

Government of the District of Columbia



Office of Advisory Neighborhood Commissions  
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Washington, DC 20004  
(202) 727-9945

**MEMORANDUM**

TO: ANC 6E  
FR: Denise Wiktor, General Counsel  
DT: 3/3/2027  
RE: MVT Photowalk exhibit

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The Office of Advisory Neighborhood Commissions (“OANC”) has received a copy of a grant request from the Mount Vernon Triangle Community Improvement District regarding a grant for an outdoor photowalk exhibit. The applicant states that this is for the 250<sup>th</sup> anniversary of the country and that it will highlight through photos and reflections life in Washington DC during the bicentennial, 1976. This will be in a public area easily accessible to residents and visitors to the ANC. The ANC has already voted favorably on this, indicating that they also believe it to be a benefit to the ANC. I would remind the applicant to get the required permits before installation since this appears to be going in public space. This may require Public Space Committee approval.

The applicant is requesting a grant amount of \$4200.00 to be used for the outdoor prints for the exhibit.

I have reviewed the application sent to OANC and have found that the request is a **permissible** expenditure of ANC monies.

Additionally, once a grant has been voted on by the ANC *the purpose of the grant cannot be changed without an additional vote by the ANC.*

**Analysis**

There are five prongs a grant must meet to be a permissible expense<sup>1</sup>, and there is also a sixth requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead<sup>2</sup>. These are, respectively:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”<sup>3</sup> 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.”<sup>4</sup> This will be a public free exhibit that is easily accessible to the residents and visitors to the ANC. It will have an educational component as well.
2. **Local Benefit:** A grant must “benefit persons who work or reside in the Commission area.”<sup>5</sup> This does not mean the grant may only benefit Commission residents; it simply means the grant’s benefits should be focused on those residents.<sup>6</sup> This will be located within ANC 6E and most easily accessed by local residents, business owners and employees and visitors. It will be of community interest, visually appealing and educational. It is likely to attract visitors, which would bring foot traffic to local businesses.
3. **Proposed Project:** A grant must be for a proposed project.<sup>7</sup> This is a discrete single event, with a proposed beginning date and end date.
4. **Organization:** A grant must be to an “organization,” not an individual or a government entity,<sup>8</sup> although the organization need not be incorporated<sup>9</sup>. The Mount Vernon Triangle Community Improvement district is an organization as defined by the Code for ANC grants.

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<sup>1</sup> 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>.

<sup>2</sup> D.C. Official Code 1-309.13(m)(2)(D) provides that “[n]o Commission shall provide a grant for which the grantee estimates that the overhead costs would exceed 15% of the entire grant amount.”

<sup>3</sup> D.C. Official Code § 1-309.13(1)(1).

<sup>4</sup> *Id.*

<sup>5</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>6</sup> 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](https://oag.dc.gov/sites/default/files/2022-03/ANC-7E-Letter-to-Commissioner-Fletcher-RePublic-Purposes-Within-the-Commission-Area-.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).

<sup>7</sup>D.C. Official Code § 1-309.13(m)(2)(A).

<sup>8</sup> 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>.

<sup>9</sup> 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”).

5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.<sup>10</sup> This grant is not duplicative of any service or program provided by the District government.
6. **Overhead:** Overhead cannot exceed 15% of the grant amount.<sup>11</sup> None of the grant monies would be used here for overhead costs.

### **Conclusion**

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

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<sup>10</sup> D.C. Official Code § 1-309.13(m)(1).

<sup>11</sup> D.C. Official Code § 1-309.13(m)(1)(2)(D).