

Jack's February report

The ANC finally managed a meeting on January 29, after two misfires. The new five-member commission elected officers for 2013:

Chairperson: China Terrell
Vice chairperson: Adam Hoey
Treasurer: Phil Greiner
Secretary: Jack

The commission dealt with a number of administrative issues, such as the calendar of monthly meetings. The only formal resolution dealt with the allowed hours and days of operation of off-site liquor retailers, the ANC advising ABRA to approve applications by our liquor stores for those extended hours (my resolution, passed 5 to 0).

Until recently, the District Code prohibited sales by liquor retailers (such as Sportsman's and Lee-Irving in Mount Pleasant) after 10 pm during the week, and all day Sunday. I view these restrictions as limits not on liquor sales, but on liquor purchases by you and me. You can't go to Sportsman's at 11 pm to buy a six-pack of beer. You can't go to Lee-Irving on Sunday to buy a bottle of wine. Why not? Well, that's been the law in DC.

I think that such restrictions require solid evidence of public need and benefit, and I know of none, not for these regulations, not here in Mount Pleasant. Last May the ANC passed my resolution calling for an end to the Sunday-sales ban, and that was indeed incorporated in Councilmember Jim Graham's Omnibus Alcoholic Beverage Regulation Amendment Act of 2012. As of January 16, liquor stores can apply for permission to be open on Sundays. Lee-Irving has applied for Sunday sales, and I expect Sportsman's soon to do the same. As for the law requiring 10 pm closing, an obscure item in the Budget Support Act of 2012 has already changed that to midnight.

The resolution passed by the ANC on January 29 advises the Alcoholic Beverage Regulation Administration (ABRA) to **approve applications by Mount Pleasant liquor retailers for later weekday hours, and for Sunday sales**. This isn't for the benefit of the liquor store owners, though I think highly of both of them, Jesse Chong at Lee-Irving and Arun Modi at Sportsman's. It's for the benefit of the residents of Mount Pleasant, who will shortly be free to make their beer and wine purchases after 10 pm during the week, and on Sunday, if they wish.

DC law has required motorists to **stop for pedestrians wherever they might be in a crosswalk**, even if they're well across the street, several lanes distant from one's car. DC Code 50, 2201.28 says this:

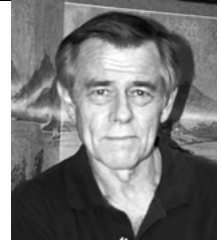
“(a) When official traffic-control signals are not in place or not in operation, the driver of a vehicle shall stop and give the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or unmarked crosswalk at an intersection.

“(b) A pedestrian who has begun crossing on the “WALK” signal shall be given the right-of-way by the driver of any vehicle to continue to the opposite sidewalk or safety island, whichever is nearest.”

ANC 1D03 NEWSLETTER #125

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I don't think the Council intended the interpretation that a driver must stop for a pedestrian *anywhere* in a crosswalk. A bill currently on the Mayor's desk, the Safety-Based Traffic Enforcement Amendment Act of 2012, will replace this text with a more reasonable requirement:

“The driver of a vehicle shall stop and remain stopped to allow a pedestrian to cross the roadway within any marked crosswalk, or unmarked crosswalk at an intersection, *when the pedestrian is upon the lane, or within one lane approaching the lane*, on which the vehicle is traveling or onto which it is turning.”

That's consistent with actual, reasonable practice. One of the more difficult turns here is from Irving Street onto south-bound 16th Street, a right turn hampered by large numbers of pedestrians crossing the street, all too many of them starting out well after the light has gone to “Don't Walk”. It's not reasonable to expect drivers to wait until pedestrians starting out on the Mount Pleasant side of the street make it all the way to the Columbia Heights sidewalk. Nobody does, and the revised law makes it legal to proceed, once the pedestrians are safely distant, even if they're still in the crosswalk.

I expect this revised law to take effect in mid-February.

The new Mount Pleasant ANC met for the first time on January 29. That meeting was originally set for the 15th, but was postponed due to the absence of just one commissioner. Because the first meeting involves the election of officers for the year, having all five commissioners present was important. So the January meeting was rescheduled for the 22nd, only to have three of the five commissioners come down sick, with the various bugs that have been afflicting the neighborhood. Okay, so it was moved to the 29th, with some nervousness because we're legally required to have a January meeting. That did, in fact, take place, with the officers chosen as noted above.

I mentioned the **Kling Road** dispute to one of the newly elected commissioners, and was surprised to find that he didn't know what I was talking about. There's a pretty large disparity in this group in the number of years resident in Mount Pleasant. Adam, Phil, and China are all relatively recent arrivals, eight years or less, so of course Kling Road, the battle that consumed the neighborhood for more than a decade after the road closed in 1991, means nothing to them. Ancient history, I guess.

By comparison, this spring will mark 39 years since Emily and I became Mount Pleasant residents, 41 years since we

bought our house on 19th Street. That was not long after the Martin Luther King assassination riots of 1968, the event that substantially defined our neighborhoods, Mount Pleasant and Columbia Heights, in the following years.

Councilmember Mary Cheh has introduced a bill in the District Council that would set up a commission **to review school boundaries** every 10 years. The bill hasn't yet passed, and even if it does, any changes to school boundaries would be well into the future. Independently, the DC Public School system has begun a study of the current boundaries.

I bring it up because this could, in time, significantly affect Mount Pleasant residents. The current middle-school and high-school boundaries are understandable only in the light of post-1968 sensitivities. Essentially, after the dreadful destruction and neighborhood disintegration following the 1968 riots, nobody in Mount Pleasant wanted to send a child to a school in Columbia Heights, even to Lincoln Middle School, just on the other side of 16th Street. That's why Mount Pleasant is in-boundary for Deal Middle School, way over in Tenleytown, not for Bell-Lincoln. Perhaps times have changed, and maybe it's time to change that boundary. I don't know, and I'm not going to take a position on it. I just intend to keep a close eye on these boundary reviews.

The **Beau Thai**, our very own Thai restaurant, is to open for business on or about February 14.

Since long before I became an ANC commissioner (2003), the ANC has met at La Casa Community Center on Mount Pleasant Street, in the heart of the commercial strip, and close by the row-house residential area. The Community of Christ, which operates La Casa, has treated us very well for all these years. The meeting room, though not at all fancy, meets our needs. After a recent community meeting with DDOT, concerning the Kenyon/Adams Mill intersection project, the DDOT people volunteered praise for the site, proclaiming it "perfect".

Well, one of our newly elected commissions doesn't agree. Even before our very first meeting of the year, he's been insistent that we **leave La Casa and meet instead at the Mount Pleasant Library**, which offers a shiny new meeting room, much larger than the La Casa room.

I don't think it's right for the ANC to leave the present, centrally located place, for a site at the very edge of Mount Pleasant. Worse, the library is open until 9 pm on only Mondays and Wednesdays, severely limiting our choice of meeting days (and alternative dates, when events force a rescheduling of a meeting, as happened twice in January). If a meeting should go on past 9 pm, as does happen, especially with the time needed to pack up our meeting electronics, there's a problem. The library has offered to provide a late-evening employee, so we could stay past 9 pm, but that deal would lock us into a certain evening of each month.

One reason given for the move is to be supportive of the library, and express appreciation for its multimillion-dollar renovation. Sorry, but I'm not feeling very grateful, because of the way the library treated our very fine head librarian, Ellen Kardy. Ellen had run our library for 17 years, through

all the rough years, with leaks in the roof, vagrants in the basement, heat failing in the winter and cooling failing in the summer, shabby rooms and dilapidated furniture. Despite all, she won a great following in the Mount Pleasant community, offering fine service, despite the run-down surroundings. For all those years Ellen begged for increased funding, to repair and renovate her aging building.

In 2007, the promise of funding for renovation arrived, whereupon our head librarian was abruptly fired and rudely shoved out the door. Why? The DC Public Library (DCPL) asserted that "We need librarians and library associates who are digital natives, who have grown up with that stuff and have the competence and confidence to use it". Essentially, Ellen Kardy was declared old and out of date. She was escorted to her desk to retrieve her personal belongings, then coldly put out the door and onto the street. That was in December, 2007; Merry Christmas, Ellen, thanks lots for your 17 years of service, now good luck on finding a new job. Brutal!

The Friends of the Mount Pleasant Library, and several neighborhood organizations, protested, but the DCPL showed no interest in what the people of the neighborhood thought. Ellen Kardy was out, and somebody else was going to take her place, whether the neighborhood liked it or not.

So no, I'm not feeling terribly fond of or grateful to the DCPL. I'm not inclined to favor any organization that would treat a good woman so badly. I'm loyal to Mount Pleasant's Community of Christ, proprietor of La Casa, which would never treat anyone that way.

Two new residences here give me a problem with newsletter delivery: **1823 Newton, and 3324 18th**. Where can I leave newsletters, and how many?

I'm happy to turn over ANC Treasurer duties to Phil Greiner, who will do a fine job, no doubt about it. The ANC bank account is currently a whopping \$85,000, testimony to our spartan use of District funds. During 2012, for example, we spent just \$3831, far less than our \$14,078 allotment from the District.

Well, some say, why not dole that surplus out as grants to neighborhood organizations? In fact, our experience with grants has been wretched. According to an audit of our finances in 2004, **80% of the grants our ANC had issued in 2003, at the start of my ANC tenure, were disallowed**, due to inadequate documentation. The only consolation was that my predecessors on this commission, in 1999-2002, had done even worse, 88% of their grants being disallowed by the auditor.

About half the ANCs of the District offer grants, while half don't. I see no reason why we should, given this depressing history, and the appearance of improper use of public funds.

I was dismayed to hear that our 19th Street neighbor **Charlie Bryant** died suddenly on February 5. He and Mrs. Bryant have been fine neighbors to us ever since our arrival, nearly 40 years ago.

The next meeting of the ANC will be on Tuesday, February 19, 2013, 7:00 pm.
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