

Jack's December report

At the November 17 meeting, the ANC:

- Revised ANC policy for providing “letters of support” for applications for Lamont Park permits;
- Agreed to establish a grants committee to “research and produce a grant system” for the ANC;
- Advised the DPR that the ANC “seeks improvements for the green space at 1900 Lamont NW and requests that funds be allocated in the DPR FY17 budget for this project”.

I've been through some pretty **dreadful ANC meetings** in my 13 years on this commission, but this one was perhaps the worst. Our chairperson began with the statement that we're “going to do things a little differently today”. The published meeting agenda was ignored, the rules of parliamentary procedure were ignored. Half the time of the meeting, limited by the 9 pm library closing time, was spent on topics of the chairperson's choosing, while other topics were omitted.

My resolution proposing the conversion of one lane of west-bound Klingle Road to bicyclist and pedestrian use never came up, for lack of time. I had prepared a new resolution supporting a proposal by DDOT for bike lanes on Adams Mill Road, but that also never came up. I had a resolution concerning a zoning decision for 1865 Park Road, with an early-December filing deadline, but that too was omitted.

I had a resolution on the “Unfinished Business” list, advising the Department of Parks and Recreation (DPR) “that any plans for changes to or development of the park at 1900 Lamont NW be offered to the public, and to this ANC, for a full review, prior to any decisions or commitments. The residents of the 1900 Lamont apartment house warrant special attention, due to their proximity to this park.” That text, already moved and seconded at the October meeting, should have had priority, was ignored, as our chairperson brought up a resolution by Arturo Griffiths instead, a resolution that said much the same about prior review, but included no reference to the apartment house residents.

Arturo's resolution passed, with Franko, Rosa, and Arturo voting for it, while I voted “no” (Adam was absent). I seem to be the only commissioner who cares about the 1900 Lamont apartment house residents, who have been good neighbors to us for all of our 41 years here. More on this below.

I've attempted to support neighbors protesting a decision by the DCRA Zoning Administrator to permit a **new construction at 1865 Park Road** to violate zoning regulations, on the grounds that the house that once existed there would have been a “contributing historic structure”, had it not burned to the ground decades ago.

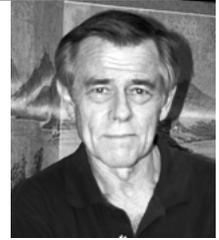
I think it's absurd to permit a violation of the zoning regulations on the basis of a building that does not exist, rendering the term “preservation” meaningless. However, my resolution supporting the neighbors protesting this DCRA decision never came up, despite a December 8 deadline for submission to the BZA.

I'm very unhappy that this ANC failed to come to the support of those neighbors. Shame on this commission for its failure to do its duty for the residents of Mount Pleasant.

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Jack McKay, December 6, 2015

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As of January 1, **the Zoo will not open its gates until 8 AM**. Many residents use the route from Adams Mill Road through the back gate of the Zoo to get to Beach Drive (motorists) or to the bike trail (bicyclists) in the morning. I'm sure that this will be a significant inconvenience to Mount Pleasant residents. The closure to bicyclists will be especially troublesome, because not only will access via the Beach Drive overpass be cut off, but bicyclists will have to negotiate that miserably narrow sidewalk through the Beach Drive tunnel. I've been there, I've done that, and it's dangerous, as is running across Beach Drive traffic to get to the bike path.

I'll have a resolution at the December meeting advising the National Zoo to open its east-side gates at 6 AM, or perhaps 7 AM, to promote bicycle commuting. It's hard to argue for using the Zoo for automobile access to Beach Drive, but bicycle commuting is something that the Zoo ought to view favorably. And if that results in the gates being open to cars for Beach Drive access, well, that's okay, too.

About **ANC grants**: we've wrestled with these before, with great difficulty. No, ANCs are not given money for the purpose of grants. Grants came about only because many ANCs (like ours) received more funds in their annual stipends than were needed for ANC operations. ANCs naturally wanted to use those surplus funds for their neighborhoods. Thus did grants, inadvertently, come about. Half of the District's ANCs do grants, and half do not.

Unfortunately typical of ANC grants is the experience of the Columbia Heights ANC, recently audited. *The District Auditor disallowed 78% of their awarded grants*. That mirrors the experience of our ANC in its 2004 audit, where 87% of this commission's grants were disallowed. The rules for grants are rigorous, and the rules for the permissible uses of ANC funds are complex, so it's all too easy to fail to meet the District Auditor's requirements.

An ANC expenditure “disallowed” is, essentially, a spending of public funds contrary to DC law. I consider that a very serious charge, amounting to the misuse of public funds, and is not something to be shrugged off. As ANC1D Treasurer, I've turned in 28 quarterly reports, 25 of which were approved by the Auditor with zero disallowances.

The Columbia Heights ANC result illustrates a huge problem with ANC grants: the majority of the 51 grants issued lacked “a complete set of receipts”, and hence were disallowed. This happens frequently, because grant recipients don't understand that public funds require thorough, detailed accounting, and find it hard to provide the documents required by the Auditor.

More to the point, once a grant recipient has his cash in hand, he's under no pressure to provide the follow-up paperwork. The ANC ends up begging the grant recipient for the necessary documents, and all too often, the grant recipient just cannot be bothered to do the job. Then it's the ANC that bears the legal responsibility for the shortcoming, when the Auditor reviews the ANC's books.

I've attempted to resolve that problem by using ANC funds directly for public benefit, instead of as cash handouts. For example, this ANC provided \$1787 for support for last December's Holiday Party in Lamont Park. But instead of handing out cash in advance, the ANC agreed to reimburse the Mount Pleasant Business Association for specific expenses incurred, upon presentation of the necessary paperwork. Providing the funds as a reimbursement, instead of up-front cash, compelled the Association to provide receipts and invoices, as we needed to justify the expenditure to the Auditor. Similarly, in May we reimbursed Mount Pleasant Main Street \$388 for the purchase of repair parts for its "gumbuster" machine. **The purchase-reimbursement procedure avoids the documentation pitfalls that plague grants.** No documents, no reimbursement; that works!

But the other commissioners on this commission have been deaf to this, insisting that we develop a grants procedure. (There is a procedure in our by-laws, but that's been ignored.) They want to hand out grants, cash in advance. None of them were here for our past grants experiences, so they dismiss my concerns about grants.

An example of the peculiar difficulties in using ANC funds for the public is our providing the Business Association with \$229 to pay for **toys to be given to children** at the Holiday Party last year. The Auditor, despite being quite sympathetic to the purchase, disallowed it, because a toy given to a child benefits only that child, and ANC expenditures must benefit "the public". Such are the obscure pitfalls of using ANC funds for the neighborhood, whether as reimbursed-purchases, or as grants. The laws governing the use of ANC funds are troublesome because they were not written with ANC grants in mind.

Last June, the ANC agreed to hire Leila Corcoran as a "**communications assistant**" for the commission. Leila resigned in September, citing "family reasons". In October, the ANC hired Lily Najera for the position. In November, she resigned. At the November meeting, the ANC agreed to hire Dany Sigwalt for the task. This is not going well.

Residents attending the November meeting commented that it was very unpleasantly contentious. Yes, the nasty "Toddler Park" dispute of 15 years ago has returned, and is as bitter today as it was then.

This has to do with the small grassy lot adjacent to the 1900 Lamont apartment house. It has been, since 2001, a public park, and it sees substantial use today, occasionally as a playground, but mainly as a dog exercise and play area. It's also a favorite sledding hill, whenever there's a bit of snow here.

Well, precisely as happened 15 years ago, **some residents would like to put a playground there.** Details are lacking –

how much of a playground? How large? Including what play apparatus? Designed for what age group? Nobody offers any specifics; it's just "a children's playground".

This proposal has encountered resistance from the residents of 1900 Lamont, for the obvious reason: such a playground, built right under their windows, would be a noisy disturbance for them, day and night. The dogs aren't very noisy, though some residents find them irritating. Children (or teenagers) on a playground, unsupervised, unregulated, are feared to be far more disturbing.

My position today is the same as it was 15 years ago. I personally have no objection to a playground, my house being well sound-proofed. But if the residents of the apartment house object, then I'll support them in their opposition. I believe that we all have a right to peace and quiet in our homes. Yes, even apartment renters!

The apartment house residents write the following:

"The first concern is that noise levels from a developed park would greatly disrupt residents' quiet enjoyment of their apartment buildings. There is no doubt that the noise would be disruptive because noise in the park now is already disturbing to the residents whose windows face the park. . . .

"Most apartments in our building are right on the park -- about six feet away and separated only by a sidewalk. All noises in the park come across quite loudly in the apartments facing the park. Residents hear conversations word-for-word. Residents hear barking as though it were inside our own units. Residents also hear kids playing as though it were coming from their very living rooms."

Why are playground advocates so insistent on disregarding these concerns? Don't they, too, want peace and quiet in their homes? Didn't we insist that Bancroft change its plans so that there wouldn't be a soccer field directly across Mount Pleasant Street from some residences? Don't apartment house residents deserve equal consideration?

It's unfortunate that this park happens to be right next to a 32-unit apartment house, with windows facing directly onto the park; but that's the way it is.

A lot of the harsh rhetoric of this meeting was aimed at me, as I seem to be a symbol of opposition to the playground, and if I could just be shoved aside, why, the playground would have no opposition.

But numerous apartment house residents were there, and did well at speaking for themselves. I just happen to be the sole voice on the ANC supporting them. **I expect this ANC to endorse the playground, whatever I do.** But there is an effort to prevent me from voting on any resolutions pertaining to the park, as if that is needed to win the day for the playground. It's not, I'm just one of five votes, and I seem to be alone in supporting the apartment house residents.

It is time to renew applications for **Visitor Parking Passes.** These are not automatically sent out to all households, but must be applied for on-line, on the DDOT website.

The next meeting of the ANC will be on Tuesday, December 15, 7:00 pm, at the Mount Pleasant Library.
