

Community Liaison Committee Meeting
Tuesday, December 5, 2017
American University – School of International Service – Abramson Family Founders Room
7 p.m.

Introductions and Opening Remarks

The meeting of the Community Liaison Committee (CLC) was opened at 7 p.m. by Don Edwards of Justice and Sustainability Associates, LLC, who facilitated the meeting on behalf of American University. He then turned the meeting over to David Taylor, Special Counsel to the AU President, the new AU chair of the CLC.

David Taylor welcomed neighbors, representatives of neighborhood organizations, and local Advisory Neighborhood Commissioners (ANCs).

New Business and Neighborhood Issues – Open Discussion

Request from Spring Valley Neighborhood Association for membership in the community liaison committee

David Taylor announced that the leadership of the Spring Valley Neighborhood Association sent a letter to interim CLC Chair Fanta Aw requesting membership in the CLC.

Tom Smith, of the Spring Valley-Wesley Heights Citizens Association, asked if the group promotes and supports development or acts as a more traditional citizens' association.

William Clarkson, of the Spring Valley Neighborhood Association, replied that the group is a citizens' association.

Tom Smith stated he had never seen a mission statement from any citizens' group that either supports or opposes development.

Gretchen Randolph, of the Spring Valley Neighborhood Association, said that if a development is positive for the neighborhood, the group does not oppose it.

Jonathan McHugh, of Advisory Neighborhood Commission 3E, asked Tom Smith how his group approaches development.

Tom Smith responded that neither the Spring Valley-Wesley Heights Citizens Association or Neighbors for a Livable Community include anything about development in their mission statements.

Gretchen Randolph stated that the Spring Valley Neighborhood Association supports reasonable development and that this position is available on the group's publicly available website.

William Clarkson said that the Spring Valley Neighborhood Association has a significant number of members involved and thanked CLC members for considering the request. He added that the organization recently was granted party status before the D.C. Zoning Commission, where it was made clear that the group represents a substantial number of neighbors. However, the group does not purport to represent all residents in Spring Valley, a claim repeatedly made by the Spring Valley-Wesley Heights Citizens Association.

Don Edwards asked CLC members if there were any other comments, questions, or concerns. Hearing none, he welcomed the Spring Valley Neighborhood Association to the CLC.

Updates

AU Neighborhood Collaborative / CLC Operations / Grievance by Spring Valley-Wesley Heights Citizens Association

Jerry Gallucci, a Westover Place resident, advised that he was asked recently to serve on a Neighborhood Collaborative working group. He continued that with the new AU President and recent work on the East Campus buffer, he is ready to participate. He stated that two questions remain: 1) who participates in the Collaborative and how; and 2) how are issues handled when they are specific to an individual neighborhood yet subject to the involvement of the entire Collaborative?

Alma Gates, of Advisory Neighborhood Commission 3D, said that she is not a Collaborative member and referred CLC members to the recent conversation at the Zoning Commission. She stated that her understanding is that the Commission does not care what the group is called and that she is not interested in additional groups meeting just to meet. She also mentioned the Georgetown Community Partnership and what she has been told about a member being removed for speaking in contradiction to the group's consensus on a particular issue. She recommended that the working groups be established as part of the CLC.

Chuck Elkins, of Advisory Neighborhood Commission 3D, replied that he had yet to see anything in writing that would require a Collaborative member to speak only to "consensus talking points." He continued that if a particular Collaborative group is not well served by a consensus agreement, that group would be free to speak out.

Troy Kravitz, of Advisory Neighborhood Commission 3D, added that his understanding is the same, that the Collaborative ground rules and protocols only state that when you speak against the consensus of the group that you first advise that you are speaking only for yourself and your organization, the Collaborative.

Don Edwards said there have been many conversations about the relationship between the Collaborative and CLC without a consistent understanding of how they will relate. He encouraged the CLC to discuss this further.

Claire Craik, of Westover Place Homes Corporation, said that her issue is one of efficiency. She wants mechanisms in place that will help with working with AU and is not interested in a repeat

of the previous campus plan process. She continued that she participates in the Neighborhood Collaborative and that the working groups will draw in expertise from neighbors. She said that the group needs to look towards the future and a system for sharing information, maintaining transparency, and working through issues together. She added that the group has a choice – using the old system of yelling at each other or choosing a mechanism that works.

Tom Smith said he believes the CLC has done a good job of illustrating the need for working groups, but not the Collaborative, which is not inclusive of everyone in the room. He added that a major issue for him is the inclusion of so many ANC Commissioners, who end up dominating the Collaborative. The CLC was designated by the Zoning Commission and there are no issues the Collaborative could address that the CLC could not. He said he doesn't understand how groups like McLean Gardens and Ward 3 Vision are excluded from the Collaborative.

Chuck Elkins replied he has trouble understanding these concerns when looking at the December 7 agreement signed by ANC 3D and the Spring Valley-Wesley Heights Citizens Association. He asked how the Collaborative described in this agreement is different from what has been executed to date.

Jeffrey Kraskin, of the Spring Valley-Wesley Heights Citizens Association, replied that the original agreement did not have a statement about ANC Commissioners participating, but rather that they could attend. He continued that Chuck Elkins then complained to AU about not being able to participate and that ANC Commissioners were then included to make him feel good. He stated that the Collaborative was never intended to be a reflection of the Georgetown Community Partnership and that it was designed to address issues between regular meetings of the CLC. He said that working groups could exist under the CLC.

Tom Smith stated that several years ago there was an issue with students smoking on Rockwood Parkway when AU went tobacco-free. He continued that AU advised him to wait until the next meeting of the CLC to discuss the matter, which did not provide the immediate response necessary. He agreed that the working groups under the CLC could provide this flexibility.

Troy Kravitz said that he has attended meetings of the Collaborative and that there is no domination by ANC Commissioners. He invited Tom Smith and Jeffrey Kraskin to attend to see for themselves. He continued that he agrees with their statement from July of 2016 that the CLC is too big and that the Georgetown Community Partnership is the “gold standard.” He implored them to join the Collaborative and participate in the working groups to see for themselves how it works.

Tom Smith asked how many of the neighborhood groups named as members of the CLC are in the Collaborative.

Troy Kravitz responded that he does not know and that these groups were named by Tom Smith and Jeffrey Kraskin in the agreement that created the Collaborative.

Tom Smith asked about the other groups and what the Collaborative is capable of doing that the CLC cannot.

Hisham Khalid, AU Associate General Counsel, said that the neighbors who have participated in the Collaborative thus far have shown up and done the work of getting the group launched. He added that a year ago, Tom Smith and Jeffrey Kraskin argued that the composition of the Collaborative should be restricted to neighbors adjacent to the campus, but now they say otherwise. He said that it makes the most sense to have a smaller group invested in the process of working through issues, collaboratively, with the university.

Jonathan McHugh asked for the names of the groups named in the agreement that created the Collaborative.

Chuck Elkins read from the agreement and stated Spring Valley-Wesley Heights Citizens Association, Neighbors for a Livable Community, Westover Place Homes Corporation, Fort Gaines Citizens Association, Tenley Neighbors Association, Tenley Campus Neighbors Association, and representatives of ANCs 3D and 3E that represent neighborhoods adjacent to campus. He added that it also leaves open the option of adding new groups as they are formed, which is how the Spring Valley Neighborhood Association was added.

Jonathan McHugh asked who was involved in the agreement that was signed and created the Collaborative.

Jeffrey Kraskin replied that during the Zoning Commission hearing for case 11-07F, Chairman Anthony Hood directed AU, ANC 3D, and the Spring Valley-Wesley Heights Citizens Association to meet to resolve issues raised at the hearing.

Jonathan McHugh asked why no one else had applied for party status in that case and that ANC 3E should have been a part of that hearing. He added that meetings were held and the CLC restricted without the rest of the CLC and asked why now Tom Smith and Jeffrey Kraskin won't go along with what they originally agreed.

Tom Smith replied that ANC 3E was not an automatic party to the case and that no changes have been made to the CLC to date.

Jerry Gallucci said that he does not care about the history of the CLC or Collaborative or what documents were signed and by whom. He stated that the working groups would provide needed flexibility and that he has volunteered to be on the Facilities Planning group. He repeated his concern about non-adjacent neighbors working on issues non-related to them, as well as the issue of consensus-based problem solving.

Gretchen Randolph said that she agrees that no one wants to rehash the past. She came to the meeting with the hope of moving forward together, instead of focusing on old meetings and procedural issues. Her hope is that Tom Smith and Jeffrey Kraskin agree to work with the Collaborative so that the group can move forward to address real issues regarding AU.

Jerry Gallucci stated that he also does not care what the Zoning Commission thinks and whether they like what is agreed to or not.

Gretchen Randolph implored Tom Smith and Jeffrey Kraskin to be part of the discussion in a productive manner.

Alma Gates stated that a resident from the Palisades was removed from the Georgetown Community Partnership when it was revealed that he had spoken out publicly against a decision made by the group. She continued that the Collaborative should be open, transparent, and inclusive, and that she would like to be involved.

Claire Craik said that there is a misconception that working group membership is exclusive. She added that she has been recruiting community members to join the working groups and that no one interested in participating will be excluded. She added that the issue concerning the Georgetown Community Partnership merits further discussion.

John Wheeler, of Ward 3 Vision, stated that he views the signed agreement that created the Collaborative as an agreement only between those three parties. He continued that only the Zoning Commission Chairman had anything to say about it and that other Commissioners likely think otherwise.

Troy Kravitz said that the group should not be sidetracked by the Georgetown story, as he received different information from the Palisades Citizens Association. However, he stated that the group can agree there is no “black balling” and that working group membership is open to all those interested. He asked if there were other modifications being requested.

Alma Gates replied that the Collaborative will exclude others if only open to certain groups. She added that Zoning Commission member Rob Miller also had issues at the last hearing and that Chairman Hood said that the group should be inclusive and have working groups.

Gretchen Randolph asked Jeffrey Kraskin if he was willing to engage.

Jeffrey Kraskin replied that he would know more after meeting with his board.

Gretchen Randolph stated that she wants to move forward.

Tom Smith replied that he does too, but asked what the CLC cannot do what the Collaborative can. He proposed having working groups as part of the CLC.

Jeffrey Kraskin added that the agreement is not part of any order issued by the Zoning Commission. He asked why the Collaborative was needed.

Gretchen Randolph asked if he was willing to scrap the agreement to move forward.

Tom Smith replied that if working groups are under the CLC and the structure of the Collaborative goes away, that’s progress.

Gretchen Randolph said that her understanding was that Tom Smith and Jeffrey Kraskin worked with AU to design the Collaborative, but are now saying something different.

Linda Argo, AU Assistant Vice President for External Relations & Auxiliary Services, said that AU is an equal member of both the CLC and Collaborative and that what is important to the university is that something was created eleven months ago that has to date been a very successful model for working with community members in a constructive way to help set the university's agenda. She added that there is room to modify the protocols and ground rules of the Collaborative. She said that the Neighborhood Forum is also receiving positive reviews and building the capacity of neighbors to understand land use issues and the business side of running a university. She said that AU has also pulled together people from across the university to be a part of the working groups and that she would hate to see the effort thus far dissolve. She stated that there are reasons that the Collaborative membership is reflective of the organizations who represent adjacent neighbors most impacted by AU's presence in the neighborhood. While the CLC is a good forum, getting into the business of the 2021 campus plan will require a smaller group, composed of neighbors willing to put in the time and effort necessary. She closed by saying that the Collaborative does not have to be approved by the DC Zoning Commission and that it can operate successfully alongside the CLC.

Tom Smith asked if all CLC members have received invitations to join a working group.

Linda Argo replied not specifically, but that Collaborative members have been recruiting neighbors to join, many of whom are CLC members. She added that she has an issue with the fact that Tom Smith and Jeffrey Kraskin were invited many times by many people to participate in the first meetings of the Collaborative when the ground rules and protocols were developed. Now, their respective groups oppose the Collaborative ground rules and protocols. She said that she hopes the effort that is underway can be maintained and the Collaborative can move forward.

Don Edwards stated that there was 20 minutes left for this discussion and asked if anyone who has yet to speak would like to do so.

Troy Kravitz said he wanted to hear the reasons why Spring Valley-Wesley Heights Citizens Association and Neighbors for a Livable Community now oppose the Neighborhood Collaborative.

Tom Smith replied that the concerns are outlined clearly in their recent grievance. He stated that he does see a path forward, but not with a group with limited participation.

Shelly Repp, a neighbor, said he had not attended a Collaborative meeting, but had attended the Neighborhood Forum. He stated that from what he had heard, the Collaborative can move forward regardless of Zoning Commission approval, that working groups are needed, and that there is disagreement on membership in the Collaborative.

Chuck Elkins stated that he saw two ways of moving forward: proceed with the Collaborative and CLC, with working groups reporting to the Collaborative; or standing up the working groups under the CLC. Whatever is decided, it could be revisited in a year to determine its effectiveness.

Don Edwards asked if CLC members were ready to respond to this proposal or if the conversation should continue at the next CLC meeting.

Claire Craik stated that there is momentum with the working groups and to address issues in the neighborhood, the point should be to move forward.

Jonathan McHugh responded that a means of coming to consensus is needed, regardless of whether it is via the CLC or the Collaborative.

Jerry Gallucci said that he prefers Chuck Elkins' second proposal, placing the working groups under the CLC and continuing to use Don Edwards to facilitate.

John Wheeler said that the neighbors' relationship with AU is different than what exists in Georgetown. He continued that unless you live directly adjacent to AU, you don't think about the university. He added that he liked Chuck Elkins' second proposal.

Alma Gates asked Linda Argo, if the CLC and Collaborative are both maintained, whether the Collaborative would be more of a decision-making body and the CLC geared more towards reports and information from the Collaborative.

Linda Argo responded yes, but pointed out that this conversation started when it was reported to the DC Zoning Commission that the CLC was ineffective and too inclusive with a "y'all come" approach. This drove the effort to put together an organization focusing on neighborhoods most adjacent to the university.

Alma Gates said that the Zoning Commission was clear and that she would hate to see an organization set up where decision making was not inclusive.

William Clarkson said that he sees a positive path forward and is glad that there are no concerns about retaining the services of Don Edwards and Justice and Sustainability Associates.

Standing Reports for December

Fall 2017 Enrollment & Housing Report

Linda Argo presented the Fall 2017 report on enrollment and student housing, which can be viewed at: <http://www.american.edu/communityrelations/clc/upload/Fall-2017-Enrollment-and-Housing-Report-11-20.pdf>.

Linda Argo stated that a preliminary report is presented to the CLC at the September meeting and that this is the final report for the 2017-2018 academic year.

She added that AU is required to have housing capacity for 67 percent of its full-time undergraduate students and that this year the university is at 69 percent.

Tom Smith asked how the enrollment number compares to the number presented to the Zoning Commission as part of case 11-07G.

Linda Argo replied that these numbers are higher than what was presented.

Tom Smith asked for enrollment information broken down by class.

Linda Argo responded that she was unable to get that information for the meeting, but would work to provide it for a future meeting.

Capital Projects Update

David Dower, AU Assistant Vice President for Planning and Project Management, reported on capital projects on campus. He reported that since the last CLC meeting, AU's proposed Hall of Science received support from ANC 3D and the university presented to the DC Zoning Commission on November 20. Supplemental information will be provided to the Commission, with a decision hearing scheduled for January 29.

Jeffery Kraskin asked why a Zoning Commission hearing notice was posted in front of the old law school at 4801 Massachusetts Avenue, NW.

Linda Argo replied that the posting is in relation to the proposed Valor development on the old Super Fresh site.

Tom Smith asked about the university's parking interests as they relate to the proposed Valor development.

Dan Nichols, AU Assistant Vice President of Risk, Safety, and Transportation Programs, responded that AU has easement rights for 236 spaces and that the university uses them as needed.

Tom Smith asked if AU will retain these easement rights, to which Dan Nichols replied yes.

Tom Smith asked if the parking garage at 4801 Massachusetts Avenue, NW, is underutilized why this easement is necessary.

Dan Nichols replied that AU does not need it, but that we have it and will retain it.

Betsy White, a neighbor, asked if the garage is really only used to 30 percent capacity, as she parks there and it seems higher.

Dan Nichols replied that the utilization rate ebbs and flows, and is usually pretty full in the afternoon.

Student Conduct Off-Campus Since September 13

Andrew Huff, AU Director of Community Relations reported for Michelle Espinosa on

complaints regarding off-campus student behavior since September 13, 2017. He reported that the university received nine complaints containing reports of disruptive behavior. Five of these complaints came from single-family homes, one from the Berkshire apartments, and one related to a park at Nebraska Avenue and Foxhall Road, NW. He added that two addresses in particular (3839 Massachusetts Avenue, NW and 4220 River Road, NW) had been challenging this semester and AU was working to clarify with the Metropolitan Police Department (MPD) the protocol for responding to disturbances related to AU students.

Chuck Elkins stated that he would be happy to attend a meeting with MPD if it would be useful.

Jerry Gallucci said that he is a frequent walker in the neighborhood and students need a reminder to look up when using the sidewalk.

Tom Smith asked when the fall semester ends and spring semester begins.

Andrew Huff replied that he would send this information to the CLC. This information is publicly available at <https://www.american.edu/provost/registrar/academic-calendar.cfm>.

Good of the Order

David Taylor reminded attendees of the Town Hall and New Year's reception with AU President Sylvia Burwell on January 4.

Tom Smith, stating he was speaking on behalf of Dennis Paul of Neighbors for a Livable Community, asked if AU had plans to supplement the University Avenue buffer as part of the proposed Hall of Science development.

Linda Argo replied that AU would be submitting additional information related to the University Avenue landscaped buffer as part of its supplemental filing to the Zoning Commission.

Chuck Elkins, referencing the discussion regarding the CLC and Collaborative, asked what the next steps might be. He asked Tom Smith and Jeffrey Kraskin if they were prepared to respond to other proposals, to which Jeffrey Kraskin responded no.

Tom Smith stated that getting rid of the Collaborative and creating working groups under the CLC was the ideal way forward.

Don Edwards adjourned the meeting at 8:57 p.m.

Attendees

Community:

Judy Chesser, Tenley Neighbors Association
Claire Craik, Westover Place Homes Corporation
Chuck Elkins, Advisory Neighborhood Commission 3D

Gerald Gallucci, Westover Place
Alma Gates, Advisory Neighborhood Commission 3D
Harry Gates, Neighbor
Judy Haverman, Osher Lifelong Learning Institute Participant
Jeffrey Kraskin, Spring Valley-Wesley Heights Citizens Association
Troy Kravitz, Advisory Neighborhood Commission 3D
Jeffrey Keller, Westover Place Homes Corporation
Denise Liebowitz, Osher Lifelong Learning Institute Participant
Jonathan McHugh, Advisory Neighborhood Commission 3E
Gretchen Randolph, Spring Valley Neighbors Association
Shelly Repp, Neighbor
Douglas Saunders, Westover Place
Tom Smith, Spring Valley-Wesley Heights Citizens Association
Jane Waldman, Tenleytown Historical Society
John Wheeler, Ward 3 Vision

American University Staff:

Linda Argo, Assistant Vice President for External Relations & Auxiliary Services
David Dower, Assistant Vice President for Planning and Project Management
Andrew Huff, Director of Community Relations
Hisham Khalid, Associate General Counsel
Dan Nichols, Assistant Vice President of Risk, Safety, and Transportation Programs
David Taylor, Special Counsel to the President

Other:

Don Edwards, Justice & Sustainability Associates
Stephanie Klein, Justice & Sustainability Associates