

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** March 20, 2018

**SUBJECT:** Report on Bill 22-629, the “Swampoodle Park Designation Act of 2018”

The Committee of the Whole, to which Bill 22-629, the “Swampoodle Park Designation Act of 2018” was referred, reports favorably thereon, with technical amendments, and recommends approval by the Council.

CONTENTS

I.	Background and Need.....	1
II.	Legislative Chronology.....	3
III.	Position of the Executive .....	4
IV.	Comments of Advisory Neighborhood Commissions .....	4
V.	Summary of Testimony.....	4
VI.	Impact on Existing Law .....	5
VII.	Fiscal Impact.....	5
VIII.	Section-by-Section Analysis.....	6
IX.	Committee Action.....	6
X.	Attachments .....	6

**I. BACKGROUND AND NEED**

On December 13, 2017, Bill 22-629, the “Swampoodle Park Designation Act of 2018” was introduced by Councilmember Allen to officially designate the park in Square 749, Lot 68, bounded by L Street, N.E. and 3<sup>rd</sup> Street, N.E., in Ward 6, as Swampoodle Park.

Until recently, the NOMA Neighborhood lacked dedicated space for parks and green spaces. In 2014, a partnership was established between the District Government and the NOMA Parks Foundation (“the Foundation”) to develop parks to fit a variety of community needs. Those needs were outlined in the 2012 NOMA Public Realm Design Plan and approved as a framework for public investment through the District’s 2014 Budget Support Act.

The property at issue, located at 3<sup>rd</sup> Street, N.E., and L Street, N.E., was the Foundation’s first acquisition of private property on behalf of the District. Through support from District agencies, the Foundation was able to combine the property with adjacent public space to turn a roughly 5,200 square foot lot into an 8,300 square foot community park. Beginning in 2012, the

Foundation engaged with a local landscape architecture firm and worked closely with community members to develop a plan for the park. The current plan features green space, seating areas, a fenced dog park, and a children's play area which will include a unique, winding jungle gym called a "Wall-Holla." Construction of the park began in late 2017 and will be complete by April 2017.

Although the park has yet to open, it has already fostered community bonds; a group of neighbors have official formed a friends group to the park through the District Department of Parks and Recreation called the Friends of NOMA Dogs, or "FOND." FOND will be responsible for the future care and maintenance of the dog park portion of the park.

The NOMA BID and NOMA Parks Foundation engaged with the community to develop a name for the park. The community submitted more than 150 names. Of these submissions, three of the most popular were submitted for a final vote. More than 1,500 votes were cast for "Swampoodle Park," receiving more than seventy percent of the vote. The Swampoodle name has been associated with the area for more than 150 years and recalls a time when working class German and Irish immigrants linked together the words "swamp" and "puddle" to refer to this once boggy area where the now-buried Tiber Creek frequently overflowed. Supporters of the park, including FOND, are particularly pleased that the name is dog friendly.

### ***Legal Background***

The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01 *et seq.*) ("Act") establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other procedures related to streets and alleys. Specifically, the Act authorizes Council to designate or change the name of any public space in the District of Columbia.<sup>1</sup> Public spaces include "any public street, alley, circle, bridge, building, park, other public place or property owned by or under the administrative control or jurisdiction of the District of Columbia."<sup>2</sup>

The Act establishes a notice requirement for the official designation of public spaces including parks; at least 30 days prior to the scheduled public hearing, the initiator of the proposed designation shall submit a copy of the legislation for review and comment to each Advisory Neighborhood Commission ("ANC") in which the public space is located. Regarding Bill 22-629, the notice requirements have been met. ANC 6C was put on notice of the legislation and February 26, 2018 hearing by the Committee of the Whole on January 17, 2018.

The Act also promulgates requirements that the Mayor must meet prior to consideration of a public space designation by the Council. First, the Mayor shall provide the Council with comments on the proposed designation submitted by any District agency with jurisdiction over the public space to be designated.<sup>3</sup> The District Department of Parks and Recreation ("DPR"), which has jurisdiction over the park space at issue, attended the February 26, 2018 hearing on Bill 22-629 and submitted comments (supporting Bill 22-629) as part of their testimony at that time, thus meeting this requirement. Second, prior to consideration of a designation by the Council, the

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<sup>1</sup> See D.C. Official Code § 9-204.01 *et seq.*

<sup>2</sup> D.C. Official Code § 9-204.11(2)(A).

<sup>3</sup> D.C. Official Code § 9-204.22(b).

Mayor shall provide to Council a surveyor's plat showing the public space to be designated, including any adjacent and abutting squares to the designation.<sup>4</sup> The Office of the Surveyor provided the Council with a plat of the designation prior to mark up by the Committee of the Whole.

After the official public space designation legislation becomes law and all conditions required by the Council and the Act have been satisfied, the Mayor will install signage denoting the public space name.<sup>5</sup> The signage shall conform to the policies of the agency with jurisdiction over the public space, in this case DPR.<sup>6</sup> Additionally, the Surveyor of the District of Columbia shall record a copy of the act and the Surveyor's plat in the Office of the Surveyor.<sup>7</sup>

Officially designating the park bounded by L Street, N.E. and 3<sup>rd</sup> Street, N.E., in Ward 6, as "Swampoodle Park" will pay homage to the neighborhood's history and community efforts to establish a park that will serve the needs of adults, children, and dogs. Swampoodle Park will be an anchor and gathering point for the community and further add to NOMA's amenities. For these reasons, the Committee of the Whole recommends the approval of Bill 22-629, the "Swampoodle Park Designation Act of 2017."

## II. LEGISLATIVE CHRONOLOGY

December 13, 2017	Bill 22-629, the "Swampoodle Park Designation Act of 2017" is introduced by Councilmember Allen.
December 19, 2017	Bill 22-629 is referred to the Committee of the Whole.
December 22, 2017	Notice of Intent to Act on Bill 22-629 is published in the <i>DC Register</i> .
January 20, 2018	Notice of Public Hearing on Bill 22-629 is published in the <i>DC Register</i> .
February 16, 2018	Revised Notice of Public Hearing on Bill 22-629 is published in the <i>DC Register</i> .
February 26, 2018	A Public Hearing is held on Bill 22-629 by the Committee of the Whole.
March 20, 2018	The Committee of the Whole marks up Bill 22-629.

## III. POSITION OF THE EXECUTIVE

John A. Stokes, Deputy Director of the District Department of Parks and Recreation, testified on behalf of the Executive in support of the "Swampoodle Park" designation under Bill 22-629. His testimony is summarized below.

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<sup>4</sup> D.C. Official Code § 9-204.22(c)(1)-(3).

<sup>5</sup> D.C. Official Code § 9-204.24(b).

<sup>6</sup> *Id.*

<sup>7</sup> D.C. Official Code § 9-204.24(c).

#### IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

On March 14, 2018, ANC 6C, in which the proposed official designation is located, voted 6-0-0, in support of designating the unnamed park located at L Street, N.E. and 3<sup>rd</sup> Street, N.E., in Ward 6, as Swampoodle Park. A copy of ANC 6C's letter in support is attached to this report.

#### V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 22-629 on Monday, February 26, 2018. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

***Robin-Eve Jasper, President, NOMA Parks Foundation & NOMA Business Improvement District***, testified in support of the "Swampoodle Park" designation. Ms. Jasper described the need for a designated park in the NOMA neighborhood and the creation of the park located at 3<sup>rd</sup> Street, N.E. and L Street, N.E., including public investment from the District of Columbia and community support.

***Cari Shane, Friends of NOMA Dogs "FOND"***, testified in support of the "Swampoodle Park" designation. Ms. Shane described FOND's early efforts to establish a dog park in NOMA and its partnership with the NOMA Parks Foundation and NOMA Business Improvement District to do so. Ms. Shane also explained the naming process for "Swampoodle Park" and highlighted the community involvement throughout. She testified that the name is poetic, historic, and dog-friendly.

***John A. Stokes, Deputy Director of the District Department of Parks and Recreation "DPR"***, testified on behalf of DPR Director Keith Anderson that the Executive supports the "Swampoodle Park" designation. He shared the history of the "Swampoodle" designation and complemented the NOMA Business Improvement District's naming process, calling it "a testament to democracy in action." Mr. Stokes expressed DPR's commitment to working with the NOMA Business Improvement District, the NOMA Parks Foundation, community members and local leaders to operate and maintain Swampoodle Park for many years to come.

The Committee received a letter in support of the Swampoodle Park designation from Heather Edelman, Commissioner, ANC 6C06. A copy of the letter is attached to this report.

#### VI. IMPACT ON EXISTING LAW

Bill 22-629, as it pertains to the Swampoodle Designation, has no impact on existing law. D.C. Official Code § 9-204.01 authorizes the Council to designate any public space, including

parks.<sup>8</sup> Further, the Act provides that, with limited exception, no public space shall be named in honor of any living person or in honor of any person who has been deceased less than two years.<sup>9</sup> However, this designation is not named after a person, rather a historic moniker of the neighborhood.

## VII. FISCAL IMPACT

Funds are sufficient in the fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the provisions of the proposed legislation. The Department of Parks and Recreation estimates that standard signage to designate the park will cost between roughly \$XXXX, which can be absorbed by the agency. A copy of the Fiscal Impact Statement is attached to this report.

## VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 22-629.
<u>Section 2</u>	Officially designates the park in Square 749, Lot 68, bounded by L Street, N.E. and 3 <sup>rd</sup> Street, N.E., Ward 6, as “Swampoodle Park.”
<u>Section 3</u>	Directs the Council to transmit a copy of this act to the Mayor, the District Department of Parks and Recreation, and the Office of the Surveyor.
<u>Section 4</u>	Adopts the Fiscal Impact Statement.
<u>Section 5</u>	Establishes the effective date by stating the standard 30-day Congressional review language.

## IX. COMMITTEE ACTION

## X. ATTACHMENTS

1. Bill 22-629 as introduced
2. Written Testimony and Letters
3. ANC 6C Letter
4. Surveyor’s Plat
5. Fiscal Impact Statement for Bill 22-629
6. Legal Sufficiency Determination for Bill 22-629
7. Committee Print for Bill 22-629

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<sup>8</sup> Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201).

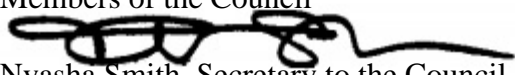
<sup>9</sup> See D.C. Code § 9-204.05.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council

From :   
Nyasha Smith, Secretary to the Council

Date : December 14, 2017

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, December 13, 2017. Copies are available in Room 10, the Legislative Services Division.


TITLE: "Swampoodle Park Designation Act of 2017", B22-0629

INTRODUCED BY: Councilmember Allen

The Chairman is referring this legislation to the Committee of the Whole.

Attachment

cc: General Counsel  
Budget Director  
Legislative Services

  
Councilmember Charles Allen

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To designate the park located at 3rd and L Streets, N.E., in Ward 6, as Swampoodle Park.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Swampoodle Park Designation Act of 2017”.

Sec. 2. Pursuant to section 401 of the Street and Alley Closing Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Council designates the park located at 3rd and L Streets, N.E., in Ward 6, as “Swampoodle Park”.

Sec. 3. Transmittal.

The Council of the District of Columbia shall transmit a copy of this act, upon its effective date, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act approved December

31 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
32 Columbia Register.



**Testimony of Robin-Eve Jasper**  
**President, NoMa Parks Foundation and NoMa Business Improvement District**  
**Before the Committee of the Whole**

**Hearing re: Swampoodle Park Designation Act of 2017**  
**February 26, 2018**

Good morning. I am Robin-Eve Jasper, President of the NoMa Parks Foundation and the NoMa Business Improvement District. I want to thank Councilmember Allen and his team for crafting and introducing the Swampoodle Parks Designation Act and thank the Committee of the Whole for the opportunity to testify in support of this legislation. I want to clarify at the outset that the proposed name Swampoodle is a reference to an historic moniker of the neighborhood and that the park will serve the needs of adults, children and all dogs; not just poodles.

As many of you know, the NoMa neighborhood had no dedicated space for parks until very recently. In 2014, a partnership was established between the District of Columbia government and the NoMa Parks Foundation to develop parks to fit a variety of community needs. Those needs were outlined in the 2012 NoMa Public Realm Design Plan and approved as a framework for public investment through the District of Columbia's Fiscal Year 2014 Budget Support Act. Key benefits of the partnership have been the ability of the NoMa Parks Foundation to engage closely and continuously with the community and the Foundation's capacity to move agilely in the highly competitive NoMa real estate market.

The property at 3<sup>rd</sup> and L, NE was the Foundation's first acquisition of private property on behalf of the District. I am pleased to report that the Parks Foundation acquired the land for a half million dollars below appraised value, and working with great support from District agencies, was able to combine this property with adjacent public space to turn a roughly 5,200 square foot lot into an almost ~~9,000~~ square foot park for the community.

The Parks Foundation has worked intensively with neighborhood residents and other stakeholders since 2012 to determine their functional and design priorities for parks. After acquisition of the property, the Foundation engaged talented local landscape architecture firm Lee and Associates, and worked closely with community members on coming up with a great plan for the park. The plan features a unique play structure, called a Wallholla, a fenced dog park, and seating areas for a quiet moment reading. In late 2017, DC-based Blue Skye Construction began construction on the park. Construction of the park will be complete this spring.

Though not yet open, the park at 3<sup>rd</sup> and L has already fostered community bonds, including inspiring a group of neighbors to officially become a friends group to the park through the DC Department of Parks and Recreation. FOND, the Friends of NoMa Dogs, will be responsible for the future care and maintenance of the dog park portion of the park.

Selection of a proposed name was the subject of a huge, fun and important community process. The community submitted more than 150 names for the park. Of these submissions three of the most popular were submitted for a final vote. More than 1,500 votes were cast and "Swampoodle Park" is the clear community favorite, receiving more than seventy percent of the votes. The proposed name hearkens to the working-class immigrant past of the area which was largely erased with the development of Union Station at the turn of the 20<sup>th</sup> century. Swampoodle was the name by which Irish and German immigrants of the 1800's referred to this often-puddly area where the now-buried Tiber Creek frequently overflowed.

Thank you for the opportunity to testify today. I am prepared to answer any questions that you may have.

February 26, 2018

Chairman Phil Mendelson  
Committee of the Whole  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 410  
Washington, DC 20004

Chairman Mendelson,

I am writing to express my support for B22-629, the Swampoodle Park Designation Act of 2017, which will create a playful and appropriate name for the new park at 3<sup>rd</sup> and L Streets NE.

The proposed name for the park was sourced and voted on by the public through a months-long process shepherded by the NoMa BID. The BID reached out to neighbors through its newsletter and website and through local listervs to gather nominations for park names and encourage residents to vote for the top choices.

Swampoodle is a perfect name for the park, which will bring much-needed play space for children and dogs in the rapidly growing neighborhood. The name has been associated with the area for more than 150 years and recalls a time when residents linked together the words "swamp" and "puddle" to refer to this once boggy area where sheep grazed. Today, the "poodle" part fits nicely for a place where dogs will get to play.

Children, families and dog owners are looking forward to the opening of our neighborhood park, and I hope you and fellow Councilmembers will approve the neighborhood choice of "Swampoodle" for its name.

Regards,



Heather Edelman  
Commissioner, ANC 6C06  
1152 5<sup>th</sup> Street NE  
Washington, DC 20002

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Department of Parks and Recreation**



Public Hearing on  
Bill 22-629, the “Swampoodle Park Designation Act of 2017”

Testimony of  
John Stokes  
Deputy Director for Community Engagement  
Department of Parks and Recreation

The Honorable Phil Mendelson, Chairman  
Committee of the Whole  
Council of the District of Columbia

Monday, February 26, 2018  
11:30 a.m. Room 123  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004

## **Introduction**

Good morning Chairman Mendelson, members of the committee, and members of the public. I am John Stokes, Deputy Director for Community Engagement of the District of Columbia's Department of Parks and Recreation (DPR). I would like to thank you for allowing me to testify today on behalf of Director Keith Anderson in support of Bill 22-629, the "Swampoodle Park Designation Act of 2017."

This brand-new park located at 3<sup>rd</sup> and L St., NE in the NOMA neighborhood will feature approximately 8,000 square feet of green space, a new dog park, and a children's play area, which will include a unique, winding jungle gym called a Wall-Holla. The park will be an anchor and gathering point for the community and further add to NOMA's outstanding amenities.

As many of you know, "Swampoodle" is a name that hearkens back to the history of the area. In the mid-1800's the area was populated by working class Irish immigrants who chose the name because the nearby Tiber Creek frequently flooded during the rainy season and would leave the ground in the neighborhood full of puddles and swampy, hence the name "Swampoodle."

I am pleased to say that, 150 years later, the NOMA Business Improvement District initiated an equally democratic process to name the neighborhood's new park. As DPR's Director, Director Anderson fully supports the unique and inclusive way that this park's name was chosen.

By hosting community meetings, sending out new releases, and newsletters to advertise the nominating and voting process, the NOMA BID and NOMA Parks Foundation received over 100 nominations and approximately 1,500 online votes. A full two thirds of those votes were in support of the name "Swampoodle Park." This is not only a testament to democracy in action, but is a symbol of the community's respect and reverence toward its past.

DPR is an agency that continues to build and program activities for all residents, as well as their pets, and we are happy to collaborate on the expansion of these amenities. Just last month we hosted our first Puppy Bowl which included a puppy football game with over 800 spectators and 37 puppies.

We look forward to continuing our work on behalf of Mayor Bowser with the Department of General Services (DGS), the NOMA Business Improvement

District, the NOMA Parks Foundation, community members and local leaders, and our staff to operate and maintain Swampoodle Park for many years to come.

Thank you again for the opportunity to testify on Bill 22-629, the “Swampoodle Park Designation Act of 2017.” This concludes my testimony. I am available to answer any questions that you or the committee may have.



Government of the District of Columbia

## Advisory Neighborhood Commission 6C

P.O. Box 77876 Washington, D.C. 20013, (202) 547-7168

March 16, 2018

Chairman Phil Mendelson  
Committee of the Whole  
D.C. Council  
John A. Wilson Building  
1350 Pennsylvania Avenue NW, Suite 410  
Washington, D.C. 20004

Re: B22-629, the Swampoodle Park Designation Act of 2017

Dear Chairman Mendelson,

On March 14, 2018, at a regularly scheduled, duly noticed monthly meeting of Advisory Neighborhood Commission 6C, with a quorum of six out of six commissioners and the public present, the above-mentioned matter came before us. The commissioners voted unanimously, 6:0:0, to send you this letter of support.

The ANC 6C commissioners understand the great need for parks in the NoMa neighborhood where children can play, and families and dog owners can enjoy being outdoors. The name “Swampoodle” is aligned with the history of the area, which more than 100 years ago was once a bog referred to as Swamp Puddle. The selection of this name preserves the historical nomenclature and reminds us of our heritage in the Capitol Hill area.


Thank you for giving weight to this ANC 6C recommendation.

On behalf of ANC 6C,

Karen Wirt  
ANC 6C chair



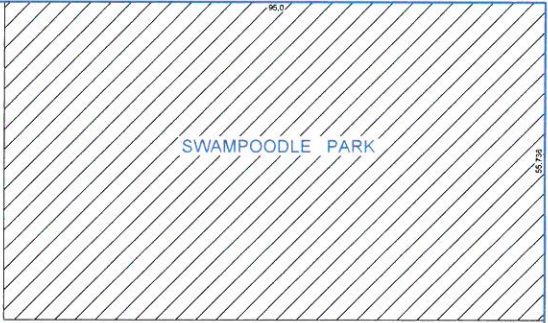
NAMING OF A PARK  
SWAMPOODLE PARK  
SQUARE 749

PURSUANT TO D.C. LAW \_\_\_\_\_ EFFECTIVE \_\_\_\_\_  
THE AREA SHOWN THUS:  IS HEREBY DESIGNATED AS  
"SWAMPOODLE PARK".

OFFICE OF THE SURVEYOR, D.C.  
\_\_\_\_\_, 2018

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.  
\_\_\_\_\_  
SURVEYOR, D.C.

L STREET, N.E.



3rd STREET, N.E.

SURVEYOR'S OFFICE, D.C.

Made for: DDOT	Checked by: _____
Drawn by: A.S.	Record and computations by: B. MYERS
Recorded at: _____	
Recorded in Book: _____	Page: _____ SR-16-0000
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1 **March 20, 2018**  
2 **Committee of the Whole**  
3 **Committee Print DRAFT**  
4  
5  
6

7 A BILL  
8

9  
10 22-629  
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12  
13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
14  
15 \_\_\_\_\_  
16

17 To officially designate the park in Lot 68 in Square 749, bounded by L Street, N.E., 2nd Street,  
18 N.E., K Street, N.E., and 3rd Street, N.E., in Ward 6, as Swampoodle Park.  
19

20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
21 act may be cited as the “Swampoodle Park Designation Act of 2018”.

22 Sec. 2. Pursuant to sections 401 and 422 of the Street and Alley Closing and Acquisition  
23 Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-  
24 204.01 and 9-204.22), the Council officially designates the park in Lot 68 in Square 749, which  
25 is bounded by L Street, N.E., 2nd Street, N.E., K Street, N.E., and 3rd Street, N.E., in Ward 6, as  
26 “Swampoodle Park”.

27 Sec. 3. Transmittal.

28 The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the  
29 Department of Parks and Recreation, and the Office of the Surveyor.

30 Sec. 4. Fiscal impact statement.

31 The Council adopts the fiscal impact statement in the committee report as the fiscal  
32 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
33 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

34           Sec. 5. Effective date.

35           This act shall take effect following approval by the Mayor (or in the event of veto by the  
36 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
37 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
38 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
39 Columbia Register.