

1D01: Frank Agbro Chairperson frankojazz@aol.com	<p style="text-align: center;">Mount Pleasant Advisory Neighborhood Commission</p> <p style="text-align: center;">anc1D mount pleasant, dc</p> <p style="text-align: center;">1380 Monroe St NW, #117 Washington DC 20010</p>	1D04: Rosa Rivas Vice chairperson 1D04@anc.dc.gov
1D02: Adam Hoey adamanc1d@gmail.com		1D05: Arturo Griffiths arturoanc1d05@gmail.com
1D03: Jack McKay Secretary/Treasurer jack.mckay@verizon.net		Website: anc1d.org e-mail: anc1d@googlegroups.com

Minutes of the December 15, 2015 meeting of Advisory Neighborhood Commission 1-D

These minutes accepted at the January 26, 2016 meeting.

Call to order

[7:05 pm] Chair Agbro called the meeting to order at 7:05 pm. Present were three of the five commissioners: , Frank Agbro, Rosa Rivas, and Jack McKay, constituting a quorum. Julian Gonzalez provided Spanish-language interpretation.

Public discussion

[7:05 pm] The public discussion period began. Adam Hoey arrived at 7:07 pm, and Arturo Griffiths at 7:10 pm.

Agenda approval

[7:35 pm] The agenda for the meeting was approved, with “Exelon merger” as an additional topic.

Chair's report

[7:40 pm] Franko reported on various activities, including a proposal for an ANC-sponsored community get-together.

Secretary's report

[7:43 pm] Jack asked if there were any corrections to the minutes of the October and November meetings. No corrections being offered, the minutes were declared accepted.

Treasurer's report

[7:43 pm] Jack asked if there were any objections to the following routine payments, for the November and December meetings: Checks to Tony Grillo, 2x\$50, poster for the November and December meetings; HearSay Interpreting, 2x\$100, and Jazmin Rumbaut, 2x\$100, interpreting at the November and December meetings; Julio Lopez, 2x\$30, for assistance at the November and December meetings.

Jack said that he had written a replacement check to Tony Grillo, \$50, to replace the July check, lost. *No objections.*

Jack noted that he had written a check for \$197.70 to replenish the petty cash fund. *No objections.*

Jack said that we had an invoice from Lily Najera for \$520, for “communications assistance” prior to her resignation, and advised that the invoice be paid, despite some concerns about the work product, given that she is no longer contracted by the Commission. *Approved by voice vote.*

Jack displayed the invoice from Dany Sigwalt for \$240, for services during the month preceding this meeting. *Payment approved, voice vote.*

Communications Associate report

[7:47 pm] Dany Sigwalt reported on her activities for the Commission.

Convert a Klingle Road lane for exclusive use by bicyclists and pedestrians

[7:52 pm] Jack brought up, as unfinished business, this resolution from the October meeting:

Resolved, that ANC1D advises the District Department of Transportation to consider conversion of the right lane of westbound Klingle Road, from the Adams Mill Road intersection to the Beach Drive turnoff, to bicyclist and pedestrian use.

Why: Currently two lanes of westbound Klingle Road are closed, being used for work associated with the Pepco mineral oil spill. This confirms that there is no need for this portion of Klingle Road to be a four-lane highway; one lane in each direction is sufficient to handle the automobile traffic. The conversion of one lane of this road to pedestrian and bicyclist use will provide a safe route into Rock Creek Park, including the Rock Creek Park bike path. It is possible to use the sidewalk on the south side of the road for access, but that sidewalk is too narrow for safe use by a mix of pedestrians and bicyclists. Furthermore, the access from the south-side sidewalk to the Rock Creek Park bike path, as well as the Klingle Road recreational trail to come, requires bicycling, or walking, down a one-way ramp against oncoming automobile traffic.

Resolution passed, 5 to 0 vote.

Support Bancroft modernization funding

[7:56 pm] Jack moved the following resolution:

Resolved, that ANC1D advises the Mayor, and the Council of the District of Columbia, to fully fund the modernization of Bancroft Elementary School in the FY2017 budget.

Why: Bancroft was originally scheduled for modernization work to begin in 2015, to be completed by December 2017. This schedule was postponed for a number of reasons, including the need for approval as a "special merit" case by the Historic Preservation Office. That approval was obtained in September, 2015, and final approval of the design by the HPO is imminent. With the historic preservation issues out of the way, there is nothing to prevent a start to modernization work in January, 2017, as now scheduled by the Department of General Services. This will lead to work completion by the beginning of the 2018-2019 school year, one year later than was first scheduled.

That Bancroft is in urgent need of modernization is indisputable. According to the facility needs ranking compiled by Council Committee on Education, of the 74 elementary schools and education campuses listed, Bancroft rates 8th in overall need, scoring 4.05 points on the scale of zero (no need) to 5 (urgent). Bancroft scores highest in need in the "date and type of last construction" category (i.e., "never"), and in "facility condition", and is the highest scoring elementary school in Ward One.

That this project was delayed by a year was unfortunate, but unavoidable. Now that the historic preservation issues are resolved, it is surely time to begin this urgently needed modernization project.

Resolution passed, 5 to 0 vote.

Earlier east-side gate opening hours for the National Zoo

[8:01 pm] Jack moved the following resolution:

Resolved, that ANC1D advises the National Zoo that an 8 AM opening time for the gates on the east edge of the Zoo will impose a substantial hardship on residents east of the Zoo, especially bicycle commuters, walkers, and joggers, and asks that the gates be opened at 6 AM.

Why: Public policy in the District of Columbia is to promote bicycle commuting, to reduce traffic congestion and air pollution, and to promote public health. The Zoo is a crucial link in an important bicycling route to downtown DC, the Rock Creek Park Bicycle Path. Residents of the neighborhoods east of the Zoo pass through the Zoo gates to reach the bike path. Bicyclists on the path use the path to get around the Beach Drive Tunnel, avoiding the very unsafe sidewalk in the tunnel. If the gates into the Zoo, and to the Tunnel bypass, are closed until 8 AM, then many morning commuters will be forced to take routes that risk collisions and injury.

Concerning the Harvard Street gate, when that gate is closed, bicyclists attempting to access the RCP bike path must attempt to run across Beach Drive, across rush-hour traffic. The hazardousness of that run was demonstrated some years ago when the overpass was closed for repairs, and at least one person attempting to run across Beach Drive was struck and injured by a car.

Concerning the Tunnel bypass path, the sidewalk through the tunnel is far too narrow for safety. The slightest brush against the wall of the tunnel, or an encounter with an object on that sidewalk, may cause a bicyclist to crash into Beach Drive, right into the path of the heavy morning traffic.

Zoo Director Dennis Kelly is quoted (Northwest Current, December 9, 2015) as saying “you don’t compromise on safety”. But opening the east-side Zoo gates only at 8 AM does exactly that, for bicyclists attempting their morning commutes.

ANC1D recognizes that the Zoo staff have difficulties with walkers and joggers passing through the Zoo during the morning working hours. But bicyclists east of the Park using the Zoo for commuting are not passing through the exhibit areas, but are merely skirting the edge of the Zoo as they make their ways towards downtown. Surely the east-side gates can be opened at 6 AM to promote bicycle commuting with safety, with minimal impact on Zoo personnel doing their morning jobs.

Many motorists also use the route through the Zoo, from Harvard Street to Beach Drive, for access to Beach Drive and Rock Creek Parkway. Again, such use affects only this easternmost fringe of the Zoo, and causes no conflicts among the animal exhibits.

Resolution passed, 5 to 0 vote.

Special exception for 1861 Ingleside Terrace

[8:09 pm] Jack moved the following resolution:

Resolved, that ANC1D advises the Board of Zoning Adjustment to approve the Special Exception application for 1861 Ingleside Terrace NW, and to permit also “expedited review”.

Why: The Commission agrees that this rear-side deck will meet the criteria of Special Exceptions:

- (1) The light and air available to neighboring properties will not be unduly affected, the deck being on the north-facing rear of the house;
- (2) The privacy of use and enjoyment of neighboring properties will not be unduly compromised, as rear decks along this row are numerous, including on the immediately adjacent row house;
- (3) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, will not substantially visually intrude upon the character, scale and pattern of houses

along the subject street frontage, given that many of the houses along this alley currently feature first-floor decks.

This application is nearly identical to BZA Case 18026, for a nearby residence along the same road, 1845 Ingleside Terrace NW. That special exception was granted by a BZA order dated February 3, 2010.

Resolution passed, 5 to 0 vote.

HPO permit for 1716 Hobart Street

[8:16 pm] Jack moved the following resolution:

Resolved, that ANC1D advises the Historic Preservation Review Board to postpone consideration of the staff report concerning 1716 Hobart Street NW, Case Number 16-046, to give this commission, and residents, more time to consider the proposed work.

Resolution passed, 5 to 0 vote.

Concerning the proposed Exelon-Pepco merger

[8:34 pm] Arturo brought forward the following resolution:

WHEREAS, Advisory Neighborhood 1D previously enacted a resolution to the DC Public Service Commissions (PSC) detailing the reasons for our opposition to the proposed Pepco -Exelon merger (PSC Formal Case No. 1119); and,

WHEREAS, the PSC rejected the proposed merger as being “not in the public interest on August 25, 2015; and,

WHEREAS, Mayor Bowser negotiated a non-unanimous settlement with District government and some other intervenors, that the PSC has agreed to rule on; and,

WHEREAS, ANC1D finds that the terms of the Mayor’s settlement do not address the conditions adduced by the DC Public Service Commission in their August 25th rejection of the merger, and that the harms to ratepayers render this merger “not in the public interest”, viz.:

- Exxon’s conflict of interest, as a dominant power generator, in serving as a local distribution utility.
- Facilitating rate hikes and rising electricity costs, due to a dependence upon fossil and nuclear fuels.
- The lack of protection from Exxon’s unregulated generation businesses.
- DC’s loss of control in being owned by a Chicago holding company.
- Exxon’s commitment to blocking access to Renewables and Distributed Generation.
- The difficulty of the DC Public Service Commission to regulate an entity with such market dominance and wealth as Exelon.

THEREFORE BE IT RESOLVED, Advisory Neighborhood Commission5C reaffirms its opposition to the proposed merger in Formal Case No. 1119.

Resolution passed, 4 to 1 vote (Jack voting “no”).

Reconsider heavy traffic fines

[8:39 pm] Jack moved the following resolution:

Resolved, that ANC1D advises the District Department of Transportation to reconsider the heavy fines proposed in the rulemaking published December 11, 2015, and advises the Council of the District of

Columbia to consider the possibility of income-adjusted traffic fines.

Why: The notion behind these increased fines is that deterrence will be enhanced. That supposes that drivers are currently willfully violating traffic regulations because they are unafraid of the moving-violation fines that would follow, should their violation be ticketed. In fact, deterrence is a function of the likelihood of a fine, not the magnitude of the fine. A fifty-dollar fine for violating a "no turn on red" sign would be ample deterrent, if the probability of the ticket and fine were not, as it is now, very low. Very few people consider a fifty-dollar fine negligible, and are undeterred only because they would not be bothered by such a fine.

But some drivers will be ticketed, and fined, however rarely and haphazardly. Some drivers subject to tickets and fines will come from low-income families where a heavy fine, whether fifty dollars or two hundred dollars, will be a major hit to their budgets. Fifty dollars is surely deterrence enough; two hundred dollars, for low-income families, is the rent money, it's food on the table, it's clothing for the children. The supposed enhanced deterrence of the heavier fine is surely outweighed by the hardship imposed, not only on the offending driver, but his family.

ANCID advises that moving-violation fines be adjusted according to the ability of the offender to afford the fine, as is done in some European countries. If the system cannot be revised to incorporate such adjustability for equitable punishment for an offense, then the higher fines proposed by DDOT should be rolled back to levels which, however low, will remain deterrents. Nobody likes paying a traffic fine, however small, and there is no validity to the notion that drivers disregard traffic regulations because they won't be bothered by the fine.

Jack moved that this be tabled until the January meeting. *Motion to table approved.*

Adjournment

[8:46 pm] The meeting was adjourned.