

**Advisory Neighborhood Commission 6A  
Special Meeting  
Minutes  
Maury Elementary School  
October 24, 2013**

**Present:** Commissioners Alberti, Holmes, Hysell, Mahmud, Phillips-Gilbert, Ward, Williams

**Absent:** Commissioner Nauden

The meeting was convened at 7pm.

**1. Agenda**

Mr. Holmes announced the agenda for the special meeting and said that minutes are not approved at a special meeting. Mr. Alberti asked that an item be added to New Business to allocate \$130 to pay for security guards for the use of Miner School for the next ANC meeting. The addition was approved by unanimous consent.

**2. Alcoholic Beverage Licensing Committee**

CT Licenses

Mr. Holmes reported that the ABL Committee has recommended that no action be taken on the following CT License renewals, and asked whether any Commissioner wanted to protest any of those licenses.

**Recommendation:** That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for H Street Country Club, 1335 H Street NE.

**Recommendation:** That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Rock 'n' Roll Hotel, 1353 H Street NE.

**Recommendation:** That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Liberty Tree, 1016 H Street NE

**Recommendation:** That the ANC accept the Committee's recommendation to take no action regarding the CT license renewal for Rose's DeJavu, 1378 H Street NE.

There was no objection.

Sahra Hooka Lounge - 1200 H Street NE

Mr. Holmes said that the Committee had made two recommendations having to do with Sahra Hooks Lounge, 1200 H Street NE.

**Recommendation:** The Committee moved/Mr. Holmes seconded a motion that the ANC notifies the ABC Board that it does not agree with the changes to its Settlement Agreement requested by Sahra Hooka Lounge.

Mr. Holmes said that it is a new license and not eligible to make changes except at renewal, and the establishment's recent behavior indicates an inability to follow the plainly stated rules of the ANC and ABRA. He said they want provisions taken out that don't apply—there's no need to take them out. There shouldn't be different language for each establishment. The motion passed 5-1-1 with Mrs. Phillips-Gilbert opposed and Mr. Alberti abstaining.

**Motion:** The Committee moved/Mr. Holmes seconded a motion to recommend that the ANC formally protest the CT license renewal for Sahra Hooka Lounge.

Mr. Holmes reported that Sahra had no permit, either Public Space or ABRA, for its outdoor patio, that there were loudspeakers inside and excessive noise, that there was live entertainment

without an endorsement, that there was entertainment outside, and that an associate of the licensee is alleged to have carried a very visible firearm in a holster. The motion passed 5-1-1, with Mrs. Phillips-Gilbert in opposition, and Mr. Alberti not voting.

### 3. 1242 H Street NE

**Motion:** Mr. Holmes moved/Mr. Hysell seconded a motion to send a letter to the Zoning Administrator requesting an investigation of whether necessary variances have been obtained for Da Luft, at 1242 H Street NE.

Mr. Alberti reported that the 3<sup>rd</sup> floor of the building has been outfitted as a lounge, despite the fact that the ABC has not licensed the third floor. Da Luft has just opened at 1242 H Street NE. The issue, according to Mr. Holmes, is that in 2009 the ANC was opposed to any variance to the non-residential FAR at 1242 and any issuance of a variance from the requirements of the H Street Overlay. At that time, the building's developer, IS Enterprises, withdrew its BZA application.

However, it appears that the developer either went ahead and built what it wanted, or the current owners do not know about the Overlay zoning requirements, which need to be protected. This is a time-sensitive issue because there must be a response within a certain time or enforcement may not be possible. He said that the ANC is claiming only that the 3<sup>rd</sup> floor has been outfitted as a lounge.

Leonard Cohick, representing the owner said that if there is a requirement for a variance, they will get one. He said the third floor is not being used as a restaurant or for storage at this point. Mr. Holmes made it clear that he is not making a judgment at this point. Mary Ann Malloy, a member of the ABL Committee, said there had been extensive discussion at the Committee meeting of the use of the third floor and the Overlay's requirements. The restaurant owner said he was aware of the use requirements, but that business was slow and he doesn't use the top floor. He said there are other restaurants on H Street with lounges on the third floor. He said he only taken in in \$40 the previous day, and he wants to abide by the law.

Mr. Mahmud suggested a change from "appear to" to "may" in the fourth line of the letter. It was accepted without objection. The motion passed 5-2, with Mrs. Phillips-Gilbert and Mr. Ward in opposition.

### 4. Options School

(Mr. Mahmud left the meeting because of a potential professional conflict with the discussion.) Mr. Homes introduced Josh Kern, who has been appointed receiver of the school, beginning on October 3<sup>rd</sup>. He said he has been learning about the school, and hearing from community members, but, he said, he currently has a limited ability to speak about what he's learning. He said that soon he will be able to.

Elizabeth Nelson said that her concerns are not just financial, but administrative as well. She said that the school is called to account on an issue and things get better for a time and then get worse again. She used as an example walking her dog between 9:15 and 9:30 am to the basketball court and dog run and saw the ROTC program operating with a person in charge, but there was another group going wild, but the adult did nothing to control them.

Mr. Holmes said that the ANC had expressed its view to the Public Charter School Board in a letter sent last month. Mr. Ward said that he had abstained in the vote on the letter because he doesn't believe the school should be moved out of the community. Mrs. Phillips-Gilbert said that she also abstained and doesn't want Mr. Kern to think that everyone's against Options. She said she is embarrassed by the hostility the school has received from her colleagues. Options, she said, is doing a fantastic job and could do better. She said that the children need to have a foundation and don't need to be thrown around.

A resident said there is lots of chaos at the school. She said there is lots of change in the community and they need their school. She said the community needs to know whose judgment it is that categorizes these children. The children are normal children, and you have to expect behavior problems. Sarah Mack said that Dr. Vincent took care of the fence, did what they said they would do, and she doesn't understand why the kids are being pounced on. She said she thought the ANC was nit picking Options.

Mr. Williams said that a lot of the problems can be solved through a lot better communications. Mr. Alberti said that one thing the community is hearing is that there is a lack of competence to address the needs of students. For one example, he said, kids were locked out who arrived late. He said that while Mr. Kern was appointed because of financial improprieties, there are issues with the school—they're quite capable, but not using their skills. Mr. Kern pointed out that his responsibilities are laid out in a court order (a copy of which was included in the agenda packet).

Catherine Dyer, a library staff person from the Rosedale Library said that they had 371 students enrolled in their summer reading program and many of them came from Options. She mentioned that truant students also came to the library.

Mr. Holmes said that the school had been opened with no interaction with the ANC or the community. He said they had asked to keep the Commission connected, but nothing had happened. He said that the Commissioners care a lot about the kids, but there has been little interaction with the community. Mrs. Phillips-Gilbert read a quote from Councilmember Wells that appeared in the Hill Rag, complimenting the school.

Mr. Hysell said that his concern was about the kids, with lots of them squeezed into a small space. In answer to a question, Option's executive director, Mr. Vincent said that the school has 135 staff including 62 teachers, with six to eight leaving each year. He said that Dr. Simon Earle had started on July 1, and that all the "miscreants" are gone.

Mr. Holmes pointed out that in the letter sent to PCSB Executive Director Scott Pearson, the ANC had pointed out that this is not the first example of charter school problems in the ANC: Sasha Bruce School was closed, and like Options, started out with minimal resources. It had the same kinds of problems, and the students are not at fault, but they did not get the support they should have gotten from PCSB financial officer. The students should be taken care of.

Mr. Kern gave an email at which he can be reached: [options.receiver@gmail.com](mailto:options.receiver@gmail.com) .

## 5. Administrative Changes

### Minutes

Mr. Holmes announced that he will propose at the next meeting that the form of the ANC minutes follow Robert's Rules of Order:

- Type of meeting (regular, special, emergency);
- Date, time and place;
- Commissioners present;
- All language of all main motions, and the disposition of the motions, including any adopted amendments;
- All notices of motions;
- All points of order and appeals, whether sustained or lost, together with the reasons for the chair's ruling;
- Names of any community presentation speakers, but no effort should be given to summarize his/her remarks (modification with respect to representatives of city agencies); and
- Reports of officers are presumed to be about their official duties as an officer, and may be summarized. The Treasurer's Report will be printed in full.

### Bylaws Change

Mr. Holmes said he will also offer a modification of the bylaws which will be considered at the December meeting:

That the Chair and Vice Chair, in addition to anyone else who may be named, shall have the authority to represent the Commission in any matters pursuant to motions adopted by the Commission.

Mrs. Phillips-Gilbert said that her concern is in what's been summarized, and she is concerned that she has not been summarized properly.

### **6. Allocation for Security Deposit**

**Motion:** Mr. Alberti moved/Mr. Williams seconded a motion to allocate up to \$130 for payment to DCPS for two security guards for the ANC meeting at Miner School.

Mrs. Phillips-Gilbert asked why the money was being requested. Mr. Alberti responded that because of the new principal at Miner, the ANC is now required to have security guards present. The motion passed 4-0-2, with Commissioners Phillips-Gilbert and Ward opposed.

The meeting was adjourned at 8:45 pm.