

ENDNOTES

1/ Partial Listing of DC Community Organizations

Name	Eligible or Nonconsensual?	Attempts to Include Community Organization	Conforms to DC Nonprofit Corporation Law*	Application?	Dues	No longer member if dues outstanding	Asks for Address and Name?	Bylaws Public	Member of FCA of DC	Member of DCF of CA	IRS 990
Spring Valley Wesley Heights Citizen's Association [as of May 2017]	Non-consensual	Yes	No	No	No	No?	?	No	No	No	No
Spring Valley Wesley Heights Citizen's Association [circa 1978 Incorporation]	Eligible	No	Yes	Yes	Yes	Yes	Yes	?	Yes	No	No
Fort Gaines Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	Yes		Yes	No	No
Palisades Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Foxhall Community Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Michigan Park Citizens Association	Eligible	No	Yes	Yes	?	?	Yes	No	Yes	No	?
Woodbridge Civic Association	Eligible	No	Yes	Yes	Yes	Yes	?	No	No	Yes	No
Shepherd Park Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	?	No	Yes	Yes	Yes
Hillcrest Community Civic Association	Eligible	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
River Terrace Community Organization	Eligible	No	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	No
Chevy Chase Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Glover Park Citizen's Association	Eligible	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes

^{2/} **Email exchange making clear to SVWHCA that WPHC is not represented by SVWHCA**

On Feb 6, 2018, at 11:40 AM, Kravitz, Troy (SMD 3D02) <3D02@anc.dc.gov> wrote:

Hi Claire,

Per your request, Chuck forwarded to his ANC colleagues the email (pasted below) from WPHC to SVWHCA and NLC. At the January 25, 2018 zoning commission hearing on ZC 16-23 (Valor), SVWHCA testified under oath that they consider all residents of Spring Valley and Wesley Heights to be members of their organization. In their Articles of Incorporation filed with the DC government, they include Westover Place in their membership. They further testified that SVWHCA has 3,000 households as members. As you certainly know, this is laughable. Their boundaries contain fewer than 1,500 households, including 149 Westover homes.

For your reference, the video of the cross-examination is at the following link, starting at 1:37:00: <http://view.earthchannel.com/PlayerController.aspx?PGD=dczoning&iID=5155>

In response to questioning from Jonathan McHugh (3E) and myself, SVWHCA was asked to provide to the Zoning Commission a membership list. The parties to the case are going to be given a chance to respond to this submission. Can 3E include the email chain pasted below in their submission? I think it important to include since it specifies that WPHC is 149 homes and asks SVWHCA to refrain from asserting Westover as a member of SVWHCA.

All the best,

Troy

From: Claire Craik <m885cac@aol.com>

Sent: Saturday, May 27, 2017 7:32 PM

To: Elkins, Chuck (SMD 3D01)

Subject: Fwd: Our meeting with you on May 22

Chuck,

On behalf of the Westover Board, I would be grateful if you could bring this email to the attention of the Chair of ANC3D, and other ANC colleagues, drawing their attention in particular to the fifth paragraph. Our Board is concerned that there could be confusion regarding the assertion that Westover Place is somehow represented by the Spring Valley Wesley Heights Citizens Association in matters before the ANC that concern our residents.

As can be seen from the attached email, Westover Place Homes Corporation, composed of 149 townhouses, is solely represented by the Board of Directors of Westover Place.

Thank you for your assistance.

Regards,

Claire Craik

President, Board of Directors, Westover Place Homes Corporation

Begin forwarded message:

From: Claire Craik <m885cac@aol.com>

Subject: Our meeting with you on May 22

Date: May 27, 2017 at 7:25:28 PM EDT

To: "tmfsmith@rcn.com" <tmfsmith@rcn.com>

Cc: "jlkraskin@rcn.com" <jlkraskin@rcn.com>, "dennis.paul@verizon.net"

<dennis.paul@verizon.net>, William Krebs <w_krebs@msn.com>, "btessler@msn.com"

<btessler@msn.com>, "hfoigt@foley.com" <hfoigt@foley.com>, "teresaguzman@me.com"

<teresaguzman@me.com>, "jkellerre@gmail.com" <jkellerre@gmail.com>, "ccgiraud@aol.com" <ccgiraud@aol.com>, Chuck Elkins <3d01@anc.dc.gov>

Dear Tom,

I am writing for the Westover Place Homes Corporation (WPHC) Board to thank you, Jeff and Bill from the Spring Valley/Wesley Heights Citizens Association (SVWHCA) and Dennis Paul representing the Neighbors for a Livable Community (NLC) for our useful discussion on Monday May 22. We appreciate Ben's initiative to organize and host the meeting. The WPHC Board met on May 23 and discussed the goal to renew efforts of our respective associations to work together on issues of common concern. I am pleased to report that the WPHC Board unanimously agreed that it is and will continue to be important for communities and associations around or affected by AU, to work together on AU issues in a transparent and mutually agreeable manner for the benefit of our respective communities.

In WPHC's view, there are many important common AU issues of concern today and in the future, requiring all of us working together as independent representatives of our respective communities. These issues include, without limitation, a clear/legally binding cap on AU enrollment, future campus plans, evolution/enlargement of AU's footprint, security in/around our communities, traffic and environmental pollution, among others. WPHC looks forward to working with all affected groups and associations including, obviously, SVWHCA and NLC.

That being said, the WPHC Board asked me to confirm several operating principles which we feel are important. First, our cooperation must be transparent with open and clear channels of communication. Second, while we hope to work together with different neighborhood groups, there may be issues on which one or more communities have respectively a greater or lesser interest. The current WPHC negotiation with AU on the buffer and wall which separates WPHC and AU is one example. While any support of others on this issue is welcome, WPHC expects to carry the burden here and to take such actions which it, in its independently considered judgment, best advances the interests of its residents. In this specific regard, WPHC will continue for the present to work this issue through the "neighborhood collaborative" process which has been established.

Finally, I think it is important to emphasize on behalf of the WPHC Board two additional points that may be obvious but bear confirmation. First, while anyone can express his or her views on any issue in any fora, no one and no organization is authorized to speak for or represent themselves as authorized to speak for WPHC without the express and prior approval of the WPHC Board. In addition, we were surprised to hear you say that Westover Place is a member of SVWHCA, implying that the mandate and jurisdiction of SVWHCA somehow includes the WPHC community. Let me make clear on behalf of the unanimous WPHC Board that whatever view some previously had on that matter, the WPHC Board unequivocally and formally rejects and will not agree to any such structure, jurisdiction, arrangement or otherwise going forward. We therefore ask you and your members to refrain from asserting that SVWHCA includes Westover Place.

To conclude, the WPHC Board welcomes the opportunity to work with SVWHCA and NLC on issues of common concern involving AU and others. We look forward to hearing from you and working together.

Claire Craik
President, WPHC Board of Directors

3/ FCA Membership as of April 2017

Chevy Chase Citizens Association	Cleveland Park Citizens Association
Columbia Plaza Tenants Association	Concerned Neighbors Inc.
Congress Heights Community Association	Deanwood Civic Association
Dupont Circle Citizens Association	Empower DC
Forest Hills Citizens Association	Fort Gaines Civic Association
Glover Park Citizens Association	Hillcrest Community Civic Association
Kalorama Citizens Association	Michigan Park Citizens Association
Palisades Citizens Association	Penn Branch Citizens/Civic Association
River Terrace Community Organization	Shepherd Park Citizens Association
Tenleytown Neighbors Association	West End Citizens Association

4/ From FCA Bylaws, Article III-Membership-
Section 1

...it has at least twenty- five (25) **paid** members who meet the organization's criteria...

Section 6

...Section 6 – If any member association (1) shall fail to maintain a membership of at least twenty-five (25) members, (2) shall fail to hold meetings as regularly ordered by its own by-laws, (3) shall fail to pay dues to the Federation as required herein, or (4) is otherwise disqualified by any of the provisions of these By-laws...

5/ Transcript ZC Hearing November 13, 2017

COMMISSIONER TURNBULL: Yeah, we never really got
21 a list of who's a member or anything to clarify. It was such
22 a generic term. It just says we're -
23 MR. DONOHUE: Right, so what we attempted to do
24 was to talk about the number of folks that were represented
25 by the group, and then we gave you the list of those folks

6

1 that we anticipate calling as witnesses, at least the
2 preliminary witnesses.

3 COMMISSIONER TURNBULL: Could you submit for the
4 record then a list of people in the organization?

5 MR. DONOHUE: Each of the members? Sure.

6 COMMISSIONER TURNBULL: Yeah.

7 MR. DONOHUE: Sure.

8 COMMISSIONER TURNBULL: Okay, thank you.