

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: Janell Pagets, Chair ANC 3C
Sauleh Siddiqui, Treasurer ANC 3C
FR: Denise Wiktor, General Counsel
DT: 3/5/2024
RE: Cleveland Park-Woodley Park Village Grant Request

The OANC has received a copy of a grant request from the Cleveland Park Woodley Park Village for funding to send mailers to all residents of the ANC for four free concerts the Village is sponsoring. I have reviewed the application and asked for supplemental information from the applicant and the grant is a permissible expense for the reasons below.

There are five prongs a grant must meet to be a permissible expense¹. They are:

1. **Public Purpose:** ANC grants must be for “public purposes within the Commission area.”² 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.”³ In this case the applicant has indicated that the concerts will be open to the entire ANC population which satisfies the public purpose requirement⁴
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 The mailers, not the

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(l)(1).

³ *Id.*

⁴ See, *Letter to Commissioner Speck Re Grant to Feed the Family Pantry*, July 20, 2021 found at <https://oag.dc.gov/sites/default/files/2022-03/ANC-3G03-Letter-to-Commissioner-Speck-Re-Grant-to-Food-the-Family-Pantry-.pdf>

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 “[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).

concerts are the focus of this grant and while the mailers are targeted at one population within the ANC, The applicant has indicated the mailing is one part of a multi-pronged approach to informing the wider community about the concerts. In addition to the mailing the Village will be posting on community listservs, using a network of non-profit partners who will place an announcement in their newsletters, provide paper notices to 35 apartment buildings, post electronically to 10 apartment buildings and have notices in their electronic newsletter which has a circulation of 1200.

3. **Proposed Project.** A grant must be for a proposed project.⁷ The applicant has proposed a single project that is in four separate parts.
4. **Non-Duplication.** A grant cannot duplicate any services offered by the D.C. government.⁸ The D.C. government does not offer a service like this or similar to it.

Conclusion

For the reasons stated above this grant is a permissible expenditure of ANC funds. The OANC would note that since the project is in several segments there is the potential to cross quarters for the purposes of the QFR report. If this is the case the ANC could issue two (or more) checks so that checks and receipts are within the same QFR (or available before the QFR is filed). Alternatively, if the 4 concert dates are set in advance the mailings could be printed in advance (though this may not be possible if it is a full package service). The OANC office has recently seen some grants that operated over a long enough period of time that the required receipts were not available in time for the QFR report or for a period after the filing, leading to the potential disqualification of an expenditure.

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

⁸ D.C. Official Code § 1-309.13(m)(1). The ANC Act does not apply this same restriction to non-grant expenditures. See id. § 1-309.13(l).