

## ANC 1D (Mount Pleasant) Resolutions on Libraries

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DC Public Libraries should alert ANCs, including 1D, on planned changes in service, and allow response

Advice to DC Public Library Board for a more systematic upgrade, not just a refurbishment, of the Mount Pleasant Branch Library

ANC1D Asks the DC Council and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement

Delay closing Mt Pleasant Branch Library until funds are available for a local temporary facility

ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement

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An honest public participation program for the future of the Mount Pleasant Branch Library.

Presentation to the Library Board.

Freeze on the Ice Cube blockage by DCPL

### DC Public Libraries should alert ANCs, including 1D, on planned changes in service, and allow response

2008 03 18

*Resolved*, ANC 1D advises the DC Public Library System and Board to provide early and continuing information on plans for changes in the Mt Pleasant Branch Library. This is a legal responsibility of DCPL for all ANCs.

Specifically ANC1D reminds DCPL that this Commission has a legally required role to play, so that it can consider and comment on the renovation of our branch library prior to action being taken by the District government. Therefore, prior to development of construction documents; prior to closure of the branch library facility; prior to selection of an interim facility; and prior to the altering of library hours, the Commission requests notice and great weight consideration by the administration of the Library System.

#### Why:

This is the role set out in the DC Charter for ANCs, and has been reinforced by numerous further legislation and court decisions, including some recent ones with DCPL as a party.

The Public Library provides a fundamental service to our residents and it is imperative that their voices be sought as changes are proposed.

*Passed by 6 to 0 vote at the legally noticed, public meeting of ANC1D on March 18, 2008, with a quorum present (a quorum being three commissioners). Voting "yes": Commissioners Zara, Tunda, McKay, Edwards, Bosserman, Scott.*

### Advice to DC Public Library Board for a more systematic upgrade, not just a refurbishment, of the Mount Pleasant Branch Library

2008 03 18

*Resolved*, ANC1D advises the DC Public Library System and Board , the DC Council, and the Mayor, to hold back on the currently planned "light" rehab of the Mt Pleasant Branch library until this Commission, and other groups served by the library, can consider alternatives, some that might offer far better use of the funds.

#### Why:

ANC1D believes that the renovation of the Mount Pleasant Library could complement a number of other public/private opportunities in the immediate vicinity including the potential relocation of the Department of Parks and Recreation Offices; the availability of several commercial properties for sale adjacent to and in the vicinity of the library; and the shared needs of other District Offices to reach residents in Ward 1.

This confluence of opportunities should position the District of Columbia Public Library System in a central role of bringing District Offices together and re-envisioning the Mount Pleasant Library and its role in serving the Midtown communities of the District of Columbia.

ANC1D would like to see joint planning and implementation by the Public Library System, Housing and Community Development, Planning and Economic Development, Public Schools and Parks and Recreation; the citizens of Ward 1 would like to see an approach to library services that places the resident first and eliminates the bureaucracy that plagues every interaction District residents have today with their government.

ANC1D realizes that such coordination, planning, and community involvement will take time. The Commission believes that reasonable delays in order to produce a better outcome would be worth the time and welcomed by the community. The Commission also feels the architecture and engineering work being contracted for at this time is needed and would contribute to an expanded project once those ideas are explored.

ANC1D feels the residents of Ward 1 deserve more than a gently restored branch library.

The Commission sees great promise in this renovation and in the expanded consideration of the entire service area of this branch.

ANC1D asks that due consideration be given to the unanimous resolution of the All-Ways Mt Pleasant Neighbors Association, which reads:

1] A modest rehab will not empower the branch library to engage with the many potential partners across the ward.

2] A modest rehab might well disqualify us for a half century from getting the kinds of building changes that we strongly need, for example:

a) More and more flexible space, especially providing diversity and adaptability impossible in the old conception of grand reading rooms that require highly constrained behavior by isolated individuals;

b) A mechanical and technology module that can be cheaply upgraded as we go through major technological revolutions in energy and information systems;

c) An openness to the world and neighborhood, that while preserving the current grand entrance, also invites all to enter at the ground floor, without a sense of stigma for seniors, toddlers, and the handicapped;

d) An opportunity to expand the space, or to better use the land nearby for future needs and revenue streams.

3] A modest rehab would preserve a conception of libraries that arose in the late 19<sup>th</sup> Century, and is increasingly at odds with the rapidly changing and broadening needs for the 21st.

*Passed by 6 to 0 vote at the legally noticed, public meeting of ANC1D on March 18, 2008, with a quorum present (a quorum being three commissioners). Voting "yes": Commissioners Zara, Tunda, McKay, Edwards, Bosserman, Scott.*

## ANC1D Asks the DC Council and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement

2008 07 01

ANC1D resolves to ask the DC Council, DC Public Libraries and Mayor to Delay Reconstruction of the Mount Pleasant Library and Insist on Local Engagement.

Further, ANC1D asks that the ANC law mandating acknowledgement and response to ANC1D resolutions be adhered to.

ANC1D advises the DC Council, the Mayor, the DC Public Library (DCPL) Board and administration to assure that DCPL changes its misleading practice of holding "community design" meetings that do not seriously engage residents and other users (like schools) in finding needs and interests.

ANC1D authorizes its staff to set a high priority for these changes, and authorizes an expenditure of up to \$3000 to clarify the legal situation sufficiently so that users can decide upon appropriate legal responses. The staff should advertise for and select consultant services to assist towards the success of this project, and seek other partners (on a matching fund basis) and participants.

#### Why:

DCPL has ignored its duty and the law by not responding to ANC1D resolutions on this matter. Instead, DCPL at great expense has put on so-called "community design" meetings which have mostly been top-down lectures with negligible participation by users and residents, and with small and unrepresentative response from local residents. At the second such meeting, June 10th, Director Cooper noted that almost all of the decisions had already been made, and that much of the presentation by the architects had already been ruled out by her decisions. Similarly, there has been no response to the petitions by local civic groups.

This kind of pseudo public meetings appears Machiavellian and would be a farce except for the expense, and for the distraction away from a sincere effort at understanding and providing for the needs of potential users.

ANC1D notes that this misbehavior by DCPL seems to be part of a larger pattern around five branches and not just Mount Pleasant, a pattern that has aroused law suits, protests by other ANCs, and the mobilization of neighborhood groups.

ANC1D invites participation by other ANCs and civic groups to encourage or force DCPL to obey the law, and start to reap the benefits from a more progressive policy: Encouraging participation from all parts of the city towards greater literacy, public education, and an imaginative engagement in a creative civilization.

DCPL's current behavior belies its intended public purpose. We call on other organs of government and civic groups to persuade DCPL away from its patterns of misbehavior that so misrepresent the ideals of civilization supposedly carried in its collections and by its dedicated staff.

*Passed by 5 to 0 vote at the legally noticed, public meeting of ANC1D on July 1, 2008, with a quorum present (a quorum being four commissioners). Voting "yes": Commissioners Zara, McKay, Edwards, Bosserman, Tunda.*

## Delay closing Mt Pleasant Branch Library until funds are available for a local temporary facility

2008 07 12

ANC1D resolves to advise the DC Public Library (DCPL) to delay closing the Mt Pleasant Branch Library until there are funds available for a temporary facility within three or four blocks of the current facility. ANC1D requests the assistance of the Mayor, Deputy Mayor, and DC council to become actively engaged in fulfilling this advice, requests the Councilmember for Ward One and the chair and members of the Council committee on Libraries to assist, and requests Councilmember Jim Graham to withdraw his letter asking DCPL to proceed without delay and instead send a letter supporting this resolution.

#### Why:

Again, the concern of ANC1D is not just the impact of loss of local library service on Mt Pleasant, but on library users in most of Ward One. The MtPL is close to the four corners of all four ANC areas in Ward One, and serves almost equally all four areas.

Since ANC1D's last resolution requesting a local facility, it has become apparent that the current financial condition of the DC government would make fulfillment of our earlier request inconvenient if not politically impractical. Indeed, we hear informally that the current plan would be to close both the Petworth and Mount Pleasant (MtPL) branch libraries at the same time, and open a temporary facility near the Petworth metro station, which is a walk of one mile from the MtPL.

Incorporating, to avoid repeating, the arguments in our previous resolutions asking for delay and for a local temp facility, ANC1D notes that the likely Petworth facility would substantially disrupt the library usage for most of the over fifty educational programs located within six or seven blocks of the current facility, and all serving Ward One.

The delays we suggest need not be major: A rehab project could start soon if designed with flex-space and with provision for later add-ons that could facilitate at least the above mentioned opportunities for leveraging this facility to better serve our neighbors.

*Passed by 4 to 0 vote at the legally noticed, public meeting of ANC1D on August 12, 2008, with a quorum present. Voting "yes": Commissioners Edwards, Tunda, Bosserman, Zara.*

## ANC1D advises DCPL to delay closing the MtP Branch Library until it follows the law on engagement

2008 08 12

ANC1D resolves to advise the DC Public Library (DCPL) to delay closing the Mount Pleasant Branch Library until it follows the ANC law on communication with ANC1D, and until there is a chance for substantial consideration of alternative approaches. ANC1D asks the Mayor, Deputy Mayor, and DC Council for their assistance in this matter, specifically the Ward One Councilmember and the chair and members of the committee on Libraries.

### Why:

DCPL has not complied with the ANC laws, nor has it acknowledged nor substantially answered previous ANC1D resolutions on the Mount Pleasant branch library. Similarly, it has neither acknowledged nor answered resolutions from civic associations whose members are users of the library. It has not answered critiques of the "community meetings" and does not welcome substantial "input" or "participation", nor reveal much about the situation. These meetings do not replace the legal requirements for substantial communication required by law. In fact, the very function of the meetings is questionable given Director Cooper's revelation that almost all of the design decisions have been made. Yet, the recent certified letter suggests there will be more design meetings. This notice is incomplete in many ways.

The laws are clear in requiring relevant agencies to acknowledge and address affected ANC's concerns: § 309.10(d)(3)A) states that "The issues and concerns raised in the recommendations of the Commission shall be given great weight during the deliberations by the government entity. Great weight requires acknowledgement of the Commission as the source of the recommendations and explicit reference to each of the Commission's issues and concerns."

Furthermore, D.C. Code § 309.10(h)(1) states that "Each Commission may initiate its own proposal for District government action. The District government entity to which the proposal is made shall acknowledge the proposal in writing to the initiating Commission within 10 days of receipt of the proposal and shall issue a status report to the initiating Commission within 60 days of receipt." And, according to the text of § 309.10(i)(1) "Each commission shall have access to District government officials and to all District government official documents and public data pursuant to § 2-531 et seq. that are material to the exercise of its development of recommendations to the District government."

DCPL is advised to abide by the requirements set forth in the Real Property Disposition Economic Analysis Amendment Act, and the Amended Act of 2006, D .C. Code § 10-801, which requires the Mayor to describe the manner in which economic factors are weighted and evaluated, including estimates of the monetary benefits and costs to the District for contemplated changes to the library structures or associated public property.

§ 10-801(f) requires: “The Mayor shall take any steps necessary to ensure continuous community input in the disposition of any real property. Changing services in public facilities including a public library is undoubtedly a change in disposition, and so invokes the requirements of continuous community input, transparency and economic accountability under § 10-801 et seq.

The Mount Pleasant Branch Library sits close to the four corners of the four ANCs in Ward One; this is one of, if not the principal branch library serving Ward One. The failure to give legally required notices and to sincerely work with ANCs 1A (across the street), 1B and 1C (both two blocks away) constitutes a serious failure in DCPL handling its legal duties, a failure that by itself requires a remediating delay and re-engagement. Much harm can be inflicted on the residents of Mount Pleasant and Ward One by a rushed design and construction.

ANC1D and other civic groups have expressed concerns that the essentially 19th century design theories will greatly constrain the usable potential of the rushed construction for a half century or more. Director Cooper announced at the 10 June 2008 meeting that she has decided against flex space that allows adaptation and learning in the use of the building. Flex space has been the best practice for building adaptable structures for over forty years, reinforced by scientific studies that show that less than 10% of the life-cycle value is delivered by the initial structure, and less if that structure requires expensive alterations to adjust the space to changing needs. The delays implicit in Director Cooper's announced decision translate into large future losses of services to users, and a large net present value loss arising from designing a public building without benefit of genuine public discourse. In this way, failure to delay and mitigate would contribute to substantial harm. Director Cooper, again in the 10 June 2008 meeting, announced her decision to keep a design based around large public rooms with a sense of grandeur. Interviews with library staff suggest that such aesthetics the already present aggregation of public space into a few large rooms are already in place and seriously constrains current use to perhaps 20% of current demand for established programs, and perhaps much more for potential programs.

A rushed design and construction precludes the possibility of seeking synergies and many additional public benefits that likely will arise out of the current Comprehensive Plan, and the strong possibility of a Special Planning Area focused in a one block wide strip with the branch library almost in the middle. To rush this plan evades the benefits possible from a synergy in working with the Department of Parks and Recreation, whose headquarters is just across the street, and whose programs offer many points of contact if not overlap. It evades the synergies possible with working with the over fifty education programs within six blocks, including the more than \$50 million newly opened Columbia Heights Educational Campus across the street. For a third of a century, a "silo" approach -- to designing public services agency by agency without regard for synergies -- has been depreciated as simplistic. It is well accepted that having a single agency, like DCPL, design a building and program in isolation loses the possibilities of greatly extended public benefits, and loses one of the few means for increasing public sector productivity. The stagnation of public sector productivity seems to be one of the major sources of slowed economic growth over the last third century, and has been blamed for impoverishing the country by 40% compared to the trend-line of the previous century. In this way, failure to delay and mitigate would contribute to substantial harm.

DCPL's failure to follow public policy and the ANC law evades the synergies of a potential public-private partnership involving a planned unit development where representatives of almost a dozen neighboring buildings have expressed interest; the prospect for such a PUD has included the mutual benefits of a cultural force centered in the library and operating with an endowment deriving from air-rights at the rear (not messing with the historical façade) of the library. It evades the awesome potential leverage of anchoring several hundred alley-oriented low-cost live-above store fronts in the two large blocks of and across the street of the branch library; an entrepreneurship center with a library to support an outcrop of the knowledge economy is already proven to be part of some cities stoking ten times the growth of good jobs than others. DCPL current design approach contributes to great harm.

Yes, the loss is important of potential outreach to underserved but yearning to learn neighbors that live nearby in the DC region's largest concentration of low-cost housing and immigrants. Perhaps the worst impact of DCPL's apparent approach, if not delayed and changed, is the loss of a sense of neighborhood civic effectiveness. This factor – which has emerged out of statistic studies on what makes neighborhoods work in the sense of more

effective schools, lower crime rates, higher health status and longevity, lower recidivism,... – is directly linked to experience of fate control, and thus with the behavior of city agencies.

When DCPL does not follow the ANC law, rudely and systematically ignores civic association resolutions for decades, and puts on "community meetings" that are not open, fair, balanced, and welcoming, then a sense of neighborhood effectiveness withers, along with many other component of Quality of Life measures.

*Passed by 4 to 0 vote at the legally noticed, public meeting of ANC1D on August 12, 2008, with a quorum present. Voting "yes": Commissioners Edwards, Tunda, Bosserman, Zara.*

## DCPL should engage in serious discourse with MtP & ANC1D

2008 09 02

ANC1D resolves to advise the DC Public Library (DCPL) and the DCPL Board to correctly engage ANC1D, the democratically elected branch of the DC government, by DC Charter and DC law authorized to represent Mount Pleasant. The responses so far from DCPL do not demonstrate the legally required accordance of Great Weight. For example, DCPL fails to provide detailed evidence and arguments to each particular of ANC1D's resolutions, often included in the part of the resolutions denoted by "Why".

### Why:

As the appeals court ruled in Kopf v. DC ABC Board, an agency need not only show it paid attention to ANC resolutions, but must in each specific, "articulate why or why not the particular ANC itself, given its vantage point, does or does not offer persuasive advice under the circumstances..." Please note that DCPL's opinion from its vantage point is not the test, and a mere restatement of its opinion does not in itself constitute any kind of admissible answer.

*Passed by 6 to 0 vote at the legally noticed, public meeting of ANC1D on September 2, 2008, with a quorum present. Voting "yes": Commissioners Edwards, McKay, Tunda, Bosserman, Zara, Scott.*

## An honest public participation program for the future of the Mount Pleasant Branch Library.

2008 11 11

ANC1D resolves to appropriate up to \$1000 in costs and staff expenses for a public participation program that deals with the interests of local residents and users of the Mt Pleasant Branch Library. ANC1D invites participation and partnerships with other local ANCs, and the DC Public Library (DCPL) in this program.

### Why:

As discussed in previous resolutions, the design and public participation processes used by DCPL do not meeting ANC1Ds sense of minimum standards, and the responses to ANC1D's resolutions do not seem to meet the standards of the ANC laws. Thus, in order to assure that the public interest is served, ANC1D asks its staff to design and execute the needed program. ANC1D also suggests that potential participants in the programs sponsored by DCPL consider whether those DCPL programs satisfy appropriate standards of best practices and full good faith due diligence, and if not, then divert their time and resources to work with the program supported by ANC1D.

## Presentation to the Library Board.

2008 11 11

ANC1D resolves to authorize Gregg Edwards to present its resolutions on the Mt Pleasant Branch library to the DCPL board at its next meeting.

Passed 6 to 0.

## Freeze on the Ice Cube blockage by DCPL

2008 12 02

ANC1D resolves to advise the DC Public Library (DCPL), Office of Planning (OP), and the Office of the Deputy Mayor for Economic Development (DMPED) to explore alternative concepts for this space, such as mews of development of the clear space between the buildings facing the 3100 blocks of 16th and Mt Pleasant Streets NW, while not selling public space to become private.

ANC1D requests that DCPL's branch library plans be altered, in ways consonant with previous resolutions, and that the huge potential advantages of leveraging an expanded but more flexible library space be provided for.

### Why

DCPL's proposed 'Ice Cube' - to be constructed over the parking lot on the western side of the Mt Pleasant Branch Library - would annul the best possibilities of developing this large block by plugging its most critical point of access. Worse, it would hinder the economies of scale and scope coming out of connecting similar developments in adjoining blocks.

It would foreclose the possibility of a back-path whereby fire and emergency vehicles could access a large cluster of apartment buildings with thousands of residents. It would interfere with safety and convenience of several apartment buildings, especially its neighbor 3155 Mt Pleasant St NW.

If the available funds were instead directed to improving the utility of internal space, providing for modular technological improvements in the future, and extending the space in the rear of the current branch, then the parking lot space could be used temporarily for many other purposes, and the benefits of leveraging the space preserved.

The recent fire at the Deauville Apartments - which totally destroyed this habitation, and the spread of the fire and total destruction of the building behind it - vividly demonstrates the imminent threat to thousands of residents in that block. An emergency access route could have saved much of those buildings. While luckily no one died, hundreds of lives have been disrupted. Without some simple and low cost design changes, the potential of more than a thousand deaths remain, a threat that could be greatly mitigated by opening access.

This open space - especially if connected to the development of similar back-spaces in adjoining blocks - could provide space for hundreds of small shops and offices that together would constitute one of the DC area's largest incubators for innovation and local growth of good jobs. Not only would this help energize the DC economy, such a development would help promote walkable neighborhoods where far fewer cars would be needed, and where energy consumption and pollution production could be cut drastically. DCPL could then play a major role in vitalizing this development with information services needed for an innovative economic enclave.

If plans are not changed now, our chance to mitigate these threats and leverage the opportunities will be permanently lost. The proposed structure more points backwards to a 19th century crystal palace built for elite grandeur. Instead, it could inspire a forward vision with an architecture that preserves the best of the past while - behind the facade - dramatically supports personal and economic growth for all parts of our population. A revised design could serve both the interests in residents' health/safety and their hopes for breakout improvements.

*Passed by 5 to 0 vote at the legally noticed public meeting of ANC1D on December 2, 2008, with a quorum present. Voting "yes"; Commissioners Edwards, Zara, Tunda, McKay, Bosserman.*