

**Advisory Neighborhood Commission 6E
Public Meeting
Tuesday, June 2, 2020**

Advisory Neighborhood Commission 6E convened via Zoom Video Conference and/or Telephone on Tuesday, June 2, 2020 at 6:30 p.m.

Present:

Alexander M. Padro, ANC 6E01
Frank S. Wiggins, Vice Chair, ANC 6E03
Rachelle Nigro, Chair, ANC 6E04
Alex Marriott, Treasurer, ANC 6E05
Alvin Judd, ANC 6E06
Kevin M. Rogers, ANC 6E07

Absent:

Michael J. Brown, Secretary, ANC 6E02

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. by Chair Rachelle Nigro with a quorum present.

II. APPROVAL OF AGENDA

MOTION: Commissioner Padro moved and Commissioner Wiggins seconded that the Agenda be approved as amended, with “Presentation by Office of the People’s Counsel on DC Water” being added as Agenda Item IX. The Motion *passed* unanimously, 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

III. PSA REPORTS – 1D, 3D

Crime statistics for the indicated periods are as follows:

Crime Stats for 1D Police District (PSA 103)	Number of crimes reported between:		
Crime Type	5/1/19-5/31/19	5/1/20-5/31/20	Change
Homicide	0	0	↔
Sex Abuse	0	0	↔
Robbery Excluding Gun	3	0	↓
Robbery With Gun	0	1	↑
Assault Dangerous Weapon (ADW) Excluding Gun	0	1	↑
Assault Dangerous Weapon (ADW) Gun	0	0	↔
Total Violent Crime	3	2	↓

Burglary	0	1	↑
Theft	9	2	↓
Theft F/Auto	15	2	↓
Stolen Auto	2	1	↓
Arson	0	0	↔
Total Property Crime	26	6	↓
Total Crime	29	8	↓

Crime Type	Number of crimes reported between:		
	5/1/19-5/31/19	5/1/20-5/31/20	Change
Homicide	0	1	↑
Sex Abuse	0	0	↔
Robbery Excluding Gun	4	1	↓
Robbery With Gun	2	1	↓
Assault Dangerous Weapon (ADW) Excluding Gun	2	0	↓
Assault Dangerous Weapon (ADW) Gun	1	2	↑
Total Violent Crime	9	5	↓
Burglary	3	1	↓
Theft	26	8	↓
Theft F/Auto	24	8	↓
Stolen Auto	4	6	↑
Arson	0	0	↔
Total Property Crime	57	23	↓
Total Crime	66	28	↓

3D (PSA 308): Captain Patrick Loftus was unable to join the meeting.

1D (PSA 103): Captain Jonathan Dorrough reported incidents in Mount Vernon Triangle, Walmart and the 7-11 on K Street, NW along with shootings, protests and looting. A question and answer period followed.

Commissioner Marriott asked if there were any arrests in a recent shooting. Captain Dorrough responded it was an argument at a shelter, a gun was brandished, and someone returned fire. There were two arrests. There was some drug activity connected with it. The person involved was COVID positive. The 7-11 incident was outside; they now have a security guard. Commissioner Marriott stated he was very happy to see how MPD and CID came together to address the issue at the 7-11.

Commissioner Padro reminded Commissioners that he warned against having outdoor seating at the 7-11.

Commissioner Rogers asked about the shooting at 307 K Street, NW. Captain Dorrough responded the victim was uncooperative and video footage was recovered. MPD will try and keep an eye on that area.

Commissioner Nigro asked about a carjacking in 1D that ended in her district. Captain Dorrrough responded there were three arrests of juveniles.

Captain Dorrrough closed his remarks by stating that the George Floyd murder was completely unacceptable and the violence and looting that continues is totally reprehensible.

IV. SETTLEMENT AGREEMENT - 924 5th STREET, NW (PLAY OFF PIZZA): REQUEST FOR SUPPORT FOR A NEW RETAILER'S CLASS "C" TAVERN ABRA LICENSE TO ADD SPORTS WAGERING TO ITS OPERATIONS. ESTABLISHMENT WILL HAVE THREE KIOSKS AND MOBILE GEO FENCED APPLICATIONS INSIDE THE PREMISES. ADDITIONALLY, LICENSEE REQUESTS TO OFFER THE DRAGON'S ASCENT ELECTRONIC GAME OF SKILL AT THREE GAME MACHINES. LICENSEE IS ALSO REQUESTING ENTERTAINMENT ENDORSEMENT [6E05]

Commissioner Marriott stated that a virtual Zoom Town Hall Meeting was held last night and former ANC 6B Chair, Chander Jayaraman, joined the meeting. In Commissioner Marriott's opinion, he thought it went very well. A Settlement Agreement was drafted.

Mark Brody of Play Off Pizza stated that Play Off Pizza tried to address everyone's concerns. Chander Jayaraman stated that whenever there were issues, Play Off Pizza took care of it. There was concern that there would be problems and there were none. Mark Brody stated he will be sensitive to everyone's issues.

Commissioner Padro stated ANC 6E's ABC Licensing Committee met and recommended that the committee not support a Settlement Agreement that does not provide security at all hours of operation.

Commissioner Marriott stated the terms in the Settlement Agreement for hours of alcoholic beverage sales, service, and consumption on the interior premises will be: Sunday – 8:00 a.m. to 1:00 a.m., Monday through Thursday – 8:00 a.m. to 1:00 a.m., and Friday and Saturday – 8:00 a.m. to 2:00 a.m. The biggest issue is the gambling. Play Off Pizza agreed to have a security guard on Friday and Saturday nights. Most of the money will be going through electronic accounts. The most important thing is peace, order and quiet.

MOTION: Commissioner Marriott moved and Commissioner Rogers seconded that ANC 6E **endorse** the Settlement Agreement with Play Off Pizza, 924 5th Street, NW, that ANC 6E revoke its protest, and that said endorsement of the Settlement Agreement with Play Off Pizza be communicated to the ABC Board and ABRA. The Motion **passed**, 5 yeas (Commissioners Nigro, Wiggins, Marriott, Judd, Rogers) – 1 nay (Commissioner Padro) – 0 abstentions.

IV. 1027 7th STREET, NW (7TH & Restaurant, LLC): REQUEST FOR SUPPORT FOR CLASS "C" RESTAURANT LICENSE [6E04]

Commissioner Nigro stated the applicant is re-evaluating the project and will be re-engaging with Commissioner Nigro and the ABC Licensing Committee before the next ANC 6E Public Meeting to see whether the application is going to go forward. The ABC Licensing Committee recommended that the application be protested on the basis of

peace, order and quiet. It was noted that the attorneys for the applicant were neither willing to negotiate at this ANC Public Meeting nor to participate in the ABC Licensing Committee Meeting.

MOTION: Commissioner Nigro moved and Commissioner Padro seconded that ANC 6E **protest** the Request for Support of 1027 7th Street, NW on the basis of peace, order and quiet and that said protest be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

V. 476 K STREET, NW (476 K LLC, THE CLOAKROOM): REQUEST FOR SUPPORT FOR A SUBSTANTIAL CHANGE TO THEIR CLASS “C” NIGHTCLUB LICENSE. THE CLOAKROOM IS APPLYING TO ADD SPORTS WAGERING TO THEIR OPERATIONS [6E05]

Tony Cavasilios of 476 K LLC (The Cloakroom) stated the following: **(1)** in order for them to get this license, they have to provide an extensive security plan to the DC Lottery; **(2)** they do not plan on having cash exchange hands – everything will be done via electronic accounts; **(3)** they have always had security at The Cloakroom.

Commissioner Marriott stated he would like more time to review the Settlement Agreement.

MOTION: Commissioner Marriott moved and Commissioner Padro seconded that ANC 6E **protest** on the basis of peace, order and quiet the Request for Support of 476 K Street, LLC (The Cloakroom) for a substantial change to its Class “C” Nightclub License until ANC 6E can further evaluate the applicant’s plans to add Sports Wagering to its operations, and that said protest be communicated in writing to the ABC Board and ABRA. The Motion **passed** unanimously 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

VI. 1018 RHODE ISLAND AVENUE, NW (THE ROASTED BOON CO.): REQUEST FOR SUPPORT FOR A PUBLIC SPACE PERMIT FOR A SIDEWALK CAFÉ [6E01]

MOTION: Commissioner Padro moved and Commissioner Wiggins seconded that ANC 6E **support** the Request for Support for a Public Space Permit for a Sidewalk Café of 1018 Rhode Island Avenue, NW with the provision that the curb cut/parking areas on 11th Street and Rhode Island Avenue be removed and replaced with ADA-compliant ramps to cross 11th Street and Rhode Island Avenue, NW, and that said support be communicated in writing to the Public Space Committee and DDOT. The Motion **passed** unanimously 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

MOTION: Commissioner Padro moved and Commissioner Wiggins seconded that ANC 6E request that DDOT take responsibility for, and costs associated with, removing the curb cut on 11th Street and Rhode Island Avenue, NW, perform re-grading of the concrete sidewalks and ADA ramp on 11th Street in the interest of improving pedestrian safety and ADA accessibility, and that said request be communicated in writing to DDOT. The Motion **passed** unanimously 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

VII. PRESENTATION BY THE DC DEPARTMENT OF PUBLIC WORKS ON THEIR OPERATIONS DURING THE COVID-19 CRISIS

Did not join the call.

VIII. PRESENTATION BY DC OFFICE OF THE PEOPLE’S COUNSEL ON DC WATER

Marc Williams of the DC Office of the People’s Counsel (OPC) Water Services Division stated the Water Services Division has had oversight over DC Water’s procedures. The OPC assists DC Water customers with financial assistance and to represent them at proceedings before local federal and regulatory agencies and the courts.

OPC is continuing to do this during the Pandemic and is asking DC Water customers to contact them if they have any problems. The DC City Council proposed legislation to maintain services and insure that no one is disconnected during the Pandemic. DC Water is prepared to establish installment payment plans. Large account balances will not be gone after immediately – customers will have at least six (6) months to pay these bills after the Pandemic is over. DC Water offers a Clean Rivers Impervious Area Charge (CRIAC) Incentive Program that is paid on consumers’ bills. DC Water customers who manage storm water on their property through the use of approved best management practices such as rain gardens, rain barrels, green roofs, etc. may be eligible for up to a 4% discount on the impervious area charge that appears on their DC Water bill. The program expires in August of 2020.

IX. OLD BUSINESS

None.

X. APPROVAL OF MINUTES OF THE 5/5/2020 MEETING

MOTION: Commissioner Padro moved and Commissioner Judd seconded that the Minutes of the **May 5, 2020** ANC 6E Public Meeting be approved as amended with edits to be submitted by Commissioner Padro. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions.

XI. APPROVAL OF TREASURER'S REPORT

Commissioner Marriott stated that as of May 31, 2020, the balance in the checking account is \$44,545.52. No checks have been cashed.

XII. APPROVAL OF EXPENSES

- A. **MOTION:** Commissioner Marriott moved and Commissioner Judd seconded that the invoice submitted by Karen Jehle in the amount of \$250.00 for recording services for the **ANC 6E June 2, 2020 Public Meeting** and website maintenance be approved for payment. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions).
- B. **MOTION:** Commissioner Marriott moved and Commissioner Wiggins seconded that the Zoom Invoice dated 5/26/20 in the amount of \$68.89 submitted by Commissioner Nigro for videoconference services be approved for payment. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions).
- C. **MOTION:** Commissioner Marriott moved and Commissioner Judd seconded that the Zoom Invoice dated 4/26/20 in the amount of \$68.89 submitted by Commissioner Nigro for videoconference services be approved for payment. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions).
- D. **MOTION:** Commissioner Marriott moved and Commissioner Padro seconded that the invoice in the amount of \$41.55 submitted by FedEx for copying expenses be approved for payment. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions).
- E. **MOTION:** Commissioner Marriott moved and Commissioner Padro seconded that the invoice in the amount of \$31.76 submitted by FedEx for printing expenses be approved for payment. The Motion **passed** unanimously, 6 yeas (Commissioners Padro, Wiggins, Marriott, Nigro, Judd, Rogers) – 0 nays – 0 abstentions).

XIII. ANNOUNCEMENTS

- A. Commissioner Padro stated the following: **(1)** District residents who have not already responded to the 2020 Census should do so now: <https://2020census.gov/>; **(2)** arrests were made in the murder of Malachi Lukes; **(3)** Damage due to rioting and looting was suffered along 7th and 9th Streets and K Street; over 30 business were affected; **(4)** residents are urged to continue to patronize take-out meals from local businesses.
- B. Commissioner Marriott stated he has been working with the DC Mutual Aid network and thanked residents for their donations.

- C. Mikaela Ferrill, Ward 6 Liaison, for the Mayor's Office of Community Relations and Services (MOCRS), stated the following: **(1)** Mayor Bowser released the FY 21 Budget to the Council and hearings are being held; visit: budget.dc.gov; **(2)** the Summer Youth Employment Program (SYEP) is working virtually through the Department of Employment Services (DOES); **(3)** on 5/29/20, the District started Phase 1 of reopening. Salons/Barber shops – appointment only; patio dining; tennis and dog parks open; no gatherings of ten (10) or more people;
- D. A resident raised the following: **(1)** tree pruning on the west side of 8th Street, NW is being forgotten; **(2)** the grass was cut in the tree boxes, but the clippings were not picked up. Mikaela Ferrill will reach out to DDOT's Urban Forestry Administration.
- E. Commissioner Nigro thanked Marcus Whitaker and Ed Andersen for serving as co-hosts of the Zoom Videoconference for tonight's ANC 6E Public Meeting.

XIV. NEXT MEETING

Tuesday, July 7, 2020, 6:30 p.m.

XV. ADJOURNMENT

MOTION: There being no further business to come before the Commission, Commissioner Nigro moved and Commissioner Wiggins seconded that the meeting be adjourned. The Motion **passed** unanimously, 6 yeas (Commissioners Nigro, Padro, Wiggins, Marriott, Judd, Rogers) – 0 nays – 0 abstentions.

Respectfully submitted,

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