



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

Regular Meeting Minutes

Wednesday, November 15th, 2017; 7:00 p.m.
GWU’s Duques Hall, Room 151 – 2201 G Street NW

Call to Order

Chair Patrick Kennedy (01) called the meeting to order at 7:00 pm. Commissioners Marco Guzman (03), William Kennedy Smith (04), Philip Schrefer (05), and Eve Zhurbinskiy (08) were present. Commissioner Florence Harmon (06) arrived at 8:03 pm. Commissioner Detrick Campbell (07) arrived at 8:34 pm.

Adoption of the Agenda

Chair Kennedy made a motion to adopt the meeting agenda. Commissioner Guzman seconded the motion, which was voted on and passed (VOTES: 5-0-0).

Community Forum

Report from the Metropolitan Police Department’s PSA 207

Captain Kelvin Cusick, a representative for the Metropolitan Police Department’s (MPD) Second District, was present. He gave an overview of the recent crime statistics for the neighborhood.

Report from the Executive Office of the Mayor

Richard Livingstone, a Ward 2 representative for the Mayor’s Office of Community Relations and Services (MOCRS), was present. He gave an overview of the upcoming Feast of Sharing event, which will provide a Thanksgiving meal to those in need. He said that the event will take place on Wednesday, November 22nd at 11:30 am at the Walter E. Washington Convention Center. He also said that the CityCenterDC holiday tree lighting will take place on Saturday, November 25th at 6:00 pm at the intersection of New York Avenue and 11th Street NW.

Mr. Livingstone said that the Mayor’s Office, along with the Deputy Mayor for Health and Human Services’ Office, has been busy carrying out homeless encampment cleanups in the neighborhood. He gave an overview of the recent cleanups that occurred, along with an overview of the encampment cleanup protocol and the associated noticing requirements for each cleanup.

Mr. Livingstone said that the District Department of Transportation (DDOT) will soon be carrying out pavement improvements to 19th Street NW.

Report from the Office of Ward 2 Councilmember Jack Evans

Sherri Kimbel, the Director of Constituent Services for Councilmember Jack Evans’ Office, was present. She introduced Sarina Loy, the Committee Assistant for the Councilmember’s Office. She said that Ms. Loy will be serving as the Councilmember’s new representative to ANC 2A.

Ms. Loy introduced herself to meeting attendees.

Report from the Ward 2 Education Network

Peter Sacco, the ANC's Executive Director, said that the School Without Walls at Francis-Stevens will be hosting an open house for prospective families on Friday, December 15th at 9:00 am at the school. He added that the MySchoolDC lottery opens on Monday, December 11th.

Report from the West End Library

Chair Kennedy said that the grand opening for the new West End Library will take place on Saturday, December 9th. He said that the West End Interim Library at the Watergate closed on Thursday, November 9th. He encouraged local residents to visit the DC Public Library's Library Express branch at 1990 K Street NW during the interim period.

Commissioner Updates

Commissioner Schrefer gave an update regarding his work to improve the pedestrian crossing lights along Virginia Avenue NW. He said that there is currently a non-working pedestrian light located at the intersection of 24th Street and Virginia Avenue NW that he is encouraging DDOT to fix. He said that he is also encouraging DDOT to address the gaps in the fence on the median of the 2300 block of Virginia Avenue.

Commissioner Zhurbinskiy said that Bindaas and Laoban Dumplings, two new eateries, recently opened in the Shops at 2000 Penn. She also announced that she will be graduating from GW in December and will thus be resigning from the ANC.

Presentation by Dr. Jenifer Smith, the Director of the DC Department of Forensic Sciences

Dr. Jenifer Smith, the Director of the DC Department of Forensic Sciences (DFS), was present. She gave an overview of the agency. She said that agency serves as DC's independent forensic laboratory. She added that the agency also includes DC's public health lab.

Dr. Smith said that DFS has a Stakeholder Council that includes DC's Chief Medical Examiner, Chief of Police, Fire and EMS Chief, and other key representatives. She said that the agency also has a Science Advisory Board and that she is looking for scientists to join the board.

Dr. Smith said that DFS has an internship program that recruits interns from across the country. She added that the agency just started a high school internship program.

Dr. Smith distributed informational materials regarding DFS to commissioners. She said that she works hard to ensure that her staff have the right tools that they need to do their jobs.

Commissioner Updates (Continued)

Chair Kennedy said that a hearing regarding DC Council Bill B22-0579 – the "Helicopter Landing Pad Amendment Act of 2017" has not yet been scheduled.

Chair Kennedy said that he recently met with a representative from the American Red Cross. He said that the organization has committed to the continued maintenance of certain public spaces surrounding the organization's former headquarters building at 2025 E Street NW through the end of 2018. He said that he hopes to work with the General Services Administration (GSA), the new owner of the building, to ensure the continual maintenance of the public spaces on a longer term basis moving forward.

Announcements and Public Comments

Marina Streznewski, the President of the Foggy Bottom Association (FBA), said that FBA will be holding a community shredding event on Saturday, December 2nd from 10:00 am to 2:00 pm on the 2400 block of Eye Street NW between 24th Street and New Hampshire Avenue. She added that FBA's annual holiday party will take place on Monday, December 4th at 6:30 pm at the Avenue Suites Hotel, 2500 Pennsylvania Ave NW.

Renee McPhatter, GW's Assistant Vice President for Government and Community Relations, introduced Kevin Days, GW's new Director of Community Relations, to meeting attendees. She gave an overview of Mr. Days' professional background.

James Harnett, a GW student, introduced himself to meeting attendees. He said that he plans to submit signatures to run as the commissioner for district 2A08 once Commissioner Zhurbinskiy resigns from the seat.

Regulatory Agenda

Presentation by the DC Office of the People's Counsel Regarding Utility Projects in the Neighborhood

Cheryl Morse, a Consumer Outreach Specialist for the DC Office of the People's Counsel (OPC), was present. She gave an overview of OPC's work on behalf of DC residents. She said that the office advocates on behalf of consumers and can take local utility companies to court.

Ms. Morse gave an overview of Pepco's undergrounding project. She said that while the project only affects Wards 3, 4, 5, 7, and 8, all DC residents will still be paying for the project. She added that the project will start in early 2018. She also gave an overview of OPC's work to address misleading mailers sent by third party energy suppliers.

Ms. Morse said that OPC is developing a response to the application by Washington Gas to merge with AltaGas. She said that OPC is opposed to the merger. She said that the Public Service Commissions in DC and Maryland are the remaining Public Service Commissions that have not yet signed off on the merger. She added that the DC Public Service Commission will be holding a series of community hearings regarding the merger.

Commissioner Smith asked what the source of funding was for AltaGas' all-cash offer to merge with Washington Gas. Ms. Morse said that OPC is currently trying to figure out what the source

of funding is. She said that the companies have not been transparent regarding the source of funding.

Commissioner Smith gave an overview of Ms. Morse's work to address community concerns regarding Washington Gas' PROJECTpipes project in the Foggy Bottom Historic District.

Administrative Matters

Discussion Regarding a Possible ANC Nomination for the Morris and Gwendolyn Cafritz Foundation Awards for Distinguished DC Government Employees

Commissioner Smith made a motion to nominate Cheryl Morse, a Consumer Outreach Specialist for the DC Office of the People's Counsel, for the Morris and Gwendolyn Cafritz Foundation Awards for Distinguished DC Government Employees. Chair Kennedy seconded the motion, which was voted on and passed (VOTES: 5-0-0). The resolution reads as follows:

In 2016-17, Ward 2 was the site of three major projects to replace older gas meters, mechanical couplings and service lines. The projects were poorly executed, resulting in gross inefficacy, redundant effort and destruction of many historic residences. ANC and DC Council staff wasted significant man-hours trying to communicate and coordinate repairs with Washington Gas and its subcontractor. Cheryl Morse was able to establish effective lines of communication and achieve results including better overall coordination, repairs to numerous residences and the discovery of a set of issues with city-wide impact, especially in Ward 5. Ms. Morse spent countless hours working with individual homeowners to ensure repairs to their property were completed to homeowner satisfaction and future efforts were better coordinated. For these reasons, ANC 2A has unanimously supports this nomination.

Regulatory Agenda (Continued)

Presentation Regarding the Renovation Plans for the University Inn Washington DC at 824 New Hampshire Avenue NW

Bill Brust, the architect for the University Inn Washington DC's renovation project, was present. He gave a visual presentation regarding the plans to renovate the property.

Mr. Brust said that the hotel is proposing to paint all of the exterior surfaces of the building and to make improvements to the canopy along New Hampshire Avenue NW. He said that the hotel would also like to replace the garage door on the New Hampshire Avenue side of the building, to add a metal fin up the side and across the top of the building, and to add a green wall along the hotel's driveway

Commissioner Smith asked if any additional lighting would be added as part of the renovation project. Mr. Brust said that the hotel is proposing to add hanging light bulbs above the hotel's driveway. Commissioner Smith said that he is concerned that the hanging light bulbs may be visible from other nearby properties.

The Commission did not take any action regarding this matter.

Homeslyce – Application for a New Retailer’s Class “C” Restaurant License at 2121 K Street NW

Commissioner Harmon made a motion to support the issuing of a stipulated license as part of Homeslyce’s application for a new Retailer’s Class “C” Restaurant license. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

At its regular meeting on November 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With six of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (6-0-0), after a motion made by Commissioner Harmon and seconded by Commissioner Schrefer, to support Homeslyce’s request for a stipulated license as part of the applicant’s application for a new Retailer’s Class “C” Restaurant license at 2121 K Street NW.

Consideration of a Resolution Regarding the Public Space Application by the International Finance Corporation for Streetscape Changes as Part of their Ongoing Development at 2100 K Street NW

Commissioner Harmon made a motion to raise no objection to the public space application for 2100 K Street NW. Commissioner Guzman seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

At its regular meeting on November 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With six of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (6-0-0), after a motion made by Commissioner Harmon and seconded by Commissioner Guzman, to raise no objection to the public space application by the International Finance Corporation for streetscape changes as part of their ongoing development at 2100 K Street NW.

Commissioner Harmon made a motion to send a letter to the International Finance Corporation expressing the commission’s disappointment regarding the organization’s selection of a tenant for the retail space at 2100 K Street NW. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0).

FoBoGro – Application for Renewal of the Establishment’s Retailer’s Class “B” Grocery License at 2140 F Street NW

Commissioner Campbell made a motion to protest FoBoGro’s application for the renewal of the establishment’s Retailer’s Class “B” Grocery license based on adverse impact on the peace, order, and quiet of the neighborhood. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 7-0-0). The resolution reads as follows:

At its regular meeting on November 15, 2017, Advisory Neighborhood Commission 2A (“ANC 2A” or “Commission”) considered the above-referenced matter. With seven of eight commissioners present, a quorum at a duly-noticed public meeting, the Commission voted unanimously (7-0-0), after a motion made by Commissioner Campbell and seconded by Commissioner Schrefer, to protest FoBoGro’s application for renewal of the establishment’s Retailer’s Class “B” Grocery license based on adverse impact on the peace, order, and quiet of the neighborhood.

Discussion Regarding Concerns Related to Food Truck Parking on L Street NW

This matter was postponed until a future ANC meeting.

Presentation Regarding the Proposal to Introduce DC Council Legislation that Would Regulate the Sound Levels of Street Buskers

David Julyan, a representative for a group of individuals that is advocating for the DC Council to pass legislation that would regulate the sound levels of street buskers, was present. He gave an overview of the group’s proposal for the legislation.

Multiple commissioners and meeting attendees raised concerns with several elements of the proposal, including the proposed need for street buskers to obtain a permit, the fees associated with obtaining a permit, and the methods in which the permitting, as well as the sound levels of street buskers, would be enforced.

The Commission did not take any action regarding this matter.

Consideration of a Resolution Regarding DC Council Bill B22-0223 – the “Public Restroom Facilities Installation and Promotion Act of 2017”

Commissioner Zhurbinskiy made a motion to adopt a proposed resolution regarding the matter. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 4-0-2). The resolution reads as follows:

WHEREAS, many individuals need access to clean, safe, available public restrooms, including tourists, families with young children, women who are pregnant, the elderly, individuals with bowel incontinence, and people without housing,

WHEREAS, a study conducted by the People for Fairness Coalition (PFC) revealed that there are very few public restrooms in downtown Washington, DC, some establishments do not allow people to use restrooms unless they first purchase something, and in most downtown neighborhoods there are no restrooms available late at night or early in the morning,

WHEREAS, most capital cities in Europe and Asia have clean, safe public restrooms that are easily accessible at any time of night or day, while this is not the case in our Nation’s Capital,

WHEREAS, a number of large cities in the U.S. have begun to experiment with a variety of restroom options, including self-cleaning restrooms, restrooms with attendants, and the Portland, Oregon Loo, a 24-hour sustainable public restroom, while in London there is a government program that provides incentives to private establishments if they put up signs indicating their restroom is open to all, and

WHEREAS, if a person cannot find a restroom in DC and has no other option than to relieve themselves in a public space, the penalty is a ticket of up to \$500 or a jail term up to 90 days.

THEREFORE, BE IT RESOLVED that ANC 2A supports the passage of DC Council Bill B22-0223 – the “Public Restroom Facilities Installation and Promotion Act of 2017.”

Consideration of a Resolution Regarding DC Council Bill B22-0136 – the “Comprehensive Code of Conduct of the District of Columbia Establishment and BEGA Amendment Act of 2017”

Chair Kennedy made a motion to adopt a proposed resolution regarding the matter. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

ANC 2A is concerned about imprecise and vague language in the bill, particularly with regard to a Code of Conduct that would entreat commissioners as employees and require a standard of impartiality. ANCs have uniquely personal and intimate connections to their districts and surrounding neighborhoods. This is a design of the ANC system; they are supposed to be enmeshed in their communities. Natural conflicts will arise in the course of this, and therefore ANCs cannot be treated under the same standard as higher and compensated elected officials as well as District Government employees.

ANC 2A further notes that commissioners are unpaid and advisory representatives and that all commission actions must be approved by a majority vote, with no individual commissioner having the ability to unilaterally take any action on behalf of the commission.

Therefore, ANC 2A requests that the DC Council take additional time to redraft the bill with an ethics code more specifically tailored to ANCs, taking into account their unique position in crafting it.

Consideration of a Resolution Regarding DC Council Bill B22-0348 – the “Advisory Neighborhood Commission Candidate Proof of Residence Amendment Act of 2017”

Commissioner Zhurbinskiy made a motion to approve proposed testimony regarding the matter. Commissioner Harmon seconded the motion, which was voted on and passed (VOTES: 6-0-0). The testimony reads as follows:

Members of the Committee on Housing and Neighborhood Revitalization:

My name is Eve Zhurbinskiy and I am the commissioner for Single Member District 2A08, as well as a student at the George Washington University. I am here to testify on behalf of ANC 2A regarding DC Council Bill B22-0348 – the “Advisory Neighborhood Commission Candidate Proof of Residence Amendment Act of 2017.”

While ANC 2A appreciates the need to ensure that candidates reside in the district they seek to represent, the legislation as written will lead to the disenfranchisement of college students who live in university-provided housing on campus.

Two of the eight commissioners on ANC 2A – including myself – are George Washington University students who represent districts that consist mostly or solely of university-provided housing. Further, other neighborhoods have Single Member Districts that are solely or mostly comprised of university housing. These include 2E04 and 2E08 in Georgetown, 5A04 by Catholic University of America, 3D07 by American University, and 1B10 by Howard University. I should add that the seat by American has been vacant for several years, indicating the challenges of recruiting and engaging college students to become involved in community affairs.

Because college students move between residence halls frequently, they often lack two proofs of residency. Like several former student commissioners, I do not maintain a DC ID because I have moved numerous times over the past several years, including three times alone in 2017 to maintain residency in my SMD. My bank accounts are still registered to my parents’ address in order to avoid the hassle of changing the address three times a year. Currently, my only proof of residency is a form offered by GW that states all my addresses at the university since I matriculated. I pay the university a lump sum for housing at the start of the semester or summer, and thus do not have any utility, rent, or mortgage documents.

Under this legislation, the easiest way for most students to obtain a second proof of residency – other than changing a bank statement multiple times a year – would be to go to the doctor and have the bill sent to their university address. Let’s be clear: no one should have to seek medical attention to get a proof of residency to run for office. The unintentional consequence of this bill will be the disenfranchisement of students.

Further, a proof of residency is not currently required to seek any office in DC. ANC 2A believes that placing the burden of obtaining a proof of residency on ANC candidates and not candidates for Council, Mayor, Attorney General, and other offices is an uneven application of the principle of ensuring that every elected official resides in the district they represent.

Thus, ANC 2A asks that the Council remedy the student disenfranchisement issue by either exempting candidates with university-provided housing in their districts from being required to provide two proofs of residency, or by requiring only one proof of residency. ANC 2A also suggests that the Council examine requiring one proof of residency for candidates seeking any office in the District.

Administrative Matters (Continued)

Adoption of Past Meeting Minutes

Commissioner Smith made a motion to approve the ANC's regular October 2017 meeting minutes. Commissioner Schrefer seconded the motion, which was voted on and passed (VOTES: 6-0-0).

Approval of the ANC's FY 2017 Quarter 4 Financial Report

Commissioner Zhurbinskiy made a motion to approve the ANC's FY 2017 Quarter 4 financial report. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 6-0-0).

Discussion Regarding a Proposed Increase in the Grant Funding Limit for the ANC 2A Grant Fund

This matter was postponed until a future ANC meeting.

Discussion Regarding a Possible ANC Nomination for the Morris and Gwendolyn Cafritz Foundation Awards for Distinguished DC Government Employees

Commissioner Smith made a motion to nominate Donny Gonzalez, the Deputy Director for Facilities Management for the Department of General Services, for the Morris and Gwendolyn Cafritz Foundation Awards for Distinguished DC Government Employees. Commissioner Campbell seconded the motion, which was voted on and passed (VOTES: 6-0-0). The resolution reads as follows:

For decades, the park at 26th and I St NW existed in urban limbo. The Department of Parks and Recreation (DPR) reported it was on Department of Transportation (DDOT) land removed from city maps and so could not be re-entered into inventory. The area was a mess. Then Donny Gonzales stepped in. He entered the park into DGS inventory and identified funding to make badly needed emergency repairs. Within three months his team built a retaining wall, leveled ground, installed new fencing, physically separated the play lot from dog park, replaced unsafe play equipment, cleaned the remaining equipment, built new benches and provided new fill. Most importantly his team worked with Pepco to remove exposed, life threatening high voltage equipment. The renovation drew the attention of the press and the support of Councilmember Jack Evans, who convinced the DC Council to allocate money for further upgrades. DPR then agreed to accept a land transfer from the DDOT, so future maintenance is assured.

Adjournment

Chair Kennedy adjourned the meeting at 10:59 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. J. Schrefer". The signature is fluid and cursive, with the first name "Philip" and last name "Schrefer" clearly legible.

Philip Schrefer
Secretary, ANC 2A05