

ANC 6D, MONTHLY BUSINESS MEETING AGENDA, 7/13/2020, Virtual WebEx Meeting | MINUTES *As approved at the September 14th Business Meeting*

The following Commissioners were in attendance: Gail CM Fast, Andy CM Litsky, Ronald CM Collins, Rhonda CM Hamilton, Edward CM Daniels, Fredrica CM Kramer, and Anna CM Forgie. Executive Director Shaun Carter was also in attendance.

1. Approval of the Agenda 7:05pm, 3min

Meeting called to order by Chair CM Fast. Motion to approve agenda, CM Collins. Seconded CM Kramer.

Changes: 8a removed. Will come back in Sept.

Add 10h, 1319 S Cap Street SW presentation, 20 min.

CM Collins: remove 11 ii. Moved to Sept.

11 ii. Motion to authorize Treasurer to explore online read-only access to bank account.

CM Hamilton: add 7e. Letter to provide future comments to DOEE regarding Vulcan

Vote: 7-0-0, approved.

2. Introduction of the Commission (Commissioners) 7:08, 5 Min.

3. Announcement of September Business Meeting, 7:13, 1 min.

Location TBD, most likely virtual web-ex, Mon, 9/14/20, 7pm

4. Approval of June ANC Minutes (CM CM Daniels) 7:14, 2 Min.

Motion by CM Daniels. Disclaimer from CM Forgie should be moved to front of the minutes, since it is relevant to the entire meeting.

CM Forgie: "My opinions expressed tonight are singular to my position as an ANC Commissioner and do not reflect the thoughts or opinions of the Department of Justice." Seconded CM Litsky.

CM Kramer: (technical issue)

Grammatical change, page 8, buy right to BY right.

Vote: Approved 7-0-0

5. Meeting Announcements 7:16 5 Min.

Mikaela: We are in Phase 2. Please follow guidance. Free antibody testing, by appointment only. Site near Canal Park. Call 1855-363-0333. Please visit coronavirus.dc.gov for most up-to-date data.

DPR kicking off 20 year master planning effort. Residents please share thoughts. Ready2playdc.com

DCPS: Summer Bridge 2020, for 3rd, 6th, and 9th grade students to attend their school before school starts. Small group learning, in-person. Reg closes 7/14 at 6pm. Visit DCPS.DC.GOV. Runs 8/10-8/13, 8/17-8/20.

Thank you SW BID and ANC and other community partners. We've had a few fires, displacing residents. Thanks for those who've helped with relocation.

CM Fast: Next PSA 103/105, July 15, 6pm, via WebEx.

CM Hamilton: Thank you SW BID and James Creek Residents Council. 1000 meals per day. UPO and SW Mutual Aid and churches, thank you for meals and essential supplies. Thanks Charles Allen.

CM Daniels: Thanks to residents who continue to follow guidance.

6. Public Safety Report- First District MPD (PSA 103, PSA 105 & PSA 106) Capt. Dorrrough, Lt. Donigian 7:31, 10 Min.

Lt. Donigian: Overall crime is lower compared to last year this time, due to Covid. Exception stolen autos due to delivery drivers leaving vehicles running unattended. MPD outreach to delivery companies. Robberies down. Two in 105/106. ADW has increased to 6 incidents in last month. Two carjackings, 11th and Penn SE, 1000 M Street SE.

PSA 103: Kids throwing rocks near O St SW. Got vids via door ring. Made arrest in one. Went to parent's home in other case. Increase in ADW, 5 cases.

CM Daniels: ATV Rider issue. MPD does not chase. Matter of catching them when they get off-road. Neighbor input helps.

CM Hamilton: Mask policy for MPD officers on duty? Donigian: officers should be wearing them and socially distancing themselves. Especially wear them when unable to distance.

CM Hamilton: Best way to address mental health issues regarding residents? Donigian: District resources are best. MPD will reach out to these resources, as well, if needed.

CM Collins: There is a crisis response unit that operates out of the Dept of Behavioral Health

CM Litsky: Thanks for help during these challenging times.

CM Fast: Same kids with pole, same throwing rocks? Officer: Yes, group of kids. The one arrested was part of same rock-throwing group.

7. Consent agenda. 7:21p

- a. Request for investigation into environmental injustice for Buzzard Point community (CM Hamilton)
- b. Letter of Support for application to install a mural adjacent to Syphax Gardens (CM Hamilton)
- c. Letter of inquiry to EOM re: inspection failure at Ward 6 Short Term Family Housing site (CM Forgie)
- d. Letter to DC AG concerning Monopoles (CM Hamilton)

Vote: Motion, CM Kramer, Second CM Hamilton. Passes: 7-0-0

8. Presentations & Resolutions

b. Spin Equity Program – Alexander Davis 7:41p, 10 min

Operating in dc for a year. Goal is to give people the freedom to move. Scooters. 720 scooters throughout the region. \$1 unlock, .29 per min. Everyday Heroes Program launched in March, serving essential service workers. July: food industry workers, transit workers. Free 30 min ride and helmet.

Spin Access: Free 30 min rides for those enrolled in benefits programs. Provide ID and proof of benefits enrollment. Unbanked and non-smart phone users accessible.

Covid safety protocols in effect. Rider guidelines provided in the app.

Questions? CM Forgie: Working with DDOT for corrals to be installed instead of them being tossed all over? Alexander: Yes, establishing corrals throughout the city. If more interest in getting more corrals, work with Govt Partnership teams. If ideas or suggestions, send those details along.

CM Litsky: Thanks for working with EVERYONE to use this technology. Thank you for working with public benefits programs.

CM Kramer: Hope we don't find scooters laying all over.

CM Hamilton: Thank you for low-income programming. Can we get one near rec center?

c. Wharf Quarterly Update – Matt Steenhoek, Tony Albanese (CM Litsky), 7:51, 30 min

Covid precautions are in place. Vertical construction has begun. Realignment of water street for private street. Entire presentation will be on ANC6D site.

CM Litsky: What should community expect regarding number of trucks on Maine Ave and how will they circulate through the community?

Trucks aren't to cut through the residential community, but should remain on Maine and M Street SW. About max of 14 trucks at one time. One lane gets by, one lane closed heading East. Entire Eastbound never closes.

CM Litsky: Sticking within normal construction hours?

Yes.

CM Litsky: Food service. Workers will be fed within confines of site. Is that the plan?

-Important that the Mayor's Office is aware so that workers aren't crowding multiple areas and littering all over.

-Thanks for fixing broken sidewalk at park. Fixed within 48 hours.

-Please patronize restaurants at the Wharf during the shutdown.

400 employees per day. Break area near water. Serviced by two construction food wagons. Seeking BID and MPD help to keep the food trucks that keep showing up away. The trucks still show up. Staff instructed not to patronize.

CM Kramer: Walkway on west side of main ave not open until project opens? YES.

-what type of retail will be in the buildings? Food service. Tenancy not established yet.

-are there affordable units? -yes, almost half will be ADU.

CM Hamilton: What type of support for residents battling rent challenges during COVID?

CM Forgie: Be sure these trucks follow the pre-set DDOT plans.

CM Fast: Where will reserve trucks be?

-handled through dispatch and timing at the plant. Have not used the reserve trucking yet. Will have to find an off-site location. Do not plan to use residential streets. No plans for reserves at the moment.

CM Fast: Median. Lots of U-turns being made on Maine Ave. Would be great to have the barriers in place such that these turns are not being made.

Summer 2022 finish of Phase 2.

CM Forgie – worker fell last week. He was taken for exam and is back to work on Monday. Another person had heat emergency, fainted.

d. Discussion of DC United's Plan to re-open with spectators (CM Kramer/Hamilton)

CM Kramer: DC United proposing to re-open with fans, 5,000 fans.

Chris Deubert – statement. DCU in FL in a covid bubble facility. Taking covid precautions. MLS's plan is for clubs to play at their home stadiums. Seeking local approval for fans at 25% capacity. Fans are essential. Revenues limited during crisis; expenses still stand. Also employ 100 ANC6d residents. Loudoun United playing in the coming weeks in front of fans (1k). Also making request on behalf of Washington Spirit, which also uses Audi Field. ANC and DC United agree on many concerns regarding covid and mass gatherings. DC, overall, doing well in mitigating virus spread.

Saddened by ANC's continued resistance to Audi Field. Please see it for the positive benefits it brings to community. When, in the ANC's opinion, will DC United be able to play in front of fans again?

We have engaged doctors and will engage health officials for guidance. Our ANC has no medical expertise.

Turn presentation over to James Clark, to explain DC United's plans. VP of experience and development.

25% capacity, 5,000 fans. We've figured out exactly which seats will be used. 1 out of every 3 rows to be used. More staff in each section to ensure people stay in assigned seats. Modified ingress and egress. Reduce checks of bags and contactless search by using/requiring clear baggage. Reduce scanners and lanes by 50%, extra space between scanners. Stickers on flooring. Will open additional gates to alleviate crowding. Ticketing team to offer recommended gates and entry times. Mobile ticketing. Cash can be converted into a debit card for cashless/contactless transactions.

1 out of 3 urinals in use. Possible Plexiglas between suites. Masks required. Temp checks and PPE for all staff. Exploring temp checks for all fans allowed. Currently changing out all air filters.

More cleaning staff on hand.

Cars to be parked further apart at lots. Looking at which lots to be used to minimize foot traffic through neighborhood. Explored hiring ambassadors to staff lots and metro to direct fans. Encourage people to drive.

CM Fast: Thanks for acknowledging my education. Thanks for encouraging masks. It hasn't been made mandatory. We did have call with DCU on Friday.

Questions/Comments...

CM Litsky: You have no knowledge of my education nor other Commissioners. ANC6D is not anti-DCU. I was chair when debates and discussions were taking place regarding DCU. Should take back statement that ANC6D is anti-DCU.

CM Forgie: We're not here to be Dr. Fauci, we are representing our constituents. Fans essential to the community in addition to your business. DCU business model shouldn't take precedent over the community. Bringing fans back runs risk and guarantees spike in Covid cases. Ability to put bodies into seats doesn't compare with struggles that the greater community is experiencing.

Chris- We didn't say that our business takes precedence over the community. Public health experts should be making [the decision as to whether our mitigation efforts are worthy of us opening stadium](#)

CM Daniels – Well thought-out plan, just concerned about what-ifs if the plan does not work and we have a spike in cases locally and elsewhere due to these attendees. Masks still not mandated. Huge risk. I did not interpret this as putting business ahead of community. Simple question of how to return safely. We just do not know what may happen. Concerned about fans coming through the neighborhood as well as game-day traffic.

CM Collins – I am perplexed. Does not help to denigrate Commissioners. Do not know each of our backgrounds. Hamilton and Litsky have worked for health institutions. I was Chief of Staff and Dept Director at DHS and DOH. Our responsibility in this ANC to look after health, welfare, and safety of residents that we were elected to represent. I am supporter of DCU, ticketholder, and football fan throughout the major leagues around the globe. None of those have fans in their stadiums.

CM Fast – Important that you recognize that this anc cares and is a partner of DCU.

How do you get to 5k number/25%? Does not seem to be in Phase 1, 2, or 3 based on re-open DC.

-Chris. Re-open DC determined that the leagues would have better knowledge than District would regarding best practices for re-opening numbers. Plan would be to go to Mayor's office, DMPED, etc for approval.

DCU received PPP? – yes, Between \$1-2 mill – yes

This should be outlined as part of this presentation.

Also, a DCU player tested positive for Covid. Did not talk about protocol that players are taking.

Chris – test result was false-pos. Two neg test results since then.

CM Hamilton- Community breathed in toxins during stadium construction, so surprised that you say ANC6D does not care. We have done projects with Screaming Eagles. Feel disrespected. Community and Commission deserves an apology.

Phase 3 gatherings state 250 people. Why would DCU get an exception.

Who from DC Dept of Health are you working with?

Chris- Did not accuse community of being anti-DCU. Says ANC is anti-DCU. Haven't engaged with any official from Dept of Health. Had casual conversations with certain officials from EOM. Wanted to engage community before EOM.

Call from community member (Ms. Pat) – Please do not re-open. Senior citizen with several health problems. Fans are not going home immediately after.

CM Kramer – Understand financial crunch. Everyone is challenged. DC is doing well but we do not want to reverse that. We are learning new things each day regarding the virus. How will you monitor and enforce mask wearing? We have had so many issues with this throughout the community. The community is anxious about where we sit with this virus and no one wants to reverse our progress.

Reading resolution: ANC6D does not support DCU reopening. Resolution to be posted online.

Vote: Motion Kramer, Second Hamilton, 7-0-0.

To be sent to DCU.

9. ABC Committee Report

10. Development, Planning, and Transportation

a. NOI 20-71 PSD Installation of protected bikeways 900-1400 block of 1st Street SE (CM Forgie/Daniels)

Motion to support CM Forgie, Second CM Daniels, Vote: 7-0-0.

Daniels – what is the process of accessing resident feedback on this? Greg- enter into the support/opposition record and I respond individually.

Daniels – Can ANC get this feedback because results of the P Street cycle track seemed very skewed.
Greg – first time doing this so not sure

CM Fast – recommendation: tell constituents to copy you on their feedback so that you see what they are saying.

Greg – Two lanes, one in each direction north of M Street SE. Turn lanes at intersections south of M Street SE.

Daniels and Forgie to draft letter.

b. Van Ness ES Redevelopment Project (CM Daniels)

Camilo Sanin – renovation of the Joy Evans building at Van Ness. No after-hours permit needed. If so, will reach back out to CM Daniels; follow-up with sit team.

c. Illegally parked Verizon vehicles – Mario Acosta-Velez (CM Forgie/Daniels)

CM Daniels – photo examples throughout Navy Yard showing illegally parked Verizon vehicles in crosswalks, bike lanes, turn lanes, blocking exit gates to garages, etc;

We've been trying to get someone with the Verizon ops team to address this with these drivers and find a solution. No help.

CM Forgie: Parking a Verizon vehicle in a spot reserved for a person with disabilities is outrageous. Additionally, parking on corners, being rude to Commissioner when we approach them, turning on their flashers and leaving their vehicles is not acceptable. Bottom line disrespectful to the community.

CM Collins: 3rd and G St SW circle just today, no one in trucks. Illegally parked on circle.

Mario – Thank you for sending photos and tags, so that we can address with drivers.

Chad Thompson (Director of operations) – We understand. Has 1500 employees in the region. Many are union workers. They put in work rules that it is required to park properly. We immediately investigate and provide feedback. We can't share the discipline part of the process. Some of the facilities that we are working on are in bike lanes or crosswalks, etc. We will continue to address these concerns. Please also give the info regarding disrespectful drivers.

CM Daniels -this is more than frustrating because it's on-going and has been on-going for over a year. I don't have time to keep taking photos and uploading and emailing daily.

CM Fast – can you be more proactive in preventing them from parking illegally and blocking exits, etc?

Chad- 80 managers and 8 area managers are also out there documenting these violations. We can put a plan together and present it to you.

CM Litsky – Can you find the person who handles the calls specifically in Navy Yard/Cap Riv to address the problem now? Get them to go out and look at what's actually happening on the street each day. Up to you. Not us. Not up to us to do your job.

CM Fast – Who are the supervisors? When are they out there making rounds? What resources do Commissioners have to get the problem addressed immediately, instead of waiting?

d. Letter concerning After Hours utility work (CM Forgie/Daniels/Collins)

CM Forgie: When after-hours work is to be done, usually ANC approval is needed. This does not apply to utility companies, which usually present this as 'emergency' work. Bit of a loop-hole when the work is deemed emergency each time, bypassing the ANC.

We sent letter to Public Service Commissioner. They pointed towards DDOT. We sent letter to DDOT, no response. We are now sending letter to Charles Allen, asking that we get real change made on this issue. We need definition of emergency work, rubric on how utility companies get their permits, we need them to abide by same rules that other AH work permits allow, when they are within 500 feet of residents.

Motion CM Forgie, Second CM Kramer.

CM Collins: Going through chaos at the Kylie/UIP site with drilling.

CM Daniels – Can we send to Nicole Rogers at DCRA. She's the head of permitting.

Vote: 7-0-0

e. ZC 17-05B WhyHotel Final Report (CM Fast)

CM Fast – community benefit upsell would be a 50% discount for ANC6D residents. Fast testified few weeks back. Final letter re-stating our position that applicant doesn't demonstrate that this change is in concert with the original plan. At this point there is no need for WhyHotel, since other buildings are also filling and leasing at this time.

Motion CM Fast, Second CM Kramer

Vote 6-0-1, Daniels stepped away for a moment.

f. Authorize CM Kramer and or CM Fast to testify at Office of Planning hearing on IZ+/July 15, 2020

Hearing to discuss an increase IZ requirement. Motion CM Fast, Second Litsky.

Vote 6-0-1, Daniels stepped away for a moment.

g. Letter to DC Public Library to open Interim SW Library (CM Collins)

Letter to DCPL Director to reopen interim before completion of the permanent library.

Motion: CM Collins, Second: CM Kramer.

Vote: 6-0-1, Daniels stepped away for a moment.

h. 1319 South Cap Street SE (CM Hamilton)

Project between Camden and Cap Liquor Store. Brief presentation and will return in fall.

Jeff - Jefferson Apt Group and Fortis joint project. South Cap and N Street SE.

Will come back in Sept or Oct with full plan and ask for vote.

CM Hamilton: make sure design incorporates the homes that will remain. Increase affordable units and size of those units from two to three bedrooms.

11. Commission Updates & Administrative Matters

a. Chairperson's Report – CM Fast

b. Treasurer's Report – CM Collins

i. Quarterly Financial Report FY2020 Q3

We had issues getting timely bank statements. Account keeps getting a different suite number, so it's slowing the receipt of bank statements.

Total funds available \$42,945.22.

Disbursements \$3,133.87.

End balance: \$39,811.35

Motion: CM Collins, Second CM Fast, Vote: 7-0-0

Motion to authorize ANC Treasure to explore with bank, online access of account for view-only or read-only basis for ANC exec committee and ANC director

Motion: CM Collins, Second: CM Fast, Vote 7-0-0

CM Litsky, confirming that we are not doing any online business, but only checking the status of the account.

ii. FY 2021 ANC 6D Budget

Community Concerns

Jordan Cox – Velocity Condos. Concerns regarding 40 L St SE in conjunction with WMATA used to power a chiller station at the 40 L Street SE construction site. It's loud. On 24/7. Can ANC work with developer or WMATA to reduce noise? Physical barriers? Reduced hours? CM Forgie has been attentive to concern.

Adjournment



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

July 14, 2020

Anthony Hood, Chair
DC Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

Re: ANC 6D Final Report - ZC No. 17-05B Modification of Significance of Order No. 17-05 and 17-05A for 2121 First Street SW (Square 613, Lot 10)

Via email: zcsubmissions@dc.gov

Dear Chairman Hood and Members of the Zoning Commission,

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

At a regularly scheduled and properly noticed public meeting on July 13, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 6-0-1 to continue to provide opposition to ZC No. 17-05B, Modification of Significance of Order No. 17-05 and 17-05A for 2121 First Street SW (Square 613, Lot 10).

ANC 6D contends that the Applicant still has not sufficiently demonstrated that the change is in concert with the original concept that was put forward and approved by this ANC and the DC Zoning Commission as a residential rental apartment building. Nor does this ANC believe that the Applicant has met the standard required under the regulations that would allow them to make such a change.

In the Applicant's original submission, Exhibit 1 dated October 2019, they "expected to deliver the first units in Buzzard Point." And while that may have been true in 3Q 2019, **it is not now**. Two new residential buildings, Peninsula 88, a 110-unit condominium and 1900 Half Street SW, a 453-unit luxury residential building are both currently selling and leasing units.

The Applicant's basis for their modification rests on the premise that they will not, *"have the foot traffic that retailers or other prospective street fronting tenants, as well as prospective residential tenants want to see before*

committing to that location.” ANC 6D would argue that with more than 500 new residential units (calculated out to approximately 750 new residents) on either side of this project (neither of which required a temporary hotel to activate their developments) there will be enough foot traffic to satisfy the Applicant’s retailers.

A new Community is also rising in Buzzard Point. 1900 Half Street, SW will deliver Eagle Academy Charter School in its 19,000 sq ft of retail space. Eagle’s plan will draw 250 students, their parents and faculty to the area, only adding to the vibrancy of Buzzard Point.

At the June 23, 2020 Zoning Hearing, the Applicant chose not to speak and instead let the WhyHotel, their “anointed” community benefit make their case. ANC 6D will argue again, that this type of operation causes us concern, specifically how this paradigm changes the overall vision for Buzzard Point, and specifically for the other developers that have chosen to invest in and gain appropriate regulatory approval for actual, licensed hotel space.


While the ANC appreciates WhyHotel providing a revised neighborhood benefit, **they are not the Applicant**, who has repeatedly demonstrated their refusal to discuss adding any changes to their project that could balance this significant change to a project that has already been reviewed and approved by both the ANC and the Zoning Commission. Our testimony included a statement from the DC Housing and Community Development declaring, “that allowing the Applicant to put a hotel on site, only lowers the availability of apartment units in the building and keeps rental prices of such units artificially high.” What is before you today is an attempted regulatory dodge of the highest order.

As ANC 6D stated in its testimony, and has reiterated here, it strains credulity that either Akridge or *any* of their partners in this project are struggling entrepreneurs. The landscape of Buzzard Point has changed significantly since October 2019 and for that reason alone, their Modification of Significance should be denied.

ANC 6D strongly believes that the Zoning Commission should deny the requested Modification of Significance and let market forces prevail. We appreciate your consideration and urge you to give our recommendations great weight under law.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,



Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

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July 15, 2020

Office of Attorney General
Attention: Mr. Karl Racine
441 4th Street, NW
Washington, DC 20001

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

VIA E-MAIL: oag@dc.gov

Re: Request for an investigation into Environmental Injustices for the Buzzard Point Community

Dear Attorney General Racine:

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

At a regularly scheduled and properly noticed public meeting on July 13, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to send this letter detailing the environmental pollution issues occurring every day in Buzzard Point and requesting the Office of the Attorney General launch an investigation to get the DC Department of Energy & Environment (“DOEE”) to address them.

For years now, the residents of Southwest DC have been dealing with environmental pollution in Buzzard Point. Residents who live in Old Southwest have been exposed daily to the industrial hazards and toxic chemicals that come with living alongside many of the area’s historic buildings. During the build-out of Audi Field, disruption of contaminated soil released particulate matter into the air. Immediate remediation was needed which halted construction of the soccer stadium however it had already begun to show signs of causing and exacerbated health issues of many of our residents.

ANC 6D is also concerned that The South Capitol Street Bridge, which is now under construction, is also subject to stock piles of contaminated soil in and around the site. The two cement mixing facilities in Buzzard Point (Superior Concrete Material and Vulcan Material), which have continued to operate throughout this time, have had repeated air quality violations and have been under investigation by the Environmental Protection Agency. Add to that, the

health disparities and compromised health status in our black and brown communities (which compromise most of Old Southwest), we are starting to see an increase risk of respiratory illness from COVID-19 in many of our residents.

ANC 6D has reached out to the DOEE on multiple occasions to try to get them to address the environmental injustice concerns and cumulative impacts on air quality and the health of our community. The residents who live in Old Southwest/Buzzard Point are predominantly African American; live in public and subsidized housing; or are low- to moderate- income homeowners. ANC 6D has not received any indication from DOEE about why there are no plans to implement environmental protections for this fence-line community nor why there is apparently no intention to conduct a cumulative environmental impact assessment?

The Community Health and Safety Study (“CHASS”), a risk assessment that which was conducted in 2016 by the Department of Health, contained important recommendations to protect the community from the impact of hazardous chemical exposure throughout the multi-year redevelopment of Buzzard’s Point. None of the recommendations have been implemented by DOEE. In addition, the permit for Vulcan Materials, one of the biggest polluters is under review and up for renewal by DOEE.

It is our hope that we can gain your assistance in addressing the environmental injustice concerns of the Buzzard Point community. We hope that you can investigate why none of the recommendations from the CHASS are being implemented, nor any other effort has been undertaken by DOEE to partner with the Department of Health to develop and implement a plan to protect the health of this vulnerable population.

Commissioner Rhonda Hamilton (6D06) is ANC 6D’s lead on ensuring we improve the quality of life for our residents in Old Southwest/Buzzard Point. Should you have any questions, Commissioner Hamilton can be reached at 6d06@anc.dc.gov. Please feel free to contact me at 6D01@anc.dc.gov or 202-554-1795 to discuss next steps.

Sincerely,



Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

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SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

July 14, 2020

Mr. Richard Reyes-Gavilan
Executive Director
District of Columbia Public Library
901 G ST NW
Washington, DC 20001

VIA EMAIL: Richard.Reyes-Gavilan@dc.gov

Letter in Support of Re-Opening the Interim Southwest Library

Dear Director Reyes-Gavilan:

At a regularly scheduled meeting and properly noticed public meeting on July 13, 2020, with a quorum being present, a quorum being four commissioners, Advisory Neighborhood Commission 6D voted 6-0-1 in support of re-opening the interim Southwest Library.

First, Advisory Neighborhood Commission 6D wants to express our deepest gratitude to you and your staff for the new Southwest Library that grows more beautiful each day. Considering that you are finalizing the renovations at the new Martin Luther King, Jr. Library and planning for the construction of two other neighborhood libraries, you and your busy team are to be congratulated. All of our community looks forward to the day when we are introduced to our new library.

The original plan was for the Southwest Interim Library to remain open until the new Southwest Library was completed. Unlike other library capital projects, we were tasked with finding our own (free) interim location. ANC 6D, working with the Friends of the Southwest Library and SW BID, spent over eighteen months searching for – and gaining use of the lot where the interim SW Library is currently located.

Recent neighborhood events involving vandalism by area youth have underscored the impact of the closure of safe places like the library and recreation centers. The kids often do not have a positive home environment and

find it easier to be outside the home until the late evening. These are bright, engaging kids who have potential. Right now, some are making questionable decisions that could impact them reaching their full potential.

The interim library was, and will continue to be, an important component of this community. If it does not reopen, it will mean that the residents of Southwest will be without service for at least another 6-9 months, essentially a year in total. Frankly, we do not see this is not a viable option for our community.

While the interim location is small and full-service will be almost impossible while social distancing guidelines are intact, basic services such as drop-off, pick up, limited computer access, and some print capability on a reduced schedule could be reinstated.

ANC 6D is asking you to consider reopening the SW interim library **and urge you to give our request great weight under law.**

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,



Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

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July 14, 2020

Government of District of Columbia
DC Commission on the Arts and Humanities
200 I Street SE
Suite 1400
Washington, DC 20003

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

COMMISSIONERS

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SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Dear Commission for Arts and Humanities Committee,

At a regularly scheduled and properly noticed public meeting on July 13, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to support Joshua Boots' application for a mural on his property.

With the property being adjacent to Syphax Gardens, a DCHA property, there is an opportunity to beautify the neighborhood with the mural, and we are pleased that Josh wants to use his property to engage and inspire the greater community.

The Southwest community has seen an enormous amount of development with the completion of the Wharf, Audi Field, and now Buzzard Point. It is easy for the existing neighborhood to feel left behind in these changes, particularly for the predominantly black community residing in old Southwest. This beautification effort featuring inspiring individuals of color (astronauts, scientists, etc) will keep the neighborhood feeling of inclusiveness for all residents.

Southwest is also a neighborhood rooted in the arts. We are proud of the many music, performance and visual art venues in the neighborhood. With many of them closed due to COVID-19, public art is a great way for the neighborhood to continue to inspire residents and create an inclusive, beautiful space.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

July 14, 2020

Councilmember Charles Allen
1350 Pennsylvania Ave NW, Suite 110
Washington, DC 20004

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

Via email: callen@dccouncil.us

Re: Request for legislative action to rectify the on-going nuisance caused by utility companies engaging in un-announced, overnight work

Dear Councilmember Allen,

At a regularly scheduled and properly noticed public meeting on July 13, 2020, with a quorum being present, a quorum being 4 Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to submit this correspondence seeking your assistance with after-hours permits granted to utility companies.

On January 14, 2020, ANC 6D sent a letter (Attachment 1) to the Public Service Commission (hereinafter "the PSC") asking for increased monitoring and enforcement of the utility companies (including, but not limited to, Verizon, Washington Gas, DC Water, and Pepco) operating throughout the city. In response, the PSC directed the ANC to contact the Department of Transportation (DDOT). *See* Attachment 2. The ANC then wrote a letter (Attachment 3) to DDOT to make the same request and asking that DDOT require utilities to have valid, timely permits for all after-hours work.

Our requests have gone unanswered and ignored.

We therefore write to ask that you consider taking legislative action to rectify the on-going nuisance caused by utility companies engaging in un-announced, overnight work.

Specifically, as we have indicated in our previous correspondence, we seek your assistance with the following: (a) the implementation of procedures to require ANC approval of after-hours work conducted by the utilities in all non-

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

emergency incidents in the same way that DCRA currently requires ANC approval for after-hours work conducted within 500 feet of a residence; (b) the establishment of a clear definition of 'emergency' and 'emergent' to prevent the utilities from categorizing all work as being of an emergent nature; (c) a requirement that utilities to provide advance notification to all impacted properties, including to all property managers and the ANC; (d) a requirement that utilities display a copy of any after-hours permit near the work site; and (e) a requirement that utilities have a valid, timely permit for all after-hours work.

We urge you therefore to take action to implement increased enforcement of permit requirements and monitoring of the utilities' work throughout the city. This should include prior notification to residents, ANC authorization for non-emergency utility work after-hours, penalties for utility companies that fail to abide by the terms of their permits, and denial of permits to utility companies who regularly flout traffic and parking laws, thereby putting the safety and security of all residents at risk.

We look forward to working with you on this issue.

Sincerely,



Gail Fast

Chairperson, ANC 6D

Southwest, Navy Yard & Buzzard Point

CC: The Honorable Muriel Bowser, Mayor
Council Chair Phil Mendelson
Councilmember Mary Cheh, Chair, Committee on Transportation and the Environment



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

January 14, 2020

Public Service Commission of the District of Columbia
Attn: Chairman Willie L. Phillips
1325 G Street N.W., Suite 800
Washington, D.C. 20005

OFFICERS

Chairperson
Gail Fast
Vice Chairperson
Andy Litsky
Secretary
Edward Daniels
Treasurer
Ron Collins

Dear Chairman Phillips,

At a regularly scheduled and properly noticed public meeting on January 13, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to require the Public Service Commission to increase its monitoring and enforcement of utility crews operating throughout the city. This includes but is not limited to, Verizon, Washington Gas, DC Water, and Pepco, referred to hereinafter as “the utilities” or “utility crews.”

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

We ask that you (1) implement procedures to require ANC approval of after-hours work conducted by the utilities in all non-emergency incidents in the same way that DCRA currently requires ANC approval for after-hours work conducted within 500 feet of a residence; (2) implement a clear definition of ‘emergency’ and ‘emergent’ to prevent the utilities from categorizing all work as being of an emergent nature; (3) require utilities to provide advance notification to all impacted properties, including to all property managers and the ANC; (4) require utilities to display a copy of any after-hours permit near the work site; (5) require the utilities to have a valid, timely permit for all after-hours work.

Recent events in ANC 6D represent just a sampling of the type of work and rude, dismissive behavior the utilities engage in on a daily and nightly basis. For example, while jackhammering a sidewalk at 10pm, a Verizon crew occupied half of an intersection, pushing cars into a single lane with no flaggers and no valid permit.

Far more egregious, Verizon jack-hammered a two-foot deep trench down the middle of a street occupied in part by residential buildings at 6:30pm on a Saturday night. The trench made the road impassable, yet there was no valid

permit, no signage, no flaggers, no detours, and no warning. Cars parked on the street could not have exited had they needed to; indeed, no emergency vehicle could have traversed the street. In response to having these flagrant issues pointed out to them, the indifferent crew shrugged, laughed, and kept working. It took a prompt response from MPD to resolve the issue. Surely, MPD is much better employed elsewhere.

We urge you to take action to implement increased enforcement of permit requirements and monitoring of the utilities' work throughout the city. Proper, accurate permits coupled with advance notification to the neighborhood and ANC approval should not be residents' wish lists -- that should be standard protocol.

We ask that you provide us with your response no later than **February 10, 2020** and **urge you to give our concerns great weight under law.**

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,



Gail Fast
Chairperson, ANC 6D
Southwest, Navy Yard & Buzzard Point

With copies to:

The Honorable Muriel Bowser
Office of the Mayor
1350 Pennsylvania Ave, Washington DC 20004

Council Chair Phil Mendelson
1350 Pennsylvania Ave, Suite 540, Washington DC 20004

Councilmember Charles Allen
1350 Pennsylvania Ave, Suite 110, Washington DC 20024

Office of the Peoples Council
1133 15th St NW #500, Washington, DC 20005

Attachment 2



Your Energy. Your Voice.

**Willie L. Phillips
Chairman**

January 31, 2020

Gail Fast
Chairperson
Advisory Neighborhood Commission 6D
1101 Fourth Street, S.W., Suite W130
Washington, D.C. 20024

Dear Chairperson Fast,

Thank you for your letter of January 14, 2020. We at the Commission share your concern about utilities conducting after-hours non-emergency work and recognize that such work can often be disruptive. However, jurisdiction over the work you describe falls within the portfolio of the Department of Transportation (DDOT) which has management and oversight responsibility for the use and occupancy of the public space. Mr. Matthew Marcou, Associate Director of the Public Space Regulation Division, DDOT, is copied on this correspondence.

Additionally, I have forwarded your letter to our Office of Consumer Services (OCS). To help us monitor this situation, if a utility crew is engaging in after-hours non-emergency work or is otherwise disturbing the peace, you can contact OCS at 202-626-5120 or through our website. Although, we do not have jurisdiction over the matters you describe, we can also contact the utilities and remind them of their need to follow DDOT requirements.

You are also invited to attend our regular community meetings at the PSC offices, starting on February 19, 2020, at 2 pm. If you would like to participate in these community meetings, please contact the Commission's Chief of OCS, Maurice Smith, at 202-626-5129 or msmith@psc.dc.gov.

Thank you for contacting us.

Sincerely,

Willie L. Phillips

CC: Matthew Marcou

Attachment 3



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

April 20, 2020

District Department of Transportation
Attn: Jeffrey Marootian, Director
1100 4th Street, SW, 3rd Floor
Washington, DC 20024

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ronald Collins

Via email: Jeff.marootian@dc.gov

Dear Director Marootian:

At a regularly scheduled and properly noticed public meeting on April 13, 2020, with a quorum being present, a quorum being 4 Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 6-0-0 to submit this correspondence regarding after-hours permits granted to utility companies.

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

On January 14, 2020, ANC 6D sent a letter (**Attachment 1**) to the Public Service Commission (hereinafter “the PSC”) asking for increased monitoring and enforcement of the utility companies (including, but not limited to, Verizon, Washington Gas, DC Water, and Pepco) operating throughout the city. In response, the PSC directed the ANC to contact the Department of Transportation. **See Attachment 2.**

We write therefore to ask that DDOT (a) implement procedures to require ANC approval of after-hours work conducted by the utilities in all non-emergency incidents in the same way that DCRA currently requires ANC approval for after-hours work conducted within 500 feet of a residence; (b) implement a clear definition of ‘emergency’ and ‘emergent’ to prevent the utilities from categorizing all work as being of an emergent nature; (c) require utilities to provide advance notification to all impacted properties, including to all property managers and the ANC; (d) require utilities to display a copy of any after-hours permit near the work site; (e) require the utilities to have a valid, timely permit for all after-hours work.

On a regular basis, utility crews have appeared without warning in the neighborhood, blocking intersections, closing roads, and creating impassable streets. When asked to display permits for this work, the crews have either (i) been unable to show any permit or (ii) displayed permits expiring at 3:30pm for work being done at 7pm. In response to questions, crews have indicated that

“DDOT said we could work later.” The ANC understands and expects that if DDOT were planning to allow work past a time listed on a permit, the agency would simply extend the time on the permit. We assume DDOT is not providing one guideline on a permit and offering another, contradictory guideline via unofficial communications.

In many instances, it took prompt responses from MPD to resolve situations with the utility company at issue. We urge you therefore to take action to implement increased enforcement of permit requirements and monitoring of the utilities’ work throughout the city. This should include prior notification to residents, ANC authorization for non-emergency utility work after-hours, penalties for utility companies that fail to abide by the terms of their permits, and denial of permits to utility companies who regularly flout traffic and parking laws, thereby putting the safety and security of all residents at risk.

We look forward to your prompt attention to this matter. Should you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fast".

Gail Fast
Chairperson, ANC 6D
Southwest, Navy Yard & Buzzard Point

CC: The Honorable Muriel Bowser, Mayor, via email: Mayor.Bowser@public.govdelivery.com
Councilmember Charles Allen, Ward 6, via email: Callen@DCCOUNCIL.US
Council Chair Phil Mendelson, via email: PMendelson@DCCOUNCIL.US
Councilmember Mary Cheh, Chair, Committee on Transportation and the Environment, via email: MCheh@DCCOUNCIL.US



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
Washington, DC 20024
202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

July 15, 2020

Stephen Ours
Department of Energy and Environment
1200 First Street, NE, 5th Floor
Washington, DC 20002

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

Via email: Stephen.ours@dc.gov

Re: ANC 6D Comments Regarding Permit (#6451-R1) to Operate a Concrete Batch Plant at 2 S Street SW, Washington, D.C.

Dear. Mr. Ours:

At a regularly scheduled and properly noticed public meeting on July 13, 2020, with a quorum present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to send comments regarding Virginia Concrete Material's ("Vulcan") permit application #6451-R1 to operate a concrete batch plant at 2 S Street SW, Washington, DC. ANC 6D is submitting these comments in advance as we recess next month and request our comments be included in the record should the comment period post in August.

It is ANC 6D's understanding that Vulcan has submitted an application for renewal of its Air Quality Permit and that permit is currently under review by your Air Quality Division within the Department of Energy and Environment (DOEE).

ANC 6D is increasingly concerned about this cement mixing facility and the detrimental impacts that it has had on the air, health and quality of life of our residents. As you are fully aware, this plant has had multiple air quality violations and has been under investigation at the federal level by the Environmental Protection Agency.

It is our hope that this review will motivate your agency to deny the permit in its present form and take all the necessary actions to protect the health of the community, including stringent emission controls. These emissions coat our streets, our homes, and our lungs with hazardous dust.

Requirements in a properly configured new permit should be for only one (1) year with the possibility for four (4) additional yearly renewals based on demonstrated compliance with the following conditions:

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Stringent emission controls:

- Pavement throughout the facility to control dust and storm water runoff.
- Installation of truck rinse area and drainage systems to prevent runoff into community and river.
- Additional washing stations installed at facility to allow essential pressure washing.
- Prohibitions on truck idling.
- Additional signage for dumping, schedule for spraying, and definitions of events that trigger spraying.
- Adding of thatched protective 12-foot fencing and 50 foot buffer zone to protect the community, including plantings and other vegetation to offset pollution.
- Coverings on all concrete dust piles.
- Action-level requirement for dust mitigation: rolling 15-minute PM10 average above 100 micrograms/cubic meter (0.1 milligrams/cubic meter). This would lower the threshold for acceptable risk of particulate matter release.
- Reduction in hours of operation including after-hour jobs to minimize facility's impact on community.
- Elimination of dust escapes from cement mixture. Vulcan mixer has several dust escape routes that allow dust to be released.
- Installation of the most up-to-date equipment at the facility. The equipment currently in use is extremely outdated and results in a huge amount of PM 2.5 and PM 10 being released into the community throughout the day and after the plant ceases operation.

Monitoring and Enforcement:

- Public disclosure of locations of on-site particulate monitors and evidence of recording activity.
- Stronger dust control measures, since facility is coating streets, homes and lungs of fence-line community residents with hazardous dust.
- After hours monitoring of facility for required compliance with guidelines and requirements.
- Installation of camera to cover full conveyor belt activity.
- Required detailed record keeping with public access to all "upset reports," with monthly submission to DOEE
- Bi-weekly air quality monitoring report results of the plant posted on DOEE's website.
- Development and implementation of truck route requirement to keep all cement trucks off of residential streets, including printed instructions to be carried on the dashboard of all trucks leaving the facility.
- Real-time fenceline monitoring conducted throughout the day and as long as plant is operating at its current location in order to have effective dust mitigation efforts.
- Monitoring of vehicle pollution sources including diesel exhaust.
- Required public availability of monitoring data and records.
- Health monitoring of the affected community in partnership with the Department of Health through community wellness checks.
- Ensure that DOEE investigate the potential for spills into the Anacostia River, and if occurring, institute proper controls.
- Ensure that emission controls be at least as stringent as those at the adjacent Superior Concrete plant.

The Buzzard Point community has been plagued by systemic environmental racism that has attacked the health and heart of the adjacent residential community. Vulcan has been a large contributor to detrimental health outcomes

for a number of our residents in this close-knit community. It is ANC 6D's hope that any permit issued includes the strictest requirements for pollution control and accountability in order to protect the health, well-being and sustainability of our neighborhood. ANC 6D has been extremely disappointed that this facility has been allowed to continue to operate and continue to pollute the very air the community breathes.

We are requesting that ANC 6D's comments are included when the public comment period opens **and are given "great weight" under the law.** We are also **requesting a public space investigation** so that ANC 6D, DOEE, Vulcan and the SW community have a clear understanding of property lines and that **a public hearing be conducted prior to a decision by DOEE.**

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fast".

Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point



Southwest / Navy Yard / Buzzard Point Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
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202.554.1795
Email: office@anc6d.org
Website: www.anc6d.org

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ronald Collins

COMMISSIONERS

SMD 1 Gail Fast
SMD 2 Anna Forgie
SMD 3 Ronald Collins
SMD 4 Andy Litsky
SMD 5 Fredrica Kramer
SMD 6 Rhonda Hamilton
SMD 7 Edward Daniels

July 20, 2020

The Honorable Mayor Muriel Bowser
John A. Wilson Building
1350 Pennsylvania Ave NW, Suite 406
Washington, DC 20004

Dear Mayor Bowser:

RE: Short Term Family Housing Facility in Ward 6

Dear Mayor Bowser,

At a regularly scheduled and properly noticed public meeting on July 13, 2020 with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission (ANC) 6D voted 7-0-0 to submit this correspondence requesting information regarding the status of the short-term housing facility in Ward 6 and the Unity health clinic contained therein.

It is imperative that the short-term family housing facility in Ward 6 (hereinafter “the Aya”) open as soon as possible to house families who are in great need of housing, especially during the current global health crisis. However, recent news reports suggest that the Aya failed at least one inspection before receiving its Certificate of Occupancy. In addition, the ANC has been informed that the opening of the Unity health clinic at the Aya has been postponed until February 2021. The Unity health clinic is an essential service provider in ANC 6D, and for the families that will call the Aya home. The prospect of a seven-month gap in service is unacceptable.

We write to ask you for an immediate update on the Aya and the Unity health clinic. Specifically, we ask for the following:

- (1) A detailed summary of identified deficiencies that led to the failed inspection;
- (2) An explanation of what caused these deficiencies and how the deficiencies were rectified;
- (3) A plan for next steps to confirm that the Aya is structurally sound and that residents’ safety is ensured.

(4) A plan to provide health coverage to ANC 6D residents, including the new families living at the Aya, and a proposal to reduce the current anticipated gap in service.

ANC 6D is requesting a copy of the full audit report regarding the Aya's inspection and the deficiencies identified therein.

Finally, I would like to reiterate that during the planning phase of the Aya, ANC 6D insisted that there would not be a break in medical services to the Southwest community. Councilman Allen's staff was at every meeting to ensure that when the Aya opened, Unity would open.

ANC 6D looks forward to your response no later than July 29, 2020 and that our considerations be given weight under District Law.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,



Gail Fast

Chair, ANC 6D

Southwest, Navy Yard, & Buzzard Point

CC: Jay Melder, Assistant City Administrator, Internal Services
Councilmember Charles Allen, Ward 6
Dr. LaQuandra S. Nesbitt, Director, Department of Health
Councilmember Phil Mendelson, Chairperson
Councilmember Vincent C. Gray, Chair, Committee on Health
Keith A. Anderson, Director, Department of General Services



Southwest / Navy Yard / Buzzard Point
Advisory Neighborhood Commission 6D

1101 Fourth Street, SW
Suite W 130
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202.554.1795
Email: 6d@anc.dc.gov
Website: www.anc6d.org

July 14, 2020

OFFICERS

Chairperson
Gail Fast

Vice Chairperson
Andy Litsky

Secretary
Edward Daniels

Treasurer
Ron Collins

The Honorable Muriel Bowser
Mayor of the District of Columbia
1350 Pennsylvania Ave NW
Washington, DC 20004

Councilman Charles Allen
1350 Pennsylvania Ave NW, Suite 110
Washington, DC 20004

Director Chris Rodriguez
Homeland Security and Emergency Management Agency
2720 Martin Luther King Jr Avenue SE
Washington, DC 20032

COMMISSIONERS

SMD 1 *Gail Fast*
SMD 2 *Anna Forgie*
SMD 3 *Ronald Collins*
SMD 4 *Andy Litsky*
SMD 5 *Fredrica Kramer*
SMD 6 *Rhonda Hamilton*
SMD 7 *Edward Daniels*

Dr. LaQuandra Nesbitt
Director, DC Department of Health
899 North Capitol Street, NE
Washington, DC 20002

Transmitted via email: eom@dc.gov; callen@dccouncil.us;
laquandra.nesbitt@dc.gov; chris.rodriguez@dc.gov

With copies to: Chairman Phil Mendelson and Councilmembers: Anita Bonds, David Grosso, Elissa Silverman, Robert White, Brianne Nadeau, Brooke Pinto, Mary Cheh, Brandon Todd, Kenyan McDuffie, Vincent Gray and Trayon White, Sr.

Re: Resolution Condemning the Possible ReOpening of Audi Field to Thousands of Fans in the Stands During the Current COVID-19 Pandemic

Whereas, in the midst of the current global pandemic that has already taken the lives of nearly 6,000 people in the Tri-State area, the management of DC United has made it clear that they plan to approach the Bowser Administration for a special waiver allowing them to reopen Audi Field to thousands of paying fans for soccer games this summer and fall; and

Whereas, this deadly virus is transmissible via tiny airborne respiratory droplets or aerosols produced when an infected person coughs, sneezes or speaks --- or screams, yells, and cheers -- such as is part and parcel of the fan experience during any live sporting event; and

Whereas, in the midst of the COVID-19 crisis gatherings of such size are discouraged by virtually every responsible public health official in the world, and

Whereas, professional sporting events, if sanctioned at all, have been **played for the cameras only** with no fan base present to discourage the further transmission of COVID-19, and

Whereas, although DC United has presented the false equivalent that a crowd at Audi Field is no different than those that have recently protested on DC streets, soccer games held for profit are not protected under the First Amendment; and

Whereas, DC United has suggested some very limited safety measures, they focus entirely within the stadium and make no acknowledgement of the effects of exposure and transmission that will undoubtedly occur as thousands of fans travel to their venue on Metro nor the residual effects of fan exposure on the residents of communities to which they will return, and

Whereas, we applaud that management has painted “Black Lives Matter” on the grass at Audi Field, DC United can most positively demonstrate that bold commitment by protecting the lives of thousands of vulnerable residents of Old Southwest living directly adjacent to the Stadium and whose families are most significantly impacted by COVID-19, by simply withdrawing their proposal to open Audi Field to exhibition games until this pandemic is under control; and

Whereas, although DC United insists that filling their stadium will not present a public health problem, every fan will be required to sign an affidavit indemnifying DC United from any legal action while at the same time agreeing that their assumption of risk is as follows:

“Participant expressly and unconditionally assumes all risks and dangers known or unknown, foreseen or unforeseen, and relating or incidental to Participant’s involvement in the Event and any activity associated therewith, including but not limited to the novel coronavirus SARS-CoV-2 and any resulting disease (together with any mutation, adaptation or variation thereof “COVID-19”). Participant understands and agrees that (a) COVID-19 is extremely contagious and there is an inherent risk of exposure to COVID-19 in any place where people are present; (b) no precautions, including the protocols that will be implemented as part of the Event, can eliminate the risk of exposure to COVID-19; (c) people of all ages and health conditions, including healthy young people, have been adversely affected by COVID-19; (d) certain people have been identified by public health authorities as having greater risk based on their age or underlying medical conditions; and (e) exposure to COVID-19 can result in being subject to quarantine requirements, illness, disability, and other short-term and long-term health effects, including death, regardless of a person’s age or health condition. Participant further understands that Organizers will not provide any medical assistance or treatment related to the Event.” and

Whereas, there is no model that currently exists in the CDC’s COVID-19 guidelines that addresses how one can open -- let alone safely open -- a facility of this size and scope during the current pandemic,

Therefore, at a regularly scheduled and properly noticed public meeting held on July 13, 2020, with a quorum being present, a quorum being four Commissioners, Advisory Neighborhood Commission 6D voted 7-0-0 to call upon Muriel Bowser, Mayor of the District of Columbia, to direct her government to oppose any and all efforts by DC United to open Audi Field for live soccer or other exhibition games at

which fans are present in numbers exceeding 50 (fifty) people as is indicated under the Mayor's Phase Two Guidance regarding Mass Gatherings.

Should you have any questions, please contact me at 6D01@anc.dc.gov or 202-554-1795.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gail Fisher".

Chair, ANC 6D
Southwest, Navy Yard, & Buzzard Point