

**Advisory Neighborhood Commission 6E
Virtual Public Meeting
Tuesday, March 26, 2024**

Advisory Neighborhood Commission 6E convened via Zoom Video Conference and/or Telephone on Tuesday, March 26, 2024 at 6:30 p.m.

Present:

Chris Hart, (Chair), ANC 6E01
Denise Blackson, ANC 6E04
Ahmad Abu-Khalaf, (Secretary), ANC 6E05
Dylan Forest, ANC 6E06
Davina Carson, (Treasurer), ANC 6E07
Dale Prince, ANC 6E08
Ritanch Hans, (Vice Chair), ANC 6E09

Absent:

George Viedma, ANC 6E02
Kevin Rogers, ANC 6E03

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:32 p.m. by Chair Chris Hart with a quorum of 7 out of 9 Commissioners present.

2. APPROVAL OF AGENDA

MOTION: Commissioner Hans moved and Commissioner Prince seconded to approve the Agenda as amended. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions.

3. APPROVAL OF MINUTES

MOTION: Commissioner Forest moved and Commissioner Hart seconded to approve the Minutes of the February 13, 2024 and February 27, 2024 ANC 6E Virtual Public Meetings as submitted. The Motion **passed** 6 yeas – 0 nays – 1 abstention (Commissioner Blackson).

4. UPDATES FROM WARD 6 COUNCILMEMBER ALLEN'S OFFICE –

POC: Jeanne Mattison, Constituent Services Coordinator,
jmattison@dccouncil.gov; 202-724-8072

Did not join the call.

5. UPDATE FROM MAYOR'S OFFICE OF COMMUNITY RELATIONS AND SERVICES (MOCRS) – Marcus Manning, Ward 6 Community Liaison, 202-538-1241, marcus.manning@dc.gov

- The National Cherry Blossom Festival started this week. For a list of activities, go to: <https://nationalcherryblossomfestival.org>
- Washington Nationals: As a kickoff this year, DC residents have the chance to get tickets for \$5 to all season games this year. Visit: <https://mlb.com>
- DC Defenders: Their season kicks off on Sunday, April 7, 2024 at Audi Field. Tickets start at \$25.00.
- April 27, 2024, Mayor's Office of the Clean City, 10:00 a.m., Ward 6, Sherwood Recreation Center, 640 10th Street NE, Roll Off included, dispose of trash/bulk items.

6. PSA REPORT: METROPOLITAN POLICE DEPARTMENT 1D (PSAs 101 and 102) Capt. P. Hrebenak

- Incident at 901 New Jersey Avenue in reference to a robbery that was eventually classified as a carjacking. In this case, about six individuals approached the person, demanded their keys and then took their car. The Secure DC legislation passed recently, and that changed the actual classifications of carjacking, which now includes a theft of keys when the car is in sight.
- Crime otherwise is trending in a positive direction, both for the First District and for ANC 6E. We saw a decrease in crimes in the last 30 days and year to date. Still, robberies are down in the First District overall. As the weather does warm up, we'll be increasing those mountain bike and foot beat patrols in the areas, including Chinatown and Mount Vernon Triangle as well.

A question-and-answer period followed.

- Commissioner Blackson asked if MPD's patrol car is still in front of Tyler House and at the 1000 block of 1st Place and M Street? Response: Yes, we do have police presence and we have the officers stay mobile, while checking on Tyler house at least once every tour.
- Commissioner Carson stated there has been a construction worker breaking into vehicles on the church property on 1st Street, and also the past 2 days youth have been entering the building, vandalizing and breaking into the vendor machines and stealing items. We're just requesting a larger police presence on the 800 block of 1st Street if possible. Response: Absolutely and Capt. Hrebenak stated that he did speak with the church and that MPD is having increased presence there during the church services on Saturdays and on Sundays.

7. PSA REPORT: METROPOLITAN POLICE DEPARTMENT 5D (PSAs 501 and 502)

Did not join the call.

8. RESOLUTION IN SUPPORT OF REINSTALLATION OF PUDO ZONE AT 3RD AND K STREETS NW (SMD 6E07)

Commissioner Carson stated there was Pickup and Dropoff street signage at 3rd and K Streets NW that just disappeared and constituents were not notified. There is the issue now of not having a safe PUDO zone for parents dropping off and picking up their children at the daycare, so the 6E Commission is going to try to get it back for those constituents and stakeholders.

Commissioner Prince asked if the resolution is intended to serve handicapped persons who would use an elevated boarding ramp in front of Carmel Plaza that was previously discussed by the 6E Commission or if this is a separate issue? Commissioner Hart responded it certainly could serve multiple purposes. He thinks it could be a location for metro access or other accessible vehicles, but he thinks part of the concern from Carmel Plaza residents is that it is pretty far to walk from the front door of the building. So, this issue will be addressed in another resolution.

MOTION: Commissioner Carson moved and Commissioner Blackson seconded that ANC 6E request that the PUDO zone at 3rd and K Streets NW be reinstated and that this be conveyed to DDOT. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions.

9. RESOLUTION IN SUPPORT OF DDOT STUDY OF SAFETY AND ACCESSIBILITY IN THE 200-300 BLOCKS OF K STREET NW (6E03 AND 6E07)

Commissioner Hart introduced the topic and stated there are three issues: **(1)** One is that there is currently an unsignalized crosswalk that is quite dangerous with drivers passing quickly through the bridge on K Street. And there are kind of limited sight lines there, with a lot of senior citizens in the area crossing that crosswalk; **(2)** There are some concerns as more apartment and condo buildings are going up on 3rd Street. There is an increase both in pedestrian, cyclist, and vehicle traffic and that intersection without a signal right now is pretty dangerous with drivers trying to make that turn onto K Street out of 3rd Street; **(3)** There are the bike lanes on K Street, which are an important East West connector that should remain, but with the acknowledgement that for residents, especially senior citizens who live at Plaza West and Carmel Plaza, the bike lane does pose a challenge for pedestrians getting into Metro access or other accessible vehicles.

Commissioner Carson added that there are a lot of FedEx/delivery trucks that idle out in the middle of the street making it difficult to see the crosswalk.

Commissioner Hart stated that ANC 6E drafted a list of potential solutions it would like DDOT to study: **(1)** Installing traffic signals at the intersection of 3rd and K Streets NW that will slow down some of the excessive speeding on K Street, as well as make it safe for vehicles turning into K Street from 3rd and for pedestrians using the crosswalk that is currently unsignalized; **(2)** Installing bus stop loading ramps all along K Street that seem to work very well for accessible loading from Metro buses.

The next two suggestions may or may not be feasible: **(1)** There is room for 3 lanes on this stretch of K Street, so we're asking for those lanes to be shifted to allow for a safe loading zone in conjunction with the newly installed ramps; and **(2)** Since the crosswalk across 3rd Street is very long because of the median on 3rd Street, 6E is suggesting curb bulb outs on either side of 3rd Street to reduce that crossing distance for pedestrians and cyclists and reduce unsafe turn maneuvers out of 3rd Street.

Commissioner Prince asked for clarification on Item (1) dealing with traffic signals and whether it will be a HAWK (high-intensity activated cross walk) signal or a red, yellow, green type signal? Commissioner Hart responded it was intentionally vague and there are many versions of what could go there.

Commissioner Abu-Khalaf requested that DDOT be asked to present their findings and then consult with ANC 6E about implementation of these interventions or alternative interventions if they come up with other recommendations.

A constituent asked about the Walmart store. Commissioner Hart responded it has closed and the space remains vacant. There was some talk about Georgetown University buying the building, but he is not sure where that conversation ended up. He will follow up via email. The constituent also asked about senior citizens with walkers being able to park close to the building with the former Walmart store and was informed there is a garage in the building with an elevator.

MOTION: Commissioner Carson moved and Commissioner Blackson seconded that ANC 6E **support** the study of safety and accessibility in the 200-300 blocks of K Street NW and that said support be conveyed to DDOT. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions.

10. REQUEST FOR SUPPORT FOR PUBLIC SPACE PERMIT FOR LIGHTING PROJECT IN THE 1100 BLOCK OF 1st STREET NE

**Representatives Present: Brian Smith, NoMA BID
David Levy, Livable City Group**

Brian Smith stated the location that the NoMa BID is proposing for the project is along the east side of 1st Street NE between L and M Streets. It is just on the other side of the Avalon Apartments and the Starbucks. There are about 11 Zelkova trees on the east side of the street, and the NoMa BID would like to illuminate the trees to provide both some increased pedestrian safety and add a visual interest to 1st Street. It was thought this would be an opportunity to enliven an existing District asset, particularly along 1st Street, where there are not a lot of great spaces outside to gather and this lighting is kind of the first step in activating that part of 1st Street NE. The project involves installing 22 very small light fixtures at the ground level that will illuminate the trees. The NoMa BID is planning to also add mulch around the 11 trees between L and M Streets just to provide a little bit of a buffer for the roots that are there, and it also will kind of create a little bit of visual interest. The space is somewhere around 17 feet wide and so this canopy creates an opportunity for some movable seating.

David Levy provided a site plan and described the project in more detail.

A question-and-answer period followed.

- Commissioner Hart asked about where the lights will be placed? Are they in the trench or at ground level? Response: The lights themselves sit on stakes. They're staked into the ground but they are above ground, and they are within the mulch bed.

- Commissioner Prince asked if the lights will be angled with a tight focus so they won't bother bicyclists riding at night. Response: The lighting will be designed to illuminate in a very narrow band around the tree itself. We tested the lights and they can be angled in a way that they won't have that kind of light spillage.
- Commissioner Forest – **(1)** stated that ANC 6E heard a presentation about a bench and an art project that was supposed to be on the same corner. Is this related to that project? Response: The NoMa BID didn't get selected for that project, so the project didn't move forward as a result; **(2)** asked whether the movable seating will be secured with anything to prevent them from being stolen? Response: The NoMa BID will manage them and during long stretches of non-activation, like the winter, the furniture will be pulled in and stored until spring; **(3)** is the movable seating intended to be permanent? Response: The NoMa BID is testing it out to see how many people respond to it.
- Commissioner Abu-Khalaf asked about the actual angling of the lights. Response: The NoMa BID tested them out and found the best layout is to have one on the north side of the tree and one on the south side of the tree. That way the angle is just on the tree trunk itself and does not spill out into the adjacent sidewalk, or the bike lane that is adjacent, and so that way the tree gets the lighting but it does not spill out into the spaces adjacent. In terms of functionality of the lights, they will be LED with different color options that can be changed during different seasons. The NoMa BID will be able to adjust the lights and change the lights depending on the season. So, for example, for Cherry Blossom season, they can be pink and they can be more harvest colors in the fall, so it is not only a functional feature, but an aesthetic feature of the of the lights as well.

MOTION: Commissioner Forest moved and Commissioner Prince seconded that ANC 6E **support** the NoMa BID Public Space Permit for the proposed lighting project in the 1100 block of 1st Street NE and that this be conveyed to the Public Space Committee of DDOT. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions.

11. **RESOLUTION IN OPPOSITION TO INITIATIVE AMENDMENT ACT OF 2023 (SMD 6E05)**

Commissioner Abu-Khalaf introduced the topic and stated right now DC is under the Home Rule charter. The current laws say that initiatives introduced and voted on by voters should not have direct impacts on appropriations. The following legislation seeks to create some language about the fiscal impact of any initiatives introduced and voted on by voters. One of the main issues is the lack of clarity about what that means. So, we understand and agree with the idea that it should not be used to create special programs and then appropriate funds directly for them. But then there's some vague and unclear language about preventing ballot access for initiatives that would be subject to appropriations prior to becoming effective.

Let's say you have an initiative that, for example, proposes allowing non-citizens to participate in local elections in DC. But let's assume that it got passed through a ballot measure and then it would have some fiscal impacts before implementation, because there would be costs for printing documents, maybe translating some documents or doing some other education and outreach before the initiative becomes effective. Under this legislation, that ballot measure would not be even allowed to be proposed. There are concerns about how this would restrict many ballot measures from even being

introduced. Also, the process is not very clear about how the DC Government, or any DC agency, or the Chief Financial Officer, will evaluate any ballot measure to understand whether it would have any fiscal implications or fiscal cost, and how much money it would cost the District, even before the implementation date. And then how that decision would be made, and how it will impact valid measures?

Commissioner Hart added that some initiatives that have been passed by ballot measures in the past several years in DC include the initiative to increase the minimum wage for tipped workers, the initiative to legalize the possession and cultivation of cannabis for personal use, and the decriminalization of antigenic plants and fungi. But the point is these are all initiatives that passed with overwhelming support of voters. They all passed with greater than 70% of the vote and, essentially, this bill would take away the ability for the public to introduce initiatives, which is kind of a fundamental piece of democracy.

The majority of the attending Commissioners requested more time to better understand the proposed bill and resolution. Therefore, the Commission **tabled** a decision on this matter until its April 18, 2024 Public Meeting.

12. UPDATE ON RELVA, 311 H STREET NW, SETTLEMENT AGREEMENT NEGOTIATION (6E08)

Commissioner Prince stated that last month ANC 6E passed the resolution protesting the application for a Medical Cannabis Retailer License with a Safe Use Treatment Facility Endorsement. The protest was submitted and it was accepted by ABCA. There are two other protesting parties: One is the Sonata Condominium (and for transparency Commissioner Prince noted that he is a member of the Board of the Sonata Condominium). The Sonata has standing by virtue of being an abutting neighbor to the realm of business. The owner of the other abutting building (the Jefferson Building) also protested, and his protest was accepted, so there are three consulting parties Commissioner Prince consulted with and ABCA said it would be fine if all three worked together to reach a single Settlement Agreement with Relva.

Accordingly, **(1)** Commissioner Prince is asking for a green light from the ANC to work together in his capacity as ANC Commissioner with the Sonata Board and with the owner of the Jefferson Building to negotiate together with the owner of Relva, Marcus Jennings, on this issue; and **(2)** the possibility of retaining counsel. Commissioner Prince had a very productive, positive meeting today with Marcus Jennings and some business associates of his, a worker from an air filtration company, Jennings' security chief, the owners of the building where Jennings is the lessor, and the other party was an advisor to Mr. Jennings. Commissioner Prince had also two unit-owners from the Sonata building join the meeting virtually. Commissioner Prince noted that Mr. Jennings was able to satisfy many of the raised concerns during the meeting, but there were a few things that were outstanding, so Commissioner Prince thinks that ANC 6E can avoid going to a Protest Hearing and, instead, reach a Settlement Agreement. Commissioner Prince suggested that it might be useful for ANC 6E to have legal counsel to make sure the Settlement Agreement is airtight, noting that he is trying to gather information about potential attorneys and the cost of legal counsel.

A question-and-answer period followed.

- Commissioner Forest – **(1)** Asked what is the purpose in working in concert with the other two parties as opposed to separately? Response: Commissioner Prince explained that if 6E doesn't work together with the other parties in a consolidated fashion, each party will need to seek its own settlement agreement. Commissioner Prince spoke to the ABCA Community Resource Officer who stated it is preferable to have a consolidated position from the protesting parties; **(2)** Asked why we would need an attorney and would that attorney also be doing any work that would represent these other private parties? Response: Commissioner Prince is not sure but he supposes if there is a consolidated position and a single settlement agreement, the attorney's work will benefit the other two protesting parties then; **(3)** Asked about the actual application itself. Response: Commissioner Prince pointed out that the protests were submitted on March 18, 2024 and 6E was notified of the acceptance by ABCA afterwards. There is a Roll Call Hearing on April 8, 2024, at which all parties must be present, although Commissioner Prince thinks that if the three parties consolidate and notify ABCA, one legal counsel can represent all parties. Mediation occurs after this Roll Call hearing and the Protest Hearing will be held on May 22, 2024.
- Commissioner Hart added that 6E is dealing with a business owner here and 6E has some interest in reducing the level of red tape that business owners have to go through to do business in ANC 6E and so he thinks there is a benefit there in terms of efficiency as well. In terms of the expense, this has to be authorized for a public purpose and he thinks that this would meet that bar. He will get an opinion on that from the Office of Advisory Neighborhood Commissions (OANC).
- Commissioner Carson asked if there will only be one attorney and will that attorney be on standby in case Relva violates one of the terms of the settlement agreement? Response: Commissioner Prince notes that he does not think it is clear yet that we need an attorney, but he is tending to think we should have an attorney review a draft settlement agreement even though ABCA Legal will review it and give feedback as well.
- Commissioner Abu-Khalaf stated that he agrees it is helpful to have all the protests under one agreement but what if, say this ANC is comfortable with one agreement and, say, the Condo Association is not, and we're still represented by the same legal counsel? Response: Commissioner Prince noted that he would imagine if it were before the adoption of an agreed upon settlement agreement, the parties are still free to part company and pursue their own.

Commissioner Prince will provide a further update at the April 18, 2024 Public Meeting.

MOTION: Commissioner Prince moved and Commissioner Carson seconded that ANC 6E allocate \$4,000 for Purchase of Service in Q3 FY24 for legal counsel in connection with the ANC 6E protest against the Relva Medical Cannabis License Application. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions.

13. NEW BUSINESS

ANC 6E Budget

Commissioner Hart stated ANC 6E received an email from the OANC stating that we did not provide the record of the cancelled checks for Q3 of FY23, and that our next allocation is at risk if we cannot provide that proof. He asked Commissioner Carson and

Commissioner Hans to work together to get the cancelled checks from the bank and provide to the OANC.

14. OPEN FORUM

- Commissioner Blackson stated she has two upcoming events: **(1)** Friday, March 29, 2024, Movie Night with DPR, 6:00 p.m. - "Next Avengers: Heroes of Tomorrow"; **(2)** Saturday, March 30, 2024, Easter Egg Hunt. She will provide the flyers for both events to upload to the website.
- Commissioner Abu-Khalaf stated ANC 6E collectively will be hosting a Spring Cleanup. This is part of Councilmember Charles Allen's 2024 Great Ward 6 Spring Clean event. Meet Up Location: 1st Street NW and M Street NW. So, it is a series of different cleanups across Ward 6. ANC 6E collectively will be hosting a cleanup at 10:00 a.m. on Saturday, April 6, 2024. We can decide how many areas or streets we can tackle. And we will be working with Councilmembers Allen's office on providing trash bags, gloves, and any other tools or equipment needed like garbage pickers. If it rains or is cold, the event will be rescheduled to Saturday, April 13, 2024.

Commissioner Hart added we want to tackle M Street as well as down towards the Northwest One Library along Pierce and L Streets, depending on how many folks we get, so please spread the word.

- Commissioner Forest thanked the interpreters on the call and said they were great.

15. NEXT MEETING: THURSDAY, APRIL 18, 2024 (Note different day and time due to holidays)

17. ADJOURNMENT

MOTION: There being no further business to come before the Commission, Commissioner Forest moved and Commissioner Blackson seconded to adjourn the meeting. The Motion **passed** unanimously 7 yeas – 0 nays – 0 abstentions. The meeting adjourned at 8:05 p.m.

Respectfully submitted,
(Transcribed from Recording)

Karen Jehle
Recording Secretary
Cell: 703-606-2010
Email: karen-jehle@outlook.com