

Community Liaison Committee Meeting
Tuesday, September 18, 2012
American University – Mary Graydon Center – Rooms 4 & 5
7:00 p.m.

Introduction and Opening Remarks

The meeting of the Community Liaison Committee (CLC) was opened at 7:00 p.m. by AU Vice President of Campus Life Gail Hanson. Refreshments and a “meet and greet” preceded the meeting at 6:30 p.m. She welcomed representatives of neighborhood organizations and other members of the community and suggested that those assembled take a few minutes to introduce themselves and indicate the organization with which each are affiliated, if any, or the neighborhood in which they reside.

Scheduled Reports

Preliminary Report on Fall 2012 Enrollment – Sharon Alston, Vice Provost for Undergraduate Enrollment

Sharon Alston introduced her presentation by reminding the group that there are not yet firm enrollment numbers to share, but AU will have enrollment data for Fall 2012 for undergraduates, graduates and the law school to report to the Committee at the December meeting. She said that enrollment management at AU is both an art and a science and is all about recruiting, admitting and supporting the right number of students who are also the right fit for the University. She discussed the context in which enrollment management occurs, which includes college admission trends, demographics and other factors internal and external to the university. She suggested examples of external factors beyond the university’s control such as economics, major population shifts, natural disasters, acts of terror and crime. Her office manages the enrollment process by continuing to refine its models to yield established targets. She wrapped up her presentation by offering a preview of Fall 2012 enrollment at AU which she said would likely include around 20 undergraduates above target, typically higher enrollments for the Washington Semester program because it is a presidential election year, and steady graduate and law school enrollments.

Beverly Sklover (ANC3E) asked if the number of undergraduate applicants had increased.

Sharon Alston said there were approximately 18,000 applications this year, which represents about a 10 percent increase. She added that in the effort to recruit and attract “best fit” students to AU, Admissions added another essay question to the application which she anticipated might have the effect of decreasing the applicant pool.

Beverly Sklover asked about the number of applicants to the law school this fall.

Walter Labitzky (AU Washington College of Law (WCL)) said that while the number of applications was down by around 25 percent, WCL hit its enrollment target with no decline in the quality of admitted students.

Construction Update – Jorge Abud, Assistant Vice President for Facilities Development and Real Estate

Jorge Abud reported the following status of ongoing construction projects:

- North Hall – structure and site utility work is in progress; AU is continuing to price scope changes; the project is on track for completion in August 2013.
- Nebraska Hall addition – permit and inspection delays caused a late start, but foundation work is in progress, and the project is on track for August 2013 completion.
- McKinley renovation – extensive demolition is in progress and the project is on track for completion in January of 2014.

He added that the design process has begun for the seven-story commercial property at 4401 Connecticut Ave., NW, that the university purchased this year. When the interior renovations are complete next spring, it will be the new home for WAMU 88.5, a few administrative offices and an academic program for professional and executive education.

He acknowledged that there have been a few hiccups in the management of the construction projects, such as trucks idling on residential streets and a truck blocking traffic. He added that the university continues to work with the contractors to reinforce the rules and the context in which they're working and expects fewer disruptions as a result.

He also reported learning of some concern in the community about the species of the trees proposed to replace the trees on the western border of the North Hall site that were removed in the site preparation. He added that he would ask the university landscape architects to look at the issues being raised about the mix of evergreen and deciduous species for the replacement trees.

Abud also discussed 4801 Massachusetts Ave., NW, and the plans under consideration for use of that building when the law school moves to the Tenley campus in Fall 2015. He said that the university is evaluating a variety of options, that a priority is to use the building in its existing configuration of offices and classrooms, and that he expects to be able to share information with the Committee when the university leaders make decisions by the end of the calendar year.

Tom Smith (ANC3D and Spring Valley Wesley Heights Citizens Association) said that AU indicated to the Zoning Administrator that it took down 12 trees, not three as Abud referenced in his report. He added that the concern was that the University had proposed all evergreen trees as replacements. He also asked how the Committee is supposed to interact with AU on this issue.

Abud said that AU can set up a meeting between members of the community and the university's landscape architects to exchange information, concerns and ideas about the replacement trees. He will take the lead in setting this up.

Jeffrey Kraskin (Spring Valley Wesley Heights Citizens Association) asked about the reference to "scope changes" in Abud's report on North Hall construction. He also asked if AU had a neighborhood construction management plan. Abud said that the original contract excluded the full build out of the fitness center on the first floor of North Hall, so the contract has to be amended to include it. He added that the neighborhood construction plan was included in the materials the university submitted to the

Zoning Commission; it was presented to the neighbors in the community meetings held prior to the beginning of construction activity at both North Hall and Nebraska; it is included in the materials available to the Committee members this evening; and it is posted on the Building AU website.

Tom Smith said that he had heard from other neighbors about cars parking in the neighborhood that might belong to workers involved in construction activity.

Abud responded by noting that AU's construction management policy prohibits contract and construction workers from parking on neighborhood streets and that he will make sure construction managers enforce this, and he will involve Public Safety as necessary.

Kent Slowinski (ANC3D) asked about the species of the trees that were removed and the replacement trees.

Abud said that the university removed two elms and a walnut and the replacement trees would be American holly and Douglas fir.

Tom Smith noted that this information was included in the university's submission to the Zoning Administrator and that AU might want to post it on the community website.

Gail Hanson inquired as to which members of the Committee wanted to be in on the meeting with AU staff to discuss the selection of the replacement trees on the North Hall site. She noted that the group would include Tom Smith, Jeffrey Kraskin, Dennis Paul (Neighbors for a Livable Community) and AU neighbor Sandy Nelson.

Jacobs Field Sound Update – David Taylor, President's Chief of Staff

David Taylor referenced the directive in the Zoning Commission Order on the 2011 Campus Plan: to limit noise impacts on Jacobs Field; not use sound amplification until a new sound system is installed and objectionable impacts eliminated; and, with help from expert sound engineers and consultation with neighbor Robert Herzstein, install an alternative speaker/sound system to distribute sound more evenly at ground level. This would be in place of more traditional loudspeakers and other measures that might be used to remedy the sound impact.

Over the summer, Taylor reported that AU hired the sound engineering firm of Miller, Beam and Paganelli (MBP) to evaluate the Jacobs Field sound issue and make a formal assessment and recommendations. AU involved Mr. Herzstein in these consultations and a walk-through with MBP engineers.

Taylor said that MBP recommended that the speakers at the fence line/scorers' table be directed across the field to the audience seating area where the sound would be lowered in volume and that speakers also be placed on the ground at the players' benches, at diminished volume. Ground speakers were installed and tested, and Linda Argo, Jorge Abud and Athletic Director Keith Gill did a game day tour and "test" of the sound system with Mr. Herzstein, both on the field and on Mr. Herzstein's property. Taylor said that all seemed to agree that AU was making good progress at mitigating the noise impact from Jacobs Field.

Taylor added that the issue of the sound from the scoreboard horn was tougher since it does not have volume control. The horn trumpet was removed, but the result was not satisfactory. He said that AU has

ordered a new horn and will install and test it when it arrives. Until then, the existing scoreboard horn will not be used. He added that the challenge with the scoreboard horn is that, unlike game announcements and commentary, the horn sound must disperse across the field and be heard by all the players and officials.

Taylor concluded his report by noting that AU will continue to monitor the sound volume from the field throughout the remainder of the season. There are five regular field hockey games and two possible playoff games scheduled between September 29 and the beginning of November. He noted that there is half the number of games scheduled this year as last, and no Georgetown field hockey games will be played on AU's field. From February through April, there will be about 10 home matches, and the schedule, as all sports schedules, are posted on the AU athletics site – <http://aueagles.com> as soon as they are available.

Dennis Paul asked if other schools are playing competitive matches on the other field (Reeves Field). He also asked if AU is being compensated when other teams use Reeves field, for practice or competitions.

Gail Hanson asked Mr. Paul if there was a specific problem associated with the use of Reeves Field.

Mr. Paul said that any use of the field generated noise.

David Taylor reminded the group that the issue of AU managing noise on the athletic fields was limited to Jacobs Field and the use of amplified sound. He said he would get back to Mr. Paul and let him know what use was planned for Reeves Field and whether or not AU was receiving compensation for its use.

Traffic and Parking: Review of 2011-2012 Performance – Dan Nichols, Executive Director of University Safety Programs

Dan Nichols referred the group to the handout provided in the meeting folders that summarized the university's off-campus parking enforcement activity from August 2011 through July 2012: 952 tickets issued on streets near AU's Main and Tenley campuses and 3,055 issued for cars parked on the streets near the Washington College of Law (4801 Massachusetts Ave., NW).

Nichols said that the university is committed to enforcing its Good Neighbor Policy and policing the neighborhood streets, but it doesn't want to ticket neighbors who live here, nor their guests. He said about 15 percent of the tickets are issued to neighbors or guests that are not on the 'do not ticket' list that Public Safety keeps, and that he wants that number to go down. He added that AU gets an average of two calls per week; that number goes up to around five per week at the beginning of the school year. He said that all contractors working at AU are subject to the Good Neighbor Policy and are prohibited from parking in the neighborhood. AU is addressing the parking issue next to the 45th Street field on Massachusetts Ave. that has been brought to his attention by neighbors. He concluded by saying that the university is refining its approach to policing parking in the nearby neighborhoods and that he has directed Phil Morse, Senior Director of Public Safety and Emergency Management, to engage in a top down review of the university's parking policies.

Kathy Silva (McLean Gardens) said that there are AU students living in McLean Gardens and parking on the street and asked if AU patrols the streets around McLean Gardens.

Dan Nichols responded that Public Safety's patrol area does not extend as far as McLean Gardens. Ms. Silva was encouraged to notify MPD Traffic & Parking to alert them to her concerns.

Jeffrey Kraskin said that he appreciated what AU Public Safety had done to deal with illegal parking by the field on Massachusetts Ave., but that he didn't understand why AU was not using the gate on 45th Street as an entrance to that field.

Gail Hanson responded that the university has written provisions into the contracts that govern the use of the field on Massachusetts Ave. that direct users of the field to park on 45th Street and use the 45th Street gate, and, when walking to the field from campus, to use the crosswalk at the Katzen Arts Center, which has a signal.

Jeffrey Kraskin asked whether students had been informed of the new law that prohibits students living in the neighborhood with cars registered out-of-state from being issued Reciprocity Parking Permits (RPP's). Several AU staff members indicated that the information had been posted on AU's parking website, included in a newsletter sent to all off-campus student residents, included in an article in the student newspaper, The Eagle, and in a flyer produced and distributed by the student government.

Jeffrey Kraskin said that he had observed a number of students walking into the street, "plugged in" and not paying attention to traffic. He said he did not want to see students get hurt. He asked about what AU is doing about student pedestrian safety and whether there was a campaign to address the issue.

Emily Yu (President, AU Student Government) said that there was no campaign per se, but that student pedestrian safety was definitely a concern, especially at night, and that the Student Government would be glad to work with others to address the issue.

Gail Hanson suggested that the university could try some specific messaging to students through its Four Winds screens and other outlets, and Public Safety expressed its support for a pedestrian safety campaign.

Mary Ellen Fehrmann (Westover Place) said that pedestrian safety was a particular problem on Ward Circle where she often observes students walking against the traffic light.

Several CLC members pointed out that they had witnessed students crossing against the lights in Ward Circle and pointing to the signs that indicate that pedestrians have the right of way.

Dan Nichols observed that when students are walking around "plugged in", especially at night, it becomes a matter of personal safety as they also can become easy targets of crime. He added that he can bring up the issue to Commander Reese of MPD's second district.

Tom Smith asked if AU will include pedestrian traffic in the traffic monitoring measures required by the Zoning Commission in its order.

Jorge Abud said that pedestrian traffic will be included.

Walter Labitzky addressed the off-campus parking enforcement measures at the Washington College of Law (WCL). He said that the number of tickets (3,066) is so much larger than the Main and Tenley campuses' numbers because WCL has a much larger area to patrol and responds to a much larger number of individual calls. He said that they now have over 400 neighbor cars on their "do not ticket" list. He

said that the WCL has taken an approach that involves a wide area and aggressive approach to ticketing. The school is issuing a high number of tickets, he continued, and a low number of those tickets belong to cars of registered students or AU staff or faculty.

Beverly Sklover (ANC3E) asked what happens to students who get tickets and don't pay them.

Walter Labitzky said that they have to pay a fine, and the fine goes up for additional tickets. He added that if they purchase an AU parking permit, the school reduces the amount they owe for outstanding tickets.

Beverly Sklover said that, as she understands it, if students pay their outstanding tickets, they can continue to register for classes, and if they don't, they can't. So it's a simple matter of economics, she added, and if there are no ramifications beyond economic ones, students will just play the odds. Gail Hanson asked how much the tickets are. Labitzky said \$75 for the first ticket and \$100 for the second and any thereafter.

Matt Frumin (ANC3E) asked what percentage of tickets is given to neighbors or visitors that are not affiliated with AU out of the 3,000 tickets issued by WCL. Labitzky said approximately 2,400, or around 75 percent.

Dan Nichols reminded the group that this was one of the reasons that they are doing a complete review of the parking program.

Tom Smith commended AU Public Safety for its quick response to the recent parking problem on Tilden Street.

Kyle Pitsor (Westover Place) addressed the issue brought up by Beverly Sklover about the "economics" of parking and asked how much students have to pay for a parking permit as compared to the cost of tickets.

Walter Labitzky said that a parking permit is \$996 a year, and that, as reported earlier, tickets are \$75 for the first, and \$100 each for the second and beyond.

Other Agenda Items as Proposed

Planning status of 4801 Massachusetts Avenue, NW (WCL Building) – Jorge Abud

Jorge Abud addressed this item in his earlier report.

Revisit CLC Operating Document and Mediation Program Guidelines – Gail Hanson

Gail Hanson opened the discussion by saying that most of what AU proposed in the Operating Document and Mediation Program Guidelines is taken directly from submissions to the Zoning Commission. She added that AU has modified the original proposed documents based on suggestions received from CLC members through September 17th and that the revised versions are included in the meeting folders. She said that the operating document is intended principally to outline for the Committee what it can expect from the university. With that, she asked for comments and feedback from the Committee members.

Tom Smith said that he was surprised that the proposed Operating Document does not hew more closely to the documents submitted by the university to the Zoning Commission. He suggested that the closer the Committee could stay to the Zoning Commission documents, the better. He gave as an example the language in the Purpose statement (section II in the draft Operating Document).

There followed a discussion of the change in the Purpose section from “resolve issues in dispute between the university and its neighbors to “facilitate discussion of issues in dispute.....”

Bob Herzstein (Neighbors for a Livable Community) said that the change in wording was his suggestion as he wanted to make clear that the Committee is not an adjudicative body. He suggested that it might be useful to have a small committee work with the issue of dispute resolution that would include some of the attorneys on the CLC and members of the university’s legal team.

Tom Hier (Ward 3 Vision) spoke to the change he suggested under section VI of the document dealing with meeting agenda and summaries. He suggested that in the item iterating what will be included in scheduled updates and reports, language be added to the bullet “university events and activities open to neighbors” that reads “and projects and activities with potential for enhancing community and/or economic development in Ward 3.” He said that he thought it was important to talk about some of the positive things that the university brings to the community and that this is an opportunity to look at things holistically.

Matt Frumin said that the spirit of the Zoning Commission order is “work it out with the community.” He said that if the Committee gets bogged down in negotiating document language, it really defeats the spirit of the Zoning Commission’s order.

Gail Hanson observed that the process has been additive and that AU wanted to do more than just propose the exact language that was submitted to the Zoning Commission. She observed that the comments by Committee members suggest that most felt the additions to the document, especially ones that were designed to be inclusive, were positive.

Dave Fehrmann (Westover Place) said that he was not concerned with the Committee’s broad membership, but his concern is about voting. If there is a dispute with a neighbor, this group should not be empowered to vote on it; it should be resolved between AU and the neighbor. He suggested that the Committee should accept the first point under the section IV. (Voting) in the draft document, which reads “Matters will generally be addressed through discussion and resolved through a sense of the committee.” He then urged that the Committee strike the next three bullets under section IV.

David Wilson (Tenley Neighbors Association) agreed and said that he had serious objections to section IV. The Committee should try to work out points of dispute, but not by voting.

Tom Smith and Jeffrey Kraskin said that they did not agree with the “majority” language in section V (Meetings), point 3 of the document. Smith added that Zoning Commission Chairman Hood suggested that AU’s proposal for a community liaison committee should mirror that of Howard University. And in this case, to be consistent with what was filed and what Howard does, it should read “additional meetings may be agreed to by the CLC or called by any member of the CLC” and eliminate the following phrase “with the concurrence of a simple majority of committee members.”

Tom Hier asked for clarity on the concerns about voting as expressed in the fourth bullet of the Purpose section. He asked if someone could give an example of something that the group could be asked to vote on.

Tom Smith said he disagreed with the committee membership as outlined in section III of the document and said that ANC3D is shortchanged with just one member. He suggested that AU do what Wesley Seminary did in its neighborhood liaison group and capture all the ANC single member districts (SMD's) that are impacted by the university.

Penny Pagano (ANC3D) said that she wanted to speak to the issue of inclusivity. She said that neighbors organize in different ways and that whoever wants to be at the table should be included.

Gail Hanson said that, hearing the additional comments and suggestions, AU will revisit the voting, mediation and meetings sections of the document and come back to the Committee with further draft revisions before the next meeting in December.

Tom Hier suggested that it was important to clarify the fourth point under the Purpose section before you can deal with the issue of voting.

Regarding mediation and dispute resolution, Gail Hanson said that AU strongly prefers to have in place a general roadmap for how dispute resolution would proceed and a pool of potential mediators that the Committee and university can draw on if and when needed, rather than trying to design a process and identify mediators when there is an immediate need to resolve a dispute.

Bob Herzstein agreed that having a plan is a good idea, however he said he doesn't think the one proposed is a good one and suggested we have a sub-group work on this.

Gail Hanson asked the group how they felt about the suggestions to simplify the Mediation Program Guidelines, to have a small group work on it and whether or not they were open to identifying a pool of mediators or mediation services upon which the Committee could draw if needed.

Bill Krebs (Spring Valley resident) referenced the first sentence of the Mediation document under "Purpose" and asked if the Zoning Commission order specified that the disputes to be mediated were limited to issues related to the 2012 Campus Plan Order.

Hisham Khalid (AU Associate General Counsel) said he believed that was the case – that the issues must be related to the Zoning Commission order – but that he would check and clarify and amend the document if necessary.

Tom Smith said that he had the Zoning Commission order in front of him and that it did not specify issues deriving from the campus plan only, that it was intended to be more general.

Bill Krebs asked what would happen if there is no resolution from the mediation.

Khalid and others responded that what was proposed was just mediation and not arbitration, and other avenues to resolution would have to be pursued.

Recap of Incident Reports and Resolutions since the June Meeting – Michelle Espinosa, Associate Dean of Students

Michelle Espinosa reported that since June, there have been nine reports of disruptive behavior by students in the neighborhood. In each case the university has identified the students involved, the students are responding fairly quickly, and the students have either met with her or other members of the Campus Life staff. She noted that Campus Life has sent out a series of communications to both new and returning students to set expectations for conduct and lay out the consequences for breaches of the Conduct Code. She also referred to the postcard that was sent out to all single family households in the 20016 zip code proximate to AU and which provides information about AU's expectations for student behavior in the neighborhoods and how to contact AU officials to report incidents of disruptive behavior. She noted that this year there have been fewer anonymous reports of student misconduct.

Kathy Silva asked if the university sends out proactive information to guide student behavior.

Espinosa said that AU does send out such information and that she would provide copies of the communications that are sent to all students as well as the information that's provided in the newsletter that is sent to students living off-campus.

Jeffrey Kraskin said it would be helpful to share these communications with the neighbors and added that he had not received the postcard to which Espinosa referred and that was available at the check in table. He also said that since the beginning of the school year there have been large groups of students walking down Massachusetts Ave. after midnight. When someone asked what the issue was, he said that the students were boisterous and that he had captured the activity on the cameras that are set up outside of his house. He provided photographs to Dan Nichols at the meeting.

Discussion followed about how the incidents are being reported, AU's Public Safety's response to each incident report, and whether or not there is a group house or fraternity house on Butterworth Ave. that might be the destination of the students walking up and down Massachusetts. AU representatives said that they have not been able to identify a group house on Butterworth and that no complaints have been received from neighbors on Butterworth.

Mary Ellen Fehrmann said that they have a similar issue with large groups of students walking back up to campus on Massachusetts from the Avalon and Berkshire apartments late at night.

Dave Fehrmann said that the "pack" phenomenon seems to be larger this year and that there were two distinct problems that he had heard at the meeting – pedestrian safety and noise in the community. He suggested that the university run the shuttle down Massachusetts Ave. to the apartment buildings where students live and said that it could solve both the safety and noise problems.

Kathy Silva said that she was sure that it involves a minority of students and that it is not about AU or all students or all young people.

Gail Hanson added that the number of repeat complaints is very small and that she believes that the measures the university is taking are helping to minimize both initial and repeat instances of student misconduct.

New Business

Linda Argo (Assistant Vice President, External Relations & Strategic Initiatives) reported that the search for a new Director of Community Relations is progressing, that there is a group of final candidates, and that she hoped to have the new person in place by mid-October.

Argo reminded the Committee about the monthly AU in the Neighborhood online newsletter and asked any member of the Committee or community that may not be getting the newsletter to let her know (at largo@american.edu) and she will put them on the mailing list. The newsletter, both current and past editions, can be found at <http://american.edu/communityrelations/index.cfm>.

Kent Slowinski said that the Mayor's office sponsors CERT (Community Emergency Response Team) training for the community and suggested that AU might want to organize training for members of the community.

Dan Nichols said that he would take the lead in organizing the training.

Good of the Order

Gail Hanson reminded the Committee that the next meeting is scheduled for Monday, December 3rd in the Abramson Recital Hall in the Katzen Arts Center and will be a Town Hall meeting with President Kerwin and a Holiday Social.

Gail Hanson adjourned the meeting at 9:09 p.m.

Attendees

Community:

David Fehrmann, Westover Place Homeowners Association
Mary Ellen Fehrmann, Westover Place Homeowners Association
Matt Frumin, ANC3E
Bob Herzstein, Neighbors for a Livable Community
Tom Hier, Ward 3 Vision
Jeffrey Kraskin, Spring Valley/Wesley Heights Citizens Association
Bill Krebs, Spring Valley resident
Penny Pagano, ANC3D
Dennis Paul, Neighbors for a Livable Community and Spring Valley/Wesley Heights Citizens Assoc.
Kyle Pitsor, Westover Place Homeowners Association
Alan Pollock, Ft. Gaines Citizens Association
Kathy Silva, McLean Gardens
Beverly Sklover, ANC3E
Tom Smith, ANC3D and Spring Valley/Wesley Heights Citizens Association
Harry Thayer, Foxhall East
Jane Waldmann, Tenleytown Historical Society
Nan Wells, ANC3D
John Wheeler, Ward 3 Vision, Tenleytown
David Wilson, Tenley Neighbors Association

AU Staff:

Jorge Abud, Assistant Vice President, Facilities Development and Real Estate
Sharon Alston, Vice Provost for Undergraduate Enrollment
Linda Argo, Assistant Vice President, External Relations and Strategic Initiatives
Michelle Espinosa, Associate Dean of Students
Jerry Gager, University Architect
Gail Hanson, Vice President of Campus Life
Hisham Khalid, Associate General Counsel
Walter Labitzky, Director, Facilities, Washington College of Law
Phil Morse, Senior Director of Public Safety and Emergency Management
Dan Nichols, Executive Director, University Safety Programs
David Taylor, Chief of Staff to AU President Neil Kerwin

AU Students:

Andrew Brickfield, AU Student Government, Community Relations
Lauren Lane, Executive Director, Graduate Leadership Council
Emily Yu, AU Student Government President