

BY MARK SEGRAVES

The Blame Game Backfires

When DC Schools Chancellor Michelle Rhee and Mayor Adrian Fenty fired hundreds of public school teachers and staff, they wasted no time in blaming the DC Council for the firings.

In a Sept. 15 letter to parents explaining the firings Rhee wrote: "DCPS is facing a budget shortfall for Fiscal Year (FY) 2010 due to DC Council budget reductions over the summer."

Rhee and Fenty may be wishing they hadn't done that. Placing the blame for firing hundreds of teachers just months after hiring hundreds of teachers made the council look like anti-education scrooges. That didn't sit well with Council Chair Vince Gray or even the pro-Fenty crowd at the Wilson Building.

So Gray called for a hearing to get to the bottom of things, and what he and the rest of us learned was a bombshell.

Under oath Rhee testified that she ignored the mandate of the council and mayor which cut much of the money from 2010 summer schools and instead she opted to fully fund summer school and close the budget gap by firing teachers. We also learned that the school CFO hid the fact that the school system was facing budget problems BEFORE the council made their cuts, BEFORE Rhee hired 900+ teachers and BEFORE the District's CFO, Natwar Gandhi, certified the budget as balanced.

Several councilmembers at the hearing said they never would have held the hearing or even raised questions about the firings if Fenty and Rhee hadn't blamed the firings on the council.

"We wouldn't even be here today," One councilmember told this reporter at the hearing, "if they hadn't tried to make us look bad."

Nickles VS The Council

In case you are wondering if the relationship between the mayor and the DC Council has gotten any better, it hasn't. In fact, just when you thought it couldn't get any worse, it has.

The most recent example came in the midst of the dust-up over the Department of Parks and Recreation.

First, Mayor Adrian Fenty unceremoniously fired Clark Ray from the helm of DPR. Ray was the only openly gay member of Fenty's cabinet and was told late one Sunday night not to bother coming to work the next day. Fenty has yet to give any reason for the dismissal.

But the mayor was quick to name a replacement. Ximena Hartsock was named acting director. Things started out fine for Hartsock until she began to implement Fenty's plan to eliminate the child-care services at DPR. That move drew the ire of many councilmembers who called the move illegal.

Hartsock's confirmation hearing was contentious to say the least. DC Attorney General Peter Nickles called the hearing misogynistic and racist. Nickles was referring to Ward 8 Councilmember Marion Barry's comments at the hearing that women don't understand sports and that Latinas don't understand black culture.

Then the council voted to oust Hartsock. In a 7-to-5 vote, they rejected her nomination. It was the first time the council had rejected one of Fenty's cabinet appointments. Fenty was, as always, silent in public when asked about the vote. As is the case these days, Fenty left the speaking to his attorney and chief spokesperson, Peter Nickles. Nickles called the vote a "shameless act."

Then Councilmember Kwame Brown (D - At-Large) confronted Nickles on the steps of City Hall. "You should be ashamed of yourself." Brown shouted at Nickles. Brown and other councilmembers maintain that Hartsock broke the law when she ignored the council and sought to privatize the day-care programs. But Nickles disagreed.

"To use the excuse that she had violated the law ... I speak for the law," Nickles responded. So now Nickles is the spokesperson for the mayor and the law.

Just as that duststorm was settling, the news broke that Fenty had diverted \$82 million from the Parks and Rec budget through the deputy mayor of economic development and to the DC Housing Authority. The money was then reprogrammed for work on 12 rec centers and ball fields. The contracts all went to close friends of Fenty including two fraternity brothers. And to make matters worse, the contracts did not go



through the DC Council for approval.

When the news broke, the Fenty Administration deferred to the Housing Authority for comment. The Housing Authority said that DCHA contracts are exempt from council review. So it appeared Fenty was using a loophole to get lucrative contracts for his buddies without the council knowing. Councilmembers were furious. They called for investigations. But in a surprise twist, Nickles beat them to the punch. The attorney general issued an opinion stating DCHA contracts over \$1 million MUST get council approval.

It seemed like Nickles had switched teams. But the next day Nickles put the universe back as we know it. He issued a second opinion saying despite the fact the contracts for Fenty's friends hadn't been approved by the council, they were still legally binding.

Oh yes, I forgot, somewhere in the midst of all of this, Fenty issued an executive order appointing Hartsock as interim director of DPR. This, according to Nickles, was within the mayor's powers and gives Hartsock another six months on the job despite the council's vote to reject her.

All of this prompted Councilmember Mary Cheh (D - Ward 3) to tell reporters, "It's almost becoming a lawless administration." Cheh added, "They seem to have no limits or restraint on what they are willing to do."

Again the mayor was silent; again the attorney general was not. Nickles told the Washington Post that Cheh "has no idea what she's talking about." And added, "For her to make comments like that, it's stupid," he said. "She's an angry woman."

That's right, the DC attorney general who accused councilmembers of being misogynistic called Mary Cheh a stupid, angry woman. He later apologized and, like most men who hurt women, tried to fix it by sending flowers.

Nickles VS Nichols

Now, while all of this is going on

at City Hall, the DC Auditor, Deborah Nichols, was trying to get a look at some old documents from the now defunct National Capital Revitalization Corporation and the Anacostia Waterfront Corporation. The auditor was doing what she is charged with doing and that is to provide fiscal oversight to government contracts. Nichols wanted to review about 1,000 boxes of files pertaining to development deals like the DC USA in Columbia Heights.

The attorney general said, "No."

The auditor was forced to use her subpoena power. Again the AG said, "No."

They went to court. In an effort to fight fire with fire, Nichols hired the former attorney general to take on the current AG in court. Robert Spagnoletti won the first round when DC Superior Court Judge Eugene Hamilton ruled the mayor must allow the auditor access to the documents.

"The ruling validates the auditor's rights to look at documents of the executive branch," Spagnoletti said.

Nickles wasn't impressed and has appealed. In the meantime the auditor went to her counterpart on the executive side, the chief financial officer, and requested to see his documents pertaining to the land deals. CFO Natwar Gandhi said, "No." Gandhi said he would not release his documents until the dispute between Nichols and Nickles was resolved.

The Race

Another DC Councilmember could be eyeing higher office.

The buzz inside City Hall is that DC At-Large Councilmember Phil Mendelson (D) is considering running for chairman of the council should current Chairman Vince Gray (D) decide not to run for re-election.

"I am focused on my re-election campaign," says Mendelson, who is up for re-election for his council seat.

"But, I've been around long enough to know you never say never."

Mendelson will face at least one

serious challenger if he decides to try to keep his at-large seat.

Clark Ray, the former director of the DC Parks and Recreation Department, has announced his quest for Mendelson's seat.

Gray has been toying with the idea of challenging Mayor Adrian Fenty next year but hasn't made any announcement.

Councilmember Jack Evans (D-Ward 2) has already said if Gray doesn't run for chair, he will.

When asked if he could categorically deny that he would run for chair, Mendelson again said, "Never say never."

The Other Race

DC Mayor Adrian Fenty may have some more competition for his job. A big-time developer with deep pockets says he may run for the office. But first he'll have to move to the District.

Don Peebles, one of the richest African-American developers in the nation, told the Washington Business Journal that Fenty isn't competent to be mayor.

"The current mayor lacks the integrity, competency, capacity and maturity to be an effective mayor, and he's unable to get along with anybody else," Peebles told the Business Journal.

The Florida resident alleges Fenty has given too many of the District's development deals to friends.

Peebles says he'll either run against Fenty or raise money for someone who will. He offered no timetable for making his decision.

Peebles has been registered to vote in Florida for years. According to the DC Board of Elections, the last time Peebles voted in DC was 1994; in 1999 he was purged from the voter rolls. Since announcing his plans to get involved in DC politics, Peebles has now re-registered as a DC voter.

The DC mayoral election is set for Nov. 2, 2010, with the Democratic primary on Sept. 14.

Mark Segraves is an award winning investigative reporter and talk show host for WTOP Radio. He can be reached at msegraves@wtop.com. ★



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