

Minutes of the March 2005 Meeting of the Cleveland Park Citizens Association

Meeting Date: Monday, March 7, 2005
Location: Cleveland Park Library
3310 Connecticut Avenue, NW; Washington, DC

Cleveland Park Citizens Association (CPCA) President George Idelson called the meeting to order at 6:35 p.m. 21 persons signed the attendance sheet, of whom 11 were members. 27 persons were counted as present at 7:15.

I. Presentation of Constitution and Bylaws Amendments

Mr. Idelson called attention to a packet of minutes for the October, December, January, and February minutes, and invited members to review them during and after the meeting, and to call him with any corrections and comments. We will get back to them at the end of the meeting.

Peter Espenschied presented eight Constitution and bylaws amendments that he and Gregory New had prepared, based upon recent discussions in the Executive Committee:

- A. Article IV, Membership, to make it clear that members who move away are eligible to continue their membership
- B. Article V, Officers, to provide for an Assistant Recording Secretary
- C & D. Article VI, Executive Committee, to make it clear that delegates to the two Federations are not automatically a part of the Executive Committee, to add the Immediate Past President to the committee, and to change "will" to "shall" where it states that emergency action of the Executive Committee "shall be subject to the approval of the Association at the next regular meeting."
- E. Article VII, Section 6, to make term limits applicable only to the office of President, and to raise that limit from three years to five years
- F. Bylaws Section IV, Meetings, to spell out the time-honored tradition of taking a summer recess, but shortening it from three months to two; and to provide explicitly for notice of meetings
- G. Bylaws Section VI, Rules and Procedures, a new paragraph to provide a way for members to review the minutes without taking unnecessary meeting time
- H. To simplify the language for amending the Bylaws, and to emphasize the distinction between provisions of the Bylaws that may be waived at a given meeting by a two-thirds vote, and provisions of the Constitution that cannot be waived.

The proposed amendments will be mailed in the notice of the April meeting, and will be subject to discussion and a vote on adoption at that meeting.

II. Approval of Resolution against Developing Housing at Tregaron

Mr. Espenschied called for ratification of an emergency resolution updating CPCA's position on development at Tregaron that had been passed by the executive committee by phone following the last meeting of the committee. He explained that a new hearing on Tregaron at the Historic Preservation Review Board set for February 24 on a revised proposal to develop housing at Tregaron required an updated position statement from CPCA. The resolution, moved by Mr. Espenschied and seconded by Ann Loikow (given in full in Appendix 1) was approved by a vote of 8 to 0.

Bonnie LePard, Chair of Friends of Tregaron for 20 years, commended the eloquence of the CPCA resolution. She noted that it filled a gap, since ANC 3C had failed to update its resolution of opposition. The hearing was packed with community people opposed to the new proposal.

Ms. LePard reported on efforts since the previous HPRB hearing in October to negotiate with the owners of Tregaron on the basis of tentative pledges of purchase money by two nonprofits. A resolution drafted by Tersh Boasberg, chair of HPRB, and adopted by the Board set high performance standards (e.g., preservation of the bridal path, houses not visible from the school buildings on top of the hill or the drive, and a full restoration plan). The standards led Ms. LePard to hope that the asking price might drop. The Friends are gearing up for a campaign to get the property into nondevelopers' hands. She thanked Mr. New for making the first unqualified pledge (of \$10,000) for the purchase and restoration of the Tregaron estate on the day after the hearing.

III. Main Program: Electric Rate Sticker Shock

Mr. Idelson introduced Rick Morgan, member of the DC Public Service Commission (PSC), and Elizabeth Noel, DC Peoples' Counsel.

Rick Morgan said that Cleveland Park had been an important part of his life since his son started at John Eaton Elementary School 30 years ago. He has been a consumer advocate for 35 years, served on the PSC staff for five years, served in the US Environmental Protection Agency (EPA) for ten years, and has been a member of PSC for 18 months. Mr. Morgan said that the quasi-judicial nature of the PSC meant that his remarks were constrained. By contrast, the Peoples' Counsel, as with a trial attorney, could speak more freely.

He explained that in the present market, switching electricity providers from the Standard Offer of Service provider (Pepco) to an independent provider will not save much. He added that he had been willing to pay a premium for the environmentally cleaner "green power" option. He said that the fastest response to rate increases would come from conservation. He reported that the PSC had just voted a series of conservation incentives that would save far more on energy consumption than the 50 cents it would add to the average bill. He noted that the City Council had set a series of rising goals for the use of renewable fuels used in generation of electricity that went from 2.5% to 11% in 2002.

Betty Noel made a spirited criticism of energy deregulation and a strong argument in favor of municipal energy aggregation to offer residential consumers the benefit of bulk purchases. The key to successful aggregation, she said, was the "opt out" feature that meant everybody was included in the plan except those who specifically chose not to join.

The discussion turned to reacquiring the power plants that Pepco had sold a few years ago. Mr. Espenschied asked about public ownership of power plants. Mr. Morgan had written a book on the subject, in which he had cited successful examples of municipal ownership, but cautioned that comparable agencies in the DC area (WMATA and WASA) had not been as successful.

Ms. Loikow introduced a resolution urging the DC Council to amend its electrical deregulation act to provide for municipal aggregation on an opt-out basis for the District's residential consumers. The resolution urged the Council, the PSC and OPC to examine whether Pepco should reacquire its plants from Mirant or whether the District should acquire them and operate them like other cities. It also called upon the Council, PSC, and OPC to promptly re-examine the whole issue of energy deregulation. The motion to adopt the resolution (given in full in Appendix 2) was seconded by Mr. Espenschied, and was adopted unanimously.

IV. Adoption of Minutes

Mr. Idelson then called for ratification of the packet of four sets of minutes. Minutes of October 12, 2004; December 7, 2004; January 11, 2005, and February 5, 2005. The minutes were adopted unanimously without correction.

VI. Adjournment

The President adjourned the meeting at 8:40 p.m.

Respectfully submitted,
Gregory R. New and George Idelson

Cleveland Park Citizens Association

050307-1 Resolution on the Tregaron Partnership Development
Application at the Historic Preservation Review Board Hearing of February
24, 2005

Adopted by the CPCA Executive Committee on February 23, 2005, and
ratified by the CPCA Membership at its regular monthly meeting on March 7, 2005

The Cleveland Park Citizens Association firmly opposes the Tregaron Partnership's housing development proposal for the Tregaron Estate.

The estate was designed by renowned architect Charles Platt and renowned landscape architect Ellen Biddle Shipman. Their collaboration resulted in a work that remains largely intact, with its mansion, natural woodlands, grassy green spaces, stonework, paths, and bridges—the only remaining intact Shipman landscape in Washington. Platt's original design concept was that the buildings and grounds be read as a single unit. As explained in the report of landscape architecture historian Thaisa Way, the current proposal by the Tregaron Partnership would destroy major elements of the historic landscape architecture, including parts that may even predate the Shipman plan—both the bridle path and the Olmstead design for Klinge Road.

Clearly, the development proposed by the Tregaron Partnership does not meet the legal criteria of the preservation law, as it does not “retain and enhance” the historic landmark. Because this landmark's designation, unlike most, includes the whole grounds, and is based in large measure on the specifics of the landscape architecture, it is impossible for housing to be placed on the land without a least partial destruction of that landscape architecture. It would violate the very heart of the Historic Protection Act to allow a housing project in such a location.

There are many places in the District of Columbia where houses can be built. Tregaron is surely the archetypal example of the wrong place to do it.

We urge the Board to bring this matter to an honorable end by declaring with finality that neither this, nor any, housing project on this land can possibly meet the standard established by law, that is, the “retain and enhance” the historic landmark.

Cleveland Park Citizens Association

050307-2 Resolution on Opt-Out Municipal Aggregation and Re-examination of Deregulation

Adopted a Regular Monthly Membership Meeting, March 7, 2005

Whereas the Cleveland Park Citizens Association (CPCA) is greatly concerned about the impact of deregulation of electrical rates on consumers in the District of Columbia;

Whereas energy "competition" has not benefited District consumers;

Whereas individual consumers only have economic clout when they are united; and

Whereas the District Government, unlike the District's residential consumers, has had a large number of bidders for its electrical supply contract:

Now, therefore, be it resolved that the CPCA:

- (1) urges the Council of the District of Columbia to promptly amend its electrical deregulation act to provide for municipal aggregation on an opt-out basis for the District's residential consumers and on an opt-in basis for others, particularly small businesses and non-profit entities;
- (2) urges the Council, the Public Service Commission (PSC) and Office of People's Counsel (OPC) to examine whether Pepco should reacquire its plants from Mirant or whether the District should acquire them and operate them like other cities, such as Los Angeles and Cleveland, that have municipal power systems; and
- (3) urges the Council, PSC, and OPC to promptly re-examine the whole issue of energy deregulation.