wisconsin south of Sushi Keiko), blocking what should be a second lane for traffic, which is needed for vehicles going in and out of the parking garage serving the new apartments behind the RiteAid. Commissioner Blumenthal observed that Observatory Lane looks like an alley but it is a public street leading to the back entrance to the Naval Observatory. She noted that business owners along Wisconsin have valet service and valets often use that area for parking. She said she would follow up. Lt. Neal said he would also have MPD officers investigate the issue.

Discussion with Jeff Marootian, Director of DC Department of Transportation (DDOT)

Director Marootian announced he had formed a new Office of Community Engagement at DDOT, headed by Ted Goodall, and he introduced the Mayor’s new community liaison for ANC3B, Russell Rowe, who will be working closely with DDOT to address community needs. Mr. Marootian spoke about DDOT responsibilities for roads, alleys and sidewalks, as well as the trees in public space. He highlighted safety as the most important responsibility, including the Vision Zero program to eliminate transportation-related deaths and serious injuries in the District by 2024. He reported the Mayor had asked for a pilot test of autonomous vehicles in SW, in the interest of maintaining mobility and keeping up with changing technologies. He noted the connection between safety and the quality of the infrastructure, and noted that when the weather gets better, DDOT will be starting street resurfacing and reconstruction projects. He said the list of paving projects for the new year would soon be available and DDOT would share it with the ANC. He then asked for questions.

Commissioner Blumenthal noted the over-arching question of the line of communications with DDOT asked Mr. Marootian to explain what ANCs should do to get problems addressed, because the recent resolutions adopted by ANC3B had not been effective in getting DDOT response. Mr. Marootian suggested a meeting with DDOT to hear the local concerns and discuss the best route to get action. He said DDOT is happy to work with MOCRS and ANCs to get the resolutions addressed, but some changes require a process, an investigation, or an environmental analysis, such as traffic signals. He recommended that the ANC submit requests using the city's 311 system, which creates a record and can be tracked, and follow-up on the requests with Mr. Goodall's team and with Russell Rowe. He asked Mr. Goodall to meet with the ANC and have a walk-through to look into local issues.

Chairman Turmail mentioned the 3-way stop at the intersection of W Street and Benton, where the stop signs are hard to see and very few vehicles stop. Commissioner Young noted a number of issues in her Single Member District including crumbling sidewalks, as well as safety concerns on Cathedral Avenue where the ANC had adopted a resolution requesting a traffic safety investigation and installation of additional stop signs. A resident of 3901 Cathedral Avenue also mentioned a damaged sidewalk at that location, caused by a tree that fell in the derecho of 2012. A 311 request was filed but no work had been done. Commissioner Mladinov also mentioned that several 311 requests had been submitted for sidewalk repairs at 39th and Tunlaw in her Single Member District in 2016 that had not been addressed. He also asked about safety for bicyclists, including safety training because many riders don't follow rules.

Commissioner Lane noted there are many crumbling streets in the neighborhood and asked how to get them on DDOT's list for repairs. She inquired how DDOT prioritizes streets for pavement repair/restoration. Mr. Marootian responded that 30% of streets in the District are rated "poor." A DDOT contractor takes a picture of every street and assigns it a PCI score from 0 (worst) to 100 (best). From that information, DDOT makes a list of the worst streets in each ward and prioritizes them, starting with the streets in the worst shape.

John Green of 2111 Wisconsin asked how residents would get in and out with the increased traffic after the new development is completed at the Holiday Inn site. Commissioner Blumenthal said that she has been meeting with the developers and DDOT and that residents of 2111 Wisconsin will continue to be included in the discussions. Mr. Marootian said DDOT examines estimated impacts when a development is proposed and would return to reassess when the project is completed, to see if additional adjustments are needed.

One resident asked if the problem of getting streets repaired is related to lack of money or lack of personnel. Mr. Marootian said that contractors do the street repaving jobs and also schedule and dispatch the work. Because of weather and the less-than-12-month construction season, there are limits on the time available to get to all the streets in poor condition, and the city cannot close every nearby street at the same time, so full reconstruction of a street brings many complications. Sometimes DDOT can take preventive steps on a street and hold off complete reconstruction. DDOT uses a different budget and process for repaving/reconstruction than for maintenance (such as potholes, which DDOT tries to repair as soon as they are reported).

Presentation by Alex Lambert, Restorative Justice Facilitator, DC Office of Attorney General (OAG)

Mr. Lambert spoke about the Neighborhood Engagement Achieves Results (NEAR) Act requirement for OAG to establish a Victim Offender Mediation Program. In the Public Safety Division, he is working with juvenile offenders to help them see the effects of their actions by talking with victims and their families. OAG is also partnering with the U.S. Attorney to extend that program to some 18-24 year olds involved in low-level misdemeanors. The goal is to divert young people from criminal behavior and find options for them outside the justice system. Chairman Turmail asked how the ANC and residents could help with that work. Mr. Lambert suggested getting involved in mentoring programs and also emphasized remaining aware of what is going on with young people in our neighborhoods and families, learning how to talk with them, and providing more for them to do. Commissioner Mladinov asked if OAG works with local high schools to help avert crime and violence and develop better models for young people. Mr. Lambert said that he is working with MPD, which has a Community Engagement Officer in each high school who helps young people engage in conversation and gain a greater sense of community and accountability.

Resolution Supporting NEAR Act Implementation

Chairman Turmail presented a resolution supporting full implementation of the NEAR Act, the law adopted in spring 2016 to create an integrated approach to crime and violence, which had been the subject of presentations at the December and January meetings, and the report by Deputy Mayor Kevin Donahue at the February meeting. The law calls for the city to offer additional public health and social services as well as new programs by MPD, including additional data collection on matters such as “stop and frisk” incidents. The resolution endorses the principles and mechanisms in the law, supports the steps taken to take, asks that the city fully implement and fund the NEAR Act provisions in future years, and recommends added funds for more counselors in the Department of Behavioral Health to carry out the programs. The resolution also urges the city to share the data collected by MPD with the public as promised, while also safeguarding privacy protections for residents and officers. Chairman Turmail made a motion to take a vote on the proposed resolution. The motion was seconded and the Commission voted 5-0 to approve the resolution as presented.

Resolution Regarding DC Comprehensive Plan Update (B22-0663)

Commissioner Mladinov introduced a resolution directed to the DC Council and the Mayor noting that the required process for public review and comments on the proposed update to the first 60 pages of the city’s Comprehensive Plan had not been followed to date and urging that full opportunities be provided for review and comment by residents and ANCs before the Council adopts revisions to the Comp Plan. She explained that a year ago the DC Office of Planning held an open call for proposed amendments to the Comp Plan and, as required in DC law, had committed to sharing all those submissions and the city’s recommended changes with the public and opening a second 60-day period for comments before sending anything forward to the Council, but instead on January 9 the Mayor had submitted revisions in the first 60 pages of the Comp Plan directly to the Council without any chance for review or comment. The initial 60-page section called the “Framework Element” includes proposed revisions to statements of the city’s planning challenges, as well as significant changes in the official definitions of land use categories that guide what types of development can be allowed in locations around the city, and the way those sections and future land use maps are to be used. The changes would give almost total discretion to the Zoning Commission by reducing the authority of the Comprehensive Plan and also the opportunity for ANCs and the public to challenge development that appears to contradict the Comprehensive Plan.

The ANC3B resolution also urges the Council to adopt an amendment to DC law providing that ANCs will be given notice, chance to comment, and ‘great weight’ on its recommendations on the Comp Plan and similar plans prepared by executive agencies as they do on other “final decisions,” even if the Council has the responsibility for final approval.

Chairman Turmail made a motion to take a vote on the proposed resolution. The motion was seconded and the Commission voted 5-0 to approve the resolution as presented. Council Chairman Phil Mendelson had scheduled a hearing in the DC Council on the Comp Plan Update on March 20, and the Commission anticipated presenting its resolution at that hearing.

Letter requesting a further discount on rent charges for the Glover Park-Burleith Farmers Market

Commissioner Blumenthal presented a letter to the DC Department of General Services (DGS) requesting a 75% discount on the rent that DGS charges for use of the parking lot at Hardy Middle School for the Glover Park-Burleith Farmers’ Market. Community Foodworks, the non-profit organization that operates the seasonal Saturday morning farmers’ market, has to pay the rent, which is a significant part of their operating expenses for the market. Because of the public programs and services offered by the market, ANC3B had previously requested that DGS not charge any rent, but that was not approved. As Community Foodworks is preparing for opening the market for the 2018 season, ANC3B had prepared a letter to DGS to request a discount of 75% on the rent, to try to get a lower rental than was charged in 2017. Commissioner Blumenthal made a motion to take a vote on sending the proposed letter. The motion was seconded and the Commission voted 5-0 to approve the letter as presented.

Updates and Information

Commissioner Blumenthal gave a brief update on the status of the dispute between Whole Foods and Wical Limited Partnership, the landlord for the Glover Park Whole Foods store. She explained that late in January a court ruling on Wical's motion to dismiss Whole Foods' lawsuit against the landlord went mostly in Whole Foods favor, which increases the likelihood of an out-of-court settlement although neither party has commented on the record. She had also learned that top officials from Whole Foods and Wical had been meeting to discuss possible terms for negotiations, starting in December. More than 1000 residents had signed a petition that was presented to Wical urging that the store be reopened. Commissioner Blumenthal said that Whole Foods has stated it will take about 6 months after the required building permits are issued for the store to be ready for reopening, and the ANC will continue to monitor the issue and share information.

Open Forum

Jay Thal, resident of the Chevy Chase neighborhood in Ward 3, introduced himself and described his role as the designated representative of the American Association of Retired People (AARP) for Ward 3. He has worked with the Boy Scouts as well as senior issues in Ward 3, and was awarded a Community Cornerstone Award in February by Councilmember Anita Bonds, the same evening that Commissioner Mary Young also was honored with a Community Cornerstone Award. He noted that city services for seniors are lacking in Ward 3, including at the Chevy Chase Community Center, and asked residents to be in touch with him if they have concerns or questions. He also highlighted AARP's program to offer free help with income tax returns.

ANC3B02 resident Shiladitya Chakrabarti presented a letter asking the District to remove its funds from Wells Fargo, currently the major bank of record for the city government, and instead use a local bank or establish a public bank to manage and invest the city's funds. He said Wells Fargo has fallen short of Community Reinvestment Act standards, has been cited for illegal, deceptive or discriminatory practices, and also has financed major fossil fuel projects such as the Dakota Access Pipeline. He noted the city is currently in the third year of a five-year contract with Wells Fargo, and the DC ReInvest campaign is trying to get the Council to act to end that relationship, though the change would not have to occur until the city contract is up for renewal. Commissioner Young noted that Wells Fargo is also the bank that the ANC uses for its checking account, and it would be very disruptive to change banks in the middle of an ANC term. Several residents asked for more details on the alternatives suggested by DC ReInvest, particularly the idea of a public bank. Jay Thal announced that a forum would be held in Ward 3 the following week on the idea of establishing a public bank in the District, and the Council has commissioned a study of the feasibility of a public bank. Mr. Chakrabarti said the legislation has support in the Council but there has not yet been a hearing.

ANC3B01 resident Justin McCarthy of the Partnership Project gave a brief presentation on the proposed Carbon Tax and Rebate Program that has been introduced in the Council. The proposal would establish a local tax on companies including Pepco that are involved in buying and/or selling carbon-based fuels such as oil and natural gas, with the charges based on the estimated carbon emissions associated with the fuel use. The presentation explained that the tax revenues would be used for several purposes (75% to pay a monthly rebate to all District residents, with the largest rebates going to lower income households; 5% to provide reductions in property taxes for local small businesses; and 20% to support green infrastructure to fight the effects of climate change) with the goal of reducing use of fossil fuels without creating an economic hardship for District residents and businesses. Estimated rebates would average \$43 per household per month. Mr. McCarthy said 60 groups are backing the effort along with several ANCs and Councilmembers Grosso, Allen, and Cheh. The bill has been assigned to CM Cheh's committee, and the supporters are hoping to get Council action on the legislation this spring.

Chairman Turmail thanked the presenters and said the Commission would review the material, gather feedback from the community, and get back to them with any questions or requests for more information.

Commissioner Blumenthal apologized that the meeting room was only scheduled through 9 pm so the discussion would have to be wrapped up so the Commission could get through required administrative matters. The Commissioners committed to providing more time for the Open Forum at the coming meetings.

Administrative Matters

Chairman Turmail introduced the minutes of the Commission’s February public meeting and made a motion to approve the minutes. The motion was seconded. The Commission voted 5-0 to approve the minutes.

Treasurer Mary Young presented the monthly financial report for February.

ANC3B February 2018 Financial Report

OPENING BALANCE:	\$8,019.09
Income:	\$2,930.71 DC Allotment
Total Income:	\$2,930.71
Outgoing:	\$ 856.00 Check #1283 Grant to Iona Senior Services – Pocket Talkers
	\$16.29 Check #1284 Reimburse Commissioner Mladinov for printing
Total Outgoing:	\$ 872.29
CLOSING BALANCE	\$10,077.51

NOTE: One check is outstanding: \$25.00 – Check #1281 for ANC Security Fund.

Chairman Turmail made a motion to approve the ANC3B monthly financial report for February. The motion was seconded and the Commission voted 5-0 to approve the financial report as presented.

Chairman Turmail announced that the next public meeting of the Commission would be held on Thursday, April 12.

Chairman Turmail made a motion to adjourn the meeting. The motion was seconded and the Commission voted 5-0 to adjourn.

The meeting adjourned at 9:05 pm.