

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



**ANC3B Public Meeting Minutes**  
**February 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 proposed amending the printed agenda to move the Iona Senior Services grant request to the first item in order to accommodate the presenter’s schedule. He made a motion to approve the agenda as amended. The motion was seconded and the Commission approved the agenda by a vote of 5-0.

**Grant Request from Iona Senior Services**

Diane Greenspun from Iona Senior Services presented a request for a grant of \$856 to allow Iona to purchase a portable speaker as well as four “pocket talkers,” small devices that amplify sounds close to the listener and make it easier for people to hear conversation and presentations. Iona proposes to use the pocket talkers in programs at their Tenleytown center for participants who otherwise would have difficulty hearing. The new portable speaker will be used at St. Alban’s for Iona Senior Services activities held there, including nutrition programs and yoga instruction. Commissioner Mladinov asked if all the funds would be used to purchase equipment or if any overhead such as administrative costs were part of the project budget. Ms. Greenspun confirmed that the entire grant would be used for the purchase of equipment and the costs would not include any overhead expense. Commissioner Blumenthal made a motion to vote on the grant. The motion was seconded and the Commission approved the grant by a vote of 5-0.

**Discussion with Kevin Donahue, Deputy Mayor for Public Safety and Justice.**

Deputy Mayor Kevin Donahue, who oversees a number of city agencies involved in law enforcement and emergency services, gave a presentation summarizing the city’s progress on implementing the Neighborhood Engagement Achieves Results (NEAR) Act. The NEAR Act was also the subject of a presentation at the ANC3B January meeting by a group of residents who are advocating fuller implementation of the law. Mr. Donahue noted that the law was passed in response to a serious increase in homicides, and it pulled together best practices in the field, with input from the Mayor and Council. Mr. Donahue presented the 20 sections or “titles” in the NEAR Act, in four major categories: 1) taking a public health approach to violence through the Office of Neighborhood Safety and Engagement, which has counselors and therapists work with individuals who commit violence to get them services, training and help getting into a new life; 2) the Office of Violence Prevention and Health Equity, which is placing social workers in hospitals to work with individuals involved in violence and their families to avert future violence; 3) policing reform including improved training; and 4) justice reform, including diverting some individuals to mental health or substance abuse treatment and counseling rather than criminal sentences. Mr. Donahue reported that most of the provisions did not require any additional funding and were implemented in the first year after the law went into effect in the summer of 2016, but 5 of the titles required funding beyond what was available in the FY 2016 budget. Because the law was enacted after the FY2017 budget had already been developed, those sections have just been funded for the first time in FY2018. In those areas, the city has hired needed staff and begun implementing the provisions of the law. Three of those sections involve data collection and analysis by MPD, including data on

police stop and frisk and use of force incidents, as well as data on crime suspects, victims, and the outcome of the cases. Mr. Donahue said that as the city gets the raw data, the data will be posted online so it will be accessible to agencies and to the public. He also said that his presentation materials from the meeting would be posted on the same website, and he predicted that initial data would be posted within 30 days, with more data to follow, as well as analysis of the data, by summer. The Mayor's liaison, Phil Thomas, provided the URL for that website: [saferstronger.dc](http://saferstronger.dc)

Chairman Turmail asked if the NEAR Act is helping to reduce crime and violence in the city. Mr. Donahue said yes. it has been very useful, especially to have the coordination between MPD and mental health professionals, and to have counselors in the hospitals. Chairman Turmail also asked what ANC3B could do to be helpful in the implementation process. Mr. Donahue responded that he would be glad to see resolutions expressing of support for the principles and programs in the NEAR Act and resolutions encouraging the city to fully implement the law. Mr. Donahue also said that the city could use support for hiring more counselors in the Department of Behavioral Health (DBH).

Chairman Turmail asked if other Commissioners had comments or questions. Commissioner Blumenthal commented that what Mr. Donahue had presented indicated that the NEAR Act does reflect the local community's values and though ANC3B does not have a lot of crimes or violence, it has been helpful to have a coordinated response to helping homeless individuals, with MPD cooperating with other city agencies that work on housing and health, including DBH. Commissioner Mladinov also noted the benefits of a comprehensive approach to the city's challenges, bringing different and disparate agencies together to work on solving problems, and she hopes the administration will continue to pursue this approach, as access to affordable housing, quality education, health care, jobs and economic opportunities are connected and important to improving life in the city, and the problems have to be addressed in a comprehensive way.

Mr. Donahue agreed that many problems start with trauma and lack of opportunity and the city wants to get to the root of problems. He also reported that the biggest increase in homicides last year was between individuals who didn't know each other and had not planned or anticipated the encounter.

Commissioner Young asked if the data the city releases on crime and violence will deal with specific incidents, and whether the reports will protect the privacy of the individuals involved, including the police officers. Mr. Donahue said that the city would try to share data on specific incidents where possible, but would also have to protect the privacy of the people involved, including victims as well as the police, and the city is working on improving its systems to ensure those goals can be met.

Neighborhood resident John Green asked what the city is asking citizens to do to support the law. Mr. Donahue responded that most of the law does not mention specific roles for individual citizens, but one section does call for establishment of a Citizens Task, which he has asked to make permanent. He said the city is also asking businesses to create internships for at-risk young people as part of the Career Connections program so he encouraged local employers to offer that kind of opportunity at their organizations.

### **Police Report**

Commander Gresham of the Second District was at the meeting, accompanied by Lt. Ralph Neal who presented the crime statistics for Police Service Area 204, which includes ANC3B. Lt. Neal said the most recent 30-day period had seen a 19 percent reduction in the number of crimes reported compared to the preceding 30 days. The biggest drop was in thefts from autos, which declined from 9 to 3.

The Commissioners also asked about the "drug bust" the week before at the Mason Inn. Nine individuals were arrested and charged with possession with intent to distribute marijuana. They appeared to be leasing space for a "pop up" operation at Mason Inn to sell a variety of products and "gift" or sell some form of cannabis at the same time. Commander Gresham said that ABRA was investigating the liquor license to see if the conditions of the license had been violated.

### **Resolution on Proposed Legislation to Ban Gas-Powered Leaf Blowers (B22-0234)**

Commissioner Lane introduced a resolution to support Councilmember Cheh's proposed legislation to ban gas-powered leaf blowers by 2022. Grif Johnson of Quiet Clean DC had presented information on the bill at the ANC3B meeting in December 2017 and asked the Commission to consider a resolution supporting the legislation and urging the Council to hold a hearing on it. At the December 2017 meeting, the Commissioners had taken questions and discussed the strengths and weaknesses of the bill at the December meeting, and also opened a public comment period about the proposal, through the February meeting, though only a few comments were submitted. (The same proposal came up for discussion at the ANC3B public meeting in January 2016. The Commission did not take a position on the bill at that time.)

Chairman Turmail announced that he would recuse himself from the discussion and vote because his employer, the Association of General Contractors, has several members involved in lawn maintenance, which would present a potential conflict of interest. Commissioner Mladinov said that she would not be voting for the resolution because she does not believe the legislation as designed would be effective in solving the problems its supporters are trying to address, notably irritating noise for long periods in many seasons of the year that interferes with work, sleep, conversations, phone class and other day-to-day activities of residents. She mentioned that she had raised several points at the December meeting that the law does not address. Those included that some of the highest rated leaf blowers in 2017 were electric (plug-in or battery-powered) that produced as much or more noise and "blowing power" as gas-powered leaf blowers, and manufacturers are likely to continue developing stronger and noisier electric leaf blowers though those would not be prohibited by the proposed legislation. That could mean that by the time the ban on gas leaf blowers went into effect in 2022, it would be even less effective at dealing with health and nuisance concerns related to leaf blowers. Commissioner Mladinov also pointed to other approaches suggested by residents and Commissioners that have potential to improve the situation, such as establishing limits on the days or hours that leaf blowing equipment could be used, or encouraging apartment and commercial buildings that hire lawn maintenance contractors to ask for quieter, safer, less polluting equipment to be used on their property. For those reasons, she did not feel comfortable supporting the legislation that has been introduced. Commissioner Young said she also saw flaws in the bill and considered opposing it but is hoping that the bill will be improved if it goes through hearings and rewrites in the Council.

Commissioner Blumenthal made a motion to vote on the resolution. The motion was seconded, and the Commission voted 3-1 to approve the resolution, with Commissioner Mladinov voting no and Commissioner Turmail abstaining.

### **Updates and Information**

Commissioner Blumenthal reported on several meetings and conversations about developments in the area:

a. The construction at the former Holiday Inn site at 2100 Wisconsin Avenue is scheduled to be completed by the end of the year. The project has been modified since the initial plans were presented and it will now include a total of 226 rental units of varying sizes and no townhomes. There are also plans for ground floor retail and a restaurant, as well as a Trader Joe's, which is expected to open by the second quarter of 2019. The project will include 172 underground parking spaces to serve the residences and 80 spaces to serve the retail businesses. The developers are also planning to upgrade the entrance to Rock Creek Park at the back of the property so that people have easier access to the park. The DC Department of Transportation (DDOT) has agreed to have a dedicated right turn lane and left turn lane from east Whitehaven Street onto Wisconsin Avenue. The ANC will be working with DDOT to review the timing of traffic signals on Wisconsin from Safeway to Hall Place to try to end back-ups during rush hours.

b. Georgetown University is moving out of the east building in the complex south of Whitehaven Parkway between the Holiday Inn site and the Safeway, next to the building now occupied by the British School. Though no new tenant has been identified for that space, there has been some discussion that the British School might have an interest in making use of the space now used by the university.

c. Georgetown University is planning to install an ornamental fence around Holy Rood Cemetery, with a gate. It is not yet clear if the gate would be locked or if members of the community would still be able to walk into the cemetery. Georgetown University has committed to come to an ANC3B meeting and present its plans when more details are available.

d. A company has entered a contract to buy Pearson's parking lot though the sale has not yet closed because the owner of Pearson's Liquor was not given right of first refusal for purchase of the parking lot.

Commissioner Blumenthal also reported on the public meeting with the DC Department of Transportation (DDOT) on January 31 at Guy Mason Recreation Center, to discuss DDOT's analysis of the proposal to remove the No Left Turn restrictions from Massachusetts Avenue onto Observatory Circle during rush hours. DDOT has determined that the restriction can be lifted without installing additional traffic lights, if that is the neighborhood's consensus and also agreed to work with residents of Massachusetts Heights expressed on for traffic calming measures with the goal of installing them in March and April and then lifting the no left turn restriction. DDOT will monitor the consequences of the change for six months.

Commissioner Blumenthal gave a brief update on the status of the dispute between Whole Foods and the landlord, Wical Limited Partnership. A 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.

### **Open Forum**

Jamaal Jordan, until recently a legislative assistant for Councilmember Charles Allen and now Pepco's Senior External Affairs Specialist, introduced himself as the person who will be letting residents and ANCs know about the progress of the DC Power Line Undergrounding Project (PLUG) being undertaken by Pepco and DDOT to move several intermediate power lines around the city underground where there have been particularly frequent power outages from storm damage in recent years. The DC PSC recently approved the new financing plan and new work plan for that project, reducing the scope and cost of the work, and the first phase will be launched soon. Commissioner Mladinov asked if Mr. Jordan could provide a copy of the map showing which lines would be placed underground. The original plan included several lines in Cathedral Heights. He agreed to share the latest map with the Commission.

Mr. Jordan also mentioned the newly proposed "Capital Grid" project Pepco has submitted to the PSC for approval. Over the next ten years, Pepco proposes to install a new underground high-voltage electric transmission line between Takoma Park, MD, and the Mount Vernon area of downtown Washington, and at the same time upgrade three existing substations and construct an additional substation, with the purpose of capacity and increasing the security and reliability of the power supply, and provide a back-up to the current high-voltage lines that circle the city above the ground. The cost would be recovered from ratepayers. Pepco is hoping for community support of the project.

Commissioner Young announced that she had attended a meeting the previous Sunday for ANC Chairman and Treasurers. At the meeting she also heard a report on Council Chairman Phil Mendelson's quarterly forum for ANC Commissioners on January 29, where OP Director Eric Shaw spoke about the proposed DC Comprehensive Plan Update. The Mayor has submitted OP's initial revisions to the plan for Council approval, and many ANC Commissioners expressed concern about the plan. Mr. Shaw was quoted as saying that he did not care about ANCs.

Commissioner Mladinov added that what the Council received on January 9 was the first 60 pages of the Comprehensive Plan, called the "Framework Element." OP is proposing to change the narrative as well as the definitions of specific land use categories in a way that would reduce the opportunity for the public and ANCs to challenge development that appears to contradict the Comprehensive Plan. OP also had committed to sharing its proposed changes with the public and allowing 60 days for comments before sending anything

forward to the Council, but that had not happened and instead the Mayor had sent the initial draft directly to the Council. Chairman Mendelson has scheduled a hearing on the subject on March 20.

**Administrative Matters**

Chairman Turmail introduced the minutes of the Commission’s January 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 January.

**ANC3B January 2018 Financial Report**

OPENING BALANCE:	\$10,619.65
Income:	\$ 0.00
Total Income:	\$ 0 .00
Outgoing:	\$2,500.00 Check #1279 Grant to Friendship Place AimHire Program
	\$100.56 Check #1282 Reimburse Commissioner Young for Purchase of Office Supplies
Total Outgoing:	\$ 2,600.57
CLOSING BALANCE	\$8,019.09

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

Commissioner Mladinov introduced a proposed revision to the ANC3B Grant Guidelines, designed to clarify the guidelines and accommodate changes made in District law by the ANC Omnibus legislation that went into effect in 2017. The Grant Guidelines are posted on the ANC3B website and circulated to grant applicants to make clear the type of projects the Commission can approve for grants, the way funds are handled and accounted for, and the timing and nature of reports that grant recipients are required to file with the Commission. The proposed guidelines include the new city requirement that no more than 15% of an ANC grant can go toward paying overhead costs. Commissioner Mladinov made a motion to vote on the proposed revised Grant Guidelines. The motion was seconded and the Commission voted 5-0 to adopt the guidelines as presented.

Commissioner Mladinov introduced a proposed revision to the ANC3B Bylaws, which were adopted by the Commission in 2012 after the last change in ANC boundaries. She explained that the revisions were designed to clarify the way the ANC works and also accommodate changes made in District law by the ANC Omnibus legislation, including adding “transition protocols” to guide Commission operations between the final meeting of one year and the swearing-in of new member and/or election of new officers at the beginning of the next year; the process for electing officers; officers’ responsibilities; a required ANC annual report of its activities; and changes in submitting ANC financial documents, to go the Office of Advisory Neighborhood Commissions rather than to the DC Auditor. The proposed changes in the bylaws had been shared with and reviewed by the Commissioners over the preceding month. Chairman Turmail asked for any questions. Commissioner Mladinov made a motion to vote on the proposed revised bylaws. The motion was seconded and the Commission voted 5-0 to adopt the revised bylaws as presented. Commissioner Mladinov committed to having the new bylaws and the grant guidelines available on the ANC3B website within 2 or 3 days.

Chairman Turmail announced that the next public meeting of the Commission would be held on Thursday, March 8.

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 8:27 pm.