


<p><b>Wayne Kahn 1D01</b> Secretary rtonrhythm@boo.net</p>	<p><b>Mount Pleasant Advisory Neighborhood Commission</b></p>	<p><b>Gregg Edwards 1D04</b> Vice Chair g@ge1.org</p>
<p><b>1D02</b> vacant</p>	 <p>anc1D mount pleasant, dc</p>	<p><b>Rich Wysocki 1D05</b> Treasurer rwysocki92@verizon.net</p>
<p><b>Jack McKay 1D03</b> Chair jack.mckay@verizon.net</p>	<p>P.O. Box 43529 Washington, DC 20010 e-mail: anc@anc1d.org Web: www.anc1d.org</p>	<p><b>Angelia Scott, 1D06</b> pastorascott@yahoo.com</p>

### **Minutes of the April 2, 2005 meeting of Advisory Neighborhood Commission 1-D**

*These minutes approved at the May 3, 2005 monthly business meeting.*

#### **Call to order:**

Chair Jack McKay called the meeting to order at approximately 2:15 pm and, noting the presence of commissioners Wayne Kahn, Gregg Edwards, and Rich Wysocki, declared a quorum. Because this meeting was in conjunction with the special election to fill the vacancy in 1D06, this regular monthly meeting of the ANC was held in the basement meeting room of the Mount Pleasant Library, on Saturday afternoon.

#### **1D06 special election:**

Gregg offered a resolution setting the procedures for the special election. The Commission approved this resolution, after amendment, as follows:

The official election will be open to registered voters of 1D06 only. Potential voters must have a voter registration card or picture ID. They will be checked off the voter list for 1D06, provided by Board of Elections and Ethics (BOEE) as they come in. If their name is on the list they will be given a ballot showing the names of the two certified candidates. The order of the names on the ballot will be alternating.

The polls will open when the meeting begins, at or about 2:00 pm. Both candidates will have an opportunity to make a speech of up to 5 minutes at the beginning of the meeting. Voting will continue until the polls close at 7:05. (Anyone still in line at 7:05 p.m. waiting to register will be allowed to vote.)

Two ballot boxes will be used. (The candidates or their representatives will check both boxes before polling begins to assure that both are empty.) Voters will place their ballots into one clearly marked ballot box, the first for votes cast until the counting starts on the first, at which time only the second (and clearly differentiated box) will be used.

Counting of the first box will commence at or about 5:00 pm, at which time the first box will be opened and the votes counted out loud by at least two impartial vote counters. As

a courtesy, the counts from this first box should not be revealed until the full count is announced by the Commission (anclD). The second box will be opened at the end of the election, and counted in a similar manner. The results of the two boxes will be combined into a third figure, the sum, by the vote counters, and all three numbers submitted to the Acting Chair of ANC1D for announcement out loud.

Following the results of the election the ANC will vote on a resolution stating the name of the winner and asking the Board of Elections to declare the vacancy filled.

Rich introduced a resolution specifying the rules for noncitizen voting:

This official but symbolic election will be open to residents of 1D06 with legal permanent residence in the US only. Potential voters must have a picture ID, and an envelope addressed to them at an address within 1D06 with a postmark, for example, a utility bill. Their credential will first be checked before receiving instructions or a ballot showing the names of the two Board of Elections-certified candidates.

The order of the names on the ballot will be alternating.

The polls will open, when the meeting begins, at or about 2:00 pm. Both candidates will have an opportunity to make a speech of up to 5 minutes at the beginning of the meeting. Voting will continue until the polls close at 7:05. (Anyone still in line at 7:05 p.m. waiting to register will be allowed to vote.)

Two ballot boxes will be used for non-citizens, clearly marked to be different than the two used for registered voters. (The candidates or their representatives will check both boxes before polling begins to assure that both are empty.)

Voters will place their ballots into one clearly marked ballot box, the first for votes cast until the counting starts on the first, at which time only the second (and clearly differentiated) will be used.

Counting of the first box will commence at or about 5:00 pm, at which time the first box will be opened and the votes counted out loud by at least two impartial vote counters. As a courtesy, the counts from this first box should not be revealed until the full count is announced by the Commission (ANC1D). The second box will be opened at the end of the election, and counted in a similar manner. The results of the two boxes will be combined into a third figure, the sum, by the vote counters, and all three numbers submitted to the Acting Chair of ANC1D for announcement out loud. These numbers will be clearly identified by the Acting Chair as symbolic votes from non-citizens.

*Motion passed unanimously.*

At this time, candidate Angelia Scott addressed the audience. Candidate Rick Massumi was not present. A representative in the audience requested permission to speak on his behalf, but this was not favored by the commission, and permission was denied.

A short recess was declared, because the disturbance caused by the voting in one part of the room interfered with the holding of the ANC meeting in the other.

## **Approval of February and March meeting minutes**

The meeting was resumed at 3:10 pm.

Gregg requested that the February minutes be revised such that “the forums resolution specifies that the forums must be designed to be balanced, fair, and open”. The Commission agreed to this change to the minutes previously distributed among the Commissioners, and the February minutes were approved with this change.

The March minutes had not yet been read by all of the Commissioners, so consideration of these minutes was tabled until the May meeting.

## **Treasurer’s report**

Treasurer Wysocki reported that the DC Auditor was considering whether or not to allow the expenditure of \$200 for the Post Office box, despite the lost invoice. The signature card for the account at the Bank of America has been submitted, so we should now have check writing authority. The Commission accepted the Treasurer’s report.

## **Community concerns**

Gregg offered a motion concerning how the “community concerns” period is handled by the Commission:

“First, that we describe this in the future as ‘public discussion’ period; the second point is that we set at 20 minutes nominally, which can be extended at the discretion of the Commission for Q and A, the stated intent is that we are to be open to diverse views and focus on stating the differences and not on restating the same points, so we can challenge people that are restating the same points and to get to their difference. That neighborhood individuals – and by neighborhood I mean people that reside here, are employed here, or own businesses here – are allocated three minutes, and neighborhood organizations five minutes, if they start with the assurance that the statement of the content, the arguments and logic, not necessarily phrasing, has been specifically authorized by an established neighborhood organization. By ‘an established neighborhood organization’ I mean one that, with its principal membership here, or in a neighboring ANC, or thirdly, that an agency or service group that serves people in this ANC area. Next, policy statement, ‘we will support the establishment and development of new organizations that represent or serve different points of view’. Our aim is that all interested parties can work together to expand and refine both our understanding and participation in neighborhood issues and its future. If the time is expanded beyond the 20 minutes, it will be to allow the presentation of significantly different points of view or substantially different arguments. The start of the new time slot in this period should first explain how the ideas to be presented are different and how they make a distinctive contribution.”

This motion was tabled for 20 minutes while we heard from the representatives of the Bestway Market. Michael Choi of Bestway described his current proposal for changes to the 17th Street side of his lot.

Returning to the motion concerning the handling of the public comment period, Gregg accepted the friendly amendment from the Chair that this motion be adopted now, but that we try for more felicitous phrasing at our next meeting. With that amendment, the motion passed.

## **Commissioner reports**

Gregg reported on his difficulties with the ANC1D Web site. Rich explained that we would be transferring to a new ISP, then building a new Web site, anticipating integration with other neighborhood Web sites. The PLOME/ZOPE source code for the current Web site may not be available. At the moment the transfer to a new ISP is complicated by lack of cooperation from the current ISP in changing the DNS link. They hope for a new Web site with current information by the time of the May meeting. It is not yet possible to set a budget for the construction and maintenance of the new Web site.

Gregg reported that the Focus Forum on public security had been scrubbed due to the demands of other activities. An Open Forum is planned for May. A Focus Forum on Public Security is planned for June. A Focus Forum on Public Space is set for April 11. The Commission agreed informally that it would be best to limit discussions initially to near-term and medium-term approaches to issues, leaving the longer-term issues until later Forums.

After a recess, the meeting was reconvened at 5:20 pm. The Commission agreed to have no vote count at this time, contrary to the earlier plan, there being so few votes that little time after 7 pm would be saved by counting the votes now.

Commissioner Wysocki left the meeting at this time. Commissioners McKay, Edwards, and Kahn, sufficient for a quorum, remained to continue the business meeting.

## **Unfinished Business: ABRA hearing on single sales**

Wayne introduced a resolution concerning the extension by the ABC Board of the moratorium on the sale of single containers of alcoholic beverages in Mount Pleasant, the subject of a hearing scheduled for April 20.

Resolved, that ANC 1D requests the Alcoholic Beverage Control Board to extend the moratorium on specific single sales containers of alcohol AND to use this extension period to examine and study the overall impact, importance and extent the moratorium has played in the changing social landscape of Mount Pleasant Street, and to provide the legally required proof of the continuing need for the moratorium in Mount Pleasant.

Why

The Mt Pleasant moratorium presents a unique situation to the city in its effort to formulate a proper city wide policy.

Proof of the continuing need for the moratorium is a legal requirement for its extension.

Changes in Mount Pleasant demographics, policing, substance abuse treatment facilities, and social conditions make a study necessary to confirm the continuing need for the moratorium.

A study is needed because of the proposals for similar single-sales bans in other District neighborhoods.

A study is needed to determine whether the moratorium in Mount Pleasant is having effects on adjacent neighborhoods.

Questions that may be addressed:

What characteristics appear to make the moratorium necessary in some areas and not in others.

To what extent is a moratorium the prime mover in improvements compared to demographic changes or better community policing.

Is a moratorium on single sales to become a permanent fixture on the Mt Pleasant landscape or are there possibilities that the moratorium could be lifted in the future. What might those conditions be.

Chairman Burger of ABRA has stated:

“...Mount Pleasant is very important to ABRA, for the fact that we have never or there has not been documented a relationship between single sales of beers and environment. It is very important for the board to hear this type of information to make decisions for other areas in town”

“...the entire city can benefit by, if we pay attention to it and monitor it, and of course always ask questions”

“...I would really love to develop some sort of statistics on this”

Those are Chairman Burger’s own words. Mount Pleasant provides that opportunity.

*Motion passed, two votes in favor, one (Gregg) opposed.*

Gregg moved that “the Chair be authorized to write a written testimony and a letter containing that testimony to the Alcoholic Beverage Control Board in support of, but not going beyond, the content of the resolution”. Motion passed, two votes in favor, one (Gregg) opposed.

Gregg introduced a resolution calling for the inclusion of other neighborhood organizations in ABC Board hearings:

ANC1D advises that the Alcoholic Beverage Control Board should give standard advanced notice and invite testimony from the following established neighborhood organizations as experienced and representative of core constituencies in issues on alcoholic beverage control in Mount Pleasant: All-Ways Mount Pleasant; Advisory Neighborhood Commission 1D; Mount Pleasant Business Association; Mount Pleasant Main Street; Mount Pleasant Neighbors’ Alliance; and the Neighbors’ Consejo.

*Passed unanimously.*

Gregg moved that the Commission “authorize the one-time expenditure of up to \$65 by each Commissioner for a newsletter in his own SMD”. *Motion passed by voice vote.*

### **Equipment for simultaneous interpretation and hearing-impaired listening**

Gregg moved that “we form a committee consisting of Wayne Kahn and Jack McKay to investigate capital equipment for simultaneous interpretation and assisted hearing, and to report back to the Commission on their findings.” Motion passed by voice vote.

The meeting was recessed until the hour for closing the balloting.

### **Election results: Filling of the 1D06 vacancy**

At 7:10 pm the meeting was reconvened to deal with the 1D06 special election. The votes were counted under the supervision of Gottlieb Simon, with Steve Mudd as second independent counter.

At 7:15 pm Chair McKay announced the results of the balloting: 14 votes for Rick Massumi, 23 votes for Angelia Scott. Miss Scott was pronounced the winner of the election to fill the vacancy in 1D06.

The symbolic vote by noncitizen residents was also announced by Chair McKay: four votes for Angelia Scott, and three votes for Rick Massumi.

Councilmember Graham then performed the oath of office ceremony for Miss Scott.

At 7:25 the meeting was resumed, now with Commissioners Kahn, Scott, Edwards, and McKay present. With the fifth Commissioner installed, a quorum is now four Commissioners. Gregg read the resolution required to request the Board of Elections and Ethics to declare the vacancy filled:

Whereas the office of Advisory Neighborhood Commissioner for Single-Member District 1D06 was certified vacant, and the Board of Elections and Ethics submitted a list of qualified candidates to Advisory Neighborhood Commission 1D following the period for petition circulation and challenge pursuant to D.C. Code §1-309.06 [2001 Edition]; and

Whereas the Advisory Neighborhood Commission gave public notice pursuant to D.C. Code §1-309.06 (d)(6)(E) [2001 Edition], and held an open vote of the members of the affected Single-Member District on April 2, 2005, at the Mount Pleasant Library;

Whereas Angelia D. Scott was declared winner, following a count of votes by at least two impartial vote counters;

Therefore, be it resolved that Advisory Neighborhood Commission 1D requests that the Board of Elections and Ethics declare the vacancy filled by Angelia Scott by publication in the *District of Columbia Register*.

Be it further resolved, that copies of this Resolution be forwarded to the District of Columbia Board of Elections and Ethics, the Mayor, the Secretary of the Council of the District of Columbia, and Ronald Massumi.

Adopted April 2, 2005

*The resolution was passed unanimously.* (Note: the listing of Rick Massumi as one to whom a copy of the resolution should be forwarded was an error. This should have read “Angelia Scott”, and the resolution was later corrected to that effect. The Code citations were also out of date, and were later corrected as above. The operative sentence, namely the request that the BoEE declare the vacancy filled, is unchanged.)

The ANC monthly meeting was adjourned at 7:25 pm.