

Jack's June report

At the May 17 ANC meeting, the ANC:

- Passed, 5 to 0, my resolution calling for making Park Road the boundary between Wards 1 and 4 in Rock Creek Park;
- Passed, 2 to 1, Gregg's points of advice to the District concerning Ward redistricting.
- Considered, then tabled, Yasmin's resolution in support of the "OurDC" organization.

On June 7, the Commission held a meeting for informal dialog with residents. I missed this meeting, Emily and I having taken a short vacation up north.

I have been advocating a **minor adjustment to our Ward One boundary**, taking advantage of the current redistricting required to adjust for the 2010 census results. Park Road is a principal arterial connecting our neighborhoods to Ward Three, across Rock Creek Park. But Park Road through the Park, from the Piney Branch overpass to Beach Drive, lies entirely in Ward Four. This makes no sense, because there's no direct road connection of Park Road to any Ward Four neighborhoods. The traffic on that road consists of people going from Ward One to Three, and back, not to and from Ward Four. This is a problem for us because, when work is done on that stretch of Park Road, District agencies don't consult with us, but only with Ward Four, as if it's their road, not ours. And when we want something to do with that bit of Park Road, such as improved pedestrian and bicycle access to Rock Creek Park, the District says we have no standing to make any such requests, because it's not in our ward.

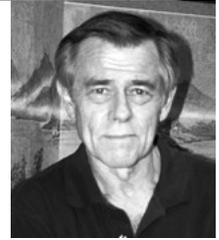
This decennial redistricting is a chance to fix that, simply by making Park Road the boundary between Wards One and Four. The portion of Rock Creek Park south of Park Road would become part of Ward One, a change of little consequence, since there's no residential population there. Then any dealings with Park Road would result in communication with both Wards One and Four. Fair, and easily done, with not a single resident shifted from one ward to another . . . but a certain ANC Commissioner in Ward Four has fiercely fought my proposal. Why does she care, demanding possession of that unpopulated parkland, and sole authority of Ward Four over Park Road? Because the extension of that ward, poking like a thin finger down between Wards One and Three, technically connects to the open end of Klingle Road, and this gives her standing, she believes, to fight for reopening Klingle Road to automobile traffic. We will never, it seems, see the end of that conflict.

The Office of Planning endorsed my proposal for this minor adjustment to our Ward One boundary, noting that it makes sense to consider Park Road through Rock Creek Park a continuation of Park Road through Mount Pleasant and Columbia Heights. But the District Council seems to be unwilling to go along with this, essentially giving Ward Four Councilmember Muriel Bowser veto power over the change, and she's inclined to go along with her recalcitrant ANC commissioner, as well as being a to-the-last-ditch Klingle Road supporter herself.

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Jack McKay, June 14, 2011

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A resident argued that it was okay to have an unleashed dog on the street, if the dog was under firm voice control of the owner. Well, no, it's not, that's a myth. District law is unequivocal: **dogs on public space, including parks, streets, and sidewalks, must be on leash.** No exceptions! (And the leash must be no longer than four feet, and must be held by a person strong enough to control the dog.)

I have no fear of dogs (and I encounter some pretty nasty ones as I deliver my newsletter), but I don't like being startled by a large dog abruptly appearing alongside me, and I've seen small children frightened by dogs running towards them. The dogs just want to play, no doubt, but how can the child tell? "He's friendly!" the owner will call out, but the harm is done, the child frightened, and sometimes running away, which only incites the dog to chase the child. The dog may be playing, but the child is not, and may be terrified. As for a dog being "friendly", well, one of my Lamont Street constituents was bitten in May by one of these off-leash, "friendly" dogs.

Dogs on public space must be on leash, by law, and should be on leash, to be considerate to your neighbors.

On May 11, the ABC Board agreed to let **Haydee's Restaurant change its license class from CR, "restaurant", to CT, "tavern"**. The principal effect of this is to eliminate any food-sales requirements for the establishment. A restaurant must have at least 45% of its gross receipts from food sales, or it doesn't qualify as a restaurant, and may lose its liquor license. The Board allowed this license change, without any "placarding" and public-comment period, on the grounds that the change "did not constitute a substantial change".

Curious logic, I think. Is there little difference between a restaurant and a tavern? Odd, I would say that there is. But they didn't ask the ANC if we agreed that this was not a substantial change.

I'm sure the ANC would have endorsed this license class change, just as it endorsed the application for change to CN, "night club", in February, 2010. Nonetheless, I was dismayed to see this decision made entirely behind closed doors, with no opportunity for input from the ANC, or from any neighborhood organizations. Not only did the Board give us no opportunity to offer "advice" concerning the change, but their own discussion of the matter was held in private, as they argued that having their lawyer advise them on the matter brought about "lawyer-client privilege", so they did not have to have their discussion in public. The recently-passed "Open

Meetings” law specifically asserts that the lawyer-privilege matter is not to be used as an excuse to close a Board's proceedings to the public.

Hence, I've complained to the Board, and to Councilmember Graham (chair of the Council committee that oversees alcoholic beverage matters), about this secrecy. But I have not protested the decision itself, given that the ANC would almost certainly be in agreement with that. My complaint is about the process, not about the outcome.

The MPNA objected to the outcome, even though they had themselves proposed that Haydee's have a tavern license, instead of the night-club license. The ABC Board rejected the MPNA's protest, in another behind-closed-doors meeting. I have obtained the ABC Board's reasoning behind this decision, which presumably describes also their rationale for permitting the license change so easily:

“The current application again stated that Haydee's intends to continue as a restaurant but only seeks the CT license to be free of food reporting requirements allowing it not to impose food purchase requirements on private parties and Haydee's has vowed that it will not be changing its operations.

“[The] MPNA [has] stated that it supported the liberalization of Haydee's operations and the issuance of a CT license.

“ANC 1D voted unanimously to support Haydee's request for a CN license and testified on Haydee's behalf during the protest hearing. . . The Board did not concede that the ANC would support Haydee's request for a CN license, but object to a CT license.

“[T]he issues regarding Haydee's and its license class were extensively litigated over the past year, including two protest hearings regarding its request for a CN license and termination of its voluntary agreement. . . . Any additional hearings would be repetitive, unnecessary and a waste of the Board's resources.”

So **Haydee's is now, legally, a tavern**, Mount Pleasant's second. I believe this will work out well for Mount Pleasant.

On the evening of May 10 there was a particularly nasty **armed robbery on Newton Street**, at the intersection with Mount Pleasant Street. An Ingleside Terrace resident, walking home from St. Stephen's Church at Newton and 16th, with a teenage daughter and her friend, found himself bracketed by two men, one in front, one in back. One pulled a gun and demanded their possessions. In a few minutes the thugs were gone, but the psychological harm done by such an assault will be long-lasting. There's a reason that robbery is classified as a crime of violence. The victims did the right thing by cooperating, and nobody was physically hurt.

Standard procedure is for the police to take the victims around the area in hopes of spotting the perpetrators. No luck this time, but I'm told that these same thugs pulled another robbery not long afterwards, and this time the victim was able to identify one of them on the street. The accused had on him things that belonged to the our Ingleside neighbor, making the connection to the Mount Pleasant robbery positive. Unless I've made a mistake in identifying the arrest that corresponds to this robbery, the perpetrator was arrested on

May 13, on 14th Street, and is currently being held without bond. (My great thanks to the neighbors who help me with information on such incidents. The police tell us little.)

This is typical of Mount Pleasant robberies, young toughs from east of 16th Street coming here to look for somebody to rob in “wealthy” Mount Pleasant. There have been 14 robberies so far this year in Mount Pleasant, every one occurring east of 18th Street, towards our Columbia Heights neighbors (where the count of robberies per resident is three times what we have here).

Police Chief Cathy Lanier has proposed a **revision of the police districts**, such that our PSA would be shifted from the Third District, with headquarters in Adams Morgan, to the Fourth District, serving the areas to the north of us, with headquarters in far-away Petworth. I think that would cripple communications between the police serving Mount Pleasant and those covering the neighborhoods to the south and east, whence our robbers come. The robbery arrest for the Newton Street robbery took place in PSA 302. We're PSA 301, and our officers currently work closely with their 3D partners across 16th Street. Making Mount Pleasant PSA 408, not merely a different PSA but in a different MPD district, may well reduce the communication among police officers that contributes to solving Mount Pleasant crimes. Councilmember Graham opposes this realignment, and I intend to ask our ANC to oppose it as well.

There's no special wave of robberies here. Three were reported in May, and our monthly average is four. There have been more burglaries than usual, nine in May, versus the average of just two or three (down from seven per month in 2008). The police are aware of the burglary problem, and are doing what they can to deal with it.

Readers of my newsletter know that I'm a strong supporter of our immigrants here in Mount Pleasant, and the District. This isn't just because I appreciate the courage of immigrants, leaving their home communities, cultures, and languages, to make new lives in the United States. It's because immigration has always brought vigor and vitality to this country. Without the great waves of immigration from Europe, Asia, and Africa, our United States would be a much smaller, weaker, and duller country. Right here in Mount Pleasant you can see the vitality brought by immigrants.

The mayor of New York, Michael Bloomberg, has endorsed immigration as a cure for urban decay. As the New York Times editorialized, on May 17, “immigrants and economic vitality go together. That was certainly the experience of New York City, which was on life support in the 1970s until a transfusion of immigrant energy and entrepreneurship brought it roaring back”.

“Renewal by immigrants is the fundamental American narrative, the story of people in ships, then covered wagons, coming to settle and make fruitful a land that rewarded their courage and grit.” **Mount Pleasant is fortunate to be a magnet for immigrants.**

The next *business* meeting of the ANC will be on **Tuesday, June 21, 7:00 pm**. The next *informal* meeting will be on **July 5, 7:00 pm**.