

# Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL

JUDICIARY SQUARE

441 FOURTH ST., N.W.

WASHINGTON, D. C. 20001



IN REPLY REFER TO:

January 31, 1995

Dorothy Miller  
Commissioner  
Advisory Neighborhood Commission 2-A  
2440 Virginia Avenue, N.W.  
suite D 206  
Washington, D.C. 20037

Re: Mayan ANC Commissioner be denied a key  
to the ANC's office?

Dear Commissioner Miller:

In response to your oral and written requests concerning the sUbject question, I have forwarded to you in the mail a copy of the January 14, 1994 letter from this Office to Commissioner stephen W. Coleman of Advisory Neighborhood Commission (ANC) I-C. That letter explains that under statutory law, all Commissioners of an ANC must be treated equally with respect to access to the ANC's office and that all Commissioners of an ANC must be given reasonable access to the ANC's office in order that they may carry out their official ANC duties.

Sincerely,

A handwritten signature in cursive script that reads "Leo N. Gorman".

Leo N. Gorman  
Assistant corporation Counsel  
Legislation & Opinions section  
Legal Counsel Division

# Dorothy Miller

Commisioner ANC 2AOS

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2440 Virginia Ave., NW, Suite D 206  
Washington, DC 20037

Tel. (202) 331-0191

January 27, 1995

Leo Gorman, Esq..  
Office of the Corporation Counsel  
Attorney for ANCs  
441 4th Street, N.W., Room 1060  
Washington, D.C. 20001

Re: "Mayan ANC Commissioner be denied a key  
to the ANC's office?"

Dear Mr. Gorman:

The copy of the letter covering the Corporation Counsel response to the above question posed by Commissioner Coleman of ANC I-C answers part of the problem I am trying to cope with as a newly elected Commissioner of ANC2A05. The other part is that most of the records for this ANC have been removed from the office and are now in Virginia in the home of the staff assistant. This was told to me by the former Commissioner of ANC2AOS.

Former Commissioner Kelly, whom I replaced told me that he had about two boxes or material to turn over to me but to date has given me only four pages, two of which I already had. I asked the new Chair, Commissioner Sara Maddux for a key to the office and a set of the minutes for 1994. Her comment to me was that she would go with me to the office and that I would have to pay for the minutes. These minutes were approved at a continuation meeting on a Saturday morning just before Christmas when I like many of the residents and the one desenting Commissioner were unable to attend. (Note attached article from the Foggy Bottom News. Only it was ten months of minutes not nine.) Two Commissioners from ANC2A resigned their commissions in 1994.

One further problem is that an Executive meeting has been called for Wednesday to be held in Commissioner Maddux residence in a meeting room. I objected to this location and asked that the meeting be held in a neutral place. My request was refused. Please also clarify that when a Commissioner objects, consideration should be given to the request.

I appreciate the prompt consideration you gave my telephone request but as I mentioned to you on the phone I would appreciate a covering letter from you or the Counsel, addressed to me, covering the above mentioned concerns. I would

further appreciated iff could pick up your response on Wednesday from your office that I might have the letter in time for the Wednesday night meeting.

Sincerely yours,

A handwritten signature in cursive script that reads "Dorothy Miller".

Dorothy Miller,  
Commissioner ANC2A05

Enclosure (1)

CC: The Honorable Harry Brazil  
Mr. Leo Gorman, Corporation Counsel  
Attorney for ANCs  
The Honorable Jack Evans  
ANC-2A Commissioners

## ANC-2A Actions and Discussions

December 8, 1994

Note: The ANC voted to **change** their meetings to the third **Wednesday** of each month.

-At the same **time** as the **meeting** convened, the D.C. Zoning Commission was **holding** a **hearing** on proposed **changes** in the D.C. Municipal Regulations **regarding** Planned Unit Developments (PUDs). The ANC **unanimously adopted** a resolution **generally** supporting the testimony being given at the hearing by the FBA. The FBA President then **hand-carried** the resolution from the ANC meeting to the Zoning Commission **hearings**.

-Officer Connor, of MPD 2nd District, gave the monthly crime report. The report was **generally** good. In comparison to *11193*, most **categories** of crime, including violent **crime**, were down in *11194*. Theft from autos **remained** a large problem in the neighborhood. Residents were **strongly** encouraged not to leave **valuable** property in their cars.

-After **hearing** a presentation from IONA Senior Services, and **from** IONA's Foggy Bottom **affiliate**, Foggy Bottom C.A.R.E., **and** **after having heard** a similar presentation from St. Mary's Court at a previous **meeting**, the ANC **unanimously** adopted a resolution making a grant of \$350.00 to St. Mary's and \$150.00 to IONA.

-Commissioner Sara Maddux introduced a resolution, which passed **unanimously**, to provide the D.C. City Council with the ANC's general sense of the priorities the Council should take into account as it addressed the city's **budgetary** crisis.

-Commissioner Sara Maddux **introduced** a resolution, which passed **unanimously**, **condemning** the publicity activities of the neighborhood bar "Flicks." Flicks has been papering our sidewalks with **promotional flyers**. This is **unsightly** in dry weather, and it is both **unsightly** and **dangerous** in wet weather. The resolution authorized ANC Chair Jean Swift to communicate the community's **concerns** directly to Flicks' **management**, and to the D.C. Alcoholic Beverage Control Board, where Flicks' liquor **license** will **eventually** come up for renewal.

-Commissioner Ed Kelly provided the monthly Treasurer's report and **Financial Warrant**. All of the **expenses** approved by the ANC were **unremarkable** except for one. The **ongoing** dispute **within** the Commission about **accumulated lawyer** bills boiled over yet again. Eventually the **Financial Warrant** was approved by a vote of 3-0-1, with Commissioner Maria Tyler abstaining.

The Commissioners **agreed** to continue the **meeting** on December

*Foggy Bottom News*

February 1995

10, 1994, in order to **take** up approval of the last nine months' worth of minutes. Approval of these minutes has often been thwarted by the dispute about **lawyer** bills alluded to above.

-Commissioner Sara Maddux was **elected** interim Treasurer and interim **Secretary**, in order to "bridge" the gap between this meeting and the January **meeting**, at which time the new Commission would approve new officers. This was **necessary** because of the impending retirement of **Commissioner Ed Kelly** from the **Commission**.

-Chair Jean Swift reported that the Board of Zoning Adjustment (BZA) had rejected GWU's **request** for reconsideration of the BZA's rejection of GWU's proposed **Health and Wellness Center** at the **corner** of 23rd and G.

**December** 10, 1994

-Nine months' worth of minutes were finally adopted.

-Due to impending ANC **budgetary** cuts, the grants approved at the *1218194* **meeting** were suspended, until the ANC has a better idea of the **magnitude** of the cuts. —David Itkin