

**Advisory Neighborhood Commission (ANC) 6A
Minutes
WebEx Meeting
September 10th, 2020**

Present: Commissioners Amber Gove (Chair), Phil Toomajian, Mike Soderman, Ruth Ann Hudson, Brian Alcorn, Stephanie Zimny, Marie-Claire Brown and Sondra Philips-Gilbert.

The meeting convened virtually via WebEx at 7:00 pm.

Commissioner Amber Gove called the roll and announced the presence of a quorum.

The minutes for the ANC July 2020 meeting were accepted, and the agenda for the September 2020 meeting was accepted by unanimous consent without changes or objection.

Community Presentations

Assistant United States Attorney Doug Klein

Assistant United States Attorney Doug Klein appreciates everything the ANC Commissioners are doing during the pandemic to keep citizens informed and gave an update on recent activities from the Attorney's Office. Over the past year, the Attorney's office has charged more than 9,500 cases, including more than 2,500 felony cases and about 125 protest-related criminal cases between May 28 and August 1, 2020. In the past three weeks, five additional individuals were charged with violent crimes, included assault and battery against local police officers, arson, destruction of private and government property, rioting, etc. Mr. Klein responded to a question about prosecution of "felon in possession" cases, citing a recent Washington Post article about federal prosecution of such cases, specifically from the Fifth, Sixth and Seventh Districts. Mr. Klein explained that, under previous US Attorney Jessie Liu's tenure, an initiative launched in response to a spike in violent crimes; the initiative involved targeting and prosecuting in Federal court individuals convicted of gun and violent crimes in the past, as these individuals were committing a majority of the violent crimes in certain DC communities. In federal court the Attorney's office can seek mandatory minimums for these offenses and hold people in jail pending trial. This was a city-wide initiative but the office targeted criminals in the Fifth, Sixth and Seventh Districts specifically since this is where most violent crimes were occurring. Under current U.S. Attorney General Michael Sherwin, this initiative is city-wide, encompassing all districts. Whether the case goes to Federal or D.C. Superior Court, the juries are both made up of DC citizens. Mr. Klein emphasized that there is no discriminatory intent in this initiative and that the Attorney's office was and continues to target individuals who are terrorizing and threatening communities regardless of race or background. For further comments, Mr. Klein can be reached at douglas.klein@usdoj.gov or 202 660 2150. Mr. Klein noted that while D.C. Superior Court is not closed, there are no jury trials and all court hearings are virtual, including criminal status hearings, arraignments and sentencing. Finally, Mr. Klein will be sharing any domestic violence statistics and information with the ANC and encouraged continued submission of community impact statements.

Officer Reports

The July and August 2020 Treasurer's reports were presented by Commissioner Brian Alcorn who reported the 3 expenditures accrued in this time period: \$265.89 for webmaster services (Check 1941) and two existing obligations totaling \$550.00 (Checks 1920 and 1922). There was one credit in the amount of \$5,445.00 from the DC Government as the Q1 2020 Allotment for

ANC6A. The opening uncommitted funds available were \$26,834.82; the closing uncommitted funds are \$31,519.93. The savings account opened at \$100.04, gained \$.01 of interest, and closed at \$100.05. The Treasurer's report was approved by unanimous consent. Additionally, Commissioner Alcorn informed ANC6A that the Fiscal Year 2021 ANC6A budget will remain unchanged at \$21,783.25 and he plans to present a 2021 budget proposal at the October 2020 ANC6A meeting. He asked that all Commissioners please provide their input on any budgetary special requests a week in advance of the meeting to Commissioners Gove and himself.

Standing Committee Reports:

Community Outreach

1. The August 2020 committee report was approved by unanimous consent.
2. The Committee recommended and Commissioner Gove seconded that ANC6A add the topic of the June 14, 2020 ANC 6A Letter to the DC Council regarding funding for the Metropolitan Police Department (MPD) in the FY 20-21 D.C. budget to the September 2020 agenda and provide adequate time for Commissioners to comment on input from residents. For further consideration, ANC6A draft a follow up letter to the DC Council which includes comments from ANC 6A residents. The recommendation was the result of a COC-sponsored community listening session on August 24, 2020. Commissioners Gove, Alcorn, Sondra Philips-Gilbert and Marie-Claire Brown made statements, recognizing systemic racism, citing the recent shooting of Deon Kay, acknowledging the positive work of MPD, and apologizing for the way the June 14, 2020 letter was handled. Commissioners noted that this item should have been on the agenda for both transparency and opportunity for community comment and are committed to redoubling efforts to ensure future new business items are added to agendas in advance. Commissioners noted that, even better adherence to the agenda process, the result would have been the same due to overwhelming support from the community. Several of the Commissioners have been personally attacked and accused by community members of being racist; Commissioners believe this is categorically untrue and emphasized that the Commission in no way supports police brutality and violence. Commissioner Philips-Gilbert urged community members to stop posting "misleading literature" on the subject as it is a disservice to the community. The June 14, 2020 letter cannot be rescinded since the budget vote is complete. Community members have many avenues for community engagement: first and foremost, if residents have specific instances and concerns about the conduct of MPD, they should contact MPD's Community Outreach Coordinators or the Office of Police Complaints, which is independent of MPD. Residents can submit testimony to the D.C. Council for future budget meetings; testimony is now being accepted for the Comprehensive Policing and Justice Reform Amendment Act of 2020. Residents can also continue having their voices heard in ANC and Committee meetings. Residents' comments will be forwarded to the ANC6A to D.C. Council. Commissioner Gove highlighted that this is a unique moment in history and it is vital that as many voices as possible are heard. Several residents were given the chance to comment on the June 14, 2020 letter; opinions were evenly split between support and disapproval. The recommendation to forward the draft letter with community comments, inclusive of all comments received by end of day September 17, 2020, to DC Council passed 8-0.
3. The Committee recommend that ANC6A send letters to Commander Morgan C. Kane, MPD First District, and Commander William Fitzgerald, MPD Fifth District, to raise concerns about reports from constituents that MPD is not in compliance with current health and safety guidelines and other regulations pertaining to ensuring reasonable accommodations for all community members, including sign language interpretation. This letter was omitted from the ANC6A Agenda Package due to technical glitches; the issue was tabled

until the October 2020 ANC6A meeting. In the interim, Commissioner Phil Toomajian will ask for a preliminary response and provide detailed feedback at the ANC's October 2020 meeting.

4. The Committee recommended that ANC6A send a letter to DPR inquiring how they plan to ensure access to recreation centers and facilities for the community going forward. The letter was omitted from the ANC6A Agenda Package due to technical glitches; the issue was tabled until the October 2020 ANC6A meeting.
5. Next meeting - 7:00 pm, September 28, 2020 (4th Monday)

Alcohol Beverage Licensing

1. The August 2020 committee report was approved by unanimous consent
2. The Committee recommended and Commissioner Philips-Gilbert seconded that ANC 6A send a letter of support for the stipulated application of DC Culinary Academy, LLC, t/a Brine at 1357-1359 H Street NE (ABRA #110889) for a modification to the establishment's ABRA license to add a Summer Garden endorsement, and that the ANC authorize the Chair of the ANC and/or Co-Chairs of the ABL to sign the letter. The recommendation passed 8-0.
3. The Committee recommended and Commissioner Brown seconded that ANC 6A modify its settlement agreement with Callister Technology and Entertainment, LLC, t/a Duffy's Irish Pub at 1016 H Street NE (ABRA #111076) to allow for four special events per year with live music in the summer garden until 9:00 pm, provided that notice of the event be given to the Chair of the ANC and the Co-Chairs of the ABL at least 48 hours before the event, and that the ANC authorize the Chair of the ANC and/or Co-Chairs of the ABL to negotiate and file the modification. This sets a meaningful precedent for other establishments, should they have similar requests. Commissioner Brown asked to add to the agreement(s) that failure to adhere to 9:00 pm end time to events should result in consequences. ABL will discuss with Duffy's the feasibility of notifying neighbors as well as Commissioners and ABL. The recommendation passed 8-0.
4. The Committee recommended and Commissioner Mike Soderman seconded that ANC 6A modify its settlement agreement with Callister Technology and Entertainment, LLC, t/a Duffy's Irish Pub at 1016 H Street NE (ABRA #111076) to allow for a second sidewalk café, coterminous with the designated "parklet," with identical hours to the establishment's existing sidewalk café, an occupancy limit consistent with all DC government guidance and restrictions, and that the ANC authorize the Chair of the ANC and/or Co-Chairs of the ABL to negotiate and file such modification. The recommendation passed 8-0.
5. Commissioner Brown moved and Commissioner Soderman seconded that ABL meetings officially be moved to the first Tuesday of each month. The motion passed 8-0.
6. Commissioner Brown moved and Commissioner Toomajian seconded to accept Justin Rzepka's resignation from the ABL. The motion passed 8-0.
7. ABL is looking for new members - those interested can contact the ABL Co-Chairs Mark Samburg (msamburg@gmail.com) or Nick Alberti (alberti6a04@yahoo.com).
8. No September meeting due to lack of agenda items. Next meeting - 7:00 pm, October 6, 2020 (1st Tuesday).

Transportation and Public Space

1. The August 2020 committee report was approved by unanimous consent.
2. The Committee recommended and Commissioner Toomajian seconded that ANC 6A send a letter to DDOT requesting striping at a list of intersections to be assembled by the TPS, with opportunity for community input prior to the next ANC meeting. Initial draft list: D Street at each intersection from 9th to 14th Street, plus 16th and 19th Street NE; 12th

Street at C, D & E Streets NE, Wylie Court and I Street NE; I Street from 8th Street to Florida Avenue NE; 13th Street at D, E & F Streets NE. Commissioner Gove requests that all Commissioners walk their neighborhoods to double check intersections that still need striping and striping that has already been completed. The recommendation passed 8-0.

3. The Committee recommended and Commissioner Brown seconded that 6A send a letter of support to DDOT for Request 20-00105420 for speed humps on the 1600 and 2000 blocks of D Street NE. Commissioner Gove proposed an amendment to the letter; it should state “**between** the 1600 and 2000 blocks, inclusive. The amended motion passed 8-0.
4. Commissioner Philips-Gilbert moved and Commissioner Brown seconded that ANC 6A send a letter to DDOT requesting a hearing postponement of Public Space Application 353808 for the replacement of a non-conforming fence at 1660 Gales Street NE because the case was received by the ANC without 30 days’ notice prior to the hearing. The residents are requesting the fence (solid 6’ wood) for more privacy and to prevent the current trash accumulation and soliciting. They confirm that no neighbors would be impacted and neither would line-of-sight of vehicles. A hearing postponement would allow time for community comment and for an informed vote by Commissioners in October 2020. The motion passed 8-0.
5. Next meeting - 7:00 pm, September 21, 2020 (3rd Monday)

Economic Development and Zoning

1. The July 2020 committee report was approved by unanimous consent
2. The Committee recommended and Commissioner Brown seconded that ANC require extra signage announcing upcoming EDZ meeting and ANC meeting dates for all applicants for zoning and historic district relief before they are added to an agenda for the EDZ. The signage will be printed and made available by the ANC, and must be posted in a prominent location. These would be additional placards to the ones already required by law; the recommendation is for a pilot program. There was discussion whether the onus of printing should be on the ANC or the applicant. During the pilot period, the ANC will cover the printing expenses. The recommendation passed 8-0.
3. Next meeting - 7:00 pm, September 16, 2020 (3rd Wednesday)

New Business

None

Single Member District reports

Commissioner Alcorn (6A08) spoke about some of the escalations he has dealt with, including parking at Master Liquor, a problematic AirBnB on 19th Street NE and a follow up on an October 2019 traffic study on 19th Street NE.

Commissioner Brown (6A01) has had a few complaints about injuries on sidewalks due to uneven pavement and is working with Andrew DeFrank on repairs. There is also water accumulation; she recommended revisiting some stormwater drains to investigate the cause of the buildup. Commissioner Brown also noted that package thefts are rising again and recommends having security cameras. Finally, she has gotten several calls about residential parking and reminds residents that DPW is not ticketing at this time.

Commissioner Soderman (6A03) has heard complaints about excessive speeding in his SMD on 9th, 10th, and 11th Streets, C Street and Constitution Avenue and is working with MPD and DDOT to bring this issue to their attention. Commissioner Soderman has also heard complaints about residential parking and echoed concerns about rising package thefts and car

break ins. The grant for security cameras through a DC program is still available and residents should register their cameras with MPD. Finally, he mentioned that there was a fatality in his SMD - someone was driving the wrong way on 11th Street NE and collided into a scooter, resulting in a fatality.

Commissioner Toomajian (6A02) thanks engaged neighbors participating and advocating for progress.

Commissioner Philips-Gilbert (6A07) has been working with the office of the attorney general to pull business owners of the laundromat in her SMD together and address loitering issues. She is working with Benning Court residents who are looking for a housing advocate to address public safety issues. She did speak to a DPR representative this week and will follow up with a letter advocating for a socially distant event. She has been dealing with abandoned vehicles and is working with Mr. DeFrank to get signage for the area. She has also had complaints about residential parking. Constant dumping is a problem and she is making constituents aware of who to contact when they see dumping.

Commissioner Ruth Ann Hudson (6A05) has seen a similar uptick in package thefts and also encouraged residents to get security cameras.

Commissioner Stephanie Zimny (6A06) reported a car stolen in her SMD at 11 am on a Sunday and encourages security cameras. She is proud of Miner Elementary School for coming together and making sure all students would have the proper technology needed for virtual schooling.

Commissioner Gove (6A04) reported that Eliot-Hine will be submitting a grant to be a food bank host site. She urges Commissioners to encourage their constituents to fill out the census and register to vote. Finally, Commissioner Gove is grateful for the 100 block of Tennessee Avenue for quickly responding to her email about speed hump installation on the street.

Community Comments

Two community members spoke out in opposition to continued funding of MPD and disapproval of ANC6A's June 14, 2020 letter. Community members stated that MPD does not keep our community safe, citing the continued use of tear gas and the recent shooting of 18-year old Deon Kay as a few examples among many.

There was a complaint about the use of WebEx as a virtual meeting platform from an accessibility standpoint; WebEx is the platform offered through the Office of Advisory Neighborhood Commissions (OANC).

The meeting adjourned at 9:45 pm.