

**EASTERN MARKET COMMUNITY ADVISORY COMMITTEE
REGULAR MEETING
JANUARY 26, 2022**

MINUTES

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

The regular meeting of the Eastern Market Community Advisory Committee (EMCAC) was held on Wednesday, January 26, 2022, at 7:00 P.M., via Zoom. The Chair called the meeting to order at 7:04 P.M.

Approval of the Agenda

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

Approval of the Minutes

Mr. Burger moved that the December 8, 2021, regular meeting minutes be approved. The minutes were approved.

Report of the Chair

The Chair reviewed the meeting dates set for 2022 to date. By unanimous consent, EMCAC adopted a motion to reschedule the April meeting from Wednesday, April 27, 2022, to Thursday, April 28, 2022.

Report of the Market Manager

Market Manager Barry Margeson presented a written report of the Market Manager, which is attached to these minutes. He agreed to: share a list of the staff members assigned walkie talkies; provide data for parking program usage for each of the next two months; email his report separately to the merchants and vendors; and request a presentation with data from the Department of General Services ombudsman regarding the dispute resolution process.

By unanimous consent, EMCAC adopted a motion to send Erika Rubel, who is departing as a vendor, a note of appreciation for her service to Eastern Market.

Report of the Subcommittee on Market Operations

Market Operations Subcommittee Chair Tom Kuchenberg presented a written report, which is attached to these minutes. Ms. Jefferson noted that members of the Tenants Council attended the meeting of the subcommittee, but did not concur with the report. Mr. Burger moved that the report be approved as amended with the insertion of the following text: "Every effort shall

be made to allow vendors to remain in their established spaces, however, the Market Manager will have the final authority to assign spaces in order to best meet the needs of the Market as a whole.” The motion was adopted.

Report of the Tenants Council

Ms. Jefferson, Chair of the Tenants Council, reported on requests regarding conditions in the public restrooms and holding an all-hands meeting during the first quarter.

Update on Eastern Market Metro Park

Commissioner Sroufe reported that there is \$150,000 in funding available for programming from April 1 to September 30 for the Eastern Market Metro Park. Proposals are due February 11, 2022, and decisions are expected by February 18, 2022.

Community Comments and Concerns

Mr. Kuchenberg noted his appreciation for Cam Wagner participating in the Subcommittee on Market Operations meeting.

Adjournment

The meeting adjourned at 8:42 P.M.

Monte Edwards, Secretary



Eastern Market Manager's Report to the EMCAC

January 26, 2022

Eastern Market Finances:

Revenues – Actuals for First Quarter:

	October	November	December	Grand Total
300 Block	\$ 7,009	\$ 7,152	\$ 4,168	\$ 18,329
Application Fees	\$ 70	\$ 105		\$ 175
ATM		\$ 2,348	\$ 1,455	\$ 3,804
Flea Market		\$ 6,100	\$ 3,050	\$ 9,150
North Hall	\$ 8,475	\$ 600	\$ 2,013	\$ 11,088
Outdoor Vendors	\$ 15,580	\$ 13,738	\$ 10,127	\$ 39,445
South Hall		\$ 40,606	\$ 18,361	\$ 58,967
Tuesday Farmers	\$ 198	\$ 50	\$ 114	\$ 362
Weekend Farmers	\$ 10,000	\$ 8,984	\$ 6,756	\$ 25,740
Grand Total	\$ 42,956	\$ 78,938	\$ 44,592	\$ 166,486

Avg for Oct-Dec: \$55,495.30

Reference:

Avg Monthly Rev FY21	\$ 45,856
Max Monthly Re FY21	\$ 68,779
Prior Month (Sept)	\$ 66,512

Leases

Calomiris & Sons have signed their lease. We are waiting for some final documentation before we route the lease for the Director's signature.

Operations:

Outdoor Market:

Hellos!

Dramamama Bookshop started on December 11 and has been doing extremely well.



Just AJ's came out to the market for the first time this past weekend on 1/22. Welcome AJ!



Amour Mushrooms has been coming out for the past three weekends and has sold out each Saturday before the market has closed.



Goodbye!

Erica Rubel from HadMatter has been at Eastern Market from long before we arrived and will be leaving very soon to Maine. We'll miss you, Erica!



Indoor Market:

Market Lunch is now operating under new protocols, specifically, requiring all customers who wish to eat at their table to provide proof of vaccination. That policy began on 1/15 and has gone without any issues so far.

North Hall:

Nicole is back from maternity leave!

Security Update:

With a reduced footprint, we have not had many vehicle concerns. No thefts have been reported since the last report in November.

Music:

Winter has reduced the interest in busking at the market, clearly.

Marketspread:

All vendors are now in Marketspread.

No progress currently with Marketspread payments (Marketspread is our vendor management software).

Capital Improvements

Signage:

The signage Scope of Work, reviewed by the EMCAC, has been forwarded on to the Construction Division to bid out.

Stonework:

The stonework contract, reviewed by Monte Edwards, is with Contracting and Procurement.

HVAC:

The HVAC analysis showed that more work needed to be done on the system than was included in the original scope of work. We are currently working on what changes need to be made to the project scope.

Parking:

Continued strong usage of the 700Penn parking garage.

Marketing

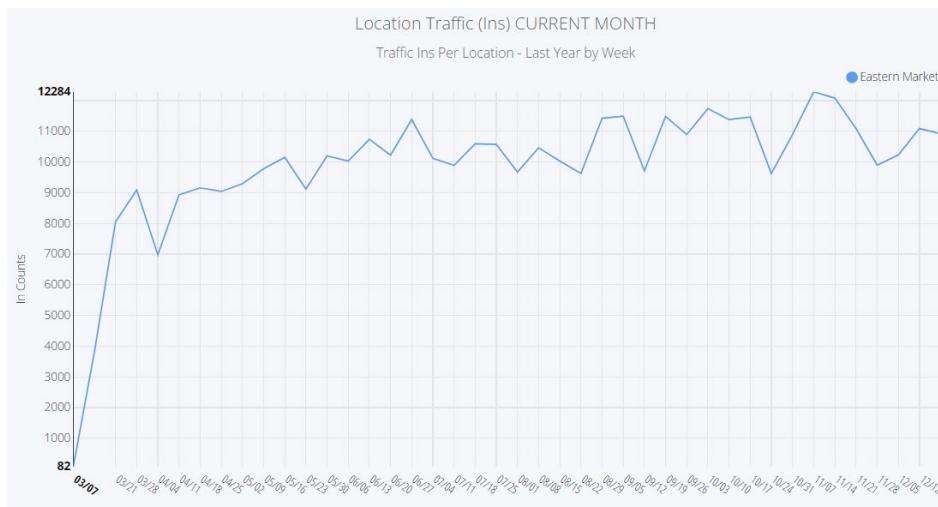
We've continued posting through the holidays and into the winter period. A listing of the most popular posts is included in Attachment A. Reach was 67,968 for the last 28 days, down from 91,132 impressions from Nov 10 – Dec 7. In November, we had 9,652 followers. We are now at 9,920.

In the News:

- France 2 – Mike Bowers Interview
- Afar Magazine – Sunday Funday

Holidays:

Customer traffic was high throughout the holiday period. The graph below shows statistics from when we first installed Sensource. To give you an idea of what weekly ins are in January, the last week's customer count was 7,001.



Strategic Plan

In discussions. We'll be posting another update regarding the work that we are doing that is in line with the work outlined in the Strategic Plan at the start of February.

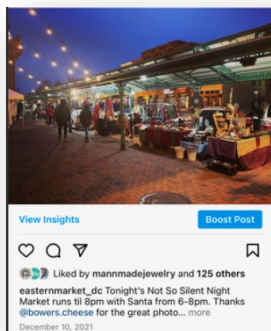
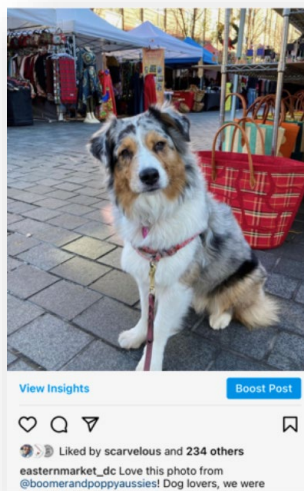
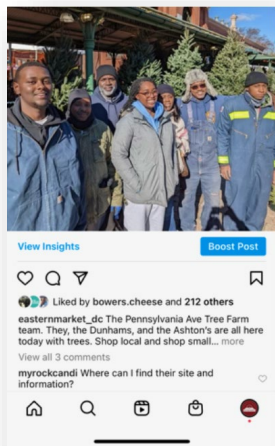
Eastern Market Main Street

The first interview for the new Executive Director for Eastern Market Main Street will be on Monday. The Main Street is also considering a contractor to help out in a more comprehensive capacity with some of the marketing and relationship building. Fundraising will be a key component to the workload for the new Executive Director over the next year.

Thank you's

- Thanks to Monte Edwards who has been extremely responsive throughout the past months with the contracting work and reviews of documents and scopes, etc. We truly value your expertise.
- Thanks to all of the vendors and merchants who have been liking and commenting and posting regularly on social media. Already, this work that we're doing is paying off. We are seeing more folks tag Eastern Market and engage on a daily basis.

ATTACHMENT A





MARKET OPERATIONS REPORT

Meeting of January 19, 2022

This account of the 1/19 M&O meeting was circulated to the attendees of the Meeting with a request that any additions or corrections be forwarded to me by 9 PM tonight. None have been received and I am forwarding this to the full EMCAC for consideration at tomorrow's monthly meeting.

Market Operations (MO) held a virtual (Zoom) meeting on Wednesday January 19. The meeting focused on changes and revisions to Market Regulations that have been under discussion between the Tenants Council and the Market Manager. The issues discussed and any recommendations of the Market and Operations Subcommittee to the full EMCAC are as follows.

Attendees: Donna Scheeder, Tom Kuchenberg, Nikki Dean, Susan Oursler, Anita Jefferson, Jerry Stroufe, Barry Margeson (Manager), Olivia Warren (DGS) Cam Waggener

1. Vendor Permits - Vendors have requested that they be provided Permits stating that they are authorized to operate a retail operation at Eastern Market. Management has felt that information provided in Marketspread is sufficient to meet the requirement in Section 37-105 of the Market legislation which states ...**"(k)** Buying and selling shall not be permitted on the sidewalk market, except with the prior written approval of the market manager." There are a number of reasons why such Permits should be issued to the Vendors including past practices and providing Vendors with some written evidence that they are in good standing with Market Management. Such a Permit also provides proof of this good standing when Vendors are dealing with third parties in seeking a loan or business related supplies or raw materials.

The consensus of the Subcommittee was that the Market Manager should provide Vendors with some form of Permit that indicates that they are allowed to do business at the Market.

2. The Ombudsman and the Appeals Process - The Subcommittee was fortunate to be able to hear directly from the Ombudsman, Olivia Warren. Ms. Warren noted that while the Appeals Process was relatively new, she had received one Appeal to date regarding a Market Violation Notice (MVN). Subsequent discussion of the scope of the Appeals process indicated that it was at present confined to such Market Violation Notices.

The consensus of the Subcommittee was that the Tenants Council should work with the Market Manager and the Ombudsman to assure that the Complaint Process is handled in a fair and equitable manner.

3. Vending Spaces - For many vendors the space they occupy is their equivalent of a brick and mortar location and it is where customers look for them. They seek some stability in space assignment for that reason and contend that, absent extraordinary circumstances, they should be given assurance that their right to a previous or established vending space should be guaranteed, particularly after a leave of absence. The Market Manager stated that effective management of the Market requires flexibility in assigning vending spaces. Finding the balance between these two is desirable.

The Manager stated that the current practice is to return vendors to their previous or established vending locations including when they are returning from Leaves of Absence There

was general recognition that while adjustments caused by Covid constituted an extraordinary circumstance, plans should be made for a return to relative normal in the upcoming months.

The consensus of the Subcommittee was that while the Market Manager should maintain authority over vending space assignments, that the current practice of returning vendors to their established locations whenever possible should continue.

4. Market Violation Notices - Section 37-110 of the Market Act states in part "In the event that a market vendor violates any law, regulation, sidewalk market rule or condition of the market vendor's sub-lease as specified in the contract, the market manager may issue a market violation notice ("MVN") to the market vendor suspending the market vendor's sub-lease until the violation has been cured or corrected..." Vendors have expressed substantial concerns over the issuance of these MVNs, notably contending that while some Vendors are charged with violations and issued a MVN, others performing identical activities are not. The Manager pointed out that the issuance of these MVNs is not a matter which is made public or generally known to those Vendors not issued the MVN. He noted that MVNs have been issued in the past for such activities as taking over a vending space belonging to another vendor and intoxication.

The consensus of the Subcommittee is that, while the standards for Market Violation Notices should be fair and equitably applied, the issuance of such MVNs is basically a Management responsibility.

5. Annual Assessment of Vendor Conformity with District of Columbia Laws and regulations. - Section 37-105(p) of the Market Act states in part, "Before a stall assignment shall be issued, the applicant shall have obtained any required business license and sales and use tax number,..."

The Subcommittee urged the Manager to check on the status of these items at least once a year.