



ADVISORY NEIGHBORHOOD COMMISSION 3C
GOVERNMENT OF THE DISTRICT OF COLUMBIA

CATHEDRAL HEIGHTS • CLEVELAND PARK
MASSACHUSETTS AVENUE HEIGHTS
MCLEAN GARDENS • WOODLEY PARK

Single Member District Commissioners

01-Lee Brian Reba * 02-Gwendolyn Bole * 03-David Valdez
04-Arthur Barkmann* 05-Margaret Siegel * 06-Carl Roller
07- Victor Silveira * 08-Catherine May * 09-Nancy MacWood

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Minutes
Advisory Neighborhood Commission 3C
March 14, 2016 Public Meeting
MPD2D Community Room, 3320 Idaho Avenue NW
7:00PM

I. Establishment of Quorum:

The Chair, Commissioner Roller, called the meeting to order at 7:14pm and announced that there was a quorum. Seven of the other eight Commissioners were present. Commissioner Arthur Barkmann was absent.

II. Verification of Notice (Listserves: CP,WP, MAHCA, CAH, MG, OG, QH, Ward3DC, and NWC, Twitter):

The Secretary confirmed that notice of the meeting had been sent to 8 community listservs, published in the Northwest Current newspaper and put on Twitter.

III. Approval of Agenda

The Chair moved approval of the Agenda. The Agenda was approved by voice vote.

- . Establishment of Quorum
- II. Verification of Notice (Listserves: CP,WP, MAHCA, CAH, MG, OG, QH, Ward3DC, and NWC, Twitter)
- III. Approval of Agenda
- IV. Commission Business
 - 1. Discussion of proposed legislation on Transitional Homeless Shelters for Families.
- V. Adjournment

IV. Commission Business

1. Discussion of proposed legislation on Transitional Homeless Shelters for Families.
Chairman Roller announced the order of meeting, noting that Laura Zeilinger was absent due to scheduling conflict. He noted that the goal of the meeting was ultimately to pass a resolution and that questions/comments should reflect what is in the resolution and not issue outside this realm. Commissioner May noted that she is proud to have served the Mass Avenue Heights community and how this community has housed the homeless on previous occasions. She reiterated that the focus of the resolution speaks to the process and not the objection to the Ward 3 homeless shelter specifically. Commissioner Silveira read and moved the resolution.

7:30 Commissioner May left.

Commissioner Roller asked for community input regarding:

1. those who are in favor of the resolution (majority of hands)
2. in favor of the resolution with changes -

3. opposed to the resolution
4. undecided

Councilmember Cheh addressed the community. She acknowledged several points:

1. Regarding the zoning issue: She was opposed to expediting and approving the zoning issues associated with the homeless shelter proposal. She noted that the community ought to have their views known and under the Home Rule Act, the Council should not be involved in zoning matters.
2. Regarding procurement: She has identify the problematic issues on the procurement that can be dealt with and she received response today that the Mayor will work with the Council on these issues.
3. Regarding the Letter of Intent (“LOI”): She attended public meetings with Laura Zeilinger and noted discrepancies in representation regarding intent. The LOI can be amended, as opposed to a contract that cannot be amended. She believes that 38 units should be the maximum and facility should be only 3 floors and not 4 floors. CM Cheh is looking to make the LOI consistent with what council has been told.

Other comments by CM Cheh included noting that the budget office and chairmans office is reviewing the financing of the project. There is a hearing on the 17th. She has asked the Emergency Portion to be removed. Emergency Legislation allows one to evade congressional review for 120 days. As a regular bill, it would have to be adopted by majoring vote, then receive mayoral approval, and then sent to Congress for review. Finally, there has been no movement on dividing the housing facilities among two (2) sites.

Commissioner comments included a thank you to Commissioner May for her hard work on the resolution. The ANC owes her a debt of gratitude.

Community comments included the following:

1. Where there has been experience with housing clusters, builders should set aside units for the homeless and integrate them into the community. Let each ward do it best, in their own communities.
2. If it was an emergency, the U.S. National Guard could put modular housing on the 67 acres at DC General, where city already owns property. How can trading 67 acres for 2 be considered fair?
3. Where is the consideration regarding what is optimal for homeless? Permanent housing is the solution, noted to be working in other parts of the nation, not temporary housing. Commissioner Siegel responded that the proposal is for emergency homelessness, prior to moving into permanent housing.
4. There are discrepancies regarding security - the LOI does not address this. The community was told there would be 24/7 security and this is not in LOI. Additionally, the Commission should take out conditionalities in the resolution (for example, phrases like “if possible”, s”hould try to...”)
5. The Federal Government should investigate the transfer of funds on these properties.
6. The resolution should keep the intent in mind, and not to something like a box that can be checked and we are done; keep the macro issues like auditing, as issues that need to be addressed.
7. Was a Feasibility Study done? How will the plan create a building with services + playground, etc. The current plan shows too many people in too small a space.
8. ANC3B will be passing a similar resolution on Wednesday, March 16, 2016.
9. Is scattered housing with expiration of the sites a possibility?
10. Community noted that Ms. Zeilinger said she would welcome information on alternative sites, and was open to suggestions. There might be an opening there for community input. Commissioner MacWood responded that this option is off the table. The community noted that she made statements at late as 5pm today that she was open to suggestions. Commissioner MacWood noted that Ms. Zeilinger is sending mixed messages. .
11. What happens to the voucher residents who will be homeless in 1-2 years? Is this increase being considered in the current plan?
12. Is it possible to add Restrain Assignability of the Leases as an amendment to resolution?
13. Why are we yielding the field? Maintaining community standards (density, character of the

community, distances between shelters, services needed) should be a priority. Commissioner Roller reiterated that the intent of the resolution was that the current laws ought to be upheld.

14. The current resolution is a good start to submit to the Council for the March 17, 2016 hearing.

Commissioner Roller noted that at this time, he was suspending community comments and was going to bring the discussion back to the Commissioners to discuss the resolution. At 8:04pm, he ordered a two (2) minute recess for the room to clear out.

At 8:08pm, Commissioner Roller reconvened the meeting. Commissioners MacWood, Siegel, and Valdez offered friendly amendments to the resolution, which were accepted. The motion passed by a roll call vote of 8-0-1.

ANC 3C Resolution No. 2016-013

Resolution Regarding Mayor Bowser's Homeward DC Omnibus Facilities Plan

Whereas on February 9, 2016, the Mayor announced the details of her Homeward DC Plan (the "Plan") at a meeting with the Council of the District of Columbia (Council); and

Whereas, the first notice any member of Advisory Neighborhood Commission 3C (ANC3C) heard of any plan to locate a new homeless shelter in ANC3C occurred on the evening of February 8, 2016, when District officials informed two individual Commissioners that the next morning Mayor Bowser would announce details of a plan to place emergency homeless shelters for families in each Ward, including one in Ward 3, located at 2619 Wisconsin Avenue NW; and

Whereas, with only 2 days' notice, on February 11, 2016, the Mayor held community forums on the Plan, including one in Ward 3 at Metropolitan Methodist Church in American University Park; and

Whereas, this community forum was the first time that any details of the Plan were provided to the community and the information then provided did not include an explanation of site selection, documentation regarding the authorizing legislation, details of the proposed shelter structure, or full range of services to be provided; and

Whereas, on February 11, 2016, emergency legislation to implement the Plan, the "Homeward DC Omnibus Approval of Facilities Plan for Persons Experiencing Homelessness Act of 2016," was introduced in the DC Council (B21-0620), along with temporary and permanent legislation (the "Legislation");

Whereas the Legislation includes: (1) an omnibus approval of the Letters of Intent ("LOIs") with developers for all six sites that involve authorization to enter into leases and pursue construction contracts; (2) a waiver of the procurement rules which otherwise would require the leases and contracts to come back to Council for a review of details and approval; and (3) a sense of the Council Resolution urging approval of all necessary zoning changes;

Whereas, the only documentation accompanying the Legislation are the LOIs with developers for the six new sites, including the site in Ward 3 (the LOI for the Ward 3 site is appended to this Resolution); and

Whereas a community meeting organized by Ward 3 Councilmember Mary Cheh was held at Stoddert School on March 5, 2016, at which hundreds of residents attended to ask questions regarding the Legislation and Plan; and

Whereas the details in the Ward 3 LOI are inconsistent with presentations made at the community meetings regarding key details concerning the proposed shelter at 2619 Wisconsin Avenue, including, for example, the number of units, the number of floors, the security program, and interior design of a shelter intended for use by families with small children; and

Whereas, when the site selection process was finally disclosed in response to community questions, concerns were raised that the process was developer driven, in that developers selected sites based on their willingness to acquire property and that the City did not actively and independently pursue sites based on their suitability for fulfilling the mission of the Plan; and

Whereas the Mayor's plan to close DC General and replace it with smaller ward-based shelters, represents a dramatic shift in a multi-million dollar District program, without a comprehensive plan or a template for implementation, without normal Council review, without public input from important District agencies, such as the MPD or DCPS; and

Whereas the Council has scheduled only one hearing on the proposed Legislation, for March 17, 2016 at which the proposals for all Wards will be considered; and

Whereas, a number of concerns have been raised regarding the Legislation and Plan, including, but not limited to:

- I. the requested exemption from usual oversight processes, which would suspend all regulations regarding contracts and procurement, including the "clean hands" requirement for all contractors with the District,
- II. the enormous costs of the plan and the portion of those costs allocated for lease payments to developers,
- III. the design of the dormitory-style units, with shared bathrooms intended for use by families with young children;
- IV. the lack of any details regarding the programmatic elements of the shelters; and
- V. the suitability of the sites selected, including the site in Ward 3; and

Whereas, no ANC, including ANC3C, which represents the neighborhood in which the proposed Ward 3 shelter is to be sited, was given any input into identifying, evaluating, or advising on any proposed shelter site or the program at that site; and

Whereas, the proposed shelter sites in each Ward raise individualized, specific concerns that should be addressed before the Council approves the Legislation:

NOW THEREFORE BE IT RESOLVED that:

- (1) ANC3C endorses the goals set by the Homeward DC Plan to end chronic homelessness among individuals and families and increase the supply of affordable housing. ANC3C recognizes that the current facilities and programs at DC General are inadequate and supports the intent of the plan to close DC General and locate smaller facilities within all eight Wards;

- (2) ANC3C requests that the Council should not consider the Plan and the Proposed Legislation as emergency legislation, but instead give the Plan the careful review that such an ambitious, historic, and precedential proposal warrants and assure that all proper procurement processes are followed as specified in the DC Code Section 2-352.02;
- (3) ANC3C requests that the Council ask the Council Budget Office and DC Auditor's office to review the proposal process and financial aspects of each project, including the LOI's accompanying the Legislation, and provide its assessment before Council votes;
- (4) ANC3C requests that the LOI for Ward 3 be modified to prevent assignment of the lease and to accurately reflect the number of units, cost per unit, number of floors and bathroom configurations and to correct other inconsistencies before Council votes;
- (5) ANC3C requests that the Council review the merits and all supporting documentation, feasibility, and suitability, of each site on an individual basis and vote on each site separately, as well as review the potential for successful implementation of the program as proposed in each site, which in Ward 3 would include assessing:
 - whether the size of the proposed shelter should be reduced to be more in line with the small, residential neighborhood in which it is to be located and its long-established zoning status which could be accomplished by selecting an additional site or sites within Ward 3;
 - whether this shelter will be permanently reserved for families with pre-school children to address the issues of overcrowding and limited resources at the potentially impacted DC public school, Stoddert Elementary School,
 - the feasibility of including a comprehensive day care and child development program in the shelter or nearby, as well as the possibility of including a Head Start program as part of the wraparound services;
 - what means are available to assure that the site will not be repurposed during the lease or at the end of the lease without due process;
 - the creation of a local advisory board to include one representative from ANC3C, ANC3B, the Massachusetts Heights Citizens' Association, and the Glover Park Citizens' Association, as well as one or two others from both communities who will be kept informed through the development of the project and engaged in matters pertaining to its operation, and whose recommendations will not only receive serious consideration, but will be implemented when feasible;
 - how to responsibly address and resolve any legitimate concerns raised regarding the financial proposal and LOI for the Ward 3 site;
- (6) ANC3C requests that the Council not become involved in the zoning reviews of proposed sites by recommending expediting zoning decisions, approving zoning waivers, or otherwise urging approval of variances or other zoning changes, which are the purview of the Board of Zoning Adjustment and Advisory Neighborhood Commissions;

- (7) ANC3C requests that each proposed site should be considered by the Council and the BZA as separate applications, and not in the aggregate, so that issues peculiar to each site may be given the standard and proper review;
- (8) ANC3C requests assurances that at the completion of the lease all zoning changes, use variances, or other modifications to the R-1-B zoning will cease to be valid and the property will revert to the original R-1-B status;
- (9) Each ANC should have the opportunity to review the plans through usual ANC procedure, including review by appropriate Planning and Zoning Committees and full ANC review.

Be it further resolved that the Chair, and the Commissioner of ANC3C Single Member District 08 or their designee be authorized to represent the Commission on this issue.

Attested by



Carl Roller

Chair, on March 14, 2016

This resolution was approved by a roll-call vote of 8-0-1 on March 14, 2016 at a scheduled and noticed public meeting of ANC 3C at which a quorum (a minimum of 5 of 9 commissioners) was present.

V. Adjournment:

Commissioner Siegel moved to adjourn the meeting. Motion passed by voice vote. Meeting was adjourned at 8:32pm.

The next meeting of ANC3C is scheduled for Monday March 21, 2016, at 7:30pm in the MPD2D Community Room located at 3320 Idaho Avenue NW. Please check anc3c.org for any updates.