



**Foggy Bottom & West End  
Advisory Neighborhood Commission 2A**  
([www.anc2a.org](http://www.anc2a.org))

**Regular Meeting Minutes**

Wednesday, November 20, 2013 6:30 pm St. Paul's Parish  
2430 K Street, NW Washington, DC

**Call to Order**

Chair Florence Harmon (06) called the meeting to order at 6:35 pm. Commissioners Patrick Kennedy (01), Asher Corson (03), Armando Irizarry (04), Graham Galka (05), Jackson Carnes (07), and Peter Sacco (08) were present.

Commissioner Kennedy requested to add the public space application for the Allen Lee Hotel to the agenda. Chair Harmon requested to add an ABRA matter in relation to Shadow Room to the agenda, as well as an expenditure approval request to retain counsel for the ANC.

Chair Harmon made a motion to adopt the updated agenda. Commissioner Kennedy seconded the motion, which was voted on and passed. (VOTES: 7-0)

**General Agenda**

**DDOT- Update on the New Hampshire Avenue Project**

Ian Swain from the District Department of Transportation (DDOT) was present to give an update on the New Hampshire Avenue resurfacing project. Mr. Swain said that DDOT is waiting for the asphalt to come in for Washington Circle and that DDOT needs to wait for the weather to warm up in order to finish the asphalt on the circle.

Mr. Swain also said that, starting Friday, New Hampshire Avenue between 24<sup>th</sup> Street and Washington Circle will be closed to vehicular traffic in order to work on the road. He also said that pedestrian access and ambulance access to GW Hospital will be allowed and that the road closure will continue for two to three weeks.

With regards to the odd island design at the corner of 24<sup>th</sup> Street and New Hampshire Avenue, Mr. Swain said that the curb cut will be redesigned when the New Hampshire Avenue project is completed. He also said that DDOT is still working on getting the light shield situation resolved. Commissioner Kennedy asked about construction signs left at the intersection at 25<sup>th</sup> Street and Eye Street. Mr. Swain said that the signs are not associated with the New Hampshire Avenue project.

One neighbor was concerned that brick sidewalks were going in on New Hampshire Avenue. Chair Harmon explained how Councilmember Jack Evans had already explained to the ANC that

the federal contract for the New Hampshire Avenue project provides only for brick and that it cannot be changed at this point.

#### Chairman Mendelson- DC Council Fossil Fuel Divestment Act Update

D.C. Council Chairman Phil Mendelson was present, and gave an update on the Fossil Fuel Divestment Act of 2013, which he introduced into the D.C. Council's Committee of the Whole a month ago.

Chairman Mendelson explained how the bill directs the D.C. government to end its investments in the top one hundred fossil fuel companies by size, the companies with the largest reserves of fossil fuels. He also said that the bill would cover divestment from the D.C. government's retirement pension program. He said that the pension program is currently a large recruitment tool for police officers and fire fighters.

Chairman Mendelson explained that, based on the D.C. government's current holdings, the holdings that would have to be divested total about 0.2% of the total investments. He also said that the Committee of the Whole would be holding a hearing on the bill during the next week.

A neighbor who works for EarthWorks said that he thinks the Council should expand its considerations on global warming to include natural gas drilling in the George Washington National Forest.

Anthony Bucci, a student at GW, thanked Chairman Mendelson for backing the divestment resolution.

Chairman Mendelson then talked briefly about the Council and its organizational structure, as well as the organization of the Committee of the Whole.

Commissioner Corson asked Chairman Mendelson about his recent comments on the Washington Consortium of Universities' possible proposal for campus police expansion. Chairman Mendelson said that he talked to Cathy Lanier, Chief of the Metropolitan Police Department (MPD), about the proposal, and that she had some issues with expanding campus police power off-campus. Chairman Mendelson then said that the question comes down to whether campus police not trained to the MPD standards should have the same powers as MPD officers.

#### Councilmember Catania- D.C. Council Committee on Education update

Councilmember David Catania, the Chair of the D.C. Council's Committee on Education, was present to talk about recent legislation being discussed by the Committee. Councilmember Catania started off by talking about the makeup and history of the Education Committee.

Councilmember Catania explained how the committee started off with an ambitious goal of visiting all traditional and charter schools in the District. He noted that they just finished their 96<sup>th</sup> school visit. He also explained how, during the visit to each school, committee members talk with principals, followed by students and teachers. As a result of the school visits, Councilmember Catania said that he sees incredibly talented school principals and teachers in most schools across the District.

Councilmember Catania then highlighted a few matters currently before the Council, the first of which was a "social promotion bill." He explained how current regulations allow schools to hold

back students only in the 3<sup>rd</sup>, 5<sup>th</sup>, and 8<sup>th</sup> grades. He also said that, last year, thirty percent of D.C.'s ninth graders failed to meet the basic education requirements to become sophomores and yet, due to current regulations, could not be held back.

Councilmember Catania said that his "social promotion bill" will turn the authority back to the teachers and principals to handle student promotion and that required summer school will also be brought into play.

Next, Councilmember Catania described his bill to bring back a public schools ombudsman for students and parents as empowering students and parents to take on the system. Next, Councilmember Catania talked about his funding bill that will include an at-risk category for per-pupil funding allotments.

Finally, Councilmember Catania talked briefly about other bills that would work on issues related to facilities, a common lottery, and governance issues.

Commissioner Kennedy questioned the differences between the earlier elected school board and the current education committee, asking how comfortable Councilmember Catania felt in holding oversight authority over the D.C. Public Schools (DCPS) Chancellor. Councilmember Catania stressed the differences in both the policy and political processes between the former school board and the current education committee.

In talking about recent accomplishments, Councilmember Catania talked about a bill the Committee passed to limit year-to-year individual school budget changes to five percent in order to keep strong programs in shrinking schools for the benefit of the remaining students. He also said that another bill managed to restore full-time librarians at twenty schools across the District. Commissioner Kennedy asked Councilmember Catania what role he saw himself playing in the upcoming school boundary and feeder lines debate. Councilmember Catania stressed the importance of retaining strong neighborhood schools for every feeder pattern. He also talked about the disruptive supply and communication chains within many high school feeder patterns, with inconsistent programming and curriculum standards present between elementary schools that are feeding into the same middle school and eventually high school.

In switching to healthcare policy, Commissioner Corson asked about why a specific D.C. healthcare plan offered by CareFirst was cancelled pursuant to the Affordable Care Act. He further questioned what the District intended to do for those adversely impacted by the cancellations. Councilmember Catania said that D.C.'s health rates have not increased as much as in other places and that he attributes it to the D.C. government's good job at expanding health insurance coverage prior to the Affordable Care Act. He did say, however, that he does not know what can be done to bring back the CareFirst plan at this point.

Finally, Councilmember Catania talked about his D.C. Promise proposal. He said the proposal was meant to address income inequality in the District through education. He specifically said that D.C. Promise would be a grant program for D.C. students to attend college and that awards would be based on how long the individual child has been a student in the city, as well as what their family's income level is. He said that, in order to be eligible for D.C. Promise, a student would have to be in DCPS from grades six to twelve. Councilmember Catania explained that the proposal would give students and families an incentive to stay in DCPS.

Chair Harmon encouraged Councilmember Catania to look into opening up the funds for post-secondary technical and for-profit institutions. Councilmember Catania said that the proposal already largely does.

## Safety Report

Sgt. Michael Lawrence from the Metropolitan Police Department's PSA 207 was present to give the safety report. Sgt. Lawrence said that crime levels in every category were down except for robberies with guns. He also said that total crime was down 10% and that property crime was down 6%.

Sgt. Lawrence reminded everyone to be aware of their surroundings, especially with cell phones in your hands.

Barbara Kahlow, a Foggy Bottom resident, asked about what was being done about the homeless encampments, which keep growing. Chair Harmon said that the ANC should bring back people from the Department of Human Services and other departments to see what can be legally done.

Commissioner Corson reminded neighbors to call 911 if they see anyone going into street hatches.

Commissioner Irizarry asked about the large protests that were happening outside of the Saudi Arabian embassy by the Watergate. He said that they were creating a large problem for the Watergate workers and residents. A neighbor who works in the Watergate also expressed concern over the protests. Sgt. Lawrence said that the Secret Service is the lead agency on handling protests directed towards embassies.

## Ward 2 Education Network Update

Chris Sondreal from the Ward 2 Education Network was present to give an update on the network. He said that the network had its first Foggy Bottom meeting the previous Saturday at the School Without Walls at Francis-Stevens and that they had about forty parents present to discuss the new school enrollment lottery process.

Mr. Sondreal said that the Network hopes to come back to Foggy Bottom every third month of the year. He also said the next Network meeting will be in January in Dupont Circle, and that the time and date is to be decided. During the meeting, attendees will be discussing the new science standards for the D.C. Public Schools.

In talking about the School Without Walls at Francis-Stevens, Mr. Sondreal said that the school will have an enrollment information session and tour on Tuesday, December 3<sup>rd</sup> at 8:30 am in the morning to recruit new students. A presentation by one of the school's principals will be included.

Mr. Sondreal also talked about two upcoming fundraisers the school will be hosting, including a restaurant night at Roti on December 6<sup>th</sup> between 6 and 8 pm, and a Christmas tree fundraiser for professional development and school enrichment. Commissioner Sacco talked about the possibility of getting the word out about the Roti event to GW students.

## Public Comments

Commissioner Irizarry said that there is a new shuttle company provider for the Foggy Bottom supermarket shuttle and that there is a new phone number to call for the shuttle.

## Regulatory Agenda

## ABRA License Renewals

### *Avenue Suites/ A Bar*

Mr. Fonseca, the legal counsel for the Avenue Suites and the A Bar, and Conrad Cafritz, the hotel owner, were present to talk about their license renewal request with the Alcoholic Beverage Regulation Administration (ABRA). Mr. Fonseca said that the hotel's A Bar currently has a tavern license with a summer garden. He said that when Mr. Cafritz first applied for the tavern license, the owner was just going to offer light snack foods. He said that over time there was a need for larger menu fare. The current menu has small plates, salads, and more substantial foods.

Mr. Fonseca said that the stated hours on the ABRA application will be the same as they always have been.

Mr. Cafritz said that he thought that the improvements made to the back of the summer garden have improved condo values in the adjacent condo buildings. The owner said that they have cut summer garden and music hours back from what ABRA allows to 11 pm. He also said that the hotel cannot, however, prevent their guests from going outside to the summer garden when the bar is open.

Chair Harmon made a request to officially change the hours on the ABRA application so that the summer garden closes at 11 pm. The owner said that he is fine with doing so.

Commissioner Corson said that he thought the ANC should still file a protest in order to stay in the process and make sure the owner follows through on his promise to dial back the hours.

The president of the Swarthmore Condominium Association, who was present, said that the association has been struggling with noise in the back alley since A Bar opened the summer garden. The president also said that the building is losing tenants, including GW students, due to the noise on the patio. The chair of the Governance Committee of the Bader Condominium Association echoed the complaints of the Swarthmore president. He said that the Bader will write in protest against the summer garden; however, they will not be protesting the license renewal for the interior bar. Both individuals said that they are willing to sit down with the ANC, condo owners, and the hotel owner to discuss mitigation measures.

Commissioner Corson presented a draft resolution to the ANC, which would have the ANC protest A Bar's license renewal. Commissioner Kennedy questioned whether there was a need to add the conditions by which the ANC will come to a settlement agreement. Commissioner Corson did not think it would be necessary, saying that since he would be designated to represent the ANC on the matter, he would not go against the condo associations.

Commissioner Corson made a motion to adopt his resolution. Chair Harmon proposed an amendment to designate Commissioner Kennedy as the ANC's backup representative. Commissioner Corson accepted the amendment. Commissioner Kennedy seconded the final motion, which was voted on and passed. (VOTES: 7-0)

*Commissioner Irizarry excused himself from the room*

(Reference earlier presentation by Chairman Mendelson).

*Chair Harmon and Commissioner Corson recused themselves from discussing and voting on the matter.*

Commissioner Sacco presented his draft resolution to the ANC, which would have the ANC support Chairman Mendelson's proposed Fossil Fuel Divestment Act of 2013.

Commissioner Sacco made a motion to adopt his resolution. Commissioner Carnes seconded the motion, which was voted on and passed. (VOTES: 4-0)

#### Shadow Room Request for Extended Hours

Steve Acott, a co-owner of the Shadow Room nightclub, was present to make a request for extended hours for Thanksgiving Eve (Wednesday, November 27<sup>th</sup>) and Christmas Eve (Tuesday, December 24<sup>th</sup>).

One neighbor who was present said that this was "Deja vu all over again." He asked about the details as to where the police detail would be for both nights. Mr. Acott said that there would be two police officers, and that they would be positioned right outside the establishment.

Commissioner Kennedy said that it is difficult for the ANC to approve the extended hours when many neighbors go out of their way to come to the ANC meeting every month to protest the extended hours.

Commissioner Galka commented that Shadow Room's offer to provide a police detail on nights that they request extended hours might be worth pursuing as a trade-off to alleviate the quality of life concerns of neighbors, given that the establishment would be open on those evenings in any case.

Another neighbor who was present said that the problem is that the police detail is exclusively on K Street, which only has office buildings, and that no one is stationed around the corner on 22<sup>nd</sup> Street, where all of the residential properties are located.

Chair Harmon, basing her decision off of the complaints from neighbors and concerns from other commissioners, suggested that the ANC take no action on the request for extended hours.

Chair Harmon then made a motion to designate all commissioners as persons who could represent the ANC at an upcoming roll call hearing for the ANC's previously agreed-upon protest of Shadow Room's liquor license renewal application. Commissioner Kennedy seconded the motion, which was voted on and passed. (VOTES: 6-0)

#### Whitehurst Freeway- Proposal to Tear Down

Chair Harmon said that she talked to Sherri Kimbel, the Director of Constituent Services for Councilmember Jack Evans, and that Ms. Kimbel had reassured Chair Harmon that there are no current plans to tear down the Whitehurst Freeway.

#### Public Space Application: Allen Lee Hotel

Commissioner Carnes made a motion to support the Allen Lee Hotel's public space application. Commissioner Kennedy seconded the motion, which was voted on and passed. (VOTES: 6-0)

### **Administrative Agenda**

#### **ANC Quarterly Report to D.C. Auditor**

Commissioner Galka presented the fourth quarter report the ANC.

Commissioner Galka made a motion to pass the quarterly report. Commissioner Corson seconded the motion, which was voted on and passed. (VOTES: 6-0)

#### **Adoption of Minutes**

Chair Harmon made a motion to pass the September meeting minutes, subject to non-substantive edits. Commissioner Kennedy seconded the motion, which was voted on and passed. (VOTES: 6-0)

#### **Expenditure Request to Retain Counsel**

Chair Harmon said that she would like to retain Con Hitchcock to review the zoning rewrite and the implications for the campus plan of GW Hillel's proposal to lease space to the University in their new building.

Chair Harmon made a motion to authorize a \$1,000 expenditure to retain counsel for both purposes. Commissioner Sacco seconded the motion, which was voted on and passed. (VOTES: 6-0)

Chair Harmon made a motion to authorize an expenditure to reimburse her for the U-Haul expenses of \$69.82 for moving the ANC files stored at the West End Library to School Without Walls at Francis Stevens on November 16, 2013. Chair Harmon thanked Commissioners Irizarry, Galka, and Kennedy for assisting her with this move and saving the ANC from the expense of hiring movers. Commissioner Kennedy seconded the motion, which was voted on and passed. (VOTES: 6-0)

Chair Harmon adjourned the meeting at 9:33 pm.

### **Resolution #1 – Avenue Suites/ A Bar ABRA License Renewal**

Government of the District of Columbia  
Foggy Bottom and West End  
Advisory Neighborhood Commission 2A

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c/o West End Library

1101 24<sup>th</sup> St., N.W.

Washington DC 20037

November 22, 2013

Ms. Ruthann Miller, Chairman

Alcohol Beverage Control Board  
1250 U Street, N.W., 3<sup>rd</sup> Floor  
Washington DC 20009

Re: ABRA-086545 Avenue Suites/A Bar Renewal Application

Dear Chairman Miller and Members of the Board:

At its regular, duly-noticed meeting on November 20, 2013, the matter of the renewal of the liquor license of Avenue Suites/A Bar came before the Commission. With a quorum present, ANC 2A voted unanimously (7-0) to protest the renewal of this license based on adverse impact on the peace, order, and quiet of the neighborhood, impact on residential parking, and vehicular and pedestrian safety, and impact on residential real property values. The Commission further voted to designate Commissioner Asher Corson, in whose single-member district the applicant's business is located, to serve as the ANC's representative in this matter. The Commission also designated Commissioner Patrick Kennedy as an alternate ANC representative in this matter.

Sincerely,

Florence Harmon  
ANC 2A Chair

cc: ANC Commissioners  
Michael Fonseca

**Resolution #2 – DC Fossil Fuel Divestment Act of 2013**

Government of the District of Columbia  
Foggy Bottom and West End  
Advisory Neighborhood Commission 2A

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c/o West End Library

1101 24<sup>th</sup> St., N.W.

Washington DC 20037

November 23, 2013

Chairman Phil Mendelson  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W. Suite 504  
Washington, D.C. 20004

Re: B20-0481  
Fossil Fuel Divestment Act of 2013

Dear Chairman Mendelson,

At its regular, duly-noticed meeting on November 20, 2013, the matter of the DC Council's proposed Fossil Fuel Divestment Act of 2013 came before the Commission. With a quorum present, ANC 2A voted unanimously (4-0-2) to support the Act and adopted the following resolution:<sup>1</sup>

**WHEREAS**, Chairman of the Council of the District of Columbia Phil Mendelson has introduced the "Fossil Fuel Divestment Act of 2013,"

**WHEREAS**, the act will "require the divestment, and prohibit the investment, of public funds in the stocks, securities, or other obligations of certain companies which hold the largest fossil fuel reserves",

**WHEREAS**, the act will provide greater transparency and information about the sectors and types of investments that the District of Columbia currently holds,

**WHEREAS**, climate change, exacerbated by the burning of fossil fuels, threatens the District of Columbia with more frequent, higher energy storms as well as rising sea levels,

**WHEREAS**, the historic landmarks in this neighborhood of the District, including landmarks on the National Mall, may be affected by the harmful effects of climate change,

**WHEREAS**, local businesses and residents will have to adjust their cost of living and operating expenses to adapt to the economic disparities brought on by the effects of climate change,

**WHEREAS**, investments in companies that burn fossil fuels contradicts the government's function to preserve and promote the public good,

**WHEREAS**, investments in fossil fuels are unsustainable due to the limited reserves of fossil fuels,

**WHEREAS**, investments in companies that burn fossil fuels contradicts the goals of the District's Climate Action Plan, as well as the Sustainable D.C. Plan,

**NOW THEREFORE, BE IT RESOLVED**, that Advisory Neighborhood Commission 2A strongly urges the Council of the District of Columbia to move forward on the Fossil Fuel Divestment Act of 2013, for it will help reduce the deleterious effects of climate change, both in the District and around the world,

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<sup>1</sup> Commissioners Florence Harmon and Asher Corson recused themselves from this resolution vote; however, such recusals would not affect the quorum.

**BE IT FURTHER RESOLVED**, that Advisory Neighborhood Commission 2A encourages the Council of the District of Columbia to adopt legislation pertaining to divestment from fossil fuels so that Washington, D.C. may be seen as both a nationwide and world leader in sustainable development.

The ANC respectively requests that the DC Council considers our support when conducting hearings on this Act.

Sincerely yours,

Patrick Kennedy, Vice- Chair, ANC 2A

cc: Council Member Anita Bonds, At-Large  
Council Member Vincent Orange, At-Large  
Council Member David Catania, At -Large  
Councilmember David Grosso, At-Large  
Councilmember Jim Graham, Ward 1  
Councilmember Jack Evans, Ward 2  
Council Member Mary M. Cheh, Ward 3  
Council Member Muriel Bowser, Ward 4  
Council Member Kenyan McDuffie, Chair Pro Tempore, Ward 5  
Council Member Tommy Wells, Ward 6  
Council Member Yvette Alexander, Ward 7  
Council Member Marion Barry, Ward 8  
ANC 2A Commissioners

**Resolution #3 – Additional Designations for Shadow Room ABRA Protest**

Government of the District of Columbia  
Foggy Bottom and West End  
Advisory Neighborhood Commission 2A

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c/o West End Library

1101 24<sup>th</sup> St., N.W.

Washington DC 20037

November 22, 2013

Ms. Ruthann Miller, Chairman  
Alcohol Beverage Control Board  
1250 U Street, N.W., 3<sup>rd</sup> Floor

Washington DC 20009

Re: ABRA-075871 Acott Ventures, LLC, t/a Shadow Room

Dear Chairman Miller and Members of the Board:

At its regular, duly-noticed meeting on November 20, 2013, with a quorum present, ANC 2A voted unanimously to designate additional commissioners to serve as the ANC's representative in this matter, besides Commissioners Florence Harmon and Patrick Kennedy, who were previously designated to do so by the ANC 2A in our November 5, 2013 protest letter to the Board. Accordingly, ANC 2A voted unanimously (7-0) to designate any and all of its commissioners to represent the ANC in this protest of the renewal of this license based on adverse impact on the peace, order, and quiet of the neighborhood, impact on residential parking, and vehicular and pedestrian safety, and impact on residential real property values

Sincerely,

Florence Harmon  
ANC 2A Chair

cc: ANC Commissioners  
Steve Acott

**Resolution #4 – Public Space Application: Allen Lee Hotel**

Government of the District of Columbia  
Foggy Bottom and West End  
Advisory Neighborhood Commission 2A

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c/o West End Library

1101 24<sup>th</sup> St., N.W.

Washington DC 20037

November 22, 2013

Catrina Harrison  
Coordinator, DDOT Public Space Committee  
District Department of Transportation  
1100 4th Street S.W. / 2nd Floor  
Washington, DC 20024

Re: DDOT public space application for **2224 F Street, NW**  
DDOT Tracking # **88474**

Dear Ms. Harrison:

At its duly noticed, regularly scheduled meeting on Wednesday, November 22, 2013, the Foggy Bottom & West End Advisory Neighborhood Commission 2A (ANC 2A), with a quorum of six of the eight commissioners being present, voted 6-0-0 to provide an “no objection” to the public space application for the above referenced Public Space Application.

Please let me know if I can answer any questions.

ON BEHALF OF THE COMMISSION:

Sincerely,

Florence Harmon  
Chair

cc: ANC 2A Commissioners  
Jim Abdo  
Gordon Buist