

Government of the District of Columbia



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MEMORANDUM

TO: Angela Allison, Treasurer
Hannah Grigg, Treasurer
FR: Denise Wiktor, General Counsel
DT: 5/9/2024
RE: Parkwood Place Block Party Grant Application

The OANC has received a copy of a grant request for funding of the Parkwood Place Block party in ANC 1D I have reviewed the application, and it is a permissible expenditure (if the ANC chooses to fund it) by the ANC if the party is open to all the ANC and if the monies are not spent on food or the backpacks and school supplies. There are sufficient expenses with the Music and band, table and chair rentals, flyers, and banners for the requested amount to cover. It is important that the check be made out to an organization not an individual.

There are five prongs a grant must meet to be a permissible expense¹ and a 6th requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead². They are:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”³ A public purpose is one “that benefits the community as a whole and is not done for the primary purpose of benefitting a private entity.”⁴ While this is labeled as a block party it appears as more inclusive to the ANC. Events such as these are community building in that the neighbors have a chance to get together and know each other. It also offers the ANC Commissioners an opportunity to meet with constituents in a relaxed atmosphere.
2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”⁵ This does not mean the grant may only benefit Commission residents; it simply

¹ See, *Letter to Schanette Grant on Seasoned Settlers and Grants Generally*, April 14, 2022, found at <https://oag.dc.gov/sites/default/files/2022-04/Letter-to-OANC-Re-Seasoned-Settlers-Grant-and-Grants-Generally-.pdf>

² D.C. Official Code 1-309.13(m)(2)(D) “No Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount.”

³ D.C. Official Code § 1-309.13(l)(1).

⁴ *Id.*

⁵ D.C. Official Code § 1-309.13(m)(1).

means the grant's benefits should be focused on those residents.⁶ This is a small event open to and benefitting the residents of ANC 1D.

3. **Proposed Project.** A grant must be for a proposed project.⁷ This a single event occurring on one day in August.
4. **Organization.** A grant must be to an "organization," not an individual or a government entity,⁸ although the organization need not be incorporated.⁹ The event is sponsored by the Parkwood Place Back 2 School Committee, which is an unincorporated association as allowed by law. *It is important that the check be made out to an organization, not an individual.* I also note that Friends of the Frank Reeves Center is a sponsor which is an incorporated 501(c)(3) who could serve as a fiscal agent.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹⁰ The D.C. government does not offer a service like this or similar to it.
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.¹¹ The grant from the ANC will not be used on overhead.

Conclusion

For the reasons stated above this grant is a permissible expenditure of ANC funds.

⁶ See *Letter to Deborah K. Nichols*, Nov. 9, 2006, at 2 n.2 found at [Letter-to-Deborah-Nichols-Re-Whether-an-ANC-may-approve-a-grant-to-commission-plans-and-drawings-.pdf](#) (ANC 4C grant was permissible where the "[b]enefit to other ANCs would be incidental to the benefit conferred on ANC 4C residents," because a grant's benefits need not "be exclusive to the ANC that gives the grant funds"); see *Letter to Comm'r Fletcher*, Mar. 15, 2022, at 2, available at <https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.pdf> making the same point with respect to the public-purpose requirement).

⁷D.C. Official Code § 1-309.13(m)(2)(A).

⁸ D.C. Official Code § 1-309.13(m)(1); see also *Letter to Deborah K. Nichols*, Jan. 14, 2010, at 4, available at <https://oag.dc.gov/sites/default/files/2018-02/ANC-January-14-2010-Guidelines-for-Use-of-ANC-Funds.pdf>

⁹ See *Letter to Deborah K. Nichols*, Aug., 4, 2000 at 3, available at <https://oag.dc.gov/sites/default/files/201802/ANC-August-4-2000-Grants-by-ANCs-Public-Purpose-and-Corporate-Status-of-Recipients.pdf> ("The plain meaning of the term 'organization' includes unincorporated associations").

¹⁰ D.C. Official Code § 1-309.13(m)(1).

¹¹ D.C. Official Code §1-309.13(m)(1)(2)(D).