

Government of the District of Columbia



Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 5E
FR: Denise Wiktor, General Counsel
DT: 05/13/2025
RE: Popsicle Fest Grant request.

The OANC has received a copy of a grant request from Fourth Street Friendship Seventh-day Adventist Church. I have reviewed the application sent to the OANC and have found that the request is a **permissible** expenditure of ANC monies as outlined below.

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 includes a significant benefit for the community and is not done for the primary purpose of benefitting a private entity.”⁴ The popsicle festival is a community event that brings members of the ANC together. It provides education on nutrition and safety, has fun activities and will provide snacks and school supplies. The expenses, as listed in the budget, are for food, supplies and vendors. The request is for \$2500.00 and there are \$2500.00 in permissible expenses, such as the filers, face painter, helium Moon bounce and amusement as well as the food and flyers. I would recommend that the grant money not be used on the haircuts and braiding and that is likely an impermissible expense. The food meets the new review policy on food as it is to supplement the event and is not integral to the event. See [Policy for Reviewing Grants with a Food Component](#)
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 event will take place in the middle of ANC 5E so the primary beneficiaries will likely be residents of ANC 5E

3. **Proposed Project.** A grant must be for a proposed project.⁷ This is a discrete single event.
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 Fourth Street Friendship Seventh-day Adventist Church is an organization within the meaning of the code.
5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.¹⁰ This event does not duplicate anything offered by the D.C. government.
6. **Overhead.** Overhead cannot exceed 15% of the grant amount.¹¹ None of the grant monies will be used for overhead as the Code defines it.

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).