Government of the District of Columbia

Office of Advisory Neighborhood Commissions
1350 Pennsylvania Avenue, NW
Suite 11
Washington, DC 20004
(202) 727-9945

MEMORANDUM

TO: ANC 1E
FR: Denise Wiktor, General Counsel
DT: 3/26/2027
RE: Lower Georgia Ave Main Street Chili Cookoff grant request

---

The Office of Advisory Neighborhood Commissions ("OANC") has received a copy of a grant request from the Lower Georgia Ave Main Street regarding a grant to support the Chili Cookoff event.

The applicant is requesting a grant amount of $2500.00 The Applicant submitted and updated budget.

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

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[1], 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[2]. These are, respectively:

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

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

and is not done for the primary purpose of benefitting a private entity."[4] This event is open to the public and free. Events such as things bring residents and businesses together and foster community cohesion. There will also be free tasting available to at least 400 attendees, likely more. Each entrant will be asked to have at least 400 2 oz servings available.

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] While, like many festivals, this will attract folk from around the city, the residents and businesses will most directly benefit from the event. The 1E businesses will benefit from the increased foot traffic and accompanying spending. 1E businesses will also be participating in the cookoff

3. **Proposed Project:** A grant must be for a proposed project.[7] 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,[8] although the organization need not be incorporated[9]. Lower Georgia Ave Main Street is an organization as defined by the Code for ANC grants.

5. **Non-Duplication:** A grant cannot duplicate any services offered by the District of Columbia government.[10] 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.[11] 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.

---

[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 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).