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Minutes of the March 22, 2016 meeting of Advisory Neighborhood Commission 1-D

These minutes accepted at the April 25, 2016 meeting.

Meeting

[7:00 pm] At 7:00 pm, Chairperson Rosa Rivas called the meeting to order, noting the presence of Commissioners Adam Hoey, Jack McKay, and Arturo Griffiths, constituting a quorum.

Public discussion

[7:01 pm] The meeting proceeded with Public Discussion, postponing agenda agreement in the hope that Commissioner Frank Agbro might arrive. Franko arrived at about 7:05 pm.

Agenda approval

[7:10 pm] The agenda as posted the web site was approved without changes.

Chairperson's report

[7:11 pm] Rosa reported that Dany Sigwalt had just e-mailed that she was resigning from the Communications Associate position.

Secretary's report

[7:12 pm] Jack asked if there were corrections to be made to the minutes of the January 26 and February 23 meetings. No corrections were noted, so the minutes were deemed accepted.

Treasurer's report

[7:12 pm] Jack noted the following routine expenditures: Checks to Tony Grillo, 2x\$50, poster for the February and March meetings; HearSay Interpreting, 2x\$100, and Jazmin Rumbaut, 2x\$100, interpreting at the February and March meetings; Julio Lopez, 2x\$30, for assistance at the February and March meetings. The commission had no objection to these expenditures.

Jack reported that the check written last fall to Lily Najera had been destroyed, and requested permission to provide a replacement check. *Permission granted.*

Jack reported that, during the quarter, the commission spent \$1522.75, not including the replacement check to

Ms Najera, about half the \$2947.65 quarterly allotment for the commission.

Jack said that Adam had proposed that the commission pay for workers to employ the Mount Pleasant Main Street “gum buster” along Mount Pleasant Street. After some discussion, Adam moved that we pay Career Path DC an amount not to exceed \$3500 for “gum busting” along Mount Pleasant Street, from Harvard Street to Park Road. *Motion approved, 4 to 1 vote, Arturo voting no.*

Unfinished business: Reconsider heavy traffic fines

[7:39 pm] Jack brought up the resolution tabled at the December meeting:

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.

The higher fines will therefore result in little or no improvement in driver behavior, and yet will inflict serious hardships on the families of low-income drivers who happen to be ticketed.

ANC1D 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.

Passed, 5 to 0 vote.

Approve liquor license changes for Marleny's Restaurant

[7:41 pm] Franko moved the following resolution:

Resolved that ANC1D advises the Alcoholic Beverage Control Board to approve the following changes for Marleny's Restaurant, License No. 077454, located at 3201 Mount Pleasant Street NW:

1. The addition of an entertainment endorsement to the liquor license, permitting the restaurant to offer dancing, karaoke, and a DJ.
2. Deletion of the current hours of operation restriction, and permitting hours as limited by the DC Code, or as specified in the current license renewal application.
3. Termination of the Settlement Agreement currently on file for this restaurant, as stated in the notice of March 18, 2016.

Why: Numerous Mount Pleasant restaurants currently offer entertainment, including live music and dancing, with no untoward effects on the neighborhood. Marleny's Restaurant is a small facility, and will add only a small contribution to late-night activity on Mount Pleasant Street. As for the operating hours, late-night patronage of Mount Pleasant restaurants adds to the safety of the street, to the benefit of residents arriving home from night work, and causes little disturbance to the neighborhood. As for the "settlement agreements", those have been terminated in recent years at several Mount Pleasant establishments, without ill consequences for the neighborhood. This Commission is confident that any problems that may arise can be resolved by negotiation with the proprietors of the restaurant.

Passed, 5 to 0 vote.

Stipulated liquor license for Bundle Bit LLC

[7:44 pm] Jack moved the following:

Resolved, that the commission instructs the commission secretary to provide a letter of support to ABRA for a stipulated license, class CT, for Bundle Bit LLC, the establishment moving into the Heller's Bakery site, 3221 Mount Pleasant Street, upon request by the management of the new business.

Passed, 5 to 0 vote.

Changes to ANC1D by-laws

[7:46 pm] Jack brought up the following proposed modifications to the ANC1D by-laws:

(1) that "The Chairperson is expected at all times to present the views of the Commission with respect to any matter on which the Commission has taken a position provided that such action has passed by a simple majority, requiring four 'yes' votes" be changed to "requiring three 'yes' votes". (Article VI, Section 1.)

(2) that "The Commission's checkbook shall be made available at all regular meetings of the Commission" be deleted from Article XI, Section 2.

(3) that "All actions are passed by simple majority except that new business (defined as business not on the agenda) requires four 'yes' votes to pass" be retained, despite the reduction in commission membership from six to five (Article IX, Section 2).

Changes (1) and (2) were approved, while change (3) was tabled until the next meeting; 5 to 0 vote.

Retain bus stops on 16th Street NW at Newton and Lamont

[7:55 pm] After a brief discussion, it was agreed that Adam would introduce this resolution at the April meeting.

Bicycle lanes for Adams Mill Road

[7:56 pm] Jack introduced this resolution:

Resolved, that ANC1D advises the District Department of Transportation (DDOT) to proceed with its proposal to add bicycle lanes to Adams Mill Road, between the Kenyon Street and Klingle Road intersections.

Why: Recreational bicycling, and bicycle commuting, are activities to be supported in the District, especially in close proximity to Rock Creek Park. Bicycle lanes on Adams Mill Road will enhance bicycle access to the Rock Creek Park bike path, either via Klingle Road, or via Adams Mill Road with a loop through the Zoo. That in turn provides a safe bicycling route into downtown DC.

The addition of bicycle lanes will reduce the southbound lanes on Adams Mill Road from two to one. This

will have little effect on traffic, which is not heavy enough on Adams Mill Road to warrant two southbound lanes. There will be some congestion slowing at the Walbridge Place intersection, with one lane instead of the present two. But road throughput is limited in practice by the traffic lights at Kenyon Street (25 seconds green, 55 seconds red), and at the Zoo exit (60 seconds green, 35 red), together adding up to just under one lane of traffic flow capacity. Hence, the single southbound lane on Adams Mill Road will not significantly impair overall traffic flow.

Given the ample width of Adams Mill Road, the connections at either end to Rock Creek Park and the RCP bike path, the desire to promote bicycling, for recreation and for commuting, and the minimal effect on automobile traffic, bicycle lanes for Adams Mill Road are well justified.

Tabled by general consent until the April meeting.

Include Mount Pleasant in the Crosstown Multimodal Transportation Study

[8:28 pm] Jack introduced this resolution:

Resolved, that ANC1D advises the District Department of Transportation to include Mount Pleasant in its Crosstown Multimodal Transportation Study.

Why: The current study area stops abruptly at 16th Street, excluding residents west of 16th Street. East-west travel is in fact vital for connecting the residents of Mount Pleasant with the retail and service resources of Ward One, including the 14th Street corridor, the Washington Hospital Center, and, increasingly, the Georgia Avenue corridor. Furthermore, the exclusion of the Mount Pleasant Street business strip appears to deny access to Mount Pleasant's shops, restaurants, and taverns, by residents east of 16th Street. It is illogical to exclude Mount Pleasant from this planning study, as if this neighborhood has no connection with Columbia Heights and points east.

Passed, 5 to 0 vote.

Improve Limited Purpose Driver's License procedures

[8:32 pm] Franko moved the following resolution:

Resolved, that ANC1D advises the District Department of Motor Vehicles to do the following: first, phase out the Limited Purpose Driver's License appointment system, instead integrating applicants into the daily service schedule; and second, provide road test examiners proficient in Spanish, for applicants with limited English skills.

Why: The appointment system for these licenses has a backlog of several months, a significant complication for applicants with uncertain or variable work schedules, as well as imposing a substantial delay in obtaining a license. As for the road test, if the applicant and the test examiner cannot communicate orally, the test is practically impossible. The District's Language Access Act requires that DMV make reasonable accommodations to residents with limited English capability.

These factors are especially significant in Mount Pleasant, where about one-third of the resident population is foreign-born.

Passed, 5 to 0 vote.

Restore curbside parking on 18th Street

[8:35 pm] Jack moved the following resolution:

Resolved, that ANC1D advises DDOT to restore three of the four curbside parking spaces lost as a result of increased no-parking spacing adjacent to the alley between Park Road and Monroe Street NW, by setting the

no-parking spacing at the DCMR-prescribed 5 feet for three of the four directions, while leaving the troublesome direction, facing north from the alley on the west side of 18th, at 20 to 25 feet.

Why: The legally specified minimum distance from a parked car to an alley is five feet, which is evidently deemed a safe distance for drivers exiting the alley (see DCMR 18, 2405.2(a)). But in October, 2013, the no-parking signs adjacent to the alley exits on 18th Street, just north of Park Road, were moved to a much larger distance, 20 to 25 feet from that alley, in the erroneous belief that these alley exits should be treated as if the alley were a cross street. The result is a loss of four curbside parking spaces for residents, in a neighborhood where curbside parking is already scarce.

This commission understands that the alley to the west from 18th Street is a special situation, because the nine homes along the south side of this alley, fronting on Park Road, use the alley for their principal access, including mail delivery, due to the height of those homes above Park Road. The initial request for additional spacing at the 18th Street alley exit was based on the difficulty in seeing 18th Street traffic approaching from the north, a problem exacerbated by the unfortunate amount of commuter cut-through traffic taking this route to Park Road. The commission is content to leave that spacing as it currently stands, 25 feet.

However, the extra spacing at the other three locations is not warranted. The alley on the east side of 18th Street is an ordinary alley, not used for mail or delivery vehicle access, so the 5 foot spacing set by the Municipal Regulations is appropriate. Furthermore, drivers exiting the alley on the west side are concerned about traffic approaching from their left, not traffic approaching from the right. The minimum distance from the alley to parked cars can be reduced to 5 feet without compromising public safety.

Tabled until the April meeting.

Adjournment

[8:45 pm] The meeting was adjourned at 8:45 pm.