



**October 13, 2005, Draft Agenda
Miner Elementary School, 15th and F Streets NE**

- 7:00 pm Call to order, adopt agenda and approve previous meeting's minutes
Community Comments *(2 minutes each)*
- 7:10 **Community Presentations:**
1. 2006 National Marathon, Greater Washington Sports Alliance *(10 minutes)*
2. FY 2006 Lead Service Replacement (LSR) program, WASA *(10 minutes)*
- 7:30 Commissioner's Single Member District reports *(2 minutes each)*
- 7:42 **Officer Reports:**
1. Chair *(2 minutes)*, Vice-Chair *(2 minutes)*, Secretary *(2 minutes)*
2. Treasurer *(10 minutes)*
A. Approve monthly treasurer's report and previous month's disbursements
B. Approve FY 2006 ANC 6A budget (October 05 to September 06)
C. Approve continuation of ANC 6A minute-taking service
D. Approve reproduction of ANC 6A organization flyer
E. Approve monthly photocopying expenses
- 8:00 **Standing Committee Reports:**
1. Alcohol Beverage Licensing *(5 minutes)*
A. H Street "Single Sales" Moratorium Strategy. Recommendation: Adopt proposed strategy. Note – committee did not have a quorum.
B. Accept Committee Report.
2. Economic Development and Zoning *(8 minutes)*
A. Fast food establishments on H Street. Recommendation: Send letter to DCRA reminding them to send report on H Street eating establishments.
B. DCRA Rental Unit Licensing Requirements. Recommendation: Send letter to DCRA and Committee on Consumer and Regulator Affairs.
C. Accept Committee Report.
3. Community Outreach *(5 minutes)*
A. Katrina Grant. Recommendation: Do not fund - grant is prohibited by DC statute.
B. Commission Agenda Packages. Recommendation: Secretary provide copies for 6A meetings; Commissioners make copies on their account; Commissioners make copies of agenda page only for distribution at posting locations; agendas include contact information; trial basis for the next three meetings.
C. Accept Committee Report.
4. Public Safety *(5 minutes)*
A. Maury Elementary School. Recommendation: Send letter to DCPS requesting they secure the playground. Note – committee did not have a quorum.
B. Accept Committee Report.
5. Schools Committee *(10 minutes)*
A. Presentation: SEED Public Charter School on proposed campus near RFK.
B. No report.
- 8:30 **Unfinished Business**
1. Maryland / Benning Road Starburst Update (Varsovczky) *(5 minutes)*
- 8:35 **New Business**
1. Metropolitan Police Department Digital Camera Pilot Program (Fengler)
2. Minnesota Avenue to Union Station Streetcar rail installation update (Fengler)
3. Letter of support regarding School Modernization Financing Act of 2005 (Borbely)
- 8:55 Community comments – Round 2 (if time permits)
- 9:00 Adjourn

Time limits in parentheses are for planning, to ensure we complete all required business within two hours.



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



**DRAFT MINUTES OF ANC 6A
September 8, 2005
Miner Elementary School, 601 15th St. NE**

COMMISSIONERS PRESENT

6A01: Robyn Holden
6A02: Joe Fengler, Chair
6A03: Cody Rice
6A04: Nick Alberti, Treasurer
6A05: Mary Beatty
6A06: Marc Borbely, Secretary
6A07: Gladys Mack
6A08: Mfon Ibangha, Vice-Chair

CALL TO ORDER & ADOPTION OF MINUTES

The meeting was called to order at 7:05 p.m. Mr. Fengler said Ms. Mack had informed him that she would be a few minutes late. Mr. Fengler moved to adopt the draft agenda as presented. On Mr. Ibangha's motion and without objection, "Response to Katrina" was added as an item under new business. On Mr. Fengler's motion and without objection, "Sherwood Community Fun Day and Senior Citizen Day" was added as an item under new business. **The agenda as amended was adopted without objection. On Mr. Fengler's motion and without objection, the July minutes were accepted as presented.**

COMMUNITY COMMENTS

A fire department representative announced a program that allows residents to request free home inspections.

SINGLE-MEMBER DISTRICT REPORTS

Mr. Alberti announced a meeting on September 19, 6 p.m., at Maury Elementary School, regarding evening security issues for the playground at Maury.

Ms. Holden said there have been public safety problems at 10th and K NE, and she has been meeting with an assistant chief of police to seek solutions.

Mr. Ibangha said that beginning on October 6, his SMD meetings will be held at Mount Moriah Baptist Church, at 1636 East Capital St. NE, rather than at Eliot Junior High School, because the principal at Eliot had started requesting fees for use of the school.

Mr. Borbely said the school board had approved a request from the Metropolitan Police Department to lease the Old Miner school building for administrative uses.

Mr. Fengler said DDOT had repaved a Linden Place alleyway at the end of August, and he announced that a pilot program would be established by the Metropolitan Police Department to use digital still cameras as security devices in his SMD.



OFFICER REPORTS

Secretary

Mr. Borbely reported that photocopying of the September agenda packages (190 copies) had cost the ANC more than \$1,000. **On Mr. Borbely's motion and without objection, the ANC requested that the Outreach Committee revisit the ANC's practice of making 190 copies of the package monthly.**

Treasurer

Mr. Alberti presented the July and August Treasurer's Reports. He presented an ending checking account balance of \$11,101.52, after checks were disbursed as follows: \$500 to KidPower DC; \$127.50 to Robert Weiner; \$502 to Spingarn PTA; and \$1,611.45 to Kinkos. The savings account ending balance was \$4,142.13. **On Mr. Alberti's motion and without objection, the reports were accepted and the disbursements were approved.**

Mr. Alberti presented the third quarter financial report. **On Mr. Alberti's motion and without objection, the third quarter financial report was accepted.**

Mr. Alberti moved to authorize spending of up to \$3,200 for 12 months of advertising in the Hill Rag and DC North and up to \$2,200 in the Voice of the Hill. The motion was approved without objection.

Mr. Alberti moved to authorize spending of up to \$225 to continue renting a PO Box, for 12 months. The motion was approved without objection.

Mr. Alberti moved to authorize spending of up to \$600 for ANC photocopying, plus up to \$50 for each committee and \$50 for each SMD, for the upcoming month. After a brief discussion about whether \$600 would be sufficient, Mr. Alberti amended the amount for ANC photocopying, without objection, from \$600 to \$1,200. The motion was approved without objection.

Mr. Alberti presented a draft budget for FY06, to be updated and considered at the October ANC meeting.



COMMITTEE REPORTS

Alcohol Beverage Licensing Committee

Ms. Beatty moved to adopt the ABL Committee's proposed changes to the ANC's standard Voluntary Agreement for CT and CR licenses. She said these changes were made after the Alcoholic Beverage Regulation Administration had raised concerns about provisions in the ANC's standard agreement. Mr. Borbely moved to retain the current language prohibiting cover charges, or alternatively asked that cover charges be limited, to keep \$20 cover charges from keeping neighbors out. Mr. Borbely's motion failed to receive a second. **Ms. Beatty's motion passed without objection.**

[whereupon Ms. Mack entered.]

Ms. Beatty moved to amend the voluntary agreements for Rock N Roll Hotel, Red and Black, Beehive, Argonaut, the Pug, and Granville Moore's to reflect the new standard voluntary agreement. The motion passed without objection.

On Mr. Fengler's motion, the committee's report was accepted without objection.

Economic Development & Zoning Committee

I. CLUCK-U CHICKEN

Mr. Rice moved to appeal the Certificate of Occupancy for Cluck-U Chicken to the Board of Zoning Adjustment.

Mr. Rice recounted the recent history of Blimpies. He said that in response to the BZA order on Blimpies, DCRA had given the establishment 10 days to either obtain a special exception or meet the restaurant requirements. Blimpies did neither within 10 days, and DCRA revoked its Certificate of Occupancy.

Mr. Rice said DCRA officials feel they may have made a mistake granting a restaurant C of O to Taste of Jamaica but say they made the right decision in granting one to Cluck-U Chicken at the end of July. He said he had asked DCRA officials to bring copies of the C of O and floor plan to the August Committee meeting, but they did not. He said Mr. Fengler had also been in contact with DCRA. He said he received a call today saying they were ready to be picked up.

He said because Cluck-U's uses more than 10% of floor space for queuing or on-site consumption and primarily serves its food and drink in disposable containers and provides disposable tableware, it should have been classified a fast-food restaurant, triggering community notice and special exception requirements.

Ms. Holden asked how much time DCRA had been given to answer the Committee's questions regarding the C of O. Mr. Rice said there hadn't been a fixed deadline, but Mr. Stanley had said he would provide any information sought and asked Mr. Rice to contact him by phone.



Mr. Ibangha said he would be fine appealing, especially since the SMD representative of the area (Mr. Fengler) was requesting an appeal, but he said he would like further explanation as to why Mr. Rice believes DCRA issued the C of O in error. He challenged Mr. Rice's use of solely personal observation rather than documents to measure the establishment's uses of space.

Mr. Borbely said he did not believe the C of O was issued in error. He said the establishment's queuing space was about 5%, and certainly less than 10%, and so did not trigger DCRA's definition of fast food. He said BZA's interpretation that the 10% rule required including on-premises consumption in addition to queuing space made no sense, because then every restaurant would exceed 10% and meet that criteria for fast food, and then any restaurant using disposable utensils would be automatically classified fast food. Mr. Borbely also said that aside from the legal question, he wasn't sure he wanted to oppose this type of establishment on H Street: relatively high-priced restaurants are coming; H Street should retain a balance.

Mr. Fengler said he thinks the establishment is nice, and he has nothing against it in particular, but his constituents have asked him in no uncertain terms to seek an appeal of the certificate of occupancy. He said there are enough questions about whether DCRA erred in granting the C of O to make an appeal worthwhile.

Mr. Rice moved to amend his primary motion to clarify that Rich Luna, a resident, and Mr. Rice would represent the ANC in front of the Board of Zoning Adjustment. The motion passed without objection.

Mr. Alberti said he would support the appeal as a sort of placeholder, to ensure that the ANC could appeal if necessary. Ms. Beatty agreed. Mr. Luna said he wasn't yet taking the position that DCRA had erred in granting the C of O, but he urged that the ANC appeal as a placeholder.

Mr. Barnard, a Cluck-U manager, said he had served Mr. Fengler tonight with silverware, and could easily adjust his use of floor space. "What do you want?" he asked.

Victor McKoy, a resident, said the establishment could have a positive effect in the neighborhood. He said he worried that an appeal could lead to the establishment being shut down, as happened at Blimpies.

Elizabeth Nelson, a resident, said feelings about Cluck-U are irrelevant: this is a question of due process and the city having failed to do its job.

Dana, a resident, asked what's wrong with a mix of food establishments.

Mr. Fengler moved to amend the primary motion to add a request that the Economic Development Committee, at its next meeting, consider any further information received from DCRA by that time and reassess whether the ANC should withdraw its appeal.

Ms. Holden moved to amend Mr. Fengler's amendment such that the ANC would not appeal tonight but would decide whether or not to appeal at the next Economic Development Committee meeting. Ms. Holden said that a week is a short time for a government agency to produce information, and she said appealing before receiving the information would be putting the cart before the horse.



Mr. Alberti said he is concerned about the mix of businesses on H Street: there are already too many fast food places. He said this would not shut down the business: the business could just get a special exception. He said he just wants the ANC to be able to have its say.

Mr. Rice said he believed the C of O was issued around July 26, which would mean the ANC could appeal only until September 26, and so a decision to appeal at the next Zoning Committee meeting, on September 27, would no longer be timely.

Ms. Holden's motion failed 3-5-0, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Mack and Mr. Rice voting against the motion.

Mr. Borbely said he supported waiting to appeal. He said he was angry at DCRA for not providing the requested information in time but that it would be unfair to penalize the business owner for DCRA's incompetence.

Mr. Borbely moved to amend Mr. Fengler's amendment such that the ANC would appeal if it does not receive a detailed response from DCRA the following day. The motion failed 3-5-0, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Mack and Mr. Rice voting against the motion.

Mr. Alberti moved to add the words "if appropriate" to Mr. Fengler's motion, so the Committee would not be required to make a recommendation on withdrawal of the appeal if, for example, DCRA has not provided any new information. The motion passed 5-2-1, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Mack and Mr. Rice voting in support of the motion and Mr. Borbely and Mr. Ibangha voting against.

Mr. Fengler's amendment passed 5-1-2, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Mack and Mr. Rice voting in support of the motion.

The main motion, to appeal but ask the committee to consider withdrawing the appeal at its next meeting if appropriate, passed 5-3-0, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Mack and Mr. Rice voting in support of the motion.

II. OTHER ITEMS

Mr. Rice moved to send a letter to NCRC, DC Council, Deputy Mayor Stanley Jackson and Representative Norton stressing the importance of resolving the ownership of the old police station (525 9th St. NE) and firehouse (1451 Maryland Ave. NE) so that redevelopment can occur, and to send the letter of December 10, 2004, to NCRC outlining use recommendations for the old police station. The motion was approved without objection.

Mr. Rice moved to send a letter to the Public Space Committee opposing the Carlink/Jott's Car Rental application for use of public space at 1400 Maryland Ave. NE. Mr. Rice said that like with Cluck-U Chicken, the ANC here was taking a position that could cause economic harm to a local business. He wondered why some commissioners were



concerned about protecting Cluck-U but not Carlink. **The motion was approved without objection.**

Mr. Rice moved to send a letter listing vacant/abandoned properties in SMD 6A06 to DCRA and OTR and request documentation of outcomes. The motion was approved without objection.

Mr. Rice moved to send a letter of support to DDOT for light rail tracks between the Minnesota Avenue and Union Station metro stations. The motion was approved without objection.

Mr. Rice moved to remove the following people from the Committee because they have moved out of the area: Sherry Brown, Craig Ward and Brendan Danaher. The motion was accepted without objection.

Mr. Rice moved to add the following people as new members to the Committee: Rich Luna, Bill Schultheiss, Mary Spencer, Dea Varsovczky. The motion was accepted without objection.

On Mr. Fengler's motion, the committee's report was accepted without objection.

Community Outreach Committee

On Mr. Fengler's motion, the following grant was approved without objection: \$1,298.36 to Ludlow Taylor Elementary School PTSA to purchase bench repair materials.

Mr. Fengler moved to approve a letter to Gallaudet University thanking them for hosting the ANC 6A website. The motion passed without objection.

Ms. Nelson said there have been a few leads for sign interpreters to assist at ANC meetings, but ultimately no success in finding anyway.

Ms. Nelson said she has asked the Hill Rag and Voice of the Hill to increase distribution points in SMD 6A08, and that the Hill Rag says it will be adding additional locations in commercial establishments.

Mr. Fengler moved to accept Ms. Nelson's nomination of Barbara Anderson to serve on the Committee. The motion passed without objection.

On Mr. Fengler's motion, the following grant was approved without objection: \$500 to START for the purchase of books for use by the Lincoln Park book club.

On Mr. Fengler's motion, the following grant was approved without objection: \$995.80 to Maury Elementary School PTSA for the purchase of equipment needed to support the plant and animal life classroom science laboratory.

On Mr. Fengler's motion, the committee's report was accepted without objection.



Public Safety Committee

Raphael Marshall announced the appointment of Diane Groomes as the new 1st Police District Commander.

On Mr. Fengler's motion, the committee's report was accepted without objection.

Schools Committee

Mr. Borbely moved to remove constituent Mary Spencer from the Committee and add constituent Audra LeBlanc to the Committee, as Mary Spencer would now be serving on the Economic Development & Zoning Committee. The motion passed without objection.

On Mr. Fengler's motion, the committee's report was accepted without objection.

UNFINISHED BUSINESS

Mr. Fengler reported that MPD is working to install digital still solar-powered, motion-detecting cameras in the alley between 12th and 13th Street south of H and north of Linden, as part of a pilot program to identify illegal dumping or illegal spray painting or other crimes. He asked the Public Safety Committee to work on developing this program.

NEW BUSINESS

I. RESPONSE TO KATRINA.

Mr. Ibangha moved that \$500 be donated to an organization to assist the victims of Hurricane Katrina. Ms. Mack raised concerns about whether such a donation would be permissible under ANC bylaws and District regulations. Mr. Alberti said he applauded the sentiment but would rather encourage ANC Commissioners to reach out to everyone they know to make donations. He said such a donation would be in violation of District law, as grants must go to organizations and must benefit people who live within the ANC. Mr. Ibangha said the Armory is in ANC 6A. Ms. Mack said she wanted to find a way to make such a donation work, and would urge that the amount be increased to \$3,000. **Mr. Fengler moved to refer the matter to the Outreach Committee.** Mr. Rice said he has deep emotional connection to New Orleans and applauded the sentiment but cautioned against doing something good that would get the ANC in trouble. He said a previous ANC had gotten in trouble with the auditor for buying flowers for someone's funeral. He said he would like to make such a donation but wanted to make sure it's done right. Mr. Borbely said he thought the issues raised were technicalities and said he did not believe the ANC would get in trouble for making such a donation. **The motion to refer to committee passed 6-2-0, with Mr. Alberti, Ms. Beatty, Mr. Fengler, Ms. Holden, Ms. Mack and Mr. Rice voting in support.**

II. SHERWOOD COMMUNITY FUN DAY AND SENIOR CITIZEN DAY

Mr. Fengler moved that the ANC not support the September 17 Sherwood Community Fun Day and Senior Citizen Day.



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P.O. Box 75115
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Mr. Fengler said he had just received a letter about the event from Jordan Washington, of Friends of Sherwood, yesterday. Mr. Borbely said may have been his fault -- that Mr. Washington had given him a copy on August 18 and may have wanted him to pass it on to Mr. Fengler, but had forgotten about it until September 7.

Mr. Fengler read from the letter: the event will include entertainment, gospel music, food bags for seniors, fun games for children, etc., and the following invited guests: the Washington Wizards, the Washington Mystics and leaders from the local chapter of the NAACP.

Mr. Fengler said that when the ANC decided not to oppose the Fathers Day event earlier in the year, the event took place and all his fears were realized: there was loud music, trash and public drinking, and the event spilled out onto the street.

Mr. Alberti said he visited the Fathers Day event three times and on all three visits he saw at most 20 adults in the playground area, but 100-150 people in the sidewalk. He said he went by at 6:30 and there were still 100-150 people with coolers and lawn chairs, and that there was considerable public drinking. He said there was a huge athletic field with no one on it. He said kids were playing on a Moonbounce that he wasn't sure was legal. He said he felt lied to by Mr. Washington.

Anwar Saleem, a resident and president of H Street Main Street, said he was at the event and thought it went well. He said most people mingled on the sidewalk only after the event ended; most activity took place inside. He said there were basketball games and a barbeque. He said he saw no public drinking. He said there were police officers present. He warned that by opposing the event the ANC would be creating a social and cultural issue of misunderstanding - a divide that he said he doesn't think the community wants.

Ms. Mack said there will always be trash after a community event, but that such events are not every day, just a few days of the year.

Mr. Luna said he passed by the Fathers Day event between 8 and 8:15 and saw many cars with Maryland license plates and saw a group of 20-30 people drinking.

Mr. McKoy said it's just human nature for people to get together.

Mr. Ibangha said this event has been going on for 23 years, and he doesn't understand why the ANC would want to come and shut it down.

Mr. Borbely said he sees race and class as a big part of this. He said this is an event largely attended by black people. With the neighborhood already changing so much, he said the ANC should put 150% effort into trying to make such social gatherings, the heart of a community, work rather than just saying no. He said the ANC should try to improve relations with the Sherwood Recreation Center.

Mr. Fengler withdrew his motion without objection. He said he challenged everyone to attend the event to see the problems for themselves.

III. HA HU GROCERY



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



Mr. Borbely asked the ANC to appoint someone to represent it at the September 28 roll-call / status hearing on the ANC's protest of Ha Hu Grocery's (1451 Maryland Ave. NE) application for a Class B liquor license. He said he would be going anyway to represent individual protestants and would be glad to represent the ANC. He asked Ms. Beatty if she would prefer representing the ANC. She said yes. **Mr. Borbely moved that Ms. Beatty represent the ANC at the Sept 28 Ha Hu Grocery hearing. The motion passed without objection.**

COMMUNITY COMMENTS

Heather Schoell, a resident and a writer for the Hill Rag, said she wanted to point out that everything that Ms. Mack had asked Mr. Washington to do at the Fathers Day event -- stop the event by 6, make sure the participants stayed off the sidewalk, and ensure police supervision -- apparently did not occur.

Mr. McKoy asked how nominees are selected, for committees. Mr. Fengler said he would explain the process to him after the meeting.

A resident said he thought the ANC was spending too much money on advertising and should broaden its outreach efforts, for example by passing out flyers in local churches. He said advertising does not seem to be drawing in a diverse group of residents.

ADJOURNMENT

On Mr. Fengler's motion and without objection, the ANC adjourned at about 9:15.

Respectfully submitted by Mr. Borbely



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



October 3, 2005

Mr. Anthony Freeman, President
National Capital Revitalization Corporation
2025 M Street, NW
Suite 600
Washington, DC 20036

Re: Community input for development of 525 Ninth Street, NE

Mr. Freeman,

At the September 8, 2005, Advisory Neighborhood Commission 6A, with all eight Commissioners present, voted unanimously to request that the National Capital Revitalization Corporation (NCRC) adopt the Commission's recommendations provided to the Department of Housing and Community Development on December 10, 2004, regarding the development of this unused District property. In summary, the recommendations are as follows:

1. Give preference to bids for a multi-family residential use such as apartments, flats, or condominiums. This use is supported by the Comprehensive Plan, the Strategic Neighborhood Action Plan, and residents who live near the property. Given the number of other social service providers in the immediate area, the ANC opposes any quasi-residential use such as a Community-Based Residential Facilities;
2. Give preference to bidders with a proven record of successful management of renovations involving asbestos, lead and other environmental hazards; and
3. Give preference to bidders with a proven record of successful redevelopment of properties in historic districts.

Finally, we would encourage NCRC to include a representative from the community to participate in the Request for Proposal (RFP) process. Community representation on the RFP panel is a critical to ensure the immediate neighborhood concerns are adequately addressed in the development of this property.

On behalf of the Commission,

Joseph Fengler,
Chair, Advisory Neighborhood Commission 6A

cc: Councilmember Sharon Ambrose
Mr. Donald Pross, Senior Development Director, NCRC
Ms. Tiffany Simms, External Affairs Coordinator, NCRC



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



September 29, 2005

Councilmember Sharon Ambrose
District of Columbia Council
1350 Pennsylvania Avenue NW, #102
Washington, DC 20004

Re: Resolving Ownership of 525 Ninth Street NE and 1341 Maryland Avenue NE

Dear Councilmember Ambrose:

Our Commission is writing to express our concern about the lack of progress in the disposition of 525 Ninth Street NE and 1341 Maryland Ave NE. As you are aware, these properties have sat vacant under DC government ownership for a number of years. We would like to enlist your assistance, as our Ward Councilmember and Chair of the Committee on Economic Development, to resolve the ownership of the properties so that they can be restored and redeveloped.

In March 2004, Mr. Stanley Jackson—then Director of the Department of Housing and Community Development—promised that DHCD would hold community meetings and then issue Requests for Proposals to redevelop the sites. After a number of delays in the promised schedule, DHCD announced in June 2005 that the properties were not within their portfolio as previously thought but actually under the control of the Office of Property Management. Soon after, OPM told us that the properties were to be added to a portfolio of DC properties being traded with the National Capital Revitalization Corporation in exchange for the Southwest Waterfront. Although this larger agreement was announced in May 2004, the Memorandum of Understanding finalizing the deal has not been completed. As a result, our sites are caught in an ownership limbo that prevents any progress in redevelopment.

Our Commission is not pushing for any particular interim ownership arrangement. We simply ask that the question of ownership be resolved as quickly as possible so that the buildings can be redeveloped. Whatever ownership arrangement makes this possible with the least delay is preferable. You must agree that it would be a shame to squander the opportunity that the current real estate market provides to renovate and restore these buildings for productive reuse.

We are also asking that Deputy Mayor Jackson, Councilmembers on relevant committees, and NCRC cooperate to resolve the ownership question so that the properties can be made to contribute to the well-being of the neighborhood and the city as a whole. Thank you for your attention to this matter.

On behalf of the Commission,

Joseph Fengler, Chair
fengler6a02@yahoo.com
202-423-8868

cc: Stanley Jackson, Deputy Mayor for Planning and Economic Development
Councilmembers Jack Evans, Kwame R. Brown, Vincent C. Gray, Vincent B. Orange, Sr., Adrian Fenty, Jim Graham, Phil Mendelson, and Carol Schwartz
Anthony Freeman, NCRC President and Chief Executive Officer
Congresswoman Eleanor Holmes Norton



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



September 16, 2005

Board of Zoning Adjustment
441 4th St, NW, Suite 210
Washington, DC 20001

Re: Letter of Authorization

Dear Board Members,

At a regularly scheduled and properly noticed meeting on September 8, 2005, Advisory Neighborhood Commission 6A voted 5-3 (with 5 Commissioners required for a quorum) to appeal the administrative decision of the Zoning Administrator to issue a Certificate of Occupancy for a "restaurant" at 1123 H Street NE.

Please be advised that Richard Luna and Commissioner Cody Rice are both authorized to act on behalf of ANC 6A for the purposes of this appeal.

Sincerely,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



October 6, 2005

Denise L. Wiktor
District of Columbia Department of Transportation
Manager, Public Space Permitting Division
Room 2104
941 North Capitol Street, NE
Washington, DC 20002

Dear Ms. Wiktor:

At our regularly scheduled public meeting on September 8, 2005, with all Commissioners present, we voted unanimously to oppose Public Space Application #13868, an application by 1400 Maryland Avenue Ltd (Carlink) to use public space for parking, at 1400 Maryland Avenue, NE. We urge the Public Space Committee accept our Commission's recommendation and reject this application.

If this application is granted, Carlink would be permitted to continue occupying an area extending 22.5 feet beyond its western property line, on 14th Street, and 32.75 feet beyond its southern property line, on Maryland Avenue NE. The corner at 14th Street and Maryland Avenue, NE has been an eyesore for years. Cars have been parked for years on public space which is fenced in by barbed wire and surrounded by overgrown weeds, strewn with trash.

Commissioner Borbely, whose single member district the property lies, distributed letters (Attachment #1) and e-mails to more than 200 residents living near the property in question and received 16 written responses (Attachment #2). Every resident who responded expressed opposition to the application. The owners have not demonstrated an ability to maintain the property. See current photos, in Attachment #3.

The 1200, 1300 and 1400 blocks of H Street, NE have been designated by the Office of Planning as the Arts and Entertainment District. A car lot on public space is inconsistent with the future that is being planned by the city as well as the community. On the same short block there are two restaurants: The Argonaut and Daavi's West African Restaurant. The car lot detracts from the attractiveness of the block and thereby negatively effects businesses and the economic viability of the H Street corridor.

In close, please reject Public Space Application #13868 and support the desires of our community as well as our emerging Art and Entertainment District.

On behalf of the Commission,

Joseph Fengler
Chair, ANC 6A

cc: Donna Housek, Office of Public Space
Councilmember Sharon Ambrose
Olufemi Fakiyesi, Carlink/Jotts Car Rental



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



September 19, 2005

Charles Burger
Chairman, Alcoholic Beverage Control Board, Suite 700
941 North Capitol Street, NE
Washington, DC 20002

Mr. Burger:

On September 8, 2005, at our regularly scheduled and properly noticed Advisory Neighborhood Commission 6A (ANC 6A) public meeting, and with all eight commissioners present, the commission voted unanimously to approve the following voluntary agreements:

- (1) The Pug, 1234 H Street, NE
- (2) The Beehive, 1224 H Street, NE
- (3) Granville Moore's Brickyard, 1238 H Street, NE
- (4) The Red and Black, 1212 H Street, NE
- (5) The Argonaut, 1433 H Street, NE
- (6) The Rock and Roll Hotel, 1353 H Street, NE

These agreements were negotiated at the following seven public meetings over the last six months:

- (1) April 19, 2005. Mr. Englert's initial presentation to ANC 6A Alcohol Beverage Licensing Committee (ABL) outlining proposed establishments and operations.
- (2) May 17, 2005. ANC 6A ABL committee discusses agreements with community.
- (3) June 21, 2005. ANC 6A ABL committee holds a public forum in which over 75 members of the community attended to discuss these voluntary agreements. Mr. Englert answered questions for more than an hour about the proposed business operations. The ABL committee voted unanimously to recommend the Commission accepts the voluntary agreements.
- (4) July 14, 2005. ANC 6A adopts voluntary agreements. There were concerns expressed that some elements of the agreement do not reflect the recently adopted liquor laws. The Commission asked the ABL committee to review agreements with staff at Alcohol Beverage Regulation Administration (ABRA) to determine and identify the specific elements that do not comport with the new regulations.
- (5) July 19, 2005. ANC 6A ABL committee discusses potential changes to the ANC 6A Standard Voluntary agreement in order to reflect Entertainment Endorsement application regarding live music.
- (6) August 16, 2005. ANC 6A ABL committee voted unanimously to recommend that ANC 6A adopt eight changes to the standard restaurant/tavern voluntary agreement that reflect the input and comments from ABRA in order to comport the ANC 6A voluntary agreement with the current regulations. Furthermore, the committee recommended that



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ANC 6A accept and update the recently signed six voluntary agreements with Mr. Englert with the new voluntary agreements.

- (7) September 8, 2005. ANC 6A unanimously adopts the committee's recommendations to accept and update the standard voluntary agreements for restaurants and taverns as well as to re-sign six new voluntary agreements with Mr. Englert (The Beehive, Granville Moore's Brickyard, The Red and Black, the Argonaut, and the Rock and Roll Hotel) and Mr. Tomelden (The Pug).

All of these meetings were advertised in both local Capitol Hill newspapers – The Hill Rag and the Voice of the Hill. The meeting notices were also posted on our website – www.anc6a.org. The minutes and public record for both the ANC 6A ABL meetings as well as the monthly commission meetings were posted on the website after each meeting. Hard copies of these minutes were included in our ANC 8A meeting agenda packages and made available at monthly commission meetings for the community to review. The July 14, 2005, ANC 6A Commission's minutes included the complete text of the proposed voluntary agreements for each establishment.

In close, these six voluntary agreements have undergone a through public and deliberate examination as well as extensive review by the ABRA staff. Our Commission continues to strive to implement the best voluntary agreements in the city. The unanimous vote by our Commission indicates that Mr. Englert and Mr. Tomelden have addressed the community's concerns regarding these establishments.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A

Cc: Mr. Joseph Englert
Mr. Arthur Tomelden



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



September 23, 2005

Dan Tangherlini, Director
District Department of Transportation
2000 14th Street, NW
Washington, D.C. 20009

Re: Light Rail Track Installation between Minnesota Avenue and Union Station metro stations

Mr. Tangherlini,

At the duly noticed and regularly scheduled Advisory Neighborhood Commission 5B, 6A, 6C, 7A and 7D meetings, held on September 1, September 8, September 14, September 13 and September 20 respectively, the Commissions voted to request support to fund and install light rail tracks between the Minnesota Ave and Union Station metro stations as part of the H Street NE streetscape and Starburst Plaza for Maryland Avenue / Benning Road capital improvement projects. This request is made for the following reasons:

1. Minnesota Avenue and Benning Road Government Center Project. The District of Columbia is working to spur economic development in communities east of the Anacostia River by providing office space for the Department of Employment Services and the Department of Human Services to include ground floor retail and a Metro Station parking garage. As these critical agencies will be serving the broader community on both sides of the Anacostia River, providing efficient transportation will not only help the community; but significantly decreases the automotive demand on this corridor.
2. Minnesota Avenue Business District. The Minnesota Avenue and Benning Road area is considered the downtown of Ward 7. Planning for light rail access that can transport residents from Union Station to Minnesota Avenue expands the potential development of the Ward 7 downtown business district.
3. District of Columbia Great Streets Initiative. The 3.5 miles of H Street and Benning Road NE as well as the 3.5 miles Minnesota Avenue NE have been included in the Great Streets Initiative. The goals of this initiative are: (1) make major corridors and boulevards clean, safe, and attractive neighborhood destinations that represent the city's diversity and overall quality of life; (2) use public tools to leverage private investments and enhancements; and (3) provide neighborhood-preferred goods and services in well-maintained facilities while retaining, expanding, and attracting businesses. Installing the light rail tracks will accomplish these goals and create a shared synergy between these two Great Street Initiatives providing a common catalyst for long-term development on both corridors.
4. H Street NE Revitalization / H Street Main Street. Private investment on H Street NE is starting to arrive and flourish. The District of Columbia Department of Transportation (DDOT) streetscape initiative will completely repair the H Street NE corridor to include improved lighting, pedestrian sidewalks, bulb outs at key traffic lights, and new traffic signals. One of the key recommendations of both the Office of Planning's H Street NE Reutilization Plan and DDOT's H Street NE Corridor Transportation Study was to install



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a light rail system that runs the entire length of the corridor. Over 5,000 additional housing units will be added to the H Street NE Corridor over the next few years. Combined with the development of the H Street NE corridor as a shopping and entertainment destination, planning to solve the pending parking challenge before it occurs is one of the community's key concerns. Accordingly, incorporating the installation of the light rail tracks in conjunction with the streetscape improvements not only makes sense, but will limit the disruption to the emerging business on the corridor. To borrow an often used phrase, "measure twice and only cut once."

5. Commercial Corridor/Small Business Development. The Fiscal Year 2005 Department of Housing and Community Development (DHCD) Consolidated Plan for the District of Columbia lists both H Street NE and the Minnesota/Benning locations as two of the four citywide target areas for intensive revitalization efforts in commercial corridors and neighborhoods. One of the best ways to signal long term commitment to revitalization is to install the light rail tracks in Fiscal Year 2006. It is understood that the funding for the actual streetcars and the day-to-day operations will still need to be identified. However, the message to the business community will be clear – brick and mortar, and in this case steel tracks, are the evidence of that commitment.
6. Affordable Housing. The same DHCD Consolidated Plan also identified Minnesota and Benning Road as one of the eight neighborhoods for affordable housing. Affordable housing requires safe and accessible public transportation. Using the light rail that links Minnesota Avenue and Union Station metro stations will provide the much needed direct east to west public transportation. We look forward to the day that not only residents from east of the river can travel to downtown; but when the downtown residents can travel to east of the river.
7. Existing High Demand. The existing Metro bus usage on the X2 line (Benning Road and H Street line) has one the highest average weekday usage in the city – 16,333. Accounting for the X1 line that also uses H Street NE, the daily average exceeds 20,000 riders. This clearly indicates that our combined communities will be able to maximize the city's investment.

In closing, we are quite literally at a crossroads. Should we settle for capital improvements that do not embrace the complete vision of a unified city? Providing the additional funds to incorporate the light rail tracks into the current capital improvements planned in our respective communities for Fiscal Year 2006 not only is a good planning and financial decision; but one that will bind our communities together to continue and expand the existing efforts to reverse decades of economic decline and decay.

On behalf of the respective Commissions,

William Shelton, ANC 5B, Chair
1355 New York Avenue, NE
Washington, DC 20002



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



Joseph Fengler, ANC 6A, Chair
P.O. Box 75115
Washington, DC 20013

Angela Murphy, ANC 7A, Chair
4310 Texas Avenue, SE
Washington, DC 20019

Mark Dixon, ANC 6C, Chair
P.O. Box 77876
Washington, DC 20013-7787

Dorothy Douglas, ANC 7D, Chair
P.O. Box 64052
Washington, DC 20019

Cc: Mayor Anthony Williams
Councilmember Vincent Orange
Councilmember Sharon Ambrose
Councilmember Vincent C. Gray
Councilmember Kwame R. Brown
Councilmember David Catania
Ms. Carol Mitten, Director, Office of Property Management
Ms. Ellen M. McCarthy, Interim Director, Office of Planning



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



October 4, 2005

Dr. I. King Jordan, President
Gallaudet University
800 Florida Ave. NE
Washington DC 20002

Dear Dr. Jordan:

For the past two years Gallaudet University has hosted a website for Advisory Neighborhood Commission (ANC) 6A. This website (www.anc6a.org) is an essential component in our efforts to provide the greatest possible public access to our proceedings. Non-ANC related information of community interest is available as well. We want to express our sincere appreciation for the time and effort your staff has contributed to this endeavor.

Please share our thanks with Mr. Jon Mitchener, Special Projects Manager, Information Technology Services, who has gone out of his way to provide the best support possible. His colleagues have been enormously helpful as well.

On behalf of the Commission,

Joseph Fengler
Chair, Advisory Neighborhood Commission 6A



Community Presentations:

1. 2006 National Marathon. The marathon will only be open to 5,000 participants who have pre-qualified in two previous races with a running time of four hours and thirty minutes. This allows for a route that can be quickly opened once the participants pass through a neighborhood. The attached pace is a worse case scenario and allows for a runner who has dropped to a six hour pace.

Quick facts about the National Marathon:

- Inaugural Marathon – Saturday, March 25th, 2006
- Property owned by the Greater Washington Sports Alliance
- 4,000 to 5,000 expected participants
- Anticipated \$10.9 million economic impact for the region
- Annual event – will create civic tradition
- Annual event – raising funds for local youth investment organizations

Neighborhood benefits:

- Opportunity to create a spirit station
- Opportunity to host a water station
- Goodwill – “Leave no Trace” will participate before and after the event by cleaning up any trash along the race route
- Event information that specifically speaks to each neighborhood will be distributed for ANC’s to release in newsletters and post on websites
- Event information will be distributed to each BID organization that specifically speaks to retailers in each neighborhood
- Event information will be distributed to community newsletters, papers and church bulletins

Why should D.C. have a marathon?

- This region hosts the fourth largest running community in the nation
- This region is ranked 3rd amongst one million active runners nationally
- Expected economic impact for the Greater Washington region is \$10.9 million
- Allow visitors and residents to experience all that D.C. has to offer, past the monuments and memorials and into the cultural essence of each distinct neighborhood along the path

Is the Greater Washington Sports Alliance is an established organization?

- The Greater Washington Sports Alliance is comprised of thirty-five active board members whom are leaders in the regional business community.
- The Greater Washington Sports Alliance was established in 2003 as an affiliate of the Greater Washington Board of Trade.
- The Greater Washington Sports Alliance successfully led the bid process for Washington, DC to secure the 2009 NCAA Frozen Four Championship.

What are the civic benefits of the National Marathon?

- The National Marathon is expected to produce an economic impact of \$10.9 million dollars spent in local stores, restaurants, and hotels
- More than six local charities will benefit financially from the 2006 Marathon. Charities include: D.C. Special Olympics, Boys & Girls Club of Greater Washington, D.C. Scores, Washington Tennis & Education Foundation, Fort DuPont Ice Arena and United for D.C.
- Metropolitan Police Officers will receive overtime pay for their participation



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- Free education. On March 24th, 2006 a health and fitness expo will be held. Exhibitors and speakers will be available to offer tips and products that promote a healthy lifestyle.

2. FY 2006 Lead Service Replacement Program. The District of Columbia Water and Sewer Authority (WASA) is preparing contracts for the 2006 Lead Service Replacement (LSR) program. As you are aware, WASA is continuing the process of replacing all the lead service lines throughout the city.

Several unit blocks in ANC 6A are among the first that will be replaced over the next 60-90 days. We are requesting an opportunity to present the replacement program process and its impact on your constituents as well as answer any questions that ANC 6A residents may have at either your October or November ANC meeting.

The following addresses will be impacted by the program, either through test pitting or through the actual replacement process:

Unit Block 400 10th Street, NE
200 Block 12th Street, NE
800-900 Blocks 12th Street, NE
600 Block 13th Street, NE
700 Block 13th Street, NE
200-400 Blocks 14th Street, NE
500 Block 14th Street, NE
600-700 Blocks 14th Street, NE
800 Block 14th Street, NE
200-300 Blocks 15th Street, NE
300 Block 17th Street, NE
800-1100 Blocks 2nd Street, NE
200-400 Blocks 9th Street, NE
800-900 Blocks A Street, NE
1600-2600 Blocks Benning Road, NE
1600 Block C Street, NE
1700 Block C Street, NE
700-900 Blocks D Street, NE
1100-1200 Blocks D Street, NE
1300-1400 Blocks East Capitol Street, NE
1000-1100 Blocks E Street, NE
700-1300 Blocks H Street, NE
800 Block I Street, NE
1200 Block I Street, NE



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Single-Member District 6A-06 Report

-----Original Message-----

From: anc-6a06@yahoogroups.com [mailto:anc-6a06@yahoogroups.com]On
Behalf Of Marc Borbely
Sent: Tuesday, October 04, 2005 11:59 AM
To: Jackson, Tyrone (DDOT)
Cc: anc-6a06@yahoogroups.com; rice6a03@verizon.net
Subject: [anc-6a06] RE: Enforcement of Public Space -- 1400 Maryland
Ave. NE

Thank you Mr. Jackson.
We look forward to having that corner returned to a public use!
best
- Marc Borbely

> -----Original Message-----

> From: Jackson, Tyrone (DDOT) <Tyrone.Jackson@dc.gov>
> Subject: RE: Enforcement of Public Space -- 1400 Maryland Ave. NE
> Sent: 04 Oct '05 11:40

>
> We have done the inforcement and are in the process of having the fence
> removed and cars removed. DDOTs street main. Divison will remove the
> fence.

> -----Original Message-----

> From: Marc Borbely [mailto:borbely@anc6a06.us]
> Sent: Mon Oct 03 22:40:25 2005
> To: Tyrone.Jackson@dc.gov
> Cc: Donna Hanousek (DDOT)
> Subject: Enforcement of Public Space -- 1400 Maryland Ave. NE

>
> Dear Mr. Jackson -
> Could you please let me know what the procedure is to request enforcement
> of a public space violation?
> The used car lot at 1400 Maryland Ave. NE is occupying a large amount (10-
> 35 feet on either side of its property) of public space.
> The establishment applied for a public space permit; the ANC and dozens of
> neighbors weighed in with a resounding "no" -- and then the applicant did
> not show up to the Public Space Committee meeting on Sept. 22.
> How can we start the process of getting the applicant off public space?
> Thank you
> - Marc Borbely

> -----Original Message-----

> From: Hanousek, Donna (DDOT) [mailto:Donna.Hanousek@dc.gov]
> Sent: Monday, October 03, 2005 12:39 PM
> To: 'Marc Borbely'
> Subject: RE: [anc-6a] Draft September Minutes -- ANC 6A

> Marc:
>



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- > For enforcement, I refer you to Tyrone Jackson at Tyrone.Jackson@dc.gov.
- >
- > Re the application, I have not heard anything from the applicant. Since
- > the applicant did not show up and did not call, the burden is now on him
- > to request to be placed on the agenda again. Then it is up to the
- > committee whether or not to hear the application. I will let you if he
- > contacts me again, and I will find out from the committee how long we will
- > leave this case "open."
- >
- > Donna Hanousek
- >



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September 14, 2005

Patrick Canavan
Director, Department of Consumer and Regulatory Affairs
941 North Capitol St. NE
by e-mail: patrick.canavan@dc.gov

Adrian H. Thompson
Interim Chief, DC Fire and Emergency Medical Services Department
1923 Vermont Avenue, NW, Suite 102
by e-mail: Adrian.Thompson@dc.gov

Mr. Canavan and Mr. Thompson:

I am writing to ask you to help the tenants at 501 12th St. NE, an apartment building owned and operated by Independence Management Company. They are living in conditions no one should have to live in, in the nation's capital, in 2005. The tenants are neighbors and constituents of mine.

Please review the attached 18-page document of photographs, which I took this weekend while being shown around by some of the building's residents.

There are bugs crawling around the building and inside apartments (pages 1-3), cracks between walls and floors inside apartments, where bugs and rodents crawl into apartments (pages 3-5); non-functioning or unusable radiators, air conditioners and washing machines (page 6); kitchen cabinets falling apart (pages 7-8); a dirty laundry room with floors, walls and ceilings in poor condition (pages 7, 9); fire extinguishers that have not been inspected since 2003 (page 10); lobby walls with water damage and crumbling plaster (page 11); a non-functioning intercom system outside the building (page 12); bricks missing and loose in the front steps (pages 12-13); storm windows that only open a little bit (page 14); a front door that cannot be securely closed (page 14); a backyard overgrown with weeds that serves only as storage for a broken refrigerator (page 15); a crumbling outside property wall (page 15); leaky walls and ceilings (pages 16-17); and bathroom walls falling apart (page 18).

The tenants I spoke with do not want the building shut down, but they want to be able to live in decent conditions. They want their calls returned and their complaints and concerns to be taken seriously. They want their landlord to follow, and DCRA to enforce, the law.

Neither the tenants I spoke with nor I have any confidence in the regular DCRA inspection system, and so I am appealing directly to you. I have tried since January, with no success (see Attachment #2), to have DCRA help get just one of these problems fixed -- the front door that can be opened just by pulling on it, even when it's "locked." Residents are fearful about who may be hiding in the lobby waiting for them when they come home, especially at night. My mother was assaulted inside an apartment entrance when I was a baby; please help keep this from happening to my neighbors.

Most urgently: the fire extinguishers need to be inspected; 2) the roach and rodent problem needs to be addressed (this has been a serious issue for 2 months; tenants think roaches are breeding and coming from some of the unoccupied apartments, including 21, 22, 6, and 5,



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which has been empty for two years) -- tenants request a professional exterminator, cleaning of the empty apartments, and a serious effort to seal holes where walls meet floors and under dishwashers etc., where big rodents and big roaches crawl through; 3) ceiling leaks need to be fixed; 4) a new front door needs to be installed, replacing the current wood door that is insecure; the laundry room needs to be overhauled; 5) the hallway and lobby needs to be cleaned and repainted; and 6) a professional plumber needs to service many of the bathrooms.

The four tenants I spoke with have no faith in the landlord's willingness or ability to make the necessary repairs. They say it's very hard to reach their landlord by phone, and the "resident building manager" is seldom at the building and does not perform quality work. They say they need professional, licensed contractors to perform work.

According to a Washington Post article of June 13, 2005, Independence Management filed for Chapter 11 reorganization on June 2. I am attaching (Attachment #3) a December 30, 2000, story ("Tenants of D.C. Building Remain Without Heat"), about an Independence Management Company building on Euclid Street NW.

From December 2002 through August 2003 (see stories in Attachments 4-7), tenants, other neighbors and I tried with little success to get Independence Management to resolve a major eyesore: its Dumpster continually overflows. This issue has also still not been resolved: trash continues to overflow from the Dumpster.

I look forward to your response, and to being able to tell the tenants that the city will help.

Thank you.

Sincerely,

Marc Borbely
Commissioner, ANC 6A06

cc: Yafet Alem, Independence Management Company
Peter Jones, Ward 6 Neighborhood Services Coordinator
Sharon Ambrose, Councilmember, Ward 6
Jim Graham, Chair, City Council Committee on Consumer and Regulatory Affairs
Diane Groomes, Commander, 1st Police District
Joe Fengler, Chair, ANC 6A
Cody Rice, Chair, ANC 6A Economic Development Committee
Raphael Marhsall, Chair, ANC 6A Public Safety Committee
Gabe Escobar, City Editor, Washington Post
Karen Gray Houston, WTTG-TV, FOX-5
Tenants at 501 12th St. NE
ANC 6A and 6A06 Listservs



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ANC Treasurer's Report
September 2005

Period Covered: 09/01/05 - 09/30/05

Checking Account:

| | | | | |
|-----------------------|--|----------|----|-----------|
| Balance Forwarded | | | \$ | 11,101.52 |
| Receipts: | | | | |
| | District Allotments | | \$ | - |
| | Interest Income | | \$ | - |
| | Transfers from Saving Account | | \$ | - |
| | Total Receipts | | \$ | - |
| Total Funds Available | | | \$ | 11,101.52 |
| Disbursements: | | | | |
| | USPS (PO Box 6 months) | CK# 1258 | \$ | 100.00 |
| | Delta Education (Grant to Maury PTSA) | CK# 1259 | \$ | 995.80 |
| | Home Depot (Grant to Ludlow Taylor PTSA) | CK# 1260 | \$ | 1,298.36 |
| | Total Disbursements | | \$ | 2,394.16 |
| Ending Balance | | | \$ | 8,707.36 |

Savings Account:

| | | | | |
|-----------------------|---------------------------------|--|----|----------|
| Balance Forwarded | | | \$ | 4,142.13 |
| Receipts: | | | | |
| | Interest 08/31/05 | | \$ | 1.41 |
| | Transfers from Checking Account | | \$ | - |
| | Total Receipts | | \$ | 1.41 |
| Total Funds Available | | | \$ | 4,143.54 |
| Disbursements: | | | | |
| | Total Disbursements | | \$ | - |
| Ending Balance | | | \$ | 4,143.54 |



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**DRAFT
ANC Budget for FY06**

Projected Assets

| | |
|--|--------------|
| Projected FY05 Year End Savings Balance | \$ 4,100.00 |
| Projected FY05 Year End Checking Balance | \$ 14,000.00 |
| | ----- |
| Total FY05 Fund Balance | 18,100.00 |
| | |
| Projected FY06 District Allotments | \$ 23,200.00 |
| | |
| Projected Total Funds Available | \$ 41,300.00 |

Budget

| Expenditures | | Total Yearly Expenditure |
|-----------------------------------|----|---------------------------------|
| Photocopies | \$ | 8,500.00 |
| Advertising | \$ | 6,000.00 |
| Transcription Service for Minutes | \$ | 2,000.00 |
| Post Office Box | \$ | 200.00 |
| Grants | \$ | 6,000.00 |
| Postage | \$ | 100.00 |
| Office Supplies | \$ | 100.00 |
| Office Equipment | \$ | 500.00 |
| Rental Space | \$ | 1,500.00 |
| ANC Security Fund | \$ | 25.00 |
| | | ----- |
| Total Expenditures | \$ | 24,925.00 |
| | | |
| Projected Surplus | \$ | 16,375.00 |



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FY05 Expenditures
Oct. 2004 – Aug. 2005

| Expenditure | Total Expenditure | |
|-----------------------------------|--------------------------|-----------|
| | 10/04 – 8/05 | |
| Photocopies | \$ | 5,636.89 |
| Advertising | \$ | 6,264.40 |
| Transcription Service for Minutes | \$ | 1,343.35 |
| Post Office Box | \$ | 100.00 |
| Grants | \$ | 5,603.61 |
| Office Supplies & Postage | \$ | 61.61 |
| Office Equipment | \$ | 0.00 |
| Rental Space | \$ | 0.00 |
| ANC Security Fund | \$ | 25.00 |
| Legal Services | \$ | 10,915.45 |
| | | ----- |
| Total Expenditures | \$ | 29,950.31 |



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Washington, DC 20013



**REPORT OF THE
ALCOHOLIC BEVERAGE LICENSING COMMITTEE (ABLC)
OF ANC 6A**

September 20, 2005
Sherwood Recreation Center
7 p.m.

COMMITTEE ATTENDANCE

| | |
|------------------|-----------------------------|
| Tim Carney | Committee Member |
| Tish Olshefski | Committee Member, Secretary |
| Lyndon Bonaparte | Committee Member |

Absent: Mary Beatty; Patti Neal; Michael Herman; Malcolm Ross; Tolu Tolu

COMMUNITY ATTENDANCE

David Shim

I. CALL TO ORDER

Meeting called to order at 7:10 pm. Tim Carney acting chair. Mary is awaiting birth of her grandchild.

II. OLD BUSINESS

One item of business referred from the last meeting is the H Street moratorium strategy. Discussion postponed due to lack of a quorum.

III. COMMUNITY COMMENT

David Shim: Proprietor of Me & My Supermarket (1111 H Street, NE). Doesn't see a lot of problem with public drinking in the neighborhood. More time and continued changing of the neighborhood will make it even better. Mr. Shim plans to attend the October meeting.

Meeting adjourned at 7:22.



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H Street Moratorium on the Sale of Singles
ANC 6A Strategy Development

The ANC 6a Alcohol Beverage Licensing Committee has prepared the following strategy in order to achieve the ANC 6a goal of establishing an ABC Board ordered moratorium on the sale of single cans of alcohol by Class A and B licensees along the H Street corridor.

Establishing the goals of this effort is integral to success. All of those who participate in the effort should have a clear idea of the purposes of the moratorium. ANC 6a views the singles moratorium along this corridor as one aspect of a multi-faceted effort to improve the neighborhoods and revive commerce along this corridor. It is an important part of the substantial investment that the city has made in programs such as the Great Streets initiative, H St. Main Street, HSCDC, etc to create a renaissance of community life along this corridor. It assists this effort by reducing public drinking and drunkenness, reducing crime, reducing loitering, and reducing litter.

Members of the ABL Committee have already begun the efforts with an initial consultation with legal expert, Doug Fierberg. He has helped to define the legal parameters, and has agreed to draft the moratorium application that will be presented to ABRA. The parameters which are being recommended by the ABL Committee are defined in ABRA regulation as a portion which “means the neighborhood within 1800 of an establishment.”

According to this same section of regulation, “If the requested moratorium is a portion, there shall exist in the portion at least 7 class A, 7 class B, or any combination of 7 class A or class B licensed establishments.” The establishments that could fall within the described radius are Jumbo Liquors (122), H Street Liquor (300 block) Kelly’s (400 block), Family Liquors (710), 1101 Convenience Mart (1101), Me and My Supermarket (1111), Northeast Beverage (1344), Sun and Moon (1387), and Friends (1406). We will consult with our attorney to establish which stores should be included.

The ABL Committee Moratorium Task force, comprised of Mary Beatty, Tim Carney Lyndon Bonaparte, and Malcolm Ross will then assist Doug Fierberg with the wording of the application. This Task Force will lead the moratorium effort throughout implementation and decision-making. They will also prepare and be present for testimony before the Board. In order to prepare for this testimony, each Task Force Member will have a specific assignment, to coordinate the gathering of information on 1) criminal activity, 2) litter, 3) community impact.

The ABL committee, led by the Task Force, will then begin recruiting community, government and merchant partners. Those which have already been identified include:

- a. Near Northeast, Linden Place Association, Wylie Place, Staunton Park, NLPA
- b. Churches
- c. H Street Merchants
- d. H St. Main Street, HSCDC, Great Streets Initiative
- e. PSA 102/PSA 103

Members of these groups will be asked to testify at the moratorium hearing. Some of these groups may be asked to provide financial support for our efforts as well. Any such financial support would be used to help the ANC cover legal expenses.



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**REPORT OF THE
ECONOMIC DEVELOPMENT AND ZONING COMMITTEE
OF ANC 6A
September 27, 2005**

Present: Commissioner Cody Rice; Resident Members Jeff Fletcher, Virginia Gaddis, Rich Luna, Laura Peterson, Drew Ronneberg, Vanessa Ruffin-Colbert, Bill Schultheiss, Mary Spencer, Dea Varsovczky.

Commissioner Rice chaired the meeting.

Community Comments

Marta Wagner announced that Stanton Park Neighborhood Association filed an appeal with the Board of Zoning Adjustment related to the Certificate of Occupancy for Taste of Jamaica at 528 H Street NE. [BZA 17434 is scheduled for an April 4, 2006 public hearing—Ed.]

Update on Cluck-U Appeal to BZA

Rich Luna provided an update to the committee on the ANC's appeal to BZA of the issuance of a Certificate of Occupancy to Cluck-U at 1133 H Street, NE. The appeal was filed on Friday, September 23, 2005 as BZA 17439. [Scheduled for an April 11, 2006 public hearing—Ed.]

Luna updated the committee on efforts to verify that Cluck-U primarily serves its food and drink in disposable containers and provides disposable tableware. Luna will provide BZA with photos and affidavits. Bill Schultheiss shared annotated floor diagrams showing that the plans submitted to DCRA indicated more than 10% of the publicly accessible floor space available for customer queuing for carryout and on-premise consumption. The appeal seems to be progressing without problems, and there was no recommendation for the ANC to change its approach.

The committee also discussed potential related future activities for the committee such as 1) trying to clarify the restaurant/fast-food restaurant definitions in the zoning regulations, 2) improving DCRA's eating establishment affidavit, and 3) working on definitions for other types of eating establishments and related businesses such as delicatessens, coffee shops, and convenience stores so that it is clear which types would require a special exception. The goal of these activities would be to make sure that the subset of eating establishments that are more likely to have objectionable aspects such as litter, trash, traffic, and rodents are subject to the BZA special exception review process in which residents have an opportunity for meaningful input. Other types of eating establishments should proceed as matter-of-right development.



DCRA Report on H Street NE Eating Establishments

At the last EDZC meeting, DCRA promised to provide this report on inspections of H Street NE eating establishments by mid-September. Commissioner Rice sent reminder emails to Neil Stanley, Acting Zoning Administrator, on September 16 and 23. No report has been provided as of September 27.

The committee discussed how the ANC could learn about new businesses that are coming to H Street NE before they open. Some suggested sources were H Street Main Street (Anwar Saleem), the Office of the Deputy Mayor for Planning and Economic Development (Derrick Woody), and possibly realtors.

Recommendation: That the ANC send a letter to DCRA reminding them of their commitment to provide the eating establishment report; asking for a complete list of eating establishments on H Street NE; and noting any eating establishments that may require attention from DCRA because of current construction or imminent opening.

Research into Business Improvement District Expansion

The committee discussed information from the Capitol Hill BID, DC regulations, and the Real Property Tax Assessment Database related to Business Improvement District (BID) Formation/Expansion for H Street NE. This information is available in the agenda for the meeting posted on the website.

BIDs are funded by extra taxes on commercial properties and are formed when a majority of property owners in a specified commercial area elect through a petition process to form a nonprofit entity and self-tax to provide enhanced services to their area. Expansion of existing BIDs is also possible through a petition process. Some BID-like clean-and-safe activities are already happening in the H Street Arts and Entertainment District as a cooperative effort of businesses in that area.

Ultimately, property and business owners would have to petition for a BID, but it may be easier to convince these owners if a case can be made that sufficient revenue would be available. One potential activity that the ANC could undertake is an analysis of the property values along H Street NE, the potential BID revenues, and the cost of BID services.

The committee discussed the possibility of the city meeting any funding gaps with Great Street funds until property values increase enough to meet the cost requirements for BID clean and safe services. The committee also discussed whether assessed property values for commercial properties along H Street reflect recent sale prices. Higher assessed values may provide a tax incentive for owners of vacant properties to return these properties to productive uses.

Council Oversight Hearing on Noise Issues and Enforcement in Residential and Commercial Neighborhoods

The committee discussed an exemption in the noise regulations for church bells and music connected with worship or official church ceremonies. Churches, unlike other establishments, have no restrictions in the noise regulations on total volume or any requirements to reduce



volume in the evening or night or install sound-proofing. Commissioner Rice said that this exemption had created a problem in his SMD when a church refused to negotiate with residents about frequent loud services, many lasting after 9 PM, which could be heard inside the houses of nearby residents. The exemption removes any leverage or recourse for residents if a church is unwilling to address noise concerns.

The committee was divided on whether the ANC should recommend removing or limiting this exemption. Some committee members expressed concerns about the rights of churches to worship, the tenure of churches and residents in the community, and concerns about whether this is a widespread problem. Other committee members thought that the current exemption is too broad and fails to protect the rights of residents not to be subjected to church services in their own homes. Commissioner Rice indicated that he planned to present testimony at the oversight hearing on behalf of affected neighbors in his SMD, and that he is encouraging them to share their experiences with the Council.

DCRA Rental Unit Licensing Requirements (Basic Business License)

The committee discussed new DCRA licensing requirements for small-scale rental arrangements such as rooms, English Basements, and single-family houses. Based on DCRA fact sheets and the experience of a committee member, the new rules require the property owner to visit multiple DC offices and pay fees of \$108-150 every two years, plus additional fees if the property owner doesn't already have a Certificate of Occupancy. The licensing fees for renting out a basement apartment are more than for renting out a single-family house. However, owners of single family rental units need to schedule a housing inspection with the Neighborhood Stabilization Office.

The committee agreed that DCRA needed to simplify the application process with "one-stop shopping" at DCRA. The committee also discussed how it would be more efficient for aggregated information on BBL applications to be provided to the Rental Housing Authority, rather than requiring each applicant to file a Rent Control Authorization Form and pay \$40 every two years. The Rental Housing Authority administers rent control, which doesn't apply until a property owner has more than four properties. The committee expressed concerns about the requirement to inspect every single-family rental unit since DCRA has trouble responding to units with complaints. The committee agreed that this requirement would clog the inspection pipeline, and that DCRA should focus on responding to units with complaints. Finally, there was some discussion about whether these licensing requirements and associated fees would adversely affect affordable housing by creating disincentives for small-scale rental arrangements.

Recommendation: That the ANC send a letter expressing these concerns to DCRA and the Committee on Consumer and Regulatory Affairs of the DC Council.

Next Scheduled ED&Z Committee Meeting:

Tuesday, October 25, 2005
7-9 PM
900 G Street, NE
Community Room of the Capitol Hill Towers



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



**Advisory Neighborhood Commission 6A
Community Outreach Committee
Minutes for September 19, 2005**

The Committee convened at 7:15 PM, at the Church of the Lord Jesus Christ of the Apostolic Faith annex, 1235 C St. NE.

Attending COC members: (quorum)

- Barbara Anderson
- Louis Barbash
- Elizabeth Nelson (chair)
- Rose Williams

I. COC membership update

Barbara Anderson was welcomed as an official member of the COC, having been confirmed at the September ANC meeting.

II. Grant application update – report from September ANC 6A meeting

It was reported that ANC 6A voted to fund three grants as recommended by the COC at the July and August meetings, Ludlow-Taylor PTSA, SummerTime and Reading Together (START) Lincoln Park Book Club, and Maury PTSA. A check has been written to Home Depot to fund the Ludlow-Taylor grant. Elizabeth has contacted the supplier for the Maury grant to arrange ordering of the materials. START will place book order and then ask for check to be written.

III. Grant outreach

Elizabeth has sent repeat follow-up emails to Eastern HS PTSA about their submitting a grant. We are still waiting to hear from them about their request for items needed for the band.

IV. Discussion of possibility/legality of providing ANC grant money to Katrina victims – as requested by ANC 6A at suggestion of Commissioners Borbely and Ibangha

Such funding is barred, by statute, because the victims do not live in ANC 6A. Additionally, funding is prohibited for food, clothing and anything that becomes the property of an individual. There are other applicable restrictions as well. Commissioner Alberti, Treasurer, ANC 6A, sent e-mail to DC auditor to verify that these statutes are still in effect. The reply stated that such funding was indeed prohibited.

Committee recommendation: That ANC 6A not provide grant money to aid Katrina victims as such funding is prohibited, by statute.

V. Discussion of means of reducing photocopying costs of monthly ANC agenda/agenda package – as requested by the commissioners of ANC 6A

At the September ANC meeting, Commissioner Borbely remarked that it had cost approximately \$1,000 to make copies of the September agenda and agenda packages. He and his fellow commissioners expressed concern that this was a substantial sum and referred the matter to the COC for consideration.



The COC agrees that this is indeed a lot of money to spend, especially as many copies are not used. The COC believes that the agenda-packages are an extremely useful tool for facilitating participation at the monthly meetings but that the high cost of printing multiple copies for advance distribution is not justified. Copies of the agenda-only will provide sufficient advance notice to the public as to expected meeting content. However, the agenda should include the web address where the full agenda package can be down-loaded, along with the names and phone numbers of the commissioners, as contacts for those without web access. For example: "Copies of the complete agenda package, including all supporting documents, can be found on the Agendas page at www.anc6A.org. Or contact your commissioner at [names, phone numbers] for more detailed information about particular topics." After much discussion of the purposes served by the agendas and agenda-packages and the best means to serve those purposes, the committee developed the following recommendation.

Committee recommendation:

1. That the Secretary of ANC 6A order, pick up, and deliver to the monthly meeting sufficient copies of the full agenda-package to serve all attendees.
2. That commissioners make additional copies of the full agenda-package, if desired, on the account at Kinkos.
3. That the commissioners make copies of the agenda-only for advance distribution at "their" posting locations. The COC further recommends that the agendas include the web address where the full package can be accessed on-line and contact information for the commissioners (for those without web access)
4. That this policy be instituted on a trial basis for the next three ANC meetings, at which time commissioners may adopt it permanently or send it back to the COC for revision.

VI. Update on presentation for marketing option by *The Washington Examiner*

We have had no further contact from Edward Hopkins, Accounts Executive of *The Washington Examiner* newspaper, and assume that he is no longer interested.

VII. Future meeting schedule

It was noted that future meetings may need to be rescheduled due to the December-February holidays (Christmas, Martin Luther King Jr. birthday, President's Day). A decision will be made at the October or November meeting, in time to change the paid advertising.

The meeting adjourned at 8:30 pm.
Next meeting is October 17.

Respectfully submitted,
Elizabeth Nelson



**REPORT OF THE PUBLIC SAFETY COMMITTEE
September 21, 2005 at Sherwood Recreation Center**

Meeting Attendees:

Commissioners: Nicholas Alberti

Resident Committee Members: Raphael Marshall, Chair; Stephanie Nixon

Residents: Elizabeth Nelson, Victor McCoy, Bo

Guests: Mr. William Wright, DC Fire & EMS

Raphael Marshall opened the meeting at 7:15 pm.

PERSON FROM DC FIRE/EMS

Reported that the Ward 6 has the highest number of fires in DC. DC Fire & EMS Department is working with DC Safekids on a home fire safety project for families in Ward 6. They are looking for families to volunteer to receive a free home safety lesson and inspection. Volunteers will learn about home and fire safety and how to create a personalized home escape plan in case of an emergency. Participants will receive a FREE home and fire safety prevention kit. Interested families should contact the DCFEMS Community Outreach Coordinators office at 202-727-1778.

Questions were asked about reasons for the high number of fires in Ward 6.

Community Concerns:

Nick Alberti and Elizabeth Nelson brought up concerns about Maury Elementary located in PSA 103, on the corner of 13th St and Constitution Ave NE. The playground, which extends from 12th Place to 13th St (in the 200 blocks) has been the scene of varying degrees of illegal activity for two decades. Recently, there are signs of gang-like activity (graffiti, destruction of property) as activity is displaced by the condo construction one block north. The school lacks a complete enclosure by a secure fence. The present fence, which is chain link and easily cut through, has gaps on both 12th Place and 13th place. Residents have seen ongoing drug activity and prostitution on the school's playground and condoms, drug paraphernalia, and alcohol containers are found regularly on school grounds. Stolen cars have also been recovered within the playground fences. The site is particularly attractive to the criminal element due to the multiple escape routes afforded by the layout of the playground and the interruptions in the fencing.

The principal, Mr. Wilson, called a community meeting regarding this activity and Sergeant Curtis Williams from PSA 103 was present. Sergeant Williams is reported to have stated that the park curfew ("closed at dusk") could not be enforced because the school is not completely fenced. Photographs of the illegal activity were presented to the Sergeant. Per reports from the principal (via the Albertis), requisitions have been submitted to DCPS and nothing has happened. A real iron fence is needed to surround the school along with enforcement of the curfew. The ongoing activities affect the surrounding community as well as the school. Mr. McCoy also reported noting these behaviors as did Bo.

Mr. Alberti and Ms. Nelson requested that the Public Safety Committee request action by the ANC 6A in the form of a letter writing campaign focusing on two actions: (1) PSA 103 immediately begin enforcing the dusk curfew on the site and (2) City and School District



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construct an iron fence surrounding the school, like that at Miner Elementary School, for the safety of both the students and the surrounding community. Mr. Alberti and Ms. Nelson will compose the letters. These should be sent to the following individuals: Diane Grooms, Commander 1st District; Deputy Mayor of Public Safety; Peter Jones, Neighborhood Services Coordinator, Ward 6; Councilmember Sharon Ambrose; Lieutenant Caldwell; Mayor Tony Williams office; and, Alphonso Coles, Community Outreach First District.

Future Activities:

The committee will continue to update the ANC on the Maury School issue.

Request for Action by the ANC:

Approve and submit letters to the aforementioned individuals on behalf of the ANC 6a.

Respectfully submitted by Stephanie Nixon.



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To:

Diane Grooms, Commander 1st District
Deputy Mayor of Public Safety
Peter Jones, Neighborhood Services Coordinator Ward 6
Councilmember Sharon Ambrose
Lieutenant Caldwell
Mayor Tony Williams office
Alphonso Coles, Community Outreach First District.

I write to bring your attention to the persistent problems on the Maury Elementary School playground. The school is located on the corner to 13th St. and Constitution Ave NE, in PSA 103; The playground, which extends from 12th Place to 13th St (in the 200 blocks) has frequently been the scene of illegal activity for two decades. Recently, there are signs of gang-like activity (graffiti displaying a gang tag, destruction of property. Residents have seen ongoing drug activity and prostitution on the school's playground. Condoms, drug paraphernalia, and alcohol containers are found regularly on school grounds. School property has been vandalized, including the new playground equipment which was installed just a year ago. Stolen cars have also been recovered from within playground fencing. The school staff has found it necessary to arrive each morning, well before the students, to ensure that the school grounds are safe for children.

The site is particularly attractive to the criminal element due to the multiple escape routes afforded by the layout of the playground and the interruptions in the fencing. The present fence can not properly secure the playground; it is chain link and in the past, wide openings have been repeatedly cut it the fence with ease. The fence has both 12th Pl and 13th St sides of the playground.

The principal, Mr. Wilson, recently called a community meeting regarding this activity at which MPD District 1 officers were present. Videotape of vandals, and photographs of graffiti and damaged property have been provide to the police. Police officer, Sergeant Williams, stated that the playground curfew ("closed at dusk") could not be enforced because the school is not completely fenced. Mr. Wilson has submitted a requisition for a secure iron fence, such as the one at Miner E.S., but it has not yet been approved. Previous principals have made similar requests, to no avail.

As this is a safety issue for the entire community, ANC 6A requests that:

- 1) A secure iron fence, with gates that can be locked, be installed surrounding the Maury E.S. playground.
- 2) DCPS provide increased attention to the illegal activity on the site and begin to enforce the dusk curfew until such fencing has been installed.



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**ANC 6A Schools Committee Report
September 28, 2005
Miner Elementary School, 601 15th St. NE**

Present

Committee Members: Marc Borbely (6A06), co-chair; and André Taylor (6A03).
Guests (representing the SEED Foundation and SEED Public Charter School):
Rajiv Vinnakota; Rebecca Gifford; and Lesley Poole

Presentation by SEED Foundation / SEED Public Charter School

Mr. Vinnakota, Ms. Poole and Ms. Gifford presented initial plans by the SEED Foundation to build a second campus of the SEED Public Charter School near RFK Stadium. The project would be contingent on a federal transfer of land to the District. Legislation is moving through Congress that would require the land to be used by a public boarding school. The campus would open in 2008, serving 600 students, either in grades 6 to 12, or in grades 7 to 12.

The campus would occupy 15 acres of the northwest part of the parking lot at RFK. This would leave enough space for parking for the Nationals, according to Mr. Vinnakota. The plans call for about six or seven buildings, none higher than four stories. SEED is exploring the possibility of including community amenities. The SEED Foundation will be paying \$60 million to \$80 million for the land.

The representatives discussed issues of cost and equity. Mr. Borbely asked whether it was good policy for the District to be paying for a public boarding school that costs the District twice as much as a regular day school, when the regular schools are so strapped for funds. He shared figures provided by Nancy Huvendick, DC Director of the 21st Century School Fund, showing that per-student costs for SEED -- \$26,240 for every 9th to 12th grader -- are much higher than per-student costs at non-residential charter schools or traditional public schools. The SEED representatives said the figures were slightly off, but more or less correct. Mr. Vinnakota said city representatives have promised that the city has enough money to support an expansion by SEED. He said DCPS could start a public boarding school anytime, and would receive the same extra funding from the city that SEED gets. He said SEED receives funding based on a formula: essentially a multiple of what traditional public school day programs receive, and so an increase in funding for SEED doesn't reduce funding for other schools. SEED representatives pointed to their program's tremendous benefits to students.

In response to a question, the representatives said they were very interested in working to help Eastern Senior High School, located just a few blocks from RFK on 17th and East Capitol St. NE. They said they would be thinking about ways they could help Eastern. SEED students will also be involved in tutoring younger children at other public schools, including at traditional public schools. Ms. Poole has been speaking with Angela Tilghman, principal of Miner Elementary School, about having SEED students tutoring Miner students either on weekday evenings or on weekends.

Respectfully submitted by Marc Borbely.



Background on School Facilities, from FixOurSchools.net

- **School facilities are in poor condition.** Of the 147 schools that DCPS operates, only 16 -- including the 14 that have been modernized or are undergoing modernization -- are in good condition, according to DCPS. The rest need new roofs, windows, interior finishes, cabinetry, floors, ceilings, electrical upgrades, ADA improvements, etc. The average school is more than 65 years old. From 1980 to 2000 almost nothing was spent on school facilities. Many schools do not have central air-conditioning or are only partially air-conditioned. Many schools do not have adequate spaces for kindergarten or pre-K (which must be located on ground floor for fire-safety purposes, with restrooms in classrooms). Many schools lack facilities for handicapped students. Many early childhood classrooms lack restrooms, sinks and cubbies. Many schools do not have adequate cafeterias or kitchens; many use one space for gym and cafeteria and are faced with scheduling and programming conflicts as a result. Many buildings have inadequate electrical service and lack infrastructure for technology. Science labs are often non-existent or outmoded. Many buildings lack areas for art or music, or lack computer labs. Some buildings are windowless; some have no walls between classrooms.
- **Building high-quality schools is expensive.** The total cost of building a new generation of schools, in current dollars, is \$3 billion -- or about \$20 million per school (small schools cost less; big schools more). The District has already given DCPS about \$500 million for modernizations since 2001 and has promised another \$250 million over the next five years, but this leaves a need for another \$2.25 billion just for modernizations. School buildings have a life-span of about 40 years. This means that even once we've caught up, we'll need to be replacing one-fortieth of our schools every year, at a cost of about \$75 million a year.
- **At the current rate of funding, it will take 55 more years to modernize our schools.** In 2001, the school board adopted a Facilities Master Plan to rebuild and modernize our schools. The plan called for modernizing 10 schools per year, for 15 years, with each modernization taking about 3 years. By now, according to the plan, 31 schools should have been modernized or rebuilt. Due to insufficient funding from the city, however, modernizations at only 7 schools have been completed (at an average cost of \$21 million per school); modernizations are under way at 7 others and are planned at an additional 10, including 6 high schools. The city has told DCPS it will receive only \$98 million per year in total capital dollars (for modernizations and repairs) after this year, down from an



average of \$201 million per year, the last six years. This leaves only \$50 million per year for modernizations and has forced DCPS to slow down drastically. Instead of working on 10 schools per year, DCPS will be working on only 2 or 3 per year. In FY03, when the total DCPS capital budget (for modernizations and repairs) was \$222 million, DCPS was in the process of modernizing 20 schools -- spending \$131 million on modernizations that year. In FY07, when the total DCPS capital budget (for modernizations and repairs) will be \$98 million, DCPS will be modernizing only 3 schools; the following year 1; the following year 2, spending about \$50 million per year on modernizations. With a modernization budget of \$50 million per year (enough to complete two or three schools per year), it will take another 55 years to modernize the remaining 133 schools.

- **There is some hope.** Eight Councilmembers (Barry, Brown, Catania, Fenty, Graham, Gray, Schwartz and Mendelson) have co-sponsored and co-introduced the School Modernization Financing Act of 2005, which would add \$1 billion to the DCPS capital budget. The bill has survived its first hurdle, having been approved by Jack Evans's Finance & Revenue Committee on July 14 (Kathy Patterson voted yes; Ambrose, Evans and Orange abstained; Barry was absent). The bill now goes before Kathy Patterson's Education Committee for a vote on Oct. 18. Advocates are asking all District residents to contact their City Council representatives -- especially the members of the Education Committee -- to urge them to support these efforts. We are asking that the \$1 billion be added to the budget over the next seven years, so that by FY09 DCPS will have \$250 million per year to spend on its facilities. If \$200 million of that can be spent per year on modernizations (the rest would be spent on emergency repairs, necessary given the decades of neglect), that will be enough to modernize about 10 schools per year; at this rate, the District's remaining 133 schools will be modernized in 13 years. We don't think this is too much to ask. Periodic increases would be necessary to reflect inflation. Councilmember Kathy Patterson said a week ago she would support keeping the capital budget at \$200 million per year. This would be much better than cutting the budget in half, but it is still far from sufficient. With \$200 million per year for capital spending, DCPS could spend about \$150 million per year on modernizations. At this rate, it would take 18 years to rebuild our schools. Most likely, instead of asking parents and children to wait 18 years for their schools to be rebuilt, the school system would choose to abandon its modernization and rebuilding efforts and instead adopt a band-aid approach, whereby it would replace boilers and windows but not engage in the serious renovations needed to build a new generation of schools.



Advisory Neighborhood Commission 6A
P.O. Box 75115
Washington, DC 20013



Councilmembers Marion Barry, Vincent Gray, Phil Mendelson,
Kathy Patterson and Carol Schwartz
1350 Pennsylvania Avenue NW
Washington, DC 20004

Re: School Modernization Financing Act of 2005

Dear Members of the City Council Committee on Education, Libraries and Recreation,

We write to you in advance of your October 18 committee markup of the School Modernization Financing Act of 2005 (B16-250), to express our unqualified support for this bill's goal: to significantly increase the funds available to the D.C. Public Schools to renovate and modernize the District's public school facilities.

DCPS has estimated that it will take 10 years of spending \$300 million per year on capital projects, to bring all schools up to 21st century standards. Total annual capital budgets for DCPS, starting in FY07, are \$98 million per year, through FY11. Given the decades of neglect of our school buildings, the immediate financial cost for modernizing them is great. However, the societal and social cost of continuing to require children to spend their days in run-down, crumbling, fourth-class buildings is even greater. DCPS officials have testified that DCPS will have the capacity, within two years, to effectively spend up to \$250 million per year on modernizations. We hope you will find ways to provide this funding, or as close to it as possible. At the current rate of funding (\$50 million per year on modernizations), it will take another 55 years before modernizations are complete.

We do not take a position on specific funding sources that should be used but are confident that your Committee will identify appropriate mechanisms -- either a borrowing approach, which the bill currently takes, or a "pay-go" approach, as some Councilmembers are proposing, or some combination of the two. We also applaud efforts to add additional accountability and oversight mechanisms to the bill, to ensure that the District government and the public at large can be as confident as possible that funds allocated will be carefully and wisely spent.

Of the 14 neighborhood schools serving our area -- J.O. Wilson, Wheatley, Miner, Ludlow-Taylor, Peabody, Maury, and Gibbs Elementary Schools, R.H. Terrell, Stuart-Hobson, Eliot, and Browne Junior High or Middle Schools and Dunbar, Eastern and Spingarn Senior High Schools -- only Miner Elementary School has been modernized. We understand that citywide, fewer than 10 of 147 schools have been modernized. We look forward to the time, hopefully within the next 10 years, when all children in the District will be able to attend schools in buildings that are of Miner's quality.

On behalf of the Commission,

Joseph Fengler,
Chair, Advisory Neighborhood Commission 6A

cc: City Council Chairman Linda Cropp
Councilmember Sharon Ambrose, Ward 6
Mayor Anthony Williams
Tommy Wells, Board of Education, Wards 5 & 6
Clifford Janey, Superintendent, DCPS
Thomas Brady, Chief Operating Officer, DCPS