

ANC 3/4G Public Meeting Minutes
Monday, February 27, 2017
Chevy Chase Community Center, 7:00 pm – 9:00 pm
5601 Connecticut Avenue, NW
Washington, DC 20015

Present: Speck, Fromboluti, Maydak, Tuck-Garfield, Bradfield, Clayman.
Newly sworn in Commissioner Gerald Malitz joined the meeting at 8:10 pm.

Attendance: Approximately 52 people attended the meeting (not including persons who only came to vote).

Adoption of Agenda: The agenda was adopted by a vote of 6 – 0.

ANC 3/4G05 Election: The Chair announced that two candidates -- Jerry Malitz and Naveen Sidhu -- have qualified to fill the commissioner vacancy for ANC 3/4G05, thus requiring an election to fill the seat. The Chair indicated that all registered voters within the boundaries of ANC 3/4G05 are eligible to vote, and voting will begin at 7:05 in accordance with the special election rules that the Commission adopted at its February 13, 2017 meeting. The Commission designated Gottlieb Simon, Executive Director, Office of Advisory Neighborhood Commissions, to be the election manager to verify the eligibility of voters, conduct the election, and supervise counting the ballots.

The Chair indicated that voting will conclude at 7:45 pm, but anyone in line to vote at that time will be permitted to vote. The ballots will be counted by two impartial vote counters. The Chair will then announce the winner, and the Commission will vote on a resolution stating the name of the winner and asking the Board of Elections to declare the vacancy filled. Councilmember White will then swear in the winner, and the new commissioner will join the Commission and sit at this meeting.

Commissioner Announcements:

Chair Speck:

Community Center Meeting: On Tuesday, February 28, we will hold the third ANC-sponsored meeting dedicated to reviewing the future for the Chevy Chase Community Center and surrounding area. This meeting will focus on further developing a needs assessment survey of the community to gather information about what is needed to better meet the needs of the community it serves. This includes items such as facilities, hours of operation, programs offered, etc. The meeting will be from 7:00 until 9:00 in the Community Center.

Ingleside Expansion: Some preliminary work has begun on the expansion project for Ingleside at Rock Creek. The ANC's Ingleside Expansion Task Force has been meeting with Ingleside monthly for some time to review various plans that Ingleside was required to prepare under the terms of a December 8, 2014 Memorandum of Understanding between the ANC and Ingleside. Abe Clayman has agreed to step in for Commissioner Tuck-Garfield as the second ANC member

on the Task Force. Many thanks to Commissioner Tuck-Garfield for her service on the Task Force. The other members represent nearby residents and institutions who will be affected by the expansion project, including Ingleside's current residents who will be most acutely impacted.

The Task Force has been working through Ingleside's detailed permitting, parking and transportation, construction management, subcontracting, and traffic control plans. The initial site preparation work and improvements to the Ingleside entrances has begun. Some demolition work will start in May. The ceremonial groundbreaking is tentatively set for June 6. Ingleside is committed under the MOU with the Commission to complete the work within 30 months. At our request, Ingleside is meeting on February 28 with DC Water, DDOT, and St. John's College High School to discuss coordination among the various construction projects that will be ongoing at the same time as the Ingleside work.

Outstanding DDOT Issues: The ANC has followed up with DDOT on all of the issues discussed at our January 23, 2017 meeting. Unfortunately, none of those issues has been resolved, despite several DDOT commitments that should have been completed by now (e.g., the improved signage and crosswalk markings at Chevy Chase Circle that was to have been completed by February 22). We have asked DDOT for very specific timetables to resolve each issue.

Julian Bond Memorial Bench: Chair Speck noted that DDOT still has not developed a procedure for installing a bench on Connecticut Avenue honoring Julian Bond, despite repeated inquiries.

Commissioner Tuck-Garfield: The DC Department of Employment is conducting a survey regarding summer youth programs and residents in Wards 3 and 4 are particularly urged to participate. Commissioner Tuck-Garfield also reported on MPD's program for reserve officer training and urged anyone interested to take advantage of this opportunity.

Community Announcements:

Ian Maggard from the Mayor's Office of Community Relations and Services, reported on the budget forums that have been conducted to obtain community input on the Mayor's budget. The last of the three meetings was held on February 27.

Jackson Carnes from Councilmember Todd's office announced that the Councilmember will hold office hours at the Community Center on March 18 from 9:30 to 11:00 am. The Councilmember is also conducting oversight hearings for agencies under the purview of the Government Operations Committee, which he chairs.

Anthony Cassillo from Councilmember Cheh's office announced that oversight hearings are continuing in the Committee on Transportation and the Environment, including hearings on March 13 for DDOT and on March 16 for DPW. He also reported that Phase I of the National Park Service's Beach Drive rehabilitation will not be completed until August -- a two-month delay from the original projections. The schedule has been lengthened because some work for DC Water and for DDOT (e.g., on the bike paths) has been completed simultaneously. Phase II of the Beach Drive rehabilitation (from Park Road to Broad Branch Road) may take less than the originally planned six months. Commissioner Speck asked for a more specific schedule for

when this work would begin since this portion of Beach Drive provides key access across the Park for many in our neighborhood. Mr. Cassillo said he would get that information and report to the Commission.

Tony Townes, Community Outreach officer for the Office of the Attorney General, described the OAG's mid-term report, which reviews the accomplishments over the past two years. He invited anyone interested to subscribe to the OAG's newsletter on its website, oag.dc.gov/.

Presentation by and discussion with At-Large Councilmember Robert C. White:

The Chair introduced Robert White, who has been our At-large Councilmember since September 2016 and was elected to a full four-year term in November. He had previously been legislative counsel for Delegate Norton. The Councilmember is on the following committees: Finance and Revenue, Education, Housing and Neighborhood Revitalization, Human Services, and Labor and Workforce Development.

Councilmember White said that when he joined the Council, he created a transition committee to address several issues: (1) education, (2) affordable housing, (3) strengthening the work force and creating jobs, and (4) addressing the problems of returning citizens. Based on the transition committee's recommendations, he is planning to introduce legislation to address these issues. With respect to the problems of returning citizens, he is addressing sources of funding for affordable housing, how to provide transportation for adult learners, and the need for two more employees for the Office of Returning Citizens. In education, he is seeking ways to better evaluate school performance.

Councilmember White was asked about the status of Airbnb legislation, and he indicated that some new legislation would likely pass. He emphasized the need to balance protection of the existing housing stock that could be used for traditional affordable rentals with residents' desire to have an alternative source of income. He was also asked what can be done to prevent the kind of abuse the Washington Post reported by Sanford Capital, which seemed to have slipped between the jurisdictions of various agencies. The Councilmember indicated that someone has to take responsibility, and tenants should be entitled to a residence that is dignified.

Another question related to plans to close DC General and to build transition housing in all eight wards. The Councilmember indicated that the Mayor's plan was sound, but it was not always executed well. In some instances, as in Ward 4, the proposed new facilities are not located close to public transit. The government needs continuing feedback from the community, but these facilities are urgently needed and should be built. Another question related to the increasing parking density around the Connecticut Avenue corridor, and the questioner noted that Residential Parking Permit restrictions end at 6:30 pm, which permits some people living in apartment buildings like 5333 Connecticut Avenue to skirt the permit requirement by parking from 6:30 pm until 9:00 am the following day.

Finally, the Councilmember was asked how the District can increase the availability of affordable housing in areas like ours where market forces have increased the price of real estate and rentals. He suggested that we need to think out of the box, and one idea might be for the

District to acquire housing and attach affordability covenants that would assure long-term affordability. We also need additional financial incentives for builders to provide affordable housing.

Announcement of the winning candidate who will fill the vacancy in SMD 3/4G05 and vote on a resolution confirming the election winner:

The Chair thanked Mr. Malitz and Mr. Sidhu for their interest in the ANC and their willingness to take on this volunteer responsibility. After counting the votes, Mr. Malitz received 47 votes, and Mr. Sidhu received 42 votes, so Mr. Malitz was declared the winner and will be the Commissioner for ANC 3/4G05. In accordance with the Board of Elections' requirements, the Chair moved that the ANC adopt a resolution affirming the election results and asked the Board to certify Mr. Malitz as the winner. The resolution was approved by a vote of 6 to 0, and the Chair congratulated Mr. Malitz.

Councilmember White swore in Mr. Malitz, and he joined the other Commissioners for the remainder of the meeting (at 8:10 pm).

Discussion and vote on DDOT's NOI 17-02-TOA to modify the Reno Road/Ingomar/39th Street intersection:

Commissioner Fromboluti opened the floor to comments and questions from anyone who had not previously been heard at the ANC's meetings. One resident noted that the Federal Highway Administration has best practice guidelines for testing sight lines, but DDOT has not performed these simple tests. He suggested that DDOT should complete a full sight line assessment in all directions before determining what steps to take. Another resident indicated that paragraph 23 of the ANC's draft resolution was misleading because it did not reflect that 100 people had signed a petition supporting DDOT's NOI. A resident at 39th and Jenifer suggested that there should be a compromise solution and that every alternative had not been considered (e.g., the use of speed cameras on Reno Road). Another resident suggested that although drivers on Reno Road may not be exceeding the posted speed limit, they were traveling too fast for this intersection, and there should be a sign or signal indicating "Slow Dangerous Intersection Ahead" or "Blind Intersection." Another speaker proposed that DDOT report back to the community after six months on the results of any changes to the intersection. Others expressed skepticism about the thoroughness of DDOT's study and proposed that the ANC send it back to DDOT to "start over" and to provide a basis for its conclusions.

Commissioner Fromboluti then proposed the draft resolution and accepted modifications to include the comments made at the meeting (e.g., the absence of a sight line test, the petition by 100 residents supporting the NOI, and the possibility of using speed cameras to slow traffic at the intersection). He indicated that DDOT's justification for its NOI was unimpressive and that the ANC needs to take a firm position. The NOI will divert traffic to other intersections and will not solve the problem.

Commissioner Speck stated that this serious safety hazard has persisted for much too long, and immediate action is necessary to mitigate the danger posed by this intersection, particularly when

there had been another accident on February 23rd. He said that DDOT's proposal does not address all aspects of the problem, particularly the hazards for pedestrians, bicyclists, and drivers attempting to cross Reno Road on 39th Street northbound. Removing the large trees at the intersection -- which are not the only sight-line problems -- should be a last resort, not the first step. A four-way stop is the simplest, most efficacious solution and is consistent with the views of at least a substantial number -- if not majority -- of the residents. DDOT should also consider lowering the speed limit to 20 miles per hour on Reno Road and installing speed cameras. If DDOT is concerned about compliance with a four-way stop, it should install a stop-sign camera.

Commissioner Tuck-Garfield cited her personal experience witnessing a crash at the intersection on February 23rd and the need for immediate action by DDOT to provide for residents' safety.

After discussion, the Commission voted 6 to 0 to approve the proposed resolution, with the modifications that had been discussed.

Presentation by Ty Asfaw, DDOT Project Engineer, on DDOT's Oregon Avenue Watershed Green Streets project:

On February 7, DDOT held its first community presentation on a planned Green Streets project in the Oregon Avenue Watershed, which encompasses the area roughly west of Oregon Avenue, north of St. John's, east of Utah, and south of Western and Chestnut. DDOT's Project Engineer for this project provided a brief description of the planning for this project, which will include about 30 bioretention areas located in the road rights of way and several areas where permeable pavement will be installed. The objective would be to capture storm water runoff before it reaches Rock Creek. She indicated that DDOT would be holding future community meetings to discuss the plans as they developed. The next meeting would probably be held in late April. Work on the project would likely begin in about the spring of 2018.

Commissioner Maydak asked about DDOT's experience in installing permeable pavement in several alleys. That work was completed about two years ago, and residents had indicated that the installations seemed not to have worked effectively to capture storm water runoff, even when new. These permeable pavements also require significant maintenance in order to be effective. Ms. Asfaw was not aware of any analysis, though she believed they were evaluating the permeable pavements that had been installed. Commissioner Maydak emphasized the need to understand how well existing installations have performed before beginning another costly project.

Presentation by Paul Hoffman, DDOT Program Manager, on the status of the Oregon Avenue reconstruction project:

Paul Hoffman, DDOT's Program Manager for our neighborhood, identified six projects -- the first three of them major -- that affect our ANC's residents: (1) the Beach Drive reconstruction, especially Phases 2 and 3, which will not end until late 2018 or early 2019; (2) DC Water's sanitary sewer rehabilitation along Oregon Avenue and Bingham Drive; (3) the Oregon Avenue reconstruction that has been in the planning phase for many years; (4) DDOT's Green Streets program for the Oregon Avenue Watershed; (5) possible construction of sidewalk on Chestnut

Street (depending on the results of a feasibility study); and (6) planned repaving of Connecticut Avenue from Nebraska to the Maryland line.

Mr. Hoffman said that, in light of DC Water's sewer rehabilitation project, DDOT is considering three options for conducting the Oregon Avenue reconstruction: (1) wait to begin the Oregon Avenue reconstruction until DC Water completes its work; (2) phase the work so that the northern portion is undertaken first, the southern portion next, and the middle portion after DC Water has finished its work; or (3) bid the work in two pieces and let the contractors do the work that they can while the DC Water project is ongoing and then complete the work after DC Water is done.

The first option seems unlikely because it would mean four-and-a-half years of constant construction for the residents to endure. No decision has been made on how DDOT will proceed, but because of the change in plans, about 20% of the design plans will have to be modified. No contractor has been selected. Mr. Hoffman said that he will be working with the Commission as they adjust their plans. An Oregon Avenue resident asked when DDOT will hold the promised 90% or 95% design completion meeting. Mr. Hoffman said it would have to be after a decision is made on the phasing options.

Mr. Hoffman acknowledged that coordination between DDOT and DC Water "fell down," but he ascribed the blame to DC Water, which went around him, as well as the ANC. He said that he knew in September 2016, however, that DC Water had obtained its permit for the sewer rehabilitation project, but did not know about DC Water's schedule until January 2017, when it started work.

A resident on Chestnut Street recounted the history of meetings with DDOT about sidewalks and the miscommunications that have plagued this process. He asked Mr. Hoffman for a timetable for the feasibility analysis that is being conducted. Mr. Hoffman said that DDOT will soon issue a notice to proceed to the contractor that will be doing the analysis, and they should be able to hold a community meeting at the beginning of May 2017. The Chestnut Street resident expressed frustration that this process has dragged on for more than a year with no resolution in sight.

The Commission asked DDOT to hold two community meetings separate from the ANC's regular meetings to address the feasibility analysis for Chestnut Street sidewalks and to discuss the options for phasing the Oregon Avenue reconstruction work. The Commission said that we should get at least three weeks' notice for these meetings so that they can be publicized and so that the community can make plans to attend.

Commissioner Tuck-Garfield called DDOT to task for its repeated failure to communicate with the ANC and the community. She said that the ANC only gets notice at the same time as the general public, which does not give us an opportunity for input and leaves us in the dark when constituents ask questions. She said that the ANC needs to be part of the meetings where decisions are made. The ANC is an integral part of the District government, and it should not be bypassed by DDOT, as has been the usual case for the last several years. She emphasized that DDOT's performance is not acceptable. There must be accountability within DDOT for its failure to perform. Mr. Hoffman said that he understood the Commission's concerns.

Consideration of and vote to testify at DC Council's oversight hearing on DDOT March 13:

The Chair indicated that ANC 3/4G has experienced a long string of problems with DDOT relating primarily to three shortcomings: (1) poor communications from DDOT to the ANC or to the community; (2) inadequate coordination of DDOT's work with other entities (e.g., Washington Gas, DC Water, Pepco); and (3) lack of performance on commitments and responsibilities. These problems have persisted for years with no improvement. It's been especially disconcerting that key people that the Commission relied on at DDOT -- e.g., Deputy Director Greer Gillis, ANC Liaison Rodney Foxworth, and DC Council Liaison Khalil Thompson -- have left DDOT without any notice to the ANC or designation of replacements that we could contact.

The Chair noted that the Council's Committee on Transportation and the Environment will hold oversight hearings on March 13 beginning at 11:00 am. Councilmember Cheh chairs the Committee, and Councilmember Todd sits on the Committee, so concerns from ANC 3/4G should have some weight. Chair Speck reported that he gave Councilmember Todd a brief overview of ANC3/4G concerns with DDOT at his annual meeting for ANCs on February 25. The Chair proposed that ANC 3/4G should let this Committee know about our dissatisfaction with DDOT's performance. As one constituent in Hawthorne reminded the Commission, we are DDOT's customers, and if we are not satisfied with the service we receive, we should let the managers -- in this case, the Council and the Mayor -- know, and we should demand improvements.

Upon motion, the ANC agreed to testify at the Council hearing on March 13, 2017, by a vote of 7- 0. It was agreed that either Chair Speck or Treasurer Tuck-Garfield will provide testimony. It was further agreed that testimony would be prepared for commission approval by email vote.


Presentation by Emily Tatro, policy analyst at the Council for Court Excellence:
Ms. Tatro discussed the recently published report, "Beyond Second Chances" which emphasized citizens participation in court matters. The full report is available at the Council's website, <http://courtexcellence.org>. She indicated that she was a member of Councilmember White's transition task force and fully subscribes to the task force's recommendations.

Commission Business:

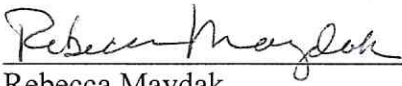
1. Minutes: The minutes of the February 13, 2017, were approved by a vote of 7 – 0.
2. Checks: \$112.85 Verizon was approved by a vote of 7 – 0.
3. Items for the March 13, 2017 meeting may include: Discussion of possible Memorandum of Understanding between DPR and DCPS on the use of Lafayette School facilities.

The meeting was adjourned at 9:10 pm.

Signed:



Randy Speck
Chair



Rebecca Maydak
Secretary