



Advisory Neighborhood Commission 2A

“Serving the Foggy Bottom and West End communities of Washington, D.C.”

Regular Meeting Minutes

Wednesday, March 20, 2024; 7:00 p.m.

In-Person – West End Library, Meeting Room, 2301 L Street NW

Online via Zoom

Call to Order

Commissioner Jim Malec (02) called the meeting to order at 7:00 p.m. Commissioners Yannik Omictin (01), Trupti Patel (03), Ed Comer (04), Luke Chadwick (05) and Dasia Bandy (07) were present.

Adoption of the Agenda.

Commissioner Malec made a motion to adopt the agenda. Commissioner Bandy seconded. The Motion was adopted by unanimous consent.

Adoption of February 2024 meeting minutes.

Commissioner Malec made a motion to adopt the minutes. Commissioner Comer seconded. The Motion was adopted by unanimous consent.

Community Forum.

- a. Councilmember Brooke Pinto discussed the DC budget status, safety legislation and other matters before the Council.
- b. Christopher Powell provided an update from the Executive Office of the Mayor.
- c. John George provided an update on the activities of the Foggy Bottom Association.
- d. Commissioner Malec reported that the Community Advisory Committee for the Aston met and there was no new information about when operations might begin. He also announced that the ANC has posted information about its search for an Executive Director.
- e. A member of the public discussed a recent incident at Columbia Plaza. Commissioner Chadwick elaborated on that matter.

Matters Before the Zoning Committee.

Kevin Days and others described a GWU request to modify its Campus Plan regarding the gym at 600 22nd Street NW. ZC 06-117/06-122. Commissioner Malec moved to support. Commissioner Patel seconded. The Motion was approved by unanimous consent.

Matters Before the Public Space Committee.

Commissioner Comer provided an update on a proposal to construct a playground and dog park at 26 and I Streets NW.

Matters Before the Historic Preservation Review Board.



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Commissioner Comer provided an update on a proposal to build a new residence at 2510 I Street NW, but consideration of the matter was postponed.

Matters Before the Alcoholic Beverage and Cannabis Administration.

The ANC approved by unanimous Consent a Motion to the object to the application of 60 Vines for a new license to operate on Pennsylvania Avenue across from Washington Circle.

Consideration of Amendment to the ANC 2A By-Laws.

The proposed Amendment was read for the second time. Commissioner Malec moved to support the proposal. Commissioner Chadwick seconded. The Amendment was passed by unanimous consent. A copy of the Amendment is attached as Attachment A.

Administrative Matters.

The Commission approved by unanimous consent and amendment to the agenda to consider a proposal to spend up to \$250 for office supplies. The proposal was passed by unanimous consent.

The Commission approved by unanimous consent an amendment to the agenda to consider a proposal to hold the April meeting only on Zoom because of the complexities of operating a hybrid meeting without administrative staff to help set it up. The Commission approved the motion by unanimous consent.

Matters Before the DC Council

CR 23-0011. Employment Services. Commissioner Patel moved and Commissioner Malec seconded a motion to adopt this CR. The Motion was adopted by unanimous consent. The resolution reads as follows:

WHEREAS, The Department of Employment Services (DOES) faced immense scrutiny as the city agency was slow in doling out unemployment payments and offered conflicting information about their claims during the Covid crisis;

WHEREAS, The concerns grew so loud in the DOES Performance Oversight Hearing that by May 2021, after the District’s Office of Inspector General (IG) announced that it planned to audit the agency’s ability to process claim;

WHEREAS, On February 15, 2023, ANC 2A voted 7-0-0 on resolution in response to concerns flagged after an October 2022 report from DC Jobs With Justice (DCJWJ) and Restaurant Opportunities Center D.C. (ROC DC), “Still In the Dark: Tipped Wages in D.C.” states that many bars and restaurants in D.C. are failing to report required data on how much tipped workers are being paid;



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WHEREAS, in February 2023 a follow up report from DC Jobs With Justice and Restaurant Opportunities Center D.C., “Checked Out: How DOES Ignores Wage Theft” states with evidence that Tipped workers in DC are at high risk of wage theft, and DC government does not do enough to protect them;

WHEREAS, in April 2023, nearly two years later, the IG released it’s audit report of DOES siding with those complaining, saying in it’s report issued that the agency could’ve done more to mitigate some of the frequently cited issues;

WHEREAS, The report noted that officials failed to live up to their own goals for distributing initial unemployment benefits, and maintained inadequate documentation for some claims and provided 14 recommendations to correct identified deficiencies;

THEREFORE, BE IT RESOLVED that the Commission recommends that DOES adopt all 14 recommendations outlined in the IG report for DOES to meet the core goals and mission statement for its existence and if necessary must go through an entire agency overhaul to serve claimants.

CR-24-012 Metro Service. Commissioner Patel moved and Commissioner Malec seconded a motion to adopt this CR. The Motion was adopted by unanimous consent. The resolution reads as follows:

WHEREAS, at its regular meeting in February 2023 ANC 2A adopted a resolution addressed to the DC Council’s Committee on Transportation and the Environment regarding the performance of the Washington Metropolitan Area Transit Authority (WMATA),

WHEREAS, in December 2023 WMATA announced that they were projecting a \$750 million shortfall, with drastic cuts to services beginning in FY 2024, which begins on July 1, 2024,

WHEREAS, starting in July 2024:

- the number of Metrorail trips where a train comes every six minutes or sooner would drop from 81% to just 10%,
- all Metrorail stations would close at 10:00 pm seven days a week,
- 67 of WMATA’s 135 Metrobus routes would be completely cut, while an additional 41 routes would experience less frequent service,
- MetroAccess, a program serving the region’s aging and disabled populations, would only operate in areas as required by federal law, and
- all fares would rise by 20%, with a standard Metrorail fare from the suburbs into DC costing as much as \$7.20.



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WHEREAS, these cuts would account for a 67% reduction in service, which would impact the ability for workers to get to and from their jobs within the DMV region

THEREFORE, BE IT RESOLVED that ANC 2A requests that the DC Council’s Committee on Transportation and the Environment ensures that WMATA has adequate funding so that services are not further reduced.

CR-24-013. Initiatives. Commissioner Patel moved and Commissioner Comer seconded a motion to adopt this CR which opposes efforts to dilute the Initiative process. The Motion was adopted by unanimous consent. The resolution reads as follows:

WHEREAS, On September 18, 2023, Councilmembers Phil Mendelson and Anita Bonds introduced in the Council of the District of Columbia a bill entitled “Initiative Amendment Act of 2023” (B25-0475), hereinafter “the proposed Act”; and

WHEREAS, The proposed Act seeks to restrict the right of initiative by codifying an interpretation of the Home Rule Act’s exclusion of “laws appropriating funds” that would disallow all “proposals that would have a fiscal cost” of any sort; and

WHEREAS, Nearly any new law can be construed to entail a fiscal cost in the course of its implementation, such as the expenditures for outreach and education that typically accompany a change in public policy; and

WHEREAS, The District of Columbia Court of Appeals has interpreted the “laws appropriating funds” exception on multiple occasions, finding that “[a]ll that the ‘laws appropriating funds’ exception actually means, in the concrete, is that the people may not seek, through the initiative, to propose and pass an actual budget request act ... as the Council’s deliberations on the Charter Amendments make clear”; and

WHEREAS, The District of Columbia Court of Appeals has further found that the “legislative history of the exception ... shows that the Council did not exclude a matter from the initiative right because of its prospective fiscal impact,” and that “to construe the exception in [such a] manner ... would be to effectively write the initiative process out of existence”; and

WHEREAS, The proposed Act, by so construing the exception, would in fact “effectively write the initiative process out of existence”; therefore

WHEREAS, The voters of the District of Columbia enjoy the right of initiative, i.e., the ability to “propose laws (except laws appropriating funds) and present such proposed laws directly to the registered qualified electors of the District of Columbia for their approval or disapproval,” as guaranteed in the Home Rule Act of 1973, as amended; and



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WHEREAS, The right of initiative in the United States is an important legacy of the Progressive Era, when reformers established the initiative process and used it to implement landmark democratic policies, such as primary elections, direct election of United States senators, home rule for municipalities, permanent voter registration, fair apportionment, labor rights and protections, women’s suffrage, elimination of poll taxes, and environmental protection, inter alia; and

WHEREAS, The right of initiative has served since that time as “a safeguard against the concentration of political power in the hands of a few” and “a means of putting new ideas on the political agenda”; and

WHEREAS, The proposed Act, by so construing the exception, would in fact “effectively write the initiative process out of existence”; therefore

THEREFORE BE IT RESOLVED, ANC 2A opposes the proposed Initiative Amendment Act of 2023 (B25-0475) and urges the Council of the District of Columbia to protect and defend the right of initiative as a fundamental democratic right of the people of the District of Columbia.

Adjournment

Chair Malec adjourned at 9:22 p.m.

Respectfully Submitted,

Trupti Patel
Chairperson