

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



ANC3B Public Meeting Minutes
September 13, 2018

Chairman Brian Turmail (3B05) opened the meeting at 7:00 pm. Other Commissioners in attendance were Ann Mladinov (3B01), Jackie Blumenthal (3B02), and Mary Young (3B04), which constituted a quorum. (Three of the five Commissioners make a quorum.) Commissioner Melissa Lane (3B03) took a seat at the front table a few minutes after the meeting began.

Commissioner Mladinov made a motion to approve the agenda. The motion was seconded and the Commissioners voted 4-0 to adopt the agenda as presented.

Police Report

Chairman Turmail began by noting there had been some unfortunate incidents in the area in recent weeks, so he had invited Second District Commander Gresham to the meeting, who was busy with a family emergency. Captain Kelvin Cusick attended in his place, along with Lt. Ralph Neal.

Commissioner Blumenthal spoke about what happened at her home the week before, at about 4:30 am, when someone opened the storm door and broke the window in the front door, injuring his arm and leaving blood inside her front hall and all over the porch. She called 911 and a police officer arrived after the perpetrator had left. They assigned a report number but did not take any blood to test or find anyone to apprehend.

The man reappeared near Commissioner Blumenthal's house a few hours after the incident but when MPD was called they held the man and then let him go because no one had actually seen him break the front door glass. Commissioner Blumenthal was already aware that a homeless man had been arrested for a break-in the week before at the Sheffield Condos on Wisconsin Avenue also by smashing glass. Commissioner Blumenthal called the DC Department of Behavioral Health (DBH) and they came out, found the man she identified, and spoke with him for 45 minutes but determined that according to the assessment criteria they use, he was not an imminent threat to himself or the community and thus they could not involuntarily commit him for treatment. At that point, Commissioner Blumenthal asked Chairman Turmail if he could invite Commander Gresham to the ANC meeting to talk about the incident.

Commissioner Blumenthal learned from Lt. Neal a few days later that the man had a series of arrests and that MPD was going to issue a warrant and, if approved by a court, arrest and charge him. At the meeting, she asked : Why can't MPD and DBH coordinate better, and what happens when someone is considered enough of a threat to be removed by DBH but MPD is unable to charge him as a criminal: Does he just stay on the streets until his next offense? Glover Parkers have been told that if homeless people seem out of control or dangerous, MPD will respond, yet Commissioner Blumenthal heard from neighbors recently that MPD rarely responds. What can be done? If someone breaks down your front door, why can't he be arrested?

Captain Cusick responded that there is a difference under the law between a burglary, which is a felony, and destruction of property, which is a misdemeanor. The police don't have to be on the scene observing the action if it is a felony; they just need probable cause to make an arrest. But a misdemeanor has to occur in the presence of a police officer or MPD can't arrest the individual; they need to get a warrant. When someone breaks a window or door, the police can't charge the individual with a felony unless they demonstrate intent to commit a burglary. If that is not the case, MPD has to investigate records to see if there is a pattern of repeated illegal behavior, and come to the community to get "impact statements" documenting the effects of that action, and put the evidence together to get a "stay away" order that makes it possible for MPD to arrest the individual if he comes into the area. He emphasized that MPD wants to protect residents and also respect the rights of all individuals, including people experiencing homelessness, and get them help.

A resident in the new apartments behind the RiteAid said there had been at least 2 break-ins there in recent months and the internal video system captured an individual tackling a resident in the corridor. He is concerned about his safety and is considering moving to another area. Captain Cusick said that video evidence can be added to the MPD report requesting a warrant. The Mayor's liaison to Ward 3, Ian Maggard, in his last week before moving to a higher level position with the city, added that the Mayor has created an incentive program for residents to install private security cameras, which provides up to \$500 rebate per household (See ovsjg.dc.gov).

Chairman Turmail said ANC3B is well policed and the community appreciates it, but he expressed concern that everyone is not being treated the same. For example, if he opened a storm door and broke the window in a neighbor's front door, especially in the middle of the night, he would be arrested, and it does not seem right that an individual who is homeless would not be treated the same. Commissioner Blumenthal also expressed concern that she may have gotten more attention by MPD because she is an ANC Commissioner, when everyone should get attention from MPD.

Captain Cusick acknowledged that MPD should have checked the blood evidence for a match. He also noted that being homeless is not a crime, but whether homeless or not, if someone commits a crime, they will be pursued. Commissioner Blumenthal noted that the panel on dealing with homelessness that ANC3B held at its October 2015 meeting recommended calling MPD whenever there's an incident with a homeless individual and MPD would contact the appropriate agency to help. Chairman Turmail suggested it might make sense to get the spectrum of local officials back together to check on recommendations for dealing with recent experiences. Captain Cusick said he would be glad to meet with the Commissioners or at a future public meeting.

Lt. Neal provided a written report of crime statistics in PSA 204 for the past 30 days, but there was not time to go through the whole report at the meeting. Commissioner Mladinov noted that ANC3B had very low crime in recent months, only in the teens each month, and the incidents reported in the 60 days up to September 12 had all been thefts, not violent crimes or burglaries.

Alcoholic Beverage Regulation Administration (ABRA) liquor license renewals

Sarah Fashbaugh, Community Resource Officer for ABRA, spoke about the timetable for renewing local establishments' liquor licenses. She noted that all licenses for restaurants as well as hotels, clubs, and caterers will be up for renewal by March 31, 2019, and licenses for taverns and nightclubs will be up for renewal by September 30, 2019. Commissioner Blumenthal observed that ANC3B currently has no taverns and only one nightclub, so most of the licenses for establishments in Glover Park will be up for renewal by the March 31 deadline.

Ms. Fashbaugh said ABRA would be offering training for community members about filing protests, scheduled on Thursday, September 20, from 6:30 to 8:30 pm. She invited residents to be in touch with ABRA if they have concerns about conduct that may not be appropriate or permitted under the

liquor licenses at local establishments, and urged people to contact her well ahead of the deadline so she can provide information and advice in time for them to participate in the renewal process.

A question was raised about why the license renewals are not staggered. Ms. Fashbaugh responded that ABRA does stagger renewal dates: Establishments selling beer and wine for off-premise consumption, including grocery stores, have to renew their licenses by September 30, 2020, while liquor stores have to renew their licenses by March 31, 2021.

Laligura's Restaurant opening at 2334 Wisconsin Avenue

Dawa Tanang of Laligura's Indian and Nepali Cuisine presented his plans for opening a new restaurant at 2334 Wisconsin Avenue in the Calvert Center, the space that was Bruegger's Bagels, plus half of the space formerly occupied by the Salvadoran consulate. The wall between those two spaces is being removed and he hopes to open the new white tablecloth restaurant in late October. Laligura's currently has a successful restaurant on Connecticut Avenue in Van Ness and wants to open the new location for customers in Glover Park-Cathedral Heights and areas to the south and west. It will also provide delivery service. Commissioner Blumenthal noted that they will have a liquor license, which is matter of right, and doesn't require ANC approval at this point.

A resident asked if the restaurant will have parking in the Calvert Center lot, behind the restaurant. Mr. Tanang responded that the restaurant is planning to have 7 spaces in that parking lot that will be signed for use by customers at Laligura's.

Grant Request from DC Food Project

Lucie Leblois, Krista Weymouth and Alysa MacClellan of DC Food Project presented a request for a grant of \$1,918.12 for supplies to support two projects they have launched at Stoddert elementary to help provide nutritious food to students while helping to reduce food waste. In the past year, they organized the Shared Table program to allow students to put fruit and packaged snacks they do not want from their breakfast or lunch into baskets for other students, faculty or staff to take when they are hungry during the afternoon. This year they are starting a new pilot to fill a bag of food for breakfast, lunch, and dinner to send home with each student whose family is food deprived. They propose to use the grant for baskets, paper goods, and communication, not for food. They are in talks with Sodexo, the food vendor to the DC Public Schools, to ensure that food safety and nutrition standards will be met and the program can more easily be extended to other DC Public Schools. Their hope is that all schools in the District can adopt similar programs. Commissioner Blumenthal made a motion to vote on the grant request. The motion was seconded and the Commission voted 4-0 to approve,

Iona Senior Services grant request to purchase a new projector, bulbs and ceiling brackets

Iona is requesting a grant of \$1,412 to replace a burnt-out projector and related equipment to support programs in one of their meeting rooms at Iona's senior center in Tenleytown. That room facility is used for board and staff meetings, community meetings, meetings with clients, and presentations. Ms. Greenspun noted that having a projector in place in that space will make those activities much more effective and will also save the considerable time and resources needed to find and set up the old projector, which often was at St. Alban's for Iona's programs at that location. Chairman Turmail made a motion to vote on the grant request. The motion was seconded and the Commission voted 5-0 to approve the grant.

2nd District MPD Citizens Advisory Council (CAC) grant request to support annual awards

Samantha Nolan, Chair of the CAC for the Second District, presented a request for a grant of \$1,000 to help pay for plaques to recognize special service of officers and civilians in Ward 3 in the past year. The plaques will be presented at the annual Second District banquet at Maggiano's on September 27. She invited everyone to attend. The banquet tickets cost \$50 per person for four-course meal and wine, and the revenues from ticket sales and sponsors cover the cost of the meal.

But the cost of the plaques is not covered by revenues so the CAC turned to local ANC's to pay the total of \$2,000 for the 26 plaques. When the awards program began, the CAC checked multiple sources for the plaques and the Fraternal Order of Police provided the best price, so the CAC has commissioned FOP to create the plaques again this year. Commissioner Blumenthal made a motion to vote on the grant request. The motion was seconded and the Commission voted 4-0 to approve, with Chairman Turmail abstaining because he is immediate past Chairman of the CAC.

Ms. Nolan noted that another ANC in Ward 3 voted to approve a grant to cover the other half of the costs of the plaque but OANC had disapproved the grant so that ANC is appealing. Commissioner Young observed that it is important for the applicants to prepare their grant applications to meet the standards for ANC grants, and she is glad to work with applicants to ensure that the request presents information to cover all the requirements in the guidelines.

Proposed Clean Energy DC Omnibus Act of 2018

Nicole Rentz, Legislative Director for Councilmember Cheh, briefly described the legislation that was developed by the Councilmember over several months working with local environmental groups and introduced in the DC Council on July 10. The bill includes raising the city's Renewable Portfolio Standards requiring 100% renewable energy by the year 2032, rather than the current 50%; establishing energy and environmental performance standards for new buildings; boosting fees on electric bills (an average of 89¢ per month) and gas bills (an average of \$2 per month) to support sustainable energy projects in the city, with 20% devoted to offsetting increased bills for low income residents; requiring DC DMV to adopt a new structure of motor vehicle excise fees to reflect the fuel efficiency of the vehicle; and other proposals to reduce regional greenhouse gas emissions and meet the city's sustainability goals. A hearing on the bill is scheduled before Councilmember Cheh's Transportation and Environment Committee at 11 am on October 9.

ANC3B resident Justin McCarthy announced that he is organizing training for residents who are interested in testifying and have not presented testimony at a hearing before. He also indicated that a second hearing is likely to be scheduled in Councilmember Kenyan McDuffie's Committee on Business and Economic Development, and witnesses supporting the bill will be even more important at that hearing to get it through that committee and on to the full Council for a vote. Commissioner Blumenthal asked how much support the bill has in the Council to date. Ms. Rentz responded the bill has substantial support on the Council (7 of the 13 members are co-sponsors).

Information and Updates

Chairman Turmail introduced the new community liaisons from the Mayor's office, Rich Harrington, who will be the primary liaison for ANC3B, and Jessica Wertheim who will be working with him. Current Ward 3 liaison for the Mayor's office Ian Maggard was also at the meeting for the final time before his new position is announced on Monday, and so was Phil Thomas, former liaison to ANC3B from the Mayor's office, now working on Fit DC and as community liaison for DC DPR. Cole Wogoman also introduced himself as the new ANC3B liaison from Councilmember Cheh's office and Legislative Counsel for the Committee on Transportation and the Environment.

Commissioner Blumenthal reported that the DC Board of Zoning Adjustment had held a hearing on the special exception requested for Kindercare to use the former Union Building at Calvert Street and Wisconsin Avenue for a child care center serving up to 125 children ages 1 to 5 years old. The BZA voted 5-0 to approve the special exception. Kindercare plans to renovate the interior and move the entrance from the corner to the side where it is planning a new drop-off/pick-up driveway. Kindercare has also worked with DDOT to arrange for several parking spots on Calvert Street. One resident asked if a new stairway would be constructed between the Kindercare building and the playground but Commissioner Blumenthal said that option was evaluated and rejected because of the steepness of the slope so Kindercare will have to use existing stairways to the playground.

Commissioner Allen encouraged everyone to participate in the annual Glover Park Day at Guy Mason, scheduled for the rain date of Saturday, September 15. Commissioner Blumenthal announced that the Glover Park Business Task Force would have two tables at Glover Park Day: one to gather survey responses on what residents would like to see in Glover Park and the other a “selfie booth” for people to record why they want Whole Foods to reopen, to send to the landlord.

Commissioner Turmail noted that all five of the current ANC Commissioners are running again for ANC, and there will not be any challengers on the ballot in the General Election on November 6. Commissioner Blumenthal encouraged everyone to vote in the election.

Open Forum

Dr. Rustin Lewis introduced himself as a candidate for At-Large Councilmember (a seat reserved for a candidate who is not a Democrat). There were no other comments.

Administrative Items

Chairman Turmail introduced the minutes for the ANC3B July meeting. (There was no meeting in August). Commissioner Mladinov made a motion to approve the minutes. The motion was seconded and the Commission voted 5-0 to approve the minutes as presented.

Commissioner Young presented the financial report for July and August:

ANC3B July-August 2018 Financial Report

OPENING BALANCE: \$12,485.43

Income: \$0.05 Returned Unused Grant Money from Friends of Glover Park Rec Center

Total Income: \$0.05

**Outgoing: \$ 601.95 Check #1290 Grant to Friends of Glover Park Rec Center
for Sports Equipment**

Total Outgoing \$601.95

CLOSING BALANCE \$11,883.53

Commissioner Mladinov made a motion to approve the financial report. The motion was seconded and the Commission voted 5-0 to approve the monthly financial report as presented.

Commissioner Young presented the proposed ANC3B budget for FY2019, including \$10,000 for grants, \$1,200 for redesign and maintenance of the ANC3B website, \$250 for purchased services, \$225 for office supplies, and \$25 for the ANC Security Fund. Commissioner Blumenthal explained that the Commission will take up the proposed budget at the October meeting for a vote. Commissioner Young requested comments on the proposed budget. A resident asked if the budget followed the pattern from previous years, and Commissioner Young confirmed that ANC3B has received about the same allotment from the District in recent years and has devoted the large majority of the funds to grants. Commissioner Blumenthal noted that some ANCs are larger and have to devote funds to staff but ANC3B is small and does not have staff or office expenses, so it has decided to focus on giving the funds back to the community in the form of grants to serve the interests of the people in the Commission area.

Commissioner Mladinov announced the next ANC3B public meeting will be Thursday, October 11.

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 8:35 pm.