



Advisory Neighborhood Commission 1C

ADVISORY NEIGHBORHOOD COMMISSION 1C

Adams Morgan

Minutes of February 3, 2010

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on February 3, 2010 at Mary's Center. 1C Chairman Wilson Reynolds called the meeting to order at 7:00 pm. Approximately 25 members of the public attended.

In attendance were Commissioners Stacey Moye (1C01), Bryan Weaver (1C03), Mindy Moretti (1C04), Michael Logsdon (1C05), Nancy Shia (1C06), Wilson Reynolds (1C07) and Kathie Boettrich (1C08).

I. MPD Report

Sergeant Penn reported crime statistics for a 30-day period and reported on several arrests.

Kristen Barden asked for information about arrests of alleged sellers of forged identification. Last month Sgt. Penn reported the U.S. Attorney was not prosecuting these cases. Sgt Penn reported this month that they have begun to prosecute them.

II. FD Report

Captain Larry Chapman introduced himself as the new leader at Engine Company 21 on Lanier Place. Background includes work at Fire and Medical Services, and last 19 years in the D.C. Fire Department in Anacostia. Chapman addressed question from Commissioner Weaver asked Chapman about the EMT National Registry test.

III. Officers Reports

Chairman – Chairman thanked commissioners for their hard work and support this month during the transition.

Secretary – Commissioner Shia moved *that the minutes of the January 2010 meeting be accepted*. It was seconded, discussed and passed by voice vote.

Treasurer – Commissioner Boettrich made a motion *that the treasurer's January report be accepted*. It was seconded, discussed and passed by voice vote.

Commissioner Boettrich made a motion *that the ANC Quarterly report for October 2009-December 2009 be accepted*. It was seconded, discussed and passed by voice vote.

IV. Commissioners Announcements

Commissioner Moye announced that Council Chairman Vincent Gray would be having a hearing for youth only on Saturday February 13th at 10 a.m. at the Wilson Building. This is an opportunity for youth to speak out about issues that affect their lives.

Commissioner Weaver announced that the Fund for Kalorama Park is meeting in Kalorama Recreation Center on February 8th.

Commissioner Reynolds announced that at the last month's ANC1C meeting, the Commission voted a resolution for \$3,000 to join with ANC1D to pursue a study on the fire safety and ADA requirements of the soon to be renovated Mt. Pleasant Library. If there is anyone in the audience aware of architects who can do the study, please contact the chair. Written materials were on the table in the hallway.

V. PUBLIC ANNOUNCEMENTS AND COMMENTS ON NON-AGENDA ITEMS

Darnell Smithers, of the DC Department of the Environment announced that the Mayor's Conservation Corps Summer Youth Program will employ 4,000 youths, six in a group, this summer to beautify the community. The program has been expanded to assist needy seniors with grounds and yard work.

Kristen Barden announced that the (Business Improvement District) BID ambassadors will be doing random acts of kindness, including distributing candy, this week, in honor of Valentine's Day.

Denis James announced that the Kalorama Citizens Association will have 3rd District Commander Kishter as its guest speaker at their next meeting on Thursday, February 18, 2010 at the Goodwill Baptist Church. There will also be a discussion of the Mount Pleasant Library renovation.

VI. Guest Speaker

Guest Speaker, Christopher Dyer, Director of the Mayor's Office on Gay, Lesbian, Bisexual, and Transgender (GLBT) Affairs, provided a status report on the implementation of marriage equality rights in DC. Barring Congressional action, the Marriage Equality Act of the District of Columbia goes into effect on or about March 2nd. Dyer addressed questions from the commissioners and audience. For more information on the agency, www.GLBT.DC.GOV, or Dyer's email is Christopher.dyer@dc.gov.

VIII. Consent Agenda

Commissioner Reynolds *made a motion to approve the consent agenda. It was seconded, discussed and passed by voice vote.*

(1) Committee Structure – 2010 Committee Structure:

PROPOSED COMMITTEE STRUCTURE AND MEMBERSHIP FOR 2010

BE IT RESOLVED, THAT the committee structure, rules of operation, and jurisdictions for Advisory Neighborhood Commission 1C in calendar year 2010 shall be identical to those provided in 2009,

BE IT FURTHER RESOLVED, THAT Commissioner memberships of the committees shall be as follows:

ABC and Public Safety Committee

Moretti (Chair), Weaver, Logsdon, Shia

Planning, Zoning and Transportation Committee

Reynolds (Chair), Boettrich, Weaver

Public Services and the Environment Committee

Shia (Chair), Moye, Otten

(2) Authorized Agents for BB&T CHECKING

WHEREAS, the individuals with signing authority on the Advisory Neighborhood Commission IC checking account were the officers of the Commission serving as of December 2009, and

WHEREAS the Commission elected officers at it's regularly scheduled meeting on January 6, 2010,

NOW, THEREFORE BE IT RESOLVED, that the following individual(s) be removed as authorized check signers from the Commission's BB&T checking account

J. Michael Logsdon, Treasurer

M. Mindy Moretti, Vice Chair

Bryan Weaver, Chair

Katherine Boettrich, Secretary

BE IT FURTHER RESOLVED, that the following individuals shall be listed on the Commission's BB&T checking account as authorized check signers:

Wilson Reynolds, Chairperson

Stacey Moye, Vice Chairperson

Nancy Shia, Secretary

Kathie Boettrich, Treasurer

BE IT FURTHER RESOLVED, that the standard resolution form required by BB&T Bank be approved by the Commission in order to effectuate a change in authorized signers is hereby deemed approved.

(3) Web Management Services

Motion is hereby made to engage the services Kalorama Network Services, Inc. of P.O. Box 21734, Washington, DC 20009 to provide web design and web support services of the ANC IC web site. Terms shall be not more \$125.00 per month, upon submission of invoice payable within twenty days.

VIII. COMMITTEE REPORTS

a. ABC & Public Safety

Commissioner Moretti offered a motion to amend the voluntary agreement with El

Tamarindo to allow for an Entertainment Endorsement. The motion was seconded, discussed and was adopted via voice vote.

Commissioner Moretti moved *to accept the Voluntary Agreement Concerning New License for Sale of Beer and Wine with Locolatte Café.* The motion was seconded, discussed and approved via voice vote.

Commissioner Moretti announced that the next meeting of ABC & Public Safety Committee will be Wednesday, February 10, 2010 at 7:00 p.m. at the Kalorama Recreation Center.

b. Public Services Committee

Commissioner Shia announced the next meeting of the Public Services and Environment Committee will be Wednesday, February 24, 2010 at 7 p.m. at Kalorama Recreation Center.

c. Planning Zoning and Transportation Committee

Commissioner Reynolds provided an update on the PZT meeting and discussed the D.C. Council's proposal for new resident parking rules. Reynolds announced the next meeting of the Planning, Zoning and Transportation Committee will be on Monday, February 8th at 7 p.m. at the Kalorama Recreation Center.

IX. NEW BUSINESS

a. Commissioners Weaver and Moretti offered the following Resolution of Appreciation for Commander Larry McCoy.

Resolution of appreciation for Commander Larry McCoy on his retirement from the Metropolitan Police Department

Whereas, Cmdr. Larry McCoy began his career with the Metropolitan Police Department in August 1978; and

Whereas, Cmdr. McCoy was promoted from officer to sergeant, to lieutenant and ultimately commander in 2002; and

Whereas, Cmdr. McCoy served in the First, Fourth, Sixth and Seventh Districts as well as the traffic division and other special divisions; and

Whereas, Cmdr. McCoy served as Commander of the Third District from June 1, 2003 to March 14, 2004; and

Whereas, the Third District includes PSA 303, which covers the Adams Morgan neighborhood; and

Whereas, he did so with distinction and was an asset to our community during his time in the Third District.

Now Therefore Be It Resolved, that the Adams Morgan Advisory Neighborhood Commission (ANCIC) thanks Commander Larry McCoy for his more than 30 years of service including his time at Commander of the Third District; and

Be It Further Resolved, that ANCIC wishes Commander McCoy well on his retirement.

It was seconded, discussed and passed by roll call vote.

YEA: Moye, Weaver, Moretti, Logsdon, Shia, Reynolds, Boettrich

NEA: None

ABSTAIN: None

- b. Commissioner Reynolds made a *motion for reimbursement of the Cost of Commemorative Plaque (\$85.01) to be presented to Commander Larry McCoy*. It was seconded, discussed and passed by voice vote.
- c. Commissioners Moretti and Weaver offered a resolution to support the D.C. Circulator Bus. It was seconded, discussed and passed by voice vote.

Resolution in Support of Amendment to Bill 18-489“DC Circulator Bus Jurisdiction Expansion Amendment Act of 2009.”

Whereas, the “DC Circulator Bus Jurisdiction Expansion Amendment Act of 2009” (B18-489) has been introduced before the Council of the District of Columbia; and

Whereas, B18-489 would extend Circulator service outside of the boundaries of the District of Columbia; and

Whereas, the Circulator is run by the D.C. Department of Transportation (DDOT) and funded largely by District of Columbia dollars; and

Whereas, many overlapping bus and Metro services already exist in Maryland and Virginia; and

Whereas, there are areas within the District of Columbia that are underserved by mass transit; and

Whereas, DDOT has already begun feasibility studies of expanding Circulator service into other areas of the District of Columbia; and

Whereas, as part of the oath of office for Advisory Neighborhood Commissioners, we commit to protecting the interests of all parts of the District of Columbia.

Now Therefore Be It Resolved that the Adams Morgan Advisory Neighborhood Commission (ANC1C) supports an amendment to Bill 18-489, “DC Circulator Bus Jurisdiction Expansion Amendment Act of 2009” that would extend Circulator to underserved areas of the District of Columbia before expanding service to bordering states.

Commissioner Moye made a motion to request that the ANC 1C Planning, Zoning and Transportation Committee review PR 18-0665, the Billboard Blight Removal Approval Resolution of 2009 and issue a recommendation on a position to ANC1c in a timely manner. The motion was seconded, discussed and passed by voice vote.

Commissioners Weaver and Moretti offered ***A RESOLUTION WHICH SUPPORTS DC COUNCIL BILL 18-622, THE LEGALIZATION OF MARIJUANA FOR MEDICAL TREATMENT.***

ANC 1C RESOLUTION

Supports DC Council Bill 18-622, With Technical Changes

RESOLVED, ADVISORY NEIGHBORHOOD COMMISSION 1C OF THE DISTRICT OF COLUMBIA, Supports DC Council Bill 18-622, the Legalization of Marijuana for Medical Treatment Initiative Amendment Act of 2010.

ANC 1C finds that:

The right of Americans to vote, to have their votes tallied, and to have the results of a lawful election put into effect, is at the heart of the American system of democracy.

The District of Columbia Board of Elections and Ethics, in accord with the decision of the United States District Court, has counted and certified the votes cast November, 1998 on District Initiative 59, "The Legalization of Marijuana for Medical Treatment Initiative of 1998."

Initiative 59 was approved by sixty-nine percent of District voters overall and by large margins in every precinct of every ward in the city, reflecting the caring and compassionate response of District voters to pleas from patients suffering with cancer, glaucoma, AIDS, and other serious illnesses.

While ANC 1C is supportive of Bill 18-622 we are concerned that:

The Bill's 1,000 foot restrictions would prohibit medical marijuana clinics from operating almost anywhere in the city, limiting patient access to the medicine they need. It is likely that these restrictions would prove just as unworkable as the 1,000 foot syringe exchange restrictions that Congress just overturned. There is no evidence that these kinds of arbitrary school zone rules, whether on syringe exchange programs, methadone, or medical marijuana, protect public safety; there is, however, a lot of evidence that they undermine public health. We suggest that restriction be reduced to 400 ft.

Moreover, the 1998 voter initiative made clear that patients should be able to use marijuana to treat any condition that their doctor believes it will help. This is consistent with medical practice as it pertains to other medicines. Unfortunately, this bill takes control away from physicians and their patients and inappropriately puts it in the hands of government officials. We hope the City Council will improve the bill to better protect the patient/doctor relationship.

Finally, we believe that it is unclear whether or not the D.C. Council is going to allow patients to cultivate their own marijuana, as they are allowed to in most other medical marijuana states. Allowing patients to cultivate their own medication with a doctor's recommendation is crucial to protecting the rights of patients and it's what DC voters voted for.

It is the sense of the ANC 1C that:

The Council of the District of Columbia should promptly approve Bill 18-622 and craft it in the closest shadow of Initiative 59.

The Congress and Federal Government of the United States should refrain from interference with the mandate of the District's citizens, as expressed through their overwhelming support of the original Initiative 59, and for Bill 18-622 from imposing additional life-threatening hardship on patients already stricken with cancer, glaucoma, AIDS, and other serious illnesses.

The Secretary of ANC IC shall transmit copies of this resolution upon its adoption to each of the Councilmembers of the Council of District of Columbia Authority, the District of Columbia Delegate to the United States Congress, and to the chairpersons of the committees of the United States Congress with oversight and budgetary jurisdiction over the District of Columbia.

ANC IC approves for Commissioner Bryan Weaver and Chris Otten to testify on behalf of this resolution before the Council of the District of Columbia on February 11th before Committee on Health.

It was seconded, discussed and passed by roll call vote:

YEA: Moye, Weaver, Moretti, , Shia, Reynolds, Boettrich

NEA: None

ABSTAIN: None

Commissioners Weaver and Moretti offered a *RESOLUTION TO OPPOSE DC'S PARTICIPATION IN ICE'S "SECURE COMMUNITIES" PROGRAM*

Whereas, Metropolitan Police Department's (MPD) participation in the Secure Communities program, allows MPD to check the fingerprints of an arrested individual against Department of Homeland Security (DHS) immigration databases.

Whereas, the purpose of the Secure Communities program is to target, "Level 1," criminal offenders --- individuals who have been convicted of major drug offenses and violent offenses, such as murder, manslaughter, rape, robbery and kidnapping.

Whereas, in fact the vast majority of those identified under the program are people arrested for minor violations. During its first year, DHS reported that it "identified more than 111,000 criminal aliens in local custody," but of those, 100,000 were charged or convicted of level 2 and 3 crimes, which includes property crimes and traffic offenses.

Whereas, if there is a "hit" in an immigration database, Immigration and Customs Enforcement (ICE) is automatically notified, even if the person has not been convicted of any criminal act and quashes the presumption of innocence -- a fundamental principle of our criminal justice system.

Whereas, Secure Communities sets the stage for racial profiling. As the program is currently designed, a police officer can make a pre-textual arrest and later drop the charges, but an individual could still be placed into deportation proceedings.

Whereas, the program does not address the real propensity for error since US citizens and Legal Permanent Residents will be tagged by the system.

Whereas, no complaint mechanism exists for reporting problems with the system, including problems of racial profiling.

Whereas, Secure Communities is inconsistent with Washington, D.C.'s standing policy regarding collaboration with federal immigration authorities, which states, according to Mayor's Memorandum 84-41, that the District "shall make no inquiry, direct or indirect, about citizenship of US residency status unless federal or District regulations and judicial decisions require that inquiries be made to determine eligibility for benefits." Automatically forwarding fingerprints to an ICE database would constitute an indirect inquiry.

Whereas, in an immigrant-rich community like Adams Morgan MPD will be view by local immigrant residents as immigration agents, and could have a chilling effect on local public safety. Few immigrants will report a crime, or cooperate as a witness, when they or a loved one might be deported for doing a good deed

Whereas, the most recent clarification of MPD's policy issued by Chief Lanier states that "if some of our residents are reluctant to interact with the police, because they fear we are there to enforce civil immigration laws, then all hopes for partnership and cooperation are lost, and what really suffers most is the safety of entire communities." This program seems quite likely to increase distrust between communities and police in areas like Adams Morgan, Mt. Pleasant and Ward One as a whole.

Therefore let it be resolved, that Advisory Neighborhood Commission IC stands in strong opposition to The Metropolitan Police Department or any local government agency contracting with US Immigration and Customs Enforcement (ICE) for the purpose of enforcing federal immigration laws outside of its intended top priority, 'Level 1 — individuals who have been convicted of major drug offenses and violent offenses, such as murder, manslaughter, rape, robbery and kidnapping.

Let it be further resolved, that ANC IC respectfully requests that MPD not proceed further with implementing the Secure Communities program until consulting with the community and addressing questions and concerns. Before finalizing participation in this program, it is important that MPD provide information to the community about the program and a clear explanation as to how it will make the city safer. In addition, there should be some forum through which community members can discuss the program with MPD and other city officials and have their questions and concerns addressed.

It was seconded, discussed and passed by roll call vote.

YEA: Moyer, Weaver, Moretti, Shia, Reynolds, Boettrich

NEA: None

ABSTAIN: None

Commissioner Shia offered a Resolution of Appreciation for ANC1c's past leadership:

RESOLUTION OF APPRECIATION

WHEREAS, Adams Morgan Advisory Neighborhood Commissioners Bryan Weaver, Mindy Moretti and Katherine Boettrich honorably served as Chair, Vice Chair and Treasurer, respectively, of the Adams Morgan Advisory Neighborhood Commission from January 2007 until January 2010; and

WHEREAS, Commissioners Weaver, Moretti and Boettrich served with distinction for three years; and

WHEREAS, the Adams Morgan Advisory Neighborhood Commission would like to express its deep appreciation for the guidance and leadership of Commissioners Weaver, Moretti and Boettrich;

NOW, THEREFORE BE IT RESOLVED, that on this third day of February 2010, the Adams Morgan Advisory Neighborhood Commission IC does hereby commend and express gratitude to Commissioners Weaver, Moretti and Boettrich for their distinguished service to the community.

BE IT FURTHER RESOLVED, that the Adams Morgan Advisory Neighborhood Commission IC is pleased to present this certificate of appreciation to Commissioners Weaver, Moretti and Boettrich

BE IT FURTHER RESOLVED, that a copy of this Resolution of Appreciation be entered into the permanent minutes of Adams Morgan Advisory Neighborhood Commission IC.

The resolution was discussed and passed by voice vote.

Commissioner Weaver made a *motion that because community members expressed particular concerns about problems that would be created by the implementation OF The Residential Parking Pilot Act of 2009, and due to the numerous issues raised, the ANC IC feels that there is a need for further public discussion on the contents of the Bill before moving it out of committee; ANCIC opposes any changes in the rules before the 18th Street Streetscape is completed; and we strongly request Councilmember Jim Graham to convene public discussions with stake holders on B-18-057 as soon as possible.* The motion was seconded and discussed, and passed by a voice vote.

Commissioner Shia made a motion to adjourn. It was seconded and the meeting ended at 9:15 p.m.