



chairman's update

the NEWSLETTER of
DC Council Chairman Phil Mendelson

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CELEBRATING BLACK HISTORY

There is a famous saying (which actually has been said many different ways and by many different people), that those who do not pay attention to the mistakes in history are doomed to repeat them.

That speaks to the value of history, and black history.

When I was growing up, there was no black history month. And my studies of American History said very little about African Americans in American History, except that they were slaves, and less than a whole person in the Constitution, and that segregation was declared illegal after *Brown vs. Board of Education*.

But we know that one value of history is that we learn about role models and people we can aspire to. That black people were marginalized throughout history, and still struggle for equality, but in fact have been present throughout. A black man was present – and murdered – at the Boston Massacre. A black man played a major role in laying out the monumental city of the new nation's capital. Black men fought with distinction during the Civil War. Many black women were active suffragettes demanding that women have the right to vote. A black man invented the traffic light. In fact, there have been many black inventors. The list of distinguished African Americans is long and varied.

And knowing something about black history gives us something to be proud about as Washingtonians. We celebrate that Frederick Douglass had deep ties to our city – he was United States Marshall for the District of Columbia during the late 1870s and then Recorder of Deeds in 1880s. In fact, Frederick Douglass remarked that – because deeds were copied by hand, and customers were charged by the word – that as Recorder of Deeds he was the most highly-compensated federal official after the President of the United States.

Another famous Washingtonian is Charles Hamilton Houston, a graduate of Dunbar High School when it was known as M Street High School, who played the critical role in the legal strategy that led to *Brown vs. Board of Education* and the dismantling of Jim Crow. Knowing these – and many more – examples of Washingtonians who were national leaders, gives our youth role models to aspire to. That is an important role of history.

The District was affected by the Civil Rights Movement in many ways. So many of our Home Rule founding fathers were from SNCC and other Civil Rights Era organizations: Marion Barry, John Wilson, Dave Clarke, Frank Smith, and more. As you know, the Civil Rights Movement was about killing Jim Crow, achieving equality, and enjoying the full measure of citizenship, including the vote.

But here we are today, struggling against forces that haven't gone away. The Civil Rights Movement may have climaxed with the Voting Rights Act of 1965, but today, in many states, mostly across the South, we have seen how the ability to vote has been made difficult. Understanding our history of race relations in this country helps us to understand what is happening now.

Black history month is not just learning about people who died years ago. Rather, it teaches us how African Americans can force change. How there is value in activism, and political participation. Activism that can throw out the voter ID laws and change policy. And close the gaps – the education gap, the income gap, and the wealth gap – that have resulted from our history of racism and intolerance.

History – real history – teaches us. It teaches us how to be better.

Constituent Services Corner

The Chairman attended one of his monthly 'Lunch with Seniors' events in Ward 5 where he met a resident who complained of paving problems outside her home.

Our Constituent Services team went out to the house and noticed a portion of the curb outside the residence was missing and posed a hazard for elderly residents.

They also found cracks in the pavement of the alley behind the home, which could cause flooding in the home's backyard during storms.

Our team reached out to the Department of Transportation (DDOT) and they surveyed the home and then repaired the issues two weeks later.

If you have safety hazards on your streets and alleyways, we'll pave the way to some concrete relief. Call our constituent services team today!

**Contact our Constituent
Services Team at
(202) 724-8032**



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The Forced Resignation of Jack Evans

As is well known by now, long-time Ward 2 Councilmember Jack Evans resigned as of January 17th after his 12 colleagues indicated – by a Committee vote in December – that they would vote to expel him. These actions were extraordinary. Yet it has not been uncommon over the years for citizens to demand that a particular councilmember, embroiled in controversy, should be forced to resign.

The act of expulsion should be rare and not based simply on citizens' unhappiness.

I was prepared to present a resolution to expel Mr. Evans at a special legislative meeting to be held on January 21st. That resolution would have been based primarily on the findings of the O'Melveny & Myers investigative report (available at dccouncil.us), but also would have referenced the Council's March 19th reprimand, the August settlement agreement with BEGA, and the April/May WMATA investigation by Schulte Roth & Zabel. The resolution would have emphasized that proposed expulsion was not based solely on a few individual violations but on a pattern and practice of sustained and repeated violations.

I cannot emphasize enough that, in my view, the concern was not simply the validity of the allegations of misconduct, but the totality of them – the continuing incidence, and cumulation, of multiple violations of multiple provisions of the Code of Conduct over the 4-1/2 year period of investigation. Further, that we reached the point of expulsion as a result of four investigations: by O'Melveny & Myers on behalf of the Council, by WMATA, and by the Board of Ethics and Accountability (BEGA). Additionally, there was (or is) the ongoing investigation by the United States Attorney which included the execution of a search warrant on Mr. Evans's house.

Councilmembers are elected by the voters and are responsible to them. For the Council to step in and expel a member who has been duly elected is extraordinary and should happen very, very rarely.

MONEY, MONEY, MONEY

On January 31st the city released its Comprehensive Annual Financial Report (CAFR) for the fiscal year ending last September 30th. Agencies underspent by over \$75 million, and revenues exceeded budgeted estimates by \$492 million. It may seem the city has lots of money sitting on the table waiting to be spent.

Is there money sitting on the table? No.

About \$100 million was used to repay draws from the contingency reserves which the Mayor is able to do throughout the year (without Council approval). And about \$100 million was added to the "rainy day" reserve funds to meet statutory requirements and municipal finance best practice. The remaining cash was split between the Housing Production Trust Fund (for affordable housing) and Pay-Go Capital (for infrastructure).

Because the reserves now equal two months' operating expenses, the city is able to borrow at cheaper rates and the reserves enable the government to even out cash flow and thereby avoid short term borrowing. These benefits actually save the government millions of dollars annually in debt service.

Further, recent recession analyses by the Chief Financial Officer indicate that for a moderate recession the reserves and other treasury actions could support the District for approximately 18 months before substantial budget cuts would be required. We know from experience that when recession-driven budget cuts are necessary, the first to be cut are safety net benefits.

While there is no existing surplus waiting to be spent, the Mayor will have substantially more revenue to formulate next year's budget that she will propose to the Council March 19th. Last May, when we adopted this year's budget, estimated revenue growth was \$270 million, but now we know the revenue growth will be at least \$601 million (7.43%). Remarkable.

I put schools at the top of the list for increased funding – perhaps \$100 million more. If the per pupil allocation had kept pace with inflation over the past decade, education funding would increase at least \$60 million. Additionally, we should provide millions more for known needs outside of the formula such as mental health services, academic supports for literacy and math, transportation, and even the Birth-To-Three law. Substantially improving educational outcomes is the long-term solution to our social justice challenges.

Upcoming Hearings of the Committee of the Whole

Joint Performance Oversight Hearing: District of Columbia Public Schools (Government Witnesses)

February 20, 2020
10 a.m. Room 412

Performance Oversight Hearing: Metropolitan Washington Council of Governments, New Columbia Statehood Commission, Events DC, Commission on the Arts & Humanities

February 24, 2020
10 a.m. Room 500

Performance Oversight Hearing: Office of Zoning, Office of Planning, Metropolitan Washington Airports Authority

February 25, 2020
11 a.m. Room 412

Public Roundtable: Urban Renewal Plan for the Shaw School Urban Renewal Area & Downtown Urban Renewal Area Termination Approval Resolution of 2020

February 25, 2020
2 p.m. Room 412

Joint Performance Oversight Hearing: Office of the State Superintendent

February 26, 2020
10 a.m. Room 412

To Testify Contact the
Committee at
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