

**EASTERN MARKET COMMUNITY ADVISORY COMMITTEE
REGULAR MEETING
JULY 28, 2021**

MINUTES

Attendance: Nikki Dean Brown; Chuck Burger, Vice Chair; Monte Edwards, Secretary; Tom Kuchenberg, Treasurer; Susan Oursler; and Donna Scheeder, Chair, and Jerry Sroufe were present. Mike Bowers (for Bill Glasgow) and Anita Jefferson joined after the meeting began.

The regular meeting of the Eastern Market Community Advisory Committee (EMCAC) was held on Wednesday, July 28, 2021, at 7:00 P.M., via Zoom. The Chair called the meeting to order at 7:00 P.M.

Adoption of the Agenda

Mr. Burger moved that the agenda be adopted. The agenda was adopted.

Approval of the Minutes

Commissioner Sroufe moved that the June 23, 2021, regular meeting minutes be approved. The minutes were approved.

Report of the Chair

The Chair highlighted the regular meeting schedule through the end of 2021. By unanimous consent, EMCAC agreed to hold the meeting on September 29, 2021, via Zoom.

As requested by the Chair, Mr. Burger, Chair of the Nominations, Credentials and Membership Subcommittee, reported on officer elections to be held at the September meeting, including plans to publicize the elections. He requested that EMCAC members share the information with their organizations.

Report of the Market Manager

Market Manager Barry Margeson presented a written report of the Market Manager, which is attached to these minutes. Mr. Margeson agreed to develop a master product list for the outdoor market, follow up with Vice-Chair Burger regarding potential improvements to the market near the natatorium, and consider additional submitted questions or concerns regarding Marketspread.

The Chair moved that EMCAC write to DGS to request that the rules be enforced equally among all vendors and there be no special exceptions allowing people to vend at Eastern Market without signing a permit. The motion was adopted unanimously.

Report of the Tenants Council

Ms. Jefferson, Chair of the Tenants Council, presented a written report, which is attached to these minutes.

Report of the Capital Improvements Subcommittee

Mr. Edwards, Chair of the Capital Improvements Subcommittee, presented a written report, which is attached to these minutes.

Noise Issues Task Force

Mr. Burger, Chair of the Noise Task Force, reported that the task force met at the beginning of July and discussed various street activities.

Eastern Market Main Street Update

Eastern Market Main Street (EMMS) Executive Director Charles McCaffrey reported that EMMS continues to work with artists on the designs for the Mural Project, is working to promote City Paper's Best of DC nominations, which close August 1, 2021, is collecting information on a new grant – the Made in DC Market Access Grant, submitted a market photo and description as solicited by National Main Street Association, is planning Market Week for August 24-30, 2021, and is participating in city-wide Art All Night in coordination with Eastern Market on September 24, 2021.

Adjournment

The meeting adjourned at 8:51 P.M.

Monte Edwards, Secretary



Eastern Market Manager’s Report to the EMCAC

July 28, 2021

Eastern Market Finances:

Current Actuals and Projections:

Month	FY21									FY21 Projected			Total FY21
	1 Oct-20	2 Nov-20	3 Dec-20	4 Jan-21	5 Feb-21	6 Mar-21	7 Apr-21	8 May-21	9 Jun-21	10 Jul-21	11 Aug-21	12 Sep-21	
South Hall Rent	\$ 10,760	\$ 2,227	\$ 41,909	\$ 11,085	\$ 15,192	\$ 18,157	\$ 19,013	\$ 19,824	\$ 21,041	\$ 19,959	\$ 19,959	\$ 19,959	\$ 219,086
Exhibitors & Farmers' Line	\$ 23,864	\$ 24,052	\$ 20,166	\$ 8,939	\$ 4,611	\$ 18,602	\$ 25,834	\$ 27,961	\$ 27,547	\$ 27,114	\$ 27,114	\$ 27,114	\$ 262,917
Flea Market		\$ 1,525	\$ 1,525			\$ 1,525	\$ 1,525	\$ 1,525	\$ 6,100		\$ 3,050	\$ 3,050	\$ 19,825
ATM	\$ -	\$ 925	\$ 993	\$ 841		\$ -	\$ 1,540	\$ 835	\$ 879	\$ 752	\$ 733	\$ 733	\$ 8,232
											Booked & Projected NH Revs		\$ 30,078
											To Date + Projected		\$ 540,138
											Budget		\$ 674,441
											Shortfall		\$ 134,303

Leases

We continue negotiations with one of our long-time merchants. This is moving forward with regular proposals, discussions, and decisions. We have requested updated information regarding merchant/counsel representation and will be reapproaching their counsel to restart negotiation.

Operations:

Outdoor Market:

We are visiting current farmers and checking in on their crops, and in some cases, sourcing of products. Yesterday, I went to Knopps Farm to visit Bunk and Cindy Knopp. We are also visiting potential new farmers. Today, I visited new farmer Pure Microgreens, which will be starting at the Tuesday Market on August 3rd.

Indoor Market:

Protocols are unchanged.

North Hall:

Pricing meeting was held on Tuesday, July 20th. We met with Susan Oursler, who, I believe, will be reporting on this. For FY21, North Hall revenues are now projected to be at around \$30,000 considering lost revenues of ~\$6,000 in May.

Name	Status	Date	Day	Hours	Start Time	End Time	Deposit	Actual	Grand Total	Amount Due
2020 Presidential General Election Set-up	CLOSED	11/2/2020	Monday	6	8:00 AM	2:00 PM		\$0.00	\$0.00	\$0.00
Election Day	CLOSED	11/3/2020	Tuesday	17	6:00 AM	11:00 PM		\$0.00	\$0.00	\$0.00
2020 Presidential General Election Tear Down	CLOSED	11/4/2020	Wednesday	6	8:00 AM	2:00 PM		\$0.00	\$0.00	\$0.00
Film Production - Rabiye	CLOSED	4/13/2021	Tuesday	4	12:00 PM	4:00 PM	\$500.00	\$3,410.00	\$3,410.00	\$0.00
Duval-Stanecki Wedding	DEFINITE	8/14/2021	Saturday	10	3:00 PM	1:00 AM	\$500.00	\$6,075.00	\$6,575.00	\$0.00
Talley-Meadows Wedding	DEFINITE	9/11/2021	Saturday	10	3:00 PM	1:00 AM	\$500.00	\$5,535.00	\$6,035.00	\$0.00
Center Stage Welcome Back	DEFINITE	9/21/2021	Tuesday	9	12:00 PM	9:00 PM	\$500.00	\$5,565.00	\$6,065.00	\$2,782.50
Dining with Duchenne	DEFINITE	9/22/2021	Wednesday	13	7:00 AM	1:00 AM	\$500.00	\$8,635.00	\$9,135.00	\$0.00
DMDC21 Affiliate Night Dinner	DEFINITE	9/23/2021	Thursday	6.5	3:00 PM	9:30 PM	\$500.00	\$4,640.00	\$5,140.00	\$0.00
Grand Total				81.5			\$3,000.00	\$33,860.00	\$36,360.00	\$2,782.50

Security Update:

We have made recommended updates to the Emergency Response Plan based on the lifting of COVID restrictions. Vendor walkie-talkie program is implemented with walkie-talkies at:

- 7th and Penn (Saturdays)
- 7th and C
- 7th and North Carolina
- Rumsey Aquatic Center

Music:

We have received requests from several for profit corporations to sponsor musicians and hope to get that sponsorship program going in mid-August.

Marketspread:

We are making progress with online payments for the North Hall management software and hope that we can make similar progress with the vendor management software.

Signage:

Still working. I'll be reaching out to Donna and Monte regarding reviews.

HVAC:

The HVAC contract is at the final stage of the process. We have a scheduled meeting tomorrow to review and respond to questions.

Parking:

We are getting more usage of the 700 Penn parking area on both weekdays and weekends from vendors, merchants, and customers.

Strategic Plan

In discussions.

Marketing

67,412 impressions (reach) for the last 28 days. Prior month was 67,610 impressions.

Thank you's

Thanks to our farmers for the tours of your farms and the updates on how you grow and in some cases, source your products. As we move towards a new level of transparency regarding sourcing, we truly appreciate this high level of clarity.

EASTERN MARKET TENANTS COUNCIL MEETING JULY 15, 2021

MINUTES

Tenants Council requested DGS conduct an “All Hands/All Tenants” Meeting in May to advise of changes, allow for questions, concerns to be addressed as well as provide some sort of empathy/gratitude for the difficulty the Pandemic has put on all small businesses that make up the market, and for those who continued to keep the market going during COVID and prior to vaccines.

Resolution 07152101 - passed 3-0. Tenants Council Requests that management not post pone the All Tenants meeting any longer and make plans for a virtual event asap.

Resolution 07152102 – passed 3-0. Tenants Council requests more consistent presence and involvement from Management on Duty regardless of who it is.

While there has been a welcomed heightened involvement and visibility throughout the day by Market Manager on weekends, the same absolutely cannot be said of any individual left in his stead. We have requested clarity on what responsibilities Market Manager is informing anyone left in charge they are expected to meet so that our expectations can more closely match his expectations of them. This would be true of weekdays as well.

Resolution 07152103 – passed 4-0 Tenants Council requests consistent treatment and expectations of all outdoor sidewalk market vendors and farmers. This includes space assignment, set up, and the application of Attachment A Rules and Regulations.

For Approved food and non-food vendors and farmers: setting up and paying for a space are by default bound by the terms and conditions (attachment A) as well as the Legislation.

Refusal to comply should not be rewarded with turning a blind eye and enabling of renegade or disruptive behavior.

House Keeping:

TC discussed ways to better communicate, gather agenda items that respects everyone’s time constraints.

New Business:

- HVAC/Temperature in South Hall Funding for FY 22 and stop gap measures for current heatwave

Possibly keeping the large doors closed (Center Market near managers office and opposite side of building), or funneling customers through specific doors to keep in as much cold air as possible. North Hall seems to have plenty of cold air. Can we leave the NH doors open so that some of that air can come into the South Hall. To keep the south hall as secure as possible, they lock both double doors. May start turning off the air handler units feeding into the north hall. May cook off the rest of the market by diverting that cool water to other parts of the market. Mike suggest adding venting to the bottom porch of the door to allow more air flow.

Barry said this has been done before and it worked. They are currently working better in the last few weeks since work has been done. Anita asked that we provide GOOD SIGNAGE as to why the doors are closed.

- Ventilation of equipment in basement

Compressor room – Mike went down today and the intake fan was not working but the exhaust was working great. Should look at getting more fans to get cooler air into the room.

- Current Mask Rules in South Hall :projected changes customer communication, enforcement

Mike ask that we change rule to weather you are vaccinated or not. Anita brought up the point that this is a family market and therefore need to keep in mind small children that people bring that are not eligible for the vaccine.

Mayor's order say: people have to wear mask in public building and employees working with the public also have to wear a mask.

The communication of the how/why should be made more clear by posting signs.

Need clarification to the public and set expectations of those coming into the market.

Public must wear mask in public buildings.

Barry indicated that North Hall events would also be following the Mayor's Mask Mandate within Government Buildings.

- Pest Control (south hall merchants)
 - related to higher temperatures, creates more insects.
- North Hall events and effects on South Hall:

Supplemental parking at Trader Joes for merchants and employees during event parking needs. Proper notice about events will be given.
- Revisit keeping open spaces on map open (exit points for Farmers to leave when sold out, customer access to Broadway from street)
 - Vendors using open spaces to spread out like walk- ways and behind their tents defeats purpose and causes issues with Farmer's exiting we've had exit issues with farmers not being able to fit between tents even when they are leaving at 4:30 or later

It worked for a while, then people started spreading their spaces into those areas. Need to make people aware the reason for the openings and should not be pulled into until the farmers are gone for the day. This is ideal topic to cover in all hands meeting.

- Management visible presence on street during set up and break down. What is Barry's view on this and what is his expectation of anyone acting in his absence. This is when some of the issues of people and where they are setting up can be addressed. Particularly for anyone setting up incorrectly by choice which forces those who arrive after to follow suite. A quick punch list of what to check for during morning set up could help with this.
- Safety and managing non police worthy market disruptions

There have been instances of people hanging out at the market congregating in a single area and making disruptions to the market, loudly cursing, Cat Calling women, asking for money, etc. But this should not be permitted. Management should be able to manage this without PSD or similar.
- Do we need to re number or repaint where tent legs go for clarity on the street? If NOT, can we be more consistent in walking the market during AM set up to address on going issues with vendor/s setting up between space markings.
- Some/most of Broadway are complying with 7ft depth but a few are not. Is consistency and fairness still the goal? People have already discussed that if

they just do it correctly for a few more weeks it will all blow over and they can go back to 10x10 again.

- Barry will speak with individuals and seek compliance or relocation.
- So much of these issues could be addressed in an all hands, provide clarity, then back it up with an email, then begin addressing outliers.
- At last EMCAC Barry mentioned something about giving walkie talkies to vendors. TC had no prior knowledge of this. Please tell us the goal of this, and how you are rolling it out, how does one opt out if they do not want to do it, to what standard are these vendors being held responsible for having it, how can you eliminate perception of favoritism for vendors who agree to use them... etc.

How are people being chosen (END OF THE STREETS); asking not demanding them to do it; Anthony Reddick was the only one who had one before Barry left.

Expectations: keep an eye on what's happening, report out on anything they see (theft, car on the street, etc) and vice versa

Can this be put in writing? What happens if that person is absent for the day. We should make it clear they are NOT getting anything in return (preserved or real)

**Eastern Market Community Advisory Committee
Capital Improvements**

**Report to the EMCAC
Concerning Capital Improvement Budget**

July 27, 2021

DGS proposed a capital budget of only \$330,000 for bollards (2022) and no budget dollars for any capital improvements for Eastern Market in the 2023-2027 budget. EMCAC had identified that over a million dollars of capital improvements were needed. EMCAC submitted testimony to the DC Council Budget Oversight Hearing (copy attached) that was heard on June 16, 2021. Due to follow-up efforts with Councilmember Allen’s office, one million dollars is now included in the current Eastern Market capital budget:

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program / Activity / Project</i>	<i>Purpose</i>	<i>Operating (Recurring/ One-Time) or Capital</i>
	\$1,000,000	0	Department of General Services	\$1,000,000	0	Project No. EA710 (Eastern Market)	Capital improvements, including brownstone repairs, HVAC system, standby electric generator, and public address system	Capital in FY22
							Satisfy the outstanding	

The Capital Improvements subcommittee fully support brownstone repairs, HVAC and the public address system. However, the subcommittee recommends that standby electric generator needs to be re-evaluated, and for now should be the lowest priority.

Respectively submitted,



Monte Edwards
Chair, Capital Improvements Subcommittee

Council of the District of Columbia
Committee on Facilities & Procurement
Budget Oversight Hearing - Department of General Services
Statement of Monte Edwards
June 16, 2021

I am the Secretary of the Eastern Market Community Advisory Committee (EMCAC) and serve as the Chair of EMCAC’s Capital Improvement Subcommittee. EMCAC is designated by stature

as the advisory committee to the Department of General Services (DGS) for matters concerning capital improvements at Eastern Market. (DC Code §36-101-113), a role that EMCAC has been unable to perform for this budget cycle.

The Capital Improvements Subcommittee has identified needed capital improvements and advised on how to best accomplish them, but only one of EMCAC’s requested projects is included in the 2022 budget year: \$330,00 for bollards (hopefully).¹ There are no budget dollars for capital improvement needed in 2023-2027. As I testified both in 2019 and 2020 there are at least three major projects that EMCAC has recommended over the past several years that DGS needs to undertake in addition to capital improvements specified in the November 19, 2020 *Facility Condition Assessment Report* that amount to over \$3 million.²

Three of the major needed capital improvement projects that I described in my 2019 and 2020 testimony are still unfunded.

1. Energy Efficiency (no DGS estimate but likely over \$100,000)

Even after the HVAC repairs are accomplished (which have not yet begun), investments are needed to improve the building’s efficiency by separation of the operation and metering of HVAC systems in the North and South Halls to separate costs so they can be properly assigned.

2. Brownstone Repair (\$441,600)

The repair and replacement of the dangerously spalling and unsightly deteriorated brownstone was identified in 2014 and has not been repaired. The current DGS budget has \$85,000 to repair the area above the Pottery Studio, but no money in the 2022 – 2027 budget to complete the \$441,600 needed repair. Pieces of brownstone continue to fall from the south end of the building, into the Pottery Studio stairwell creating a danger to people entering the Pottery Studio. The plinths at the doorways, foundation stones and decorative trim are spalling and require replacement.

3. Public Address System (\$76,000)

Eastern Market has failed to implement the *Eastern Market Emergency Response Plan*, that explained the necessity of having a method for the Market Manager to communicate with vendors and customers in all parts of the Market when an emergency is declared. In the fall of 2013, the Market Manager obtained proposals to install an audio paging system that would

¹ While EMCAC has been advised by DGS the \$330,00 is for bollards, Volume 5, form 9, page 9-AMO of the budget states “New Funding FY2022: \$330,000” and the description “Funding will support small capital projects to maintain and improve the operations, safety and appearance of the Eastern Market building and site, such as but not limited to interior and exterior restoration, stone/brickwork, building systems and/or equipment, and other needed upgrades.” The budget description says nothing about bollards or security.

² *Eastern Market Facility Condition Assessment Report*, page 24:
Summary of Funding Needed by Requirement Type and Year

Year	<u>Renewal Requirements</u>	<u>Non-Renewal Requirements</u>	<u>Total</u>
2022	628,773	44,016	672,789
2023	161,407	0	161,407
2025	1,091,408	40,701	1,132,109
2028	1,075,512	0	1,075,512

Note: There are no entries for 2024, 2026, or 2027. 2028 is included as an approximate proxy.

provide audio speakers located in the South Hall, the North Hall, and the outside market for emergency notification, paging and performance events. The project has not been funded. The 2022 DGS capital budget needs to be increased to include money for these Eastern Market capital projects.

An even more egregious problem is the failure of DGS to follow budget procedures required by statute. The legislation requires that EMCAC receive both the operating and capital budget at the “start of the budget preparation cycle” - that was last September.³ EMCAC’s recommendations and comments are required to be included in what DGS sends to the Mayor’s Office and Council. That was not done this year – in fact EMCAC was advised that it could not even see the proposed budget in September 2020, but rather only after it was included in the Mayor’s budget sent to Council just this month. Thus, neither DGS nor the Mayor’s office had the benefit of any EMCAC comments or recommendations for the current budget.

Thank you for the opportunity to bring these matters to your attention

³ **DC Code §37-105(f):**

The market manager shall prepare, prior to the start of each District government fiscal year budget preparation cycle, a budget for the annual operating expenses and any capital improvements that may be required, together with any necessary cost/benefit analyses, and shall submit this budget to the EMCAC for its review and recommendations at a public meeting. The market manager shall then submit this budget, along with the EMCAC’s recommendations, to the CPMO, the Mayor and the Council for inclusion in the District of Columbia budget.

DC Code § 37-111(g):

The EMCAC shall have the following responsibilities:

- (3) Review and comment in 30 days from the point that the EMCAC has notice on:
 - (A) The annual budget prepared by the market manager for the management of the Eastern Market Square;
 - (C) Any proposal for a capital improvement to the Eastern Market Square or the Eastern Market building;