



**Government of the District of Columbia
ADVISORY NEIGHBORHOOD COMMISSION 3/4G**

CHEVY CHASE, BARNABY WOODS, HAWTHORNE

COMMISSIONERS

3/4 G-01 - Abraham Clayman, Secretary
3/4 G-02 - Chanda Tuck-Garfield, Treasurer
3/4 G-03 - Randy Speck, Chair
3/4 G-04 - Rebecca Maydak
3/4 G-05 - Gerald Malitz
3/4 G-06 - Dan Bradfield
3/4 G-07 - Christopher Fromboluti, Vice-Chair

5601 Connecticut Avenue N.W.
P.O. Box 6252 Washington, D.C. 20015
Chevy Chase ANC 3/4G@verizon.net
<http://www.anc3g.org>
YouTube: ANC3G
202.363.5803

Minutes: ANC 3/4G Public Meeting, January 28, 2019, Chevy Chase Community Center, 5601 Connecticut Ave, NW, Washington, DC 20015 (Video of this meeting is available at <https://youtu.be/x1GtIKOjB54>.)

Present: Speck, Tuck-Garfield, Clayman, Maydak, Bradfield, Fromboluti, and Malitz. A quorum was declared.

Attendance: Approximately 25 people attended the meeting.

Adoption of Agenda (video at 00:00): Commissioner Speck noted that since the draft agenda was posted, the Council has published a schedule for oversight performance hearings of District agencies (<http://bit.ly/2Uv7Geu>). Some of those hearings are scheduled before the Commission's next meeting on February 11, 2019. In order to submit testimony on behalf of the Commission, it would be necessary to approve the testimony at this meeting. Commissioner Speck proposed to amend the draft agenda to include consideration of testimony on the performance of the Metropolitan Police Department and the Department of Health. With that amendment, the Commission adopted the agenda by a vote of 7 to 0.

Commissioner Announcements (00:05):

Commissioner Speck:

Council Performance Oversight Hearings — Each February, the Council holds hearings to assess the performance of District agencies. Our ANC has had extensive experience with a number of key agencies, and, as we have in the past, we may consider offering testimony to assist the Council in its oversight role. Among others, the ANC has dealt extensively with the Department of Transportation, the Department of Parks and

Recreation, the Department of General Services, and DC Water. If community members have particular performance issues that they would like the ANC to address for these or other agencies, please email any concerns to the commissioners or the ANC's office email, ChevyChaseANC3@verizon.net. Community members may also testify at these hearings.

Public Service Commission Hearing on Natural Gas Leaks — Following its 2:00 PM February 6, 2019 Open Meeting, the Public Service Commission will hold a Community Hearing to discuss concerns related to natural gas leaks. Community members are invited to participate. The purpose of the meeting is to provide safety information to community members and solicit comments regarding the dissemination of natural gas leak information to the public.

Commissioner Clayman:

Oregon Avenue Watershed Green Streets Project — The ANC has been pushing DDOT to have meetings at the site with residents affected by this Project. The ANC has emphasized that DDOT needs feedback on specific locations from those most familiar with the neighborhood. DDOT has agreed to hold two meetings with affected residents: (1) an on-site meeting at 9:30 am on Saturday, February 2, 2019 at the corner of 32nd Street, NW and Aberfoyle Street, NW, and (2) an “open house” on Wednesday, February 13, 2019, at 7:00 pm at the Community Center. The Commission is working with Ian Maggard at DDOT to notify residents door-to-door. If anyone has concerns or questions, they should come to these meetings or contact their Commissioner. Commissioner Tuck-Garfield added that everyone should provide their input at these meetings or email their Commissioner.

Commissioner Tuck-Garfield:

Tree issues — Residents have raised issues about trees or limbs falling and the need to remove and replace street trees. Commissioner Tuck-Garfield is available to assist residents in working with DDOT's Urban Forestry Administration on tree issues.

Commissioner Malitz:

Military Road/Chevy Chase Parkway — Commissioners Malitz, Bradfield, and Speck have been working with DDOT to improve safety at the intersection of Chevy Chase Parkway and Military Road. As a result, DDOT has issued work orders to revise parking at that intersection and along Military near 5333 Connecticut (as discussed at the ANC's November 26, 2018 meeting, <http://bit.ly/2UrvYpy>). These work orders will: (1) move parking signage 40 feet to the east/west along the south side of Military Rd at Chevy Chase Parkway; (2) move parking signage 20 feet to the east/west along the south side of Military Road at the 5333 Connecticut Avenue access point; (3) move parking signage 30

feet to the east from where it currently begins on the south side of Military Road just east of Connecticut Avenue, creating additional separation for the eastbound through lane deflection; (4) the removal of the small parking zone on the west curb of Chevy Chase Parkway (between the driveway and Military Road) has been executed; (5) all painted parking boxes will be eradicated to match the new sign placements at the above location; (6) the pedestrian pylons at the Chevy Chase Parkway crosswalks will be replaced; and (7) the speed limit sign along eastbound Military Road just west of Chevy Chase Parkway will be removed from the post with the pedestrian warning sign and posted separately. These modifications had been published for public comment as a Notice of Intent, but there were no comments, so the work can proceed.

Commissioner Bradfield:

Snow Removal — There had been some problems with businesses along Connecticut Avenue that did not remove snow from sidewalks. Commissioners Bradfield and Malitz have worked with the businesses to be sure that sidewalks are promptly cleared, and they are hoping not to see any further problems.

Community Announcements (0:15)

Jessica Wertheim, the Ward 3 liaison from the Mayor's Office of Community Relations and Services, introduced Gabriel Priest as the new Ward 4 liaison. Ms. Priest's phone number is 202-603-7182, and her email is gabrielle.priest@dc.gov. Ms. Wertheim announced that January 31st is the last day to enroll for DC Health Link coverage (<https://dchealthlink.com/individuals>). She also announced that during February, the DC Circulator Bus would be free. The Mayor will hold Budget Engagement Forums as part of the process for preparing her budget. There will be a Senior Telephone Town Hall on the budget on February 11th at 12:00 pm, call-in number 855-756-7520, conference number 38887#. Other Budget Engagement Forums will be (1) on February 21st at 6:30 pm at the Arthur Capper Community Center, 1001 5th Street, SE; (2) on February 22nd at 10:00 am at the Deanwood Recreation Center, 1350 49th Street, NE; and (3) on February 25th at 6:30 pm at Roosevelt High School, 4301 13th Street, NW.

Anthony Castillo, Councilmember Cheh's Deputy Director for Constituent Services, announced several committee changes for Council Period 23, which begins this year. Two new committees were created: (1) the Committee on Facilities and Procurement chaired by Councilmember Robert White and responsible for the Office of Advisory Neighborhood Commissions, the Contract Appeals Board, the Commission on Re-Entry and Returning Citizen Affairs, the Department of General Services, the Office of Contracting and Procurement, and the Office on Returning Citizens Affairs; and (2) the Committee on Recreation and Youth Affairs chaired by Councilmember Trayon White and responsible for the Commission on Fathers, Men and Boys, the Department of Parks and Recreation, the Department of Youth Rehabilitation Services, the Deputy Mayor for

Greater Economic Opportunity, and the Juvenile Abscondence Review Committee. Councilmember Cheh continues to chair the Committee on Transportation and the Environment, which is responsible for the Department of Energy and Environment, the Department of Motor Vehicles, the Department of Public Works, and the District Department of Transportation, among others. The Council's performance oversight hearing schedule is available at <http://bit.ly/2Uv7Geu>. To testify, email or call the committee contact person. For the Committee on Transportation and the Environment, that contact person is Aukima Benjamin, abenjamin@dccouncil.us, 202-724-8062. The record will remain open for submission of statements until two weeks after each performance oversight hearing.

Election of new officers; adoption of by-laws; adoption of 2019 meeting schedule; adoption of resolution approving the ANC's participation in the Advisory Neighborhood Commission Security Fund and authorizing the Treasurer to pay the \$25 fee for the period January 1, 2019, through December 31, 2019 (0:23)

Officers

Commissioner Speck stated that the Commission must elect officers for each year. The proposed slate of officers is Commissioner Speck as Chair, Commissioner Fromboluti as Vice Chair, Commissioner Tuck-Garfield as Treasurer, and Commissioner Clayman as Secretary. A motion was offered and seconded to elect this slate of officers for 2019. The motion was approved by a vote of 7 to 0.

Confirmation of Bylaws for 2019

Commissioner Speck said that the Commission's bylaws must be adopted each year. No changes have been proposed, and none can be taken up at this meeting because the bylaws specify that they can only be amended "at a regular meeting with at least two (2) weeks prior notice to each Commissioner of the proposed amendment." Thus, the Commission may only vote on whether to adopt the bylaws without change. Last January, Commissioner Bradfield suggested that some provisions of the bylaws needed to be updated in light of technology changes and to ensure compliance with recent statutory changes. He proposed that the Commission revisit the bylaws later in the year, and other Commissioners agreed, but no changes were proposed at this time. A motion was made and seconded to adopt the current bylaws for 2019, pending any future change, and it was approved by a vote of 7 to 0.

Adoption of ANC meeting schedule for 2018

Based on the Commission's customary meeting schedule on the second and fourth Mondays of each month, Commissioner Speck proposed the following meeting dates for the remainder of 2019: February 11 and 25; March 11 and 25; April 8 and 22, May 13

(no meeting on May 27, Memorial Day); June 10 and June 24; July 8 and 22; no meetings in August; September 9 and 23; October 28 (no meeting on October 14, Columbus Day); November 25 (no meeting on November 11, Veterans Day); and December 9 (no meeting on December 23). A motion was made and seconded to set these scheduled meeting dates for 2019, and the Commission approved it by a vote of 7 to 0.

ANC Security Fund

In order to comply with the requirements for participation in the ANC Security Fund, Commissioner Speck offered the following resolution:

Resolved that this Commission approves the ANC's participation in the Advisory Neighborhood Commission Security Fund and authorizes the Treasurer to pay the \$25 fee for the period January 1, 2019 through December 31, 2019. The Chairperson and Secretary are authorized to execute the attached agreement.

It is understood that: (1) the check for participation in the ANC Security Fund should be made payable to "ANC Security Fund," (2) the ANC is not considered a participant in the Fund until the ANC has received the acceptance section of the agreement which has been signed by the District of Columbia Auditor, and (3) the agreement will not be accepted by the Auditor until all required documents have been received by the Office of the Auditor.

The resolution was adopted by a vote of 7 to 0.

Introduction of new MPD Second District Commander Duncan Bedlion (0:28)

Commissioner Speck said that Second District Commander Melvin Gresham has recently retired, and Duncan Bedlion has been named as the new Commander. ANC 3/4G has had excellent relations with the Second District under Commander Gresham and expects to continue those relationships under Commander Bedlion.

Commander Bedlion said that he has worked in many parts of the city in many capacities — the violent crime unit, night life unit, and investigations working with youth and family services. In the Second District, he is focusing on challenges relating to stolen cars. In the last year, 131 cars were stolen when the keys were left in the vehicle. These are crimes that can be prevented with better education and vigilance. He is committed to identifying "hot zones" — the time of day and location where thefts occur. He said that a neat car that is locked will discourage theft and prevent crime — both auto theft and theft from auto.

The best way to communicate with the police is through 311 for non-emergencies and 911 for emergencies. If a resident identifies a suspicious person, she or he should call 911. There is also an anonymous tip text line — 50411 — that can be used to convey any

information to the police. The line is completely anonymous, but if you wish to be contacted, you can leave contact information. If you report a crime through 911 and wish to be interviewed in connection with the crime, you should make that clear.

Commander Bedlion also discussed the District's program to reimburse the costs of private surveillance cameras. The program is described on the District's website at <http://bit.ly/2UtmCJI>. MPD encourages residents to take advantage of this program but does not recommend any particular brand of surveillance camera. The rebates are available to all residents in the District but may not cover 100% of the costs. MPD will inspect the camera to make sure that it is operable before the rebate will be approved.

Anne Renshaw, a resident on Military Road, urged greater police monitoring of vehicles speeding on Military Road between 27th Street and Nebraska. She said that there is a speed camera for eastbound traffic but one is needed for westbound traffic. Commander Bedlion said that MPD is aware of this concern and has increased enforcement near St. John's High School.

Ted Gest said that there has been a 150% increase in thefts from auto with cars being broken into when doors are locked. Commander Bedlion said that the best way to discourage theft from auto is not to leave anything in sight within the car. If would-be thieves can see something in the car, they will be more likely to try to break in, but a locked car with nothing visible is unlikely to be targeted. He also emphasized that neighbors should watch out for each other and cited a recent example of a 911 report from a neighbor that resulted in the apprehension of the perpetrator of several car break-ins.

Commander Bedlion can be reached at duncan.Bedlion@dc.gov.

Commissioner Speck thanked Commander Bedlion for coming to the ANC's meeting and said that he was welcome to come back at any time.

Discussion and possible vote on public space permit application for renovations to the driveway at 5363 29th Street, NW (DDOT Tracking Number 322064) (0:40)

Commissioner Speck summarized the history of public space permits at this location, including the discussion at the Commission's December 10, 2018 meeting. The first meeting on an application for a curb cut and retaining wall was on September 11, 2017. The Commission objected to the width of the proposed curb cut. The Public Space Committee met on October 26, 2017, and November 17, 2017, finally approving a nine-foot curb cut and increased green space. The permit was granted on November 22, 2017.

At the Commission's December 10, 2018 meeting, the buyers of the house, Gina Kilpatrick and Joni Madison, along with their landscape designer, Aaron Deadman,

presented their application for modifications to the retaining wall, the plantings in public space, and new paving for the driveway. The curb cut would remain the same — nine feet up to the property line. They proposed to remove the ends of the retaining wall so that they would be able to back out of the garage without hitting the wall. They proposed to replace that portion of the wall with ground cover and permeable pavers. They gave the Commission a petition that the owners had circulated to neighbors with 15 signatures of residents in the 5300 block of 29th Street, some of whom attended the meeting and spoke in support of the application. One resident on Military Road near 29th Street had no objection to the proposed landscaping, but objected to the proposed changes to the driveway because they are not a repair, but a reconfiguration. After the December 10th meeting, the Commission also received four emails from neighbors on 29th Street supporting the application.

Since the December 10th meeting, some reviewers have posted comments on the application indicating that there were modifications from the Committee's previously approved plans but that the Committee would have to determine whether they were significant. The applicants have also made non-substantive revisions to the drawings to respond to reviewers' comments about traffic control and tree protection during construction.

Because there was no quorum at the December 10th meeting, the Commission could take no action on the application, but the discussion was reflected in the Commission's draft minutes. The Public Space Committee is expected to consider this application at its scheduled meeting on February 28, 2019.

Ms. Kilpatrick asked whether the ANC had also received emails from neighbors supporting her application. Commissioner Speck said that he had received those emails and they would be included in our review for the Public Space Committee.

Commissioner Speck moved that the Commission advise the Public Space Committee that it has no objection to the application. The motion was approved by a vote of 7 to 0. Commissioner Speck will represent the Commission before the Public Space Committee.

Discussion and possible vote on petition for the installation of a Capital Bikeshare station at site of Farmers Market at Lafayette Elementary School (0:45)

Commissioner Speck reported that at the Commission's December 10, 2018 meeting, Josh Rising, a bicycle user and advocate who lives at 3507 Patterson Street, presented a petition by approximately 175 residents — from an estimated 150 households — asking the Commission to urge DDOT to add Lafayette Elementary School to the Capital Bikeshare Development Plan and to prioritize the installation of a Bikeshare station at the plaza on the corner of Broad Branch Road and Northampton Street.

Commissioner Speck said at that meeting that the ANC has long been interested in expanding the Capital Bikeshare stations within its boundaries. Mr. Rising noted the benefits of biking and reported that there are 500 bikeshare stations in the metro area, with 4300 bikes in rotation that can be checked out and back in at fixed locations. He said that Lafayette Elementary School is a good location for a bikeshare station because the 800+ children are dropped off by perhaps 500 parents each day. The availability of a bikeshare station at the school would permit some of those parents who walk to use a bike to go to the Metro or downtown after dropping off their children and could reduce morning drop-off traffic.

Mr. Rising said that the petition had been posted at the Broad Branch Market. He said that he had reached out to Commissioners Maydak and Malitz and had gotten their input. He had also reached out to the Principal at Lafayette and to the Home School Association (HSA). The HSA could not take an official position, but Mr. Rising said that they had no objections. He had also asked Councilmember Todd for his support, and had been assured that he would support it.

Mr. Rising said at the December 10th meeting that he had also contacted Aaron Goldbeck at DDOT who said that a resolution from the ANC would carry great weight in deciding on the location for a bikeshare station. Mr. Rising said that he sent a draft resolution to Commissioners Maydak and Malitz for their comments. Mr. Rising reported at the December 10th meeting that DDOT will need a Memorandum of Understanding (MOU) with the school because the station would be on school property, but that should not be a significant obstacle. Moreover, the station is not a permanent fixture — it could be removed at any time if it proves to be unpopular. He said that this resolution may be an opportunity for a larger discussion at the ANC about bikeshare locations throughout the ANC. Commissioner Maydak had suggested other locations as well. He said the Lafayette location provides a central mass of people that could be users for the station.

Commissioner Malitz noted at the December 10th meeting that there are very few bikeshare stations off of the main streets (e.g., Connecticut Avenue, Wisconsin Avenue, or Nebraska Avenue). A station located in the neighborhood would improve accessibility for residents. Mr. Rising said that Lafayette qualifies as a concentration of employment based on the number of teachers.

Several other residents spoke at the December 10th meeting in support of the bikeshare station, emphasizing that a bikeshare station will support small businesses like Broad Branch Market and provide another transportation alternative for residents.

Commissioner Malitz noted the distances between bikeshare stations in the area, and a station at Lafayette would be in the same range as the distances between existing stations.

Because there was no quorum at the December 10th meeting, the Commission could take no action on the petition, but the discussion was reflected in the Commission's draft

minutes. Subsequently, the Commission received an email about the petition from Rhonda Dahlkemper, a resident in the 3300 block of Northampton, suggesting that “this [bikeshare station] doesn’t seem appropriate for our residential neighborhood” and asking for a “copy of the proposed plan with the location and number of docking stations.” Commissioner Speck responded to her that “if Capital Bikeshare decides to proceed, it will make those decisions based on their assessment of the site and the expected usage. Those are issues that could be discussed at our meeting on January 28th, and any ANC recommendation could be conditioned based on those considerations.”

Mr. Rising said that Commissioner Speck had provided a good summary of the presentations at the December 10, 2018 meeting. He added that there is another possible Bikeshare site at 5333 Connecticut Avenue, NW, where the developer had committed to installing a Bikeshare station. Commissioner Bradfield said that he and Commissioner Tom Quinn from ANC 3E had walked the Avenue looking for a possible Bikeshare station location and may have found preferable location at the Kenmore Apartments.

Commissioner Maydak asked whether the residents immediately around the Broad Branch/Northampton Street intersection signed the petition. Mr. Rising said that he had not compared the addresses of signatories on the petition to determine whether those residents also signed the petition.

Commissioner Tuck-Garfield said that she supports programs that provide greater transportation accessibility for residents. She asked three questions: (1) how was the survey taken; (2) what contacts were made with Lafayette Elementary School, (3) is Mr. Rising open to considering Bikeshare stations at other locations (e.g., St. John’s High School). Mr. Rising said that (1) the petition was simply placed at Broad Branch Market for anyone to sign, (2) he had reached out to the HSA which was generally supportive but could not take an official position, and he had exchanged emails with the Lafayette principal who did not express an objection, and (3) ANC 3/4G may certainly want to look at other sites in addition to Lafayette Elementary.

Commissioner Tuck-Garfield asked what the next steps would be. Mr. Rising said that the first step would be to let Aaron Goldbeck at DDOT know the ANC’s action. He could then initiate the discussions about an MOU with the school. He does not believe this will require an insurmountable amount of time. Optimistically, the bikeshare station may be available in the fall.

Anne Renshaw asked whether Mr. Rising represents Capital Bikeshare, and he said that he did not but was only a supporter of bike usage. She asked whether there would be any training for bikers since some bikers do not follow the traffic rules. Mr. Rising said that there is a program at Lafayette for bike safety for students. He agreed that riders should follow traffic rules.

Commissioner Maydak asked whether there had been any study of the traffic patterns around Lafayette to see what impact the bikeshare station might have. Mr. Rising said that there had not been, but the expectation would be that some amount of the traffic may be replaced by parents who will walk their kids to school and use the bike to go to the Metro or downtown.

Commissioner Speck moved that the ANC support the petition for a bikeshare station at Lafayette Elementary School. The Commission approved the motion by a vote of 7 to 0.

Discussion and possible vote on request for sidewalks on the 6100 block of 32nd Street (1:00)

Commissioner Maydak introduced Frank Moss, a long-time resident on 32nd Street. Mr. Moss said that 32nd Street has become a “catchment” for children, parents, and nannies walking to Lafayette Elementary School. Vehicular traffic on the street has also increased as a result of heavier traffic on surrounding streets and the closures of Beach Drive and Oregon Avenue (which will soon be closed again). As a result of these conditions, they need to have the sidewalks on 32nd Street completed. He asked the Commission to support the residents’ petition for DDOT to complete the sidewalks on the west side of the street and to install sidewalks on the east side.

Mr. Moss said that 12 of the 15 residents on the block have signed the petition supporting sidewalks. Of the remaining three, one has indicated opposition, one is a tenant who did not want to speak for the owner, and one could not be contacted. Commissioner Maydak explained that the residents at one house who objected were afraid that the sidewalk would interfere with their fence, which is located nine feet from the curb. Commissioner Maydak said that there are other fences a similar distance from the curb where sidewalks have been installed without disruption. She said that DDOT has been creative in taking steps not to interfere with existing structures like the fence.

Another resident on the street, Nick Finelli, emphasized that the absence of sidewalks has implications for safe pedestrian passage and are needed.

Commissioner Malitz said that based on his recent experience getting a sidewalk on Chevy Chase Parkway, DDOT is only obligated to install sidewalks on one side of the street. Mr. Moss said that in this case, because Stephenson Place is a through street that jogs at 32nd Street, many pedestrians cross the street there to continue on the other side. For that reason, sidewalks are justified on both sides of 32nd Street. Commissioner Malitz said that he was just alerting residents to this potential DDOT objection.

Commissioner Maydak moved that the Commission support the petition for the proposed sidewalks on the 6100 block of 32nd Street. The Commission approved the motion by a vote of 7 to 0.

Report on status of the Community Center Modernization and preparations for transition during construction (1:07)

Commissioner Speck said that there are two aspects of the Commission’s continuing work to prepare for the Community Center’s modernization — (1) planning for the design and construction work and (2) identifying locations for current Community Center programs during the construction period.

With respect to planning for the design and construction work, although three months had passed since funding became available, the Department of General Services (DGS) issued a request for proposals (RFP) for architectural/engineering services for the Community Center modernization on January 10, 2019. (The RFP is available at <http://bit.ly/2DGpFch>.) As amended on January 18, 2019, bidders must submit any questions about the RFP by January 29, 2019, and proposals must be submitted by 2:00 pm on February 19, 2019.

The RFP specifies that proposals must include the following items (many of which were based on the ANC’s January 22, 2018 Report and Recommendations, available at <http://bit.ly/2DCkqdm>):

1. The new community center should be designed to fit within the footprint of the existing building plus the additional space between the rear of the building and the parking lot;
2. Additional above ground parking spaces should be provided if feasible;
3. The new building should be aesthetically appealing and serve as refuge in case of an emergency;
4. The architect/engineer is to work closely with the community to ensure the final design meets current and future community needs;
5. The building must be at least LEED Silver certified;
6. The project must be coordinated with Chevy Chase Library and must take advantage of any synergies between the two buildings and must unify/harmonize the campus to the extent possible;

7. The new building should include the following spaces: (a) fitness center with equipment and free weights; (b) lecture/performance hall with approximately 125 seats; (c) half-court gymnasium; (d) meeting/games/party rooms; (e) childcare area with an indoor play area; (f) teaching kitchen, similar to what was installed at the Kenilworth Recreation Center; (g) quiet/activity/tech lounges; (h) dance/yoga/Pilates studio – including specialized flooring for ballet; (i) a fencing room with required flooring and tethers – also to be used for general exercise; (j) pottery area; (k) arts and crafts spaces – including gallery to display art; (l) offices; (m) work shop with space for constructing telescope mirrors; (n) dark room with proper ventilation and silver recovery; and (m) rooftop amenities such as a garden, greenhouse, and/or outdoor lounge.

The currently authorized funding for the project is \$3.5 million in FY 2019, \$4.5 million in FY 2020, and \$11 million in FY 2021.

The RFP projected the following key dates in the schedule (which will likely be subject to change):

- Estimated Notice of Award — about March 13, 2019
- Issuance of Notice to Proceed — about March 20, 2019
- Submit Concept Design — 14 weeks after Notice of Award
- Issue RFP for Construction Contractor — 14 to 18 weeks after Notice of Award
- Submit Schematic Design — 26 weeks after Notice of Award
- Notice of Award and Notice to Proceed for Construction Contractor (i.e., when construction may start) — 26 to 30 weeks after Notice of Award (about October 9, 2019)
- Submit 100% Design Development — 38 weeks after Notice of Award
- Submit Permit Set to DCRA — 52 weeks after Notice of Award
- Guaranteed Maximum Price Finalized — 56 weeks after Notice of Award
- Substantial Completion Date — September 22, 2021

The DGS is the District agency that contracts for the design and construction work, and the Department of Parks and Recreation (DPR) is the “client” agency that will set the program requirements. DGS and DPR have committed to work closely with the ANC and the community at every stage of the modernization process.

DGS and DPR held a pre-proposal meeting with prospective bidders for the design work on January 16, 2019, and approximately 70 people attended. DGS considered this a very strong sign of interest in the project and indicated that there will likely be a number of competitive proposals. Five commissioners attended the pre-proposal meeting, and DPR indicated that it would consult with the ANC before responding to any written questions from prospective bidders to make sure that responses are consistent with the community’s expectations.

Commissioner Speck said that the kickoff of the selection process for the design contractor is the first concrete step toward a new, modern Community Center. The ANC, in coordination with the community, will be closely monitoring every aspect of the project as it proceeds. There will be a number of public community meetings about the design, beginning shortly after DGS awards the design contract.

Commissioner Fromboluti said that several well-known architects attended the pre-proposal meeting, which is a very good sign. He said that the real work will begin about March 13, after DGS awards the design contract. The ANC will then begin to review the design process through a committee that Commissioner Fromboluti will lead. Other commissioners and residents will be on the committee as well, and the committee will report to the full Commission. The community will be invited to meetings and to make sure that we get what we need from the design. He said that the RFP did include references to the ANC's program, which is very auspicious.

Janean Mann asked whether the construction contract would contain penalties for late completion. Commissioner Speck said that such provisions are standard in construction contracts, and DGS and DPR had indicated that penalty clauses will be included in the Community Center contract.

Anne Renshaw asked whether the design would comply with ADA requirements, citing the failure to make the building accessible during the last renovation. Commissioner Speck said the plan is to either completely gut the existing building or to demolish the entire building based on recommendations from the architect and construction contractors. Thus, they will start over without any of the existing obstacles to accessibility. Commissioner Fromboluti added that ADA accessibility is legally required.

Commissioner Clayman reported on the planning he and Commissioner Malitz have been undertaking to ensure that there will be space for current programs at the Community Center when construction begins, which, according to the schedule in the RFP would be in early 2020. They are working on plans to ensure that DPR has in place procedures and budgeted funds to accommodate all these programs. They surveyed the current Community Center programs and received about 20 responses for programs ranging from ballet to gymnastics to fencing to photography. We now know what is needed in terms of space requirements and the numbers of participants. The next step will be to work with DPR to arrange alternative space.

Commissioner Malitz indicated that if construction is expected to begin in January 2020, space will need to be available for the winter programs that begin in October 2019. DPR has agreed to a meeting on February 7, 2019, to begin working on the details of the transition.

Anne Renshaw asked whether the Commission has considered options for its own office space. She said that during the last renovation, the ANC moved its office to the basement of the Regency apartments. Commissioner Speck noted that ANCs are not guaranteed office space from the District government. Some ANCs do not have office space at all or have to pay for it out of their allotments. ANC 3/4G will be looking for space that it can use for its office during construction.

Possible votes on grant applications by Northwest Neighbors Village, the Wilson Crew Booster Club, and Ch/Art (1:28)

Commissioner Speck summarized the Commission's prior consideration of these grant applications. Northwest Neighbors Villages (NNV) applied for a grant of \$1500, which was half of the cost to develop and implement a software platform to manage NNV's operations and communicate with the community. The Wilson Crew Booster Club asked for a grant of \$2000 to purchase ten new oars. The Ch/Art group originally sought a grant of \$1200 — \$700 to build a website and a presence on social media (Facebook and Instagram) and \$500 to create a marketing presence for the spring art walk through a map, flyers, and posters. Commissioner Speck noted that these requests exceed the amount in the Commission's FY 2019 budget.

Commissioner Speck reported that at the Commission's November 26, 2018 meeting, commissioners raised questions about grant applications for the Wilson Crew Booster Club and the Ch/Art group. Some of those questions related to whether the applications meet the requirement that the grants benefit the community as a whole. The Commission agreed to defer a vote on these grants so that the Commission could seek further advice from the Director of the Office of Advisory Neighborhood Commissions.

On December 10, 2018, Gottlieb Simon, Director of the ANC Office, responded to Commissioner Speck's inquiry:

Unfortunately, neither grant [application] provides sufficient information to conclude that they meet the public purpose test. There are at least two aspects of the "test." Section 1-309.13(m)(2)(B) of the ANC law has long required that applications for ANC grants contain "(a) statement of expected public benefits." I don't see such a statement in either application.

Absent such a discussion an argument might be made that grant activity would include "everybody" and, by definition, provide public benefits. In this case, the numbers do not necessarily appear weighted heavily in the "everybody" direction. The crew grant would include *some* [ANC 3/4G] youths, roughly a third according to the application, but they would be a minority of those benefited, and a relatively small number of [ANC 3/4G] residents in absolute terms. The other application would assist a larger

number, i.e. 70, but still a small number of [ANC 3/4G] residents (assuming that they are [ANC 3/4G] residents).

The "Omnibus [ANC legislation]," as you know, has added a definition of "public purpose" to the ANC law: "A public purpose shall be a purpose that benefits the community as a whole and is not done for the primary purpose of benefitting a private entity." It is difficult to say in either case that the funds would be used in a way that benefited the community as a whole rather than the organizations requesting the grants.

This is not to say that either application isn't for a "good" purpose, only that they may not fit the requirements for an ANC grant.

Commissioner Speck said that these restrictions on grants make it very difficult for ANCs to give worthwhile grants without a risk that they will not be approved, and the Commission will not be reimbursed. Commissioner Bradfield said that it was not fair that the ANC office provides no written guidelines to commissions so that they can know which grants will be approved and which grants will be disapproved. Commissioner Tuck-Garfield said that ANCs need an official decision or guidelines that they can rely on when making grants. She suggested that an opinion from the Attorney General on the legal standards for grants would be helpful instead of informal advice from the Director of the ANC office.

Commissioner Speck described the current status of each of the applications. The Ch/Art group sent a letter to the Commission on December 10, 2018, emphasizing that its "mission statement is clear that our purpose is to serve the community through the visual arts." On January 11, 2019, Ch/Art submitted a revised application, which reduced its request to \$950 (from \$1200) to be used to develop a web site, suggesting that "Communication seems to be the biggest need for any new organization," and proposing to use the web site "to publicize classes, lectures, directions for projects, etc. for the neighborhood as well as the members of Ch/Art." The revised application emphasized that members include "young, street artists, as well as the art community from Ingleside at Rock Creek who are involved with Ch/Art." The application says that their meetings every second Monday in the Community Center are open to the public, and they sponsor a free Open Studio every Friday in the Art Room of the Community Center where members of Ch/Art and the neighborhood can come together to paint or draw. Supplies, support, and a model are available, if desired. They said that community arts organizations have proven to be valuable in other neighborhoods, providing a range of art classes, exhibits, and events, and the grant will be used to help create our own Chevy Chase neighborhood arts organization. They also reported that they "are raising money thru membership donations (\$35 per year, suggested)." Finally, on January 22, 2019, they had received a certificate of incorporation (which is not a 501(c)(3) certification).

With respect to the NNV application, its Executive Director wrote the Commission on January 22nd that in November 2018, ANC 3E approved a grant of \$1,500 as a one-half share of the \$3,000 needed to set up a new database. To comply with ANC grant rules, NNV cashed ANC 3E's check and provided 1/2 payment to its software company for the new database. The remaining payment for \$1500 is due at the end of January. NNV also noted that it was grateful for the funds provided by the Ingleside Task Force, and those funds were used to subsidize memberships, increase the volunteer pool, and provide enhanced volunteer trainings.

With respect to the Wilson Crew application, on January 4, 2019, the ANC received a revised application with an additional "Statement of Expected Public Benefits." The ANC received a second revised application on January 27, 2019, with a further statement of expected public benefits. Commissioner Maydak said that the revised application emphasizes that the Wilson crew is the only public school crew team in the District. It promotes team building skills that are important as team members become adults. The crew team competes nationally and provides exposure for the District. About one-third of the crew team is from ANC 3/4G. Crew helps members to be more well-rounded and instills leadership. She also said that the crew team does community service work, and a commitment to do specified community service could be a condition of the grant.

Commissioner Tuck-Garfield said that the Wilson crew team is open to all students in the District, and the numbers of people affected is greater than just the members because it includes their parents. Their own extensive fundraising efforts are not enough to support their equipment needs.

Commissioner Fromboluti said that all three applicants are great organizations. He said that the ANC cannot support their applications, however, without approval from the ANC Office. He said that the Director has an assistant who is an attorney, so they should be able to offer a clear opinion. Commissioner Bradfield agreed that we cannot take the risk of non-approval, which would mean that the ANC would have the amount of the grant deducted from its allotment — as has happened in the past. Commissioner Malitz suggested that there may be elements of one application that are good that we can suggest be included in other applications to satisfy the "community benefit" requirement. Commissioner Bradfield again reiterated that ANC's need better written guidelines.

Beth Cartland, representing Ch/Art said that there is no art group in Chevy Chase, and Ch/Art fills a real need. This community deserves an art group. They provide free, to the entire community, workshops in the Community Center and a weekly open studio for all artists (not just Ch/Art members) to work on Fridays.

Based on the discussion, Commissioner Speck moved that the Commission approve NNV's grant application for \$1500 to develop and implement a software platform to manage NNV's operations and enhance communications with the community, its

members, and volunteers. Commissioner Maydak asked whether the Commission could give the grant since the software had been ordered and partially paid for. Commissioner Speck said that the software has not been delivered yet and the additional payment is due at the end of January. Janean Mann from NNV also confirmed that the software has not been provided or installed pending full payment. Commissioner Speck said that this is similar to the situation with the grant for tulip bulbs to the Friends of Chevy Chase Circle, which the Office of the ANC had approved. With that clarification, the motion was approved by a vote of 7 to 0.

With respect to the Ch/Art application, Commissioner Maydak asked about the inclusiveness of its programs for young people. Ms. Cartland said that they do welcome young people, but their classes and work periods are during the day, when young people are in school. Commissioner Speck also noted that he had received an email suggesting that for all grantees, they should make their programs available to all and publish notices so that the community knows they are available. Ms. Cartland said that they have posted announcements about their open studio and workshops on the Chevy Chase Community listserv and on NextDoor.

Commissioner Speck moved that both the Ch/Art and the Wilson Crew applications be deferred pending further revisions to their applications or, in the case of Ch/Art, receipt of its 501(c)(3) certification. The Commission approved the motion by a vote of 6 to 0 (Commissioner Malitz voting present).

Discussion and possible vote on submission of testimony at the performance oversight hearings for the Metropolitan Police Department and the Department of Health (2:03)

Commissioner Speck said that the ANC could provide testimony at two hearings that will be held before the ANC's next scheduled meeting on February 11, 2019: (1) the Committee on the Judiciary and Public Safety's February 7, 2019 hearing on the Metropolitan Police Department (MPD), and (2) the Committee on Health's February 8, 2019 hearing on the Department of Health (DOH). Commissioner Speck indicated that he had drafted testimony for those two hearings.

The MPD draft testimony commends the police and civilian employees of the Second District for their work with the community and the Mayor and Chief Newsham for the proposed increase in patrol officers over the next four years. The draft testimony also urges the Council and the Mayor to take aggressive steps to support MPD by refusing to accept felons' use of guns that threaten community safety. Commissioner Speck moved that the Commission adopt the draft testimony with respect to MPD and authorize him to present the testimony at Committee hearings. The Commission approved the motion by a vote of 7 to 0.

The DOH draft testimony addresses the need for regulations for assisted living residences. Five assisted living residences and more than half of assisted living residents in the District are located in ANC 3/4G. In 2018, the ANC testified against proposed legislation that would have regulated assisted living residences and urged the Council to instead hold DOH accountable to issue final administrative regulations. Although DOH has issued temporary “emergency” regulations, no final regulations have been issued. The draft testimony urges the Council to impose a deadline for DOH’s final regulations and to fill three identified gaps in those regulations with legislation. Commissioner Speck moved that the Commission adopt the draft testimony with respect to DOH and authorize him to present the testimony at Committee hearings. The Commission approved the motion by a vote of 7 to 0.

Commission Business (2:09)

1. The Commission voted 7 to 0 to approve the minutes for its November 26, 2018 and December 10, 2018 meetings.
2. The Commission approved the Annual Report for Fiscal Year 2018 by a vote of 7 to 0.
3. The Commission approved the Quarterly Report for the first quarter of FY 2019 by a vote of 7 to 0.
4. The Commission approved the following checks by a vote of 7 to 0: \$25.00 to the ANC Security Fund; \$141.30 to Verizon; \$33.80 to the DC Treasurer (income tax withheld in 2018); and \$125.00 to Holly Creative (replacing lost check 1520)
5. Items for February 11, 2019 meeting may include: presentation by WMATA on and discussion of restoration plans for the bus turnout at Connecticut and Oliver; discussion and possible vote on a public space permit application by Little Beast Bistro (5600 Connecticut Avenue, NW) to install an awning on its McKinley Street sidewalk cafe (Tracking No. 10708282); discussion and possible vote on performance oversight hearing testimony; discussion and possible vote on testimony on DOEE’s proposed CRIAC relief emergency regulations; discussion and possible vote on Wilson Crew grant application

The meeting adjourned at 9:15 pm. (2:14)

Signed:

Randy Speck
Chair

Abe Clayman
Secretary