Government of the District of Columbia

Office of Advisory Neighborhood Commissions
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MEMORANDUM

TO: ANC 1A
FR: Denise Wiktor, General Counsel
DT: 7/22/2025
RE: 10th Street Block Party Grant Application

The OANC has received a copy of a grant request from Shane McCarthy on behalf of a group of 10th Street Neighbors for the 10th Street Block Party (20205). I have reviewed the amended application sent to the OANC and have found that the request is a **permissible** expenditure of ANC monies as outlined below. As with last year the individuals will need to use a fiscal agent so that a check is not made out to an individual. They propose to use the ANC money on Inflatables, bubble machine and art supplies.

There are five prongs a grant must meet to be a permissible expense[1] and a 6th requirement of the D.C. Official Code that limits the amount of a grant that can be spent on overhead[2]. 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] This is an open block party for the purpose of community building which is beneficial to all the in ANC.

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 means the grant's benefits should be focused on those residents.[6] This is in ANC 1A for residents of ANC 1A.

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[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).

[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

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] 10th Street Neighbor**s is** an organization within the meaning of the code but will need to use a fiscal agent as they did last year.

5. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.[10] There is no duplication of services.

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.

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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).

[7] D.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).