

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



ANC3B Public Meeting Minutes
Thursday, October 10, 2019

Chairman Brian Turmail (3B05) opened the meeting at 7:00 pm. Other Commissioners in attendance were Ann Mladinov (3B01), Jackie Blumenthal (3B02), Melissa Allen (3B03), and Mary Young (3B04), which constituted a quorum. (Three of the five Commissioners make a quorum.)

Chairman Turmail made a motion to approve the agenda. The motion was seconded, and the Commission voted 5-0 to adopt the agenda as presented.

Police Report

Sgt. Randy Shedd of MPD Second District reported that the area had very little crime reported in the 30 days from September 10-October 10 (13 total crimes in ANC3B compared to 15 last year at the same time). Commissioner Mladinov noted there been no thefts from autos in that 30-day period, and Sgt. Shedd reported that MPD had been stepping up patrols to address that type of theft, which had increased in recent months. Sgt. Shedd also said there was one violent crime in ANC3B during the 30-day period, a robbery with a gun. Mike Aloupis, Manager of Good Guys, reported the robbery was a hold-up of a pizza delivery man on Observatory Lane off Wisconsin Avenue. Sgt. Shedd reported that the suspect was apprehended that night. Commissioner Lane reported that a neighbor had found spent ammunition shells near the corner of 42nd and Davis a few hours before the meeting, though there were no reports of gun shots. She said MPD had checked its records for the past 60 days and found no calls about gunshots in the area. Sgt. Shedd urged that in the future residents should call 911 if they find shells or other ammunition in the area.

Discussion on Proposed Second Look Amendment Act of 2019

Ward 3 Councilmember Mary Cheh and Renata Cooper, Special Counsel for Policy and Legislative Affairs, U.S. Attorney's Office for the District of Columbia, led a discussion on the proposed "Second Look Amendment Act (B23-0127) currently before the DC Council. The bill would give judges authority to release an individual from prison after she or he has served at least 15 years, if the individual was younger than 25 when the crime was committed. If the judge finds the individual has shown evidence of rehabilitation, compliance with prison rules, rehabilitation, participation in education programs in prison, maturity and other factors indicating fitness to return to society and follow the law. The current law in the District provides judges similar authority to reduce a sentence for individuals who committed a crime before they were 18 and had served 20 years in prison Ms. Cooper presented the history of the legislation, noting that the Council had previously adopted the Incarceration Reduction Amendment Act (IRAA) of 2016 which allows those who committed a serious crimes before age 18 and had served at least 15 years of their sentence to petition the court to reduce their sentences. The bill under consideration would extend that opportunity to individuals who were between 18 and 25 when they committed the crimes, on the basis that the sense of consequences is not fully developed until at least 18.

Ms. Cooper said the attention to prison sentences for those who commit crimes as juveniles got it majors impetus from the Supreme Court decision overturning a mandatory life sentence for an individual under 18,

on the basis that recent scientific evidence shows that human brains and particularly judgment and impulse control are still developing at age 18. Since 2016 the Council has adopted a series of changes to reflect that finding and comply with federal law. In 2018, the latest bill was introduced and Ms. Cooper noted that several changes after the hearing had made a wider range of individuals eligible to request reduced sentences, lowered the required from 20 to 15 the number of years an individual must serve in prison before submitting a request, and revised the factors a judge must consider in deciding whether to grant a reduced sentence.

CM Cheh, member of the Judiciary Committee who introduced the bill along with Judiciary Committee Chairman Charles Allen, underlined that the U.S. model penal code recommends that all offenders get a second look, and she believes in rehabilitation, redemption and a second look. She also noted that data indicate there is a question about human development up to the age of 25. have developed. But she is discussing with CM Allen some changes to the bill before it goes forward. She would like each judge reviewing a request for a reduced sentence to consider the circumstances of the crime an individual committed, including the nature and severity of the crime. Kate Mitchell, Staff Director of the Council Judiciary Committee, was also at the meeting and presented additional details.

Commissioner Young asked how victims' interests could be taken into account. CM Cheh responded that a judge has to consider is a statement from the victim(s) of the original crime. Several other meeting participants offered comment in support of the Second Look Act. One comment noted that the press release from the U.S. Attorney's Office used alarming language and statistics in describing the proposed. Ms. Cooper agreed that some of the language could have been better. The ANC did not put forward a position on the bill, but Chairman Turmail said the Commissioners would try to keep up with any changes in the proposal. CM Cheh committed to reporting back to the ANC on the progress of the negotiations and any amendments made in the language in coming months.

Grant Request from Iona Senior Services to buy laptop to use for meetings/training/workshops

Iona's Director of Development Jennie Smith-Peers presented the application for a grant of \$830 to purchase a laptop for dedicated use in the second-floor conference room at its Tenleytown center. Iona, the city's designated provider of services for seniors and people with disabilities in Ward 3, uses the conference room for meetings, training, classes, and workshops, and other activities related to planning and delivering programs serving seniors in the ANC area, other activities involving local residents, and meetings of the Citizens Advisory Council that includes representatives of residents in ANC3B. She explained that Ward 3 and ANC3B in particular have a very high proportion of seniors in the population. She noted that about 1/3 of the people who use Iona's services come from ANC3B at the Tenleytown Center and the fitness and health activities at St. Alban's. and ANC3b residents represent a similarly high share of the people that get the benefit of the planning and training the laptop would support. She took questions about the grant request from the Commissioners and other participants. Commissioner Blumenthal made a motion to vote on the proposed grant. The motion was seconded, and the Commission voted 5-0 to approve the grant.

Presentation by DC Office of Campaign Finance (OCF) on the District's new Public Finance Program for candidates in local elections

Tammi Abrams, presented the public finance program the Council approved in the past year for local election campaigns (other than ANC elections).. She was accompanied by colleagues Sam Dufe, Adrianna Lazo, and Paul Awunor of the Fair Elections Program. Ms. Abrams explained the District's Fair Elections/Public Finance Program will provide start-up funds and a 5:1 match for donations if the candidate agrees to accept only small individual campaign contributions and not accept funds from corporations or PACs. Each elective office (Council, Mayor, etc.) has specific standards for the maximum size of donation a candidate can accept and the number of DC residents who give donations to a campaign for a candidate to qualify for the public finance program. She explained the purpose is to create a more level playing field for candidates and allow them to focus on issues rather than fundraising.

Presentation by DC Water on its new assistance program for Lead Line Replacement

John Deignan from DC Water described the new program to provide residents with free or discounted replacement of lead service lines serving their homes. He explained that lead water mains in the streets have already been removed but some residents still have lead service lines carrying water from the mains to the house. DC Water pays the entire cost of replacing lead water service lines that run under public space (including streets and sidewalks) but the property owner is responsible for paying the cost of replacing lead service lines running under their private property. The property owner is also responsible to all the water pipes inside the home.) In the past, DC Water sometimes replaced the public portion of a lead service line to a residence but the lead water lines remain on private property, and that can produce increased lead in the water going into the home. About 1,300-1,400 homes in Ward 3 have had partial replacement of the lead service lines, and DC Water would like to remove the remaining lead service lines to those homes.

Under the new program, all property owners will receive free replacement of any lead service lines to their house when DC Water is replacing or repairing the water mains that serve their properties. In addition, all property owners of any income level can apply to DC Water to receive financial assistance to cover 50% of the cost of replacing the lead service line on their property, if DC Water has already replaced the lead service line on public property. Property owners making less than 80% to 100% of Area Median Income are eligible to get 80% of the costs covered, and those making less than 80% of Area Median Income are eligible for 100% coverage. More information is available at dcwater.com/lead-assist. Property owners can also check dcwater.com/leadmap or call 202-787-4044 for information on whether their service lines are made of lead, and also can request to get their water tested for lead by contacting the Drinking Water Division at (202) 612-3440 or leadtest@dcwater.com.

Letter supporting proposed bill extending “Great Weight” to ANC Comments on the District’s Comprehensive Plan

Commissioner Mladinov presented a letter supporting legislation proposed by Councilmember Robert White called the “ANCs' Participation in Planning Amendment Act” (B23-0245). The bill would require executive agencies to give notice, provide a period for review and comments by ANCs and the public, and give “great weight” to ANC comments on proposed changes to the Comprehensive Plan. DC Code currently calls for agencies to give “great weight” to ANC comments on final decisions but the Attorney General had ruled that the Comprehensive Plan is not included in that requirement because the Council has final authority to approve changes in that plan, not the executive agency. Because updates and revisions to the Comprehensive Plan can have major effects on communities and residents, individual ANCs and the Office of ANCs have been seeking to have “great weight” extended to the Comprehensive Plan as well. Commissioner Blumenthal made a motion to vote on the letter. The motion was seconded, and the Commission voted 5-0 to approve sending the letter, to be submitted to CM Robert White, Chairman of the Committee on Facilities and Procurement, for the written record before its October 16 hearing on the bill.

Letter to DDOT on Proposed 2020 Terms and Conditions for Providers of Dockless Bikes and e-Scooters

Commissioner Mladinov presented a letter to Jeff Marootian, Director of the DC Department of Transportation (DDOT), requesting that before adopting its proposed Terms and Conditions covering companies offering dockless rental bikes and electric scooters in the District in 2020, DDOT should take more time to review concerns about the way the current programs are working. In particular, the letter requested that DDOT extend the deadline for comments and give more consideration to problems related to pedestrian safety, limited use of helmets, bikes and scooters parked blocking public space, violations of traffic laws by scooter users, and lack of insurance to cover injuries to riders or others hit or otherwise harmed by operation of the scooters, Commissioner Blumenthal made a motion to vote on the letter. The motion was seconded, and the Commission voted 5-0 to approve sending the letter, to be submitted to DDOT before its deadline for comments on the 2020 Terms and Conditions.

Letter to Council Opposing a Bill Decriminalizing institutions of Sex Trade

Commissioner Mladinov presented a letter to Councilmember Charles Allen, Chairman of the Judiciary Committee, expressing opposition to proposed “The Community Safety and Health Amendment Act of 2019” (B23-0318). The bill proposes to decriminalize operating a brothel, acting as a pimp, and purchasing sex in DC. The Commission had received comments from several groups that work with sex workers, raising concerns that decriminalizing those activities could leave sex workers even more vulnerable to trafficking, abuse and exploitation. The letter urged the Council not to adopt the bill as written. Chairman Turmail made a motion to vote on the letter. The motion was seconded, and the Commission voted 5-0 to approve sending the letter, to be submitted to the Council for the written record of its October 17 hearing on the bill.

Updates and Information

Commissioner Blumenthal reported that the ANC had just been notified that the city approved the grant the Glover Park Alliance had applied for, to create a new Main Street program in Glover Park. She said the Alliance was beginning to interview Executive Director candidates and will be building an elected board formed of property owners, businesses owners and residents. After that Glover Park Main Street will be seeking volunteers to participate in program activities, and seeking financial support from all stakeholders. The program will be using the funds to improve the commercial area, including storefronts upgrades and other design improvements to attract new businesses and customers; and encouraging residents to patronize local businesses.

Commissioner Blumenthal also announced that the new restaurant Chasqa serving fine Indian cuisine was open at 2334 Wisconsin, run by the same people who own Laliguras, in Van Ness. The grand opening was scheduled for November 18, and she expected the owners would have a liquor license by that time.

Commissioner Blumenthal reported that the project on the former Pearson’s parking lot at 2340 Wisconsin Avenue being redeveloped by Petra Development would provide 27 affordable apartments, making it the first dedicated, affordable housing development on Wisconsin in Glover Park. Petra is experienced with affordable housing and will be working with city housing agencies and programs to select tenants. Petra expects to have its corporate office on the first floor of the building.

Commissioner Mladinov announced that after the Council approved the updated “Framework Element” of the District Comprehensive Plan on October 8, the DC Office of Planning would be issuing the remaining 1000+ pages of the draft amendments to the Comprehensive Plan in mid-October for public review and comment, with ANC comments due January 31.

Commissioner Mladinov announced that DDOT had posted the Final Report of its Livability Study Rock Creek Far West, with additional detail on the final recommendations DDOT shared with the ANC in September. She mentioned that the pages of the report covering recommendations for crosswalk improvements on Cathedral Avenue in ANC3B contained preliminary maps that included some ambiguities. DDOT Project Manager Ted Van Houten had said the livability team would be reviewing that area and coming up with a clearer plan that would deal with priority concerns, particularly for residents at Cathedral West condominiums at 4100 Cathedral, which were the focus of the recommendations for crosswalk improvements.

Open Forum

One resident asked what could be done about taxis stopping in the street in front of 4000 Massachusetts Avenue, blocking one lane of traffic. The Commissioners agreed that parking in the traffic lane is illegal and suggested MPD could assign a patrol to watch that area and issue citations for illegal parking, which generally works as a deterrent.

Mike Aloupis asked about the status of the Whole Foods. Commissioner Blumenthal reported that dates had been set for the next steps in the lawsuits by Whole Foods and the landlord. Mr. Aloupis said that concrete at the corner of the building was crumbling and needed to be repaired, and the rodent infestation in the surrounding commercial area was becoming worse; at night, rats march up Observatory Lane and crossing to the west side of Wisconsin Avenue. He had sent photos and was hoping the Department of Health could return to the area to do some more treatment, as that had helped when it was done a year ago. Commissioner Young suggested getting DCRA to come inspect the corner of the Whole Foods building that is in disrepair.

Administrative Matters

Commissioner Mladinov presented the minutes of the Commission's September meeting. Commissioner Blumenthal made a motion to take a vote on the minutes. The motion was seconded and the Commission voted 5-0 to approve the September minutes as presented.

Treasurer Mary Young presented the monthly financial report for September:

September 2019 Financial Report

OPENING BALANCE: \$5,190.98

Income: \$ 0.00

Total Income: \$ 0.00

**Outgoing: \$ 83.73 Check #1308 reimburse Commissioner Young for
Office Supplies**

Total Outgoing \$ 83.73

CLOSING BALANCE: \$ 5,107,25

Commissioner Young presented the ANC3B Quarterly Report for the 4th quarter of FY2019.

Commissioner Young also presented the proposed ANC3B Budget for FY2020.

Chairman Turmail made a motion to approve the monthly financial report, the quarterly report, and the proposed FY2020 budget. The motion was seconded and the Commission voted 5-0 to approve the three financial documents as presented.

Chairman Turmail announced the next ANC3B public meeting would be Thursday, November 14, when Council Chairman Phil Mendelson is scheduled to be the main speaker.

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

The meeting adjourned at 8:50 pm.