

Jack's April report

At the March 24 meeting, the ANC:

- Passed my resolution in support of Councilmember Grosso's bill to give all legal residents voting rights in local elections, whether citizens or not (5 to 0 vote);
- Passed a resolution calling for the DC Government to “proactively enforce and ensure full compliance with DC laws for workers' rights” in Mount Pleasant (3 to 1 vote).

Many residents have heard about what appeared to be **the ANC's obstruction of the resumption of the Mount Pleasant Farmers' Market** this year.

Background: when an event in Lamont Park might be disturbing to the nearby residents (and only then), the Department of Parks and Recreation (DPR) asks the park permit applicant to obtain a “letter of support” from the affected ANC. That way, if any residents complain about the event, the DPR can answer that “the ANC said it was okay”, thus making us take the blame any disturbance.

The ANC last year developed a policy to provide “letters of support” with minimal fuss in situations such as the Farmers' Market, where we are confident that the event won't be a disturbance. If the applicant simply e-mails a request with an assurance that they'll minimize neighborhood disturbance, and no commissioner objects, then the letter goes to the DPR, without any need to take the matter up at a monthly meeting. Thus, last year the e-mail request for the Farmers' Market arrived here on March 9, and the ANC letter went to the DPR on March 13. As for an applicant having to come to an ANC meeting to defend a park permit application, that has never been required, and hasn't happened since 2011.

But the three new commissioners – Arturo, Franko, and Rosa – all objected to the routine issuance of the “letter of support” for the Farmers' Market, insisting that the applicant attend the March 24 meeting to answer questions. This had nothing to do with the possibility of neighborhood disturbance that is the DPR's reason for requesting the ANC letter, but was about how the Farmers' Market is run, e.g., Latino participation. In effect, the “letter of support” about the possibility of neighborhood disturbance was being withheld in order to force Farmers' Market manager Robert Frazier to answer questions from these new commissioners.

This apparent holding up of the 2015 Farmers' Market was not well received by the Mount Pleasant public. The weekly event is very popular, whatever its shortcomings. (Like many other things in Mount Pleasant, it's especially popular among a certain demographic. But that's the nature of Mount Pleasant: diverse, yes, but the diverse components aren't always well mixed. It's frequently a side-by-side diversity.)

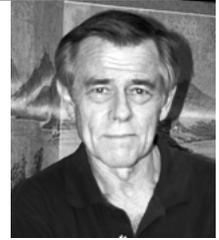
Adam Hoey arranged a private meeting with Robert on March 22, giving these commissioners their opportunity to get their questions about the operations of the Market answered. So they withdrew their objections, and I sent DPR the ANC “letter of support” on March 23, and that was that.

However, a good deal of harm was done to the reputation of the ANC in Mount Pleasant. I believe that our job is to *serve* the neighborhood, not to *govern* it. We have, in fact, no legal

ANC 1D03 NEWSLETTER #148

Jack McKay, April 12, 2015

Jack McKay
3200 19th St, Tel. 462-8692
jack.mckay@verizon.net
<http://DCJack.org>



authority to judge the operations of the Farmers' Market, and it was wrong to hold up the “letter of support” in order to coerce the Market into being subjected to interrogation by these commissioners. Even the DPR doesn't subject park permit applicants to such rigorous examination. The ANC letter should have gone out to DPR without argument, and without delay, as we did last year.

Rosa Rivas sent an e-mail on April 10 reporting a complaint that the **parking meter rates on Mount Pleasant Street** had suddenly been jacked up to \$2 an hour, versus the normal 75¢. I notified DDOT of this change, with an excerpt from a DDOT document confirming that Mount Pleasant was not to have that “premium demand” parking meter rate. DDOT agreed promptly that this was a mistake by their contractor and would be corrected.

That's our ANC job: we are to be the *voice* of Mount Pleasant, speaking for residents to the DC Government, not the *governance* of Mount Pleasant, attempting to rule the neighborhood.

The ANC passed Arturo Griffiths' resolution advising the Department of Employment Services (DOES) to **“proactively enforce” new laws concerning workers' rights in Mount Pleasant**. Nobody can object to the enforcement of workers' rights, certainly, but I thought this resolution was premature: education about the new law should have preceded aggressive enforcement.

The “Wage Theft Prevention Amendment Act of 2014”, intended to prevent employers from underpaying or otherwise cheating employees, became law only on February 26, just a month before our meeting. This is not a simple measure: the original law has already been subjected to seven amendment acts, two of which are still under Council consideration. Former Mayor Gray signed the original bill, but complained that it “includes provisions that are legally objectionable, ambiguous, or otherwise problematic”.

There's plenty of confusion now about what exactly is in this new law. It seems to me that, before calling in the authorities to hammer Mount Pleasant employers with “proactive enforcement” of it, there should be an effort to inform everyone, employers and employees, about its provisions. So I offered a substitute for his resolution, advising DOES “to prepare written materials for employers, and for employees, in Spanish and English, for distribution to the businesses and working people of the District”. Also, “ANC1D agrees further to assist DOES in the delivery of these materials to the Mount Pleasant neighborhood”. I'm certain that ANC

commissioners could reach workers in the neighborhood that DOES could not.

My motion failed; no one on the Commission would even “second” it. Arturo's resolution then passed, 3 to 1, over my “no” vote, while Adam abstained.

Between this law enforcement matter, and the Farmers' Market fiasco, I'm concerned that we're going to see more of an “activist” ANC, attempting not just to serve the neighborhood, but to govern it.

Back in January, the Department of General Services (DGS) displayed its plans for great **improvements at Bancroft Elementary**, a much-needed, \$55 million modernization of our 90-year-old school. The plans included moving the soccer field from the west side of the school to the east side, adjacent to “little” Mount Pleasant Street.

Well, the residents of that street were not enthusiastic about having a soccer field right across the street from their homes, threatening them with traffic and noise, and they made their concerns clear to the DGS. On March 15, the DGS showed a very substantial revision to their plans, mirror-imaging the plans so that what was to be on Mount Pleasant Street will instead be on the 18th Street side of the school. There's much more buffer space between the field and nearby residences on the west side of the school. We have to be grateful to the DGS for their prompt attention to the concerns of Bancroft's Mount Pleasant Street neighbors.

Due to the design changes, and increased costs, the schedule for the job has had to be set back one year.

Walbridge Place is in pretty poor shape, even by the current pothole-plagued conditions of DC streets. Residents complain of the noise of vehicles banging over the road surface, anyone driving the street (as I do, frequently) has to play dodge-'em with the potholes, and a neighborhood bicyclist was injured in running off the road to evade an oncoming car coming down the left side of the road, avoiding potholes.

There has been some patching work done, but a better resurfacing job is needed. I've brought this up to our Councilmember, noting that, though there are plenty of DC streets that need work, Walbridge is one that warrants priority, being a component of the “minor arterials” that direct east-west traffic through Mount Pleasant. Of that “minor arterial” network, Walbridge is the only street that is graded as in merely “fair” condition, the others (Park Road, Adams Mill Road, Irving Street) being in either “good” or “excellent” condition. The DC traffic density map claims that Walbridge carries a phenomenal 9000 vehicles per day. As unpleasant as that heavy traffic is for the residents of Walbridge Place, right now it's an argument for a proper resurfacing of the street, not just pothole patching.

Of course, the downside of having a road surface in good condition is that it encourages higher speeds. Especially on Walbridge, a narrow street with nothing but an occasional tree separating pedestrians from traffic, the speed of traffic is troublesome. And traffic-calming measures such as speed humps are not feasible, because the road is a “minor arterial”, not just a neighborhood residential street.

The Commission passed, by a 5 to 0 vote, my resolution endorsing Councilmember Grosso's bill that would **give all legal residents voting rights in DC local elections**, even if not citizens. This is not a new effort by this ANC, which has actively supported voting rights for all legal residents since 2003, and which implemented “symbolic” voting by noncitizen residents in a special ANC election in 2005.

We commonly identify local-election voting privileges with citizenship, but that's been the case only since the 1920s, when a wave of anti-immigrant fervor brought about that requirement.

CM Grosso's bill is a resumption of his effort of 2013, a bill which we endorsed at that time. His bill that year died in committee. He's hoping for a better result this year.

There are some very practical reasons for welcoming more immigrants to come and become Americans. The Economist magazine had this to say about Latino immigration: *“And yet the economic benefits of immigration may be the most settled fact in economics. . . . Rationally speaking, we should take in far more immigrants than we currently do.”* Also, *“America has been granted an extraordinary stroke of luck: a big dose of youth and energy, just as its global competitors are greying. Making the most of this chance will take pragmatism and goodwill. Get it right, and a diverse, outward-facing America will have much to teach the world.”*

I'm still fighting that absurd DCRA policy that allowed an **85-unit apartment house here to be built with zero off-street parking**, despite the zoning regulations that would require at least 14. It was on the ANC agenda in February, and again in March, but the commission has yet to agree to consider it. At the March meeting, more than an hour was lost to the Farmers' Market permit matter, something that should not have taken up a single minute of ANC meeting time.

A resident complained that the District's **speed-camera network** is all about cash for the DC Government, not about public safety. Indeed. I analyzed that infamous speed camera down in the underpass under Washington Circle on K Street, neatly hidden behind a pillar, where it can't be seen until it's too late. That camera is the most ticket-productive in the District, issuing more than 130 speeding tickets every day. (One might conclude that the 25 mph speed limit is inappropriate for that location.) In 2014 that camera raked in \$5.5M from unwary drivers (including \$100 from my senior-citizen wife, hardly a speedster on the road). My analysis of the traffic collision data for that location concludes that the camera might, at best, have prevented just two sideswipe, property-damage-only collisions in that year (not much else can happen down in that underpass). So it's costing District drivers more than \$2M for each such collision prevented.

No doubt the District Government loves that cash cow of a speed camera, but from the point of view of the driving public, its *costs* to the public are a thousand times greater than its *benefits* to the public.

| |
|--|
| The next meeting of the ANC will be on Tuesday, April 21, 7:00 pm, at the Mount Pleasant Library. |
|--|