

Jack's March report

At the February 15 ANC meeting, the ANC:

- Advised the ABC Board to consider “the excellent history and reputation of the Raven Grill” as it reviews a complaint of serving alcoholic beverages after the 3 AM closing time;
- Endorsed the current plans for pavement markings at the Kenyon/Adams Mill/Irving intersection, and advised DDOT “to proceed with this project as expeditiously as possible”;
- Endorsed the recommendations of the Klinge Valley Trail Final Environmental Assessment, and called for this project to proceed “as soon as possible”;
- Accepted a contract by eGovernment Solutions to develop a new Web site for the ANC;
- Advised DPW, the DMV, and the MPD to make the lists correlating parking and traffic ticket codes with actual municipal regulations readily accessible on their Web sites;
- Requested a DDOT study of loading zones on Mount Pleasant Street, seeking “improvements and rebalancing” of these zones;
- Considered, and then tabled until the March meeting, a resolution suggesting that the west-side bus stop on Mount Pleasant Street at Irving be moved from the “approach” side to the “departure” side of the intersection.

On March 1, the Commission held a meeting for informal dialog with residents, with a focus on the matter of loading zones and bus stops on Mount Pleasant Street. Few of the businesses on the Street have alley access, so truck deliveries and pickups must be made through the front doors, and thus trucks must be able to park on the Street.

Way back in June, 2007, this ANC endorsed the requests by three Mount Pleasant restaurants, Haydee's, Don Jaime's, and Don Juan's, for **termination of their “voluntary” agreements with the Mount Pleasant Neighborhood Alliance (MPNA)**. The restaurant owners consider these VAs oppressive, and have had a harsh history of conflict with the MPNA, which has fought live music, dancing, karaoke, and other entertainment in these restaurants. Even as limited live entertainment was permitted by the ABC Board decision of April, 2008, the MPNA has continued to fight to restrict the hours of entertainment, forcing the restaurants to cease music and dancing hours before restaurant closing time, much to the dismay of their patrons.

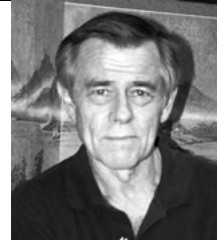
In February, the ABC Board announced its decisions concerning Haydee's and Don Jaime's: the MPNA “voluntary agreements” are now *terminated*. This is in keeping with a general approach by the current Board to cut back on VAs that are unreasonably restrictive, with provisions that cannot be justified by effects on nearby residences, or which have provisions which merely repeat ABC or District regulations. The VA with Hear Mount Pleasant will continue, and the Board considered that VA adequate protection for the neighborhood.

This means mainly that Haydee's and Don Jaime's can now offer entertainment until closing time. In addition, they can

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offer “happy hours” and drink discounts. This will permit our restaurants to be more competitive with other nearby restaurants that offer music, dancing, and “happy hours”.

Equally important to the restaurateurs, this frees them from control by the MPNA, with which they have had a very antagonistic and unhappy history. The MPNA has long attempted to impose its version of Prohibition on Mount Pleasant, banning singing and dancing and happy hours and pitchers of beer. People who know me personally know that I'm definitely not into these things myself, but I won't prevent anyone else from indulging in these things, not without a very good reason for doing so. I'm very pleased by this action of the ABC Board, and that they cited ANC support in their decision: “the Board agrees with ANC 1D and . . . grants the Petition [to terminate the VA] in its entirety”.

I've noted the **severe morning traffic backups on westbound Park Road**, held up by the light at the Klinge/Walbridge intersection. The problem is that, when DDOT modified the intersection to permit left turns from eastbound Klinge, they invoked a “protected” left turn, that is, a light cycle that is green for eastbound Klinge only, while the oncoming, westbound Park Road traffic is stopped. I see absolutely no need for that. Why can't the Klinge left turn be the same as almost every other left turn, where oncoming traffic is moving, and left turners simply wait for a break in the traffic? I've put that question to DDOT, asserting that there's no need for this “protected” left-turn cycle. We'll see what they do about it.

I rushed a resolution through in support of **the Raven Grill**, which was being called to task for “operating after Board approved hours”. It seems that, one evening last September, an ABRA inspector banged on the locked front door at 3:20 am, upon observing people in the Grill “consuming beverages from plastic cups”. Evidently the employees and a couple of residents were enjoying after-work drinks, after the 3 AM closing.

Yes, the Grill is supposed to cease serving drinks at 3 AM, so this was a technical violation, no question. But I have to ask where's the harm? What's the point? If the front door is locked, and the Grill workers want to have a little private post-workday party, well, how is the neighborhood harmed? What's the logic behind the 3 AM termination hour anyway?

Believing in “no harm, no foul”, I called on the ABC Board to consider that the Grill has a stellar reputation as a well-managed neighborhood tavern, our own “Cheers”, in its

assessment of this violation. I've also suggested to Main Street, and to the MPNA – the holder of the “voluntary agreement” for the Raven – that they speak up in support of this neighborhood business. The hearing is set for March 9.

The owners of the Raven Grill have expressed their appreciation for the ANC's speaking up on their behalf.

I still haven't gotten a definitive explanation of why the **Alante Financial robbery** on February 4 resulted in an intensive police search along Ingleside Terrace. Lt. Pate tells me that “at this time there were no leads leading them to 1800 block Ingleside”. On the other hand, a reliable Ingleside resident writes that “the FBI showed me the tracking device [from the cash bag], lying in the gutter on Ingleside”. The MPD are inclined to tell us nothing about anything, and the Feds are even worse. Both figure that we citizens have no need to know anything about what's going on around our homes. They're the experts, and we're supposed to stand meekly aside while they do their expert jobs.

People who were here in 1991 remember **the violence that erupted after a rookie police officer shot a Latino who didn't understand her English, while she couldn't understand his Spanish.** In the years since, the MPD has done much better at bringing in Spanish-speaking officers, who at least can explain to recent-immigrant Latinos why they're not supposed to, for example, drink a beer in Lamont Park. Our PSA meetings have lately been predominantly in Spanish, and have helped promote respectful relations between the MPD and our Spanish-speaking residents.

A few MPD officers may be undercutting our efforts. At the February 23 meeting, Haydee's brother Ramon Ruiz protested the thousand-dollar parking ticket given him by an MPD officer on Mount Pleasant Street. (What parking offense can possibly warrant a fine of a thousand dollars?) The ticket was handed him after the officer accused him of being drunk. In fact, Ramon was there to repair a broken door in the restaurant, and wasn't drinking anything. Right or wrong, this is perceived as anti-Latino bias by police officers.

Also at that meeting, it was reported that a certain MPD officer thinks it's amusing to accost Latinos at the 7-11 and demand to see their immigration papers. Another is said to make a practice of directing his squad car spotlight into the faces of people emerging from Haydee's Restaurant.

Lt. Pate heard these complaints, and I do hope he will take them seriously, and advise his officers that they are not to treat any residents rudely. I wonder if this is anti-immigrant bias, which in today's political climate would not be very surprising. The police are supposed to behave professionally, and not let any such political bias affect their work.

As for that **thousand-dollar parking ticket**, I wrote a letter noting that it was utterly invalid. Mr Ruiz's parked truck was not in violation of the specified regulation. On February 24, a DMV hearing officer dismissed the ticket “on merit” (i.e., the lack thereof). This monster parking ticket was bogus from the start, and was written only to punish Mr Ruiz for some imagined offense (“contempt of cop” is the expression). I wonder how many other such bogus tickets have been

written, but haven't come to my attention. If you don't know the laws, and don't know how to argue a legal defense, it's pretty hard to do anything about such a ticket. I'm very pleased to have brought about the dismissal of this one, on behalf of Haydee's brother.

The first thing you need to know, when **fighting a traffic or parking ticket**, is exactly what law you are accused of having violated. In fact, it's very hard to find out what law is being cited. Tickets denote a three-digit code, e.g., P051 for Mr Ruiz' supposed truck-parking offense. Well, what does “P051” mean, really? Good luck on finding out, even if you're expert at exploring DC Government Web sites. There is a document correlating these codes with actual District Municipal Regulations, but it's practically impossible to find.

This was the reason for my resolution calling for the MPD, DDOT, and the MPD to make this document easily findable on their Web sites, so that a resident charged with a traffic or parking offense can find out exactly what the supposedly violated law says, and perhaps muster a good defense. That's what I did for Mr Ruiz, noting that there were two good reasons why he was not in fact in violation of that law. But without the actual text of the law, one is helpless. And if one can't find that sheet correlating these three-digit codes and DC Regulations, one cannot find the text of the law.

It seems pretty elementary that, if charged with a violation of the law, you ought to be told what the pertinent law is. I'll testify to this effect to the District Council on March 7. I'll also testify that DMV personnel in charge of evaluating denials of traffic and parking tickets ought to be kept up to date on current traffic and parking laws. They're evidently not, and it's absurd that I should have to tell them this.

The reconstruction of **Kling Road** was blocked by the refusal of the Federal Government to accept the Environmental Impact Statement created by the District, even after several revisions. The replacement of the road with a **Kling Valley bike/hike path** is encountering no such obstacles. On February 28 the Federal Highway Administration accepted the Environmental Assessment prepared for the path, with its finding of “no significant [environmental] impact”, clearing the way for the construction of the path, with Federal financial support.

For all of my eight years on this ANC, I've been pushing for a reconstruction of the Adams Mill/Irving/Kenyon intersection **to permit left turns from westbound Kenyon onto southbound Adams Mill Road.** That maneuver is prohibited, and unsafe, but very commonly done, because it's otherwise rather awkward to get to southbound Adams Mill.

DDOT sent to us some final details of the project to allow this turn, asking for a quick review by the ANC. The ANC voted for my resolution of support. DDOT tells us that “this project is on the obligation list for this year”. I think the end of this long struggle is near, bringing us that left turn, and bike lanes, and other improvements for that intersection.

The next *business* meeting of the ANC will be on **Tuesday, March 15, 7:30 pm.** The next *informal* meeting will be on **April 5, 7:30 pm.**