

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: September 18, 2018

SUBJECT: Report on Bill 22-787, the “Rev. W.W. Flood Way Designation Act of 2018”

The Committee of the Whole, to which Bill 22-787, the “Rev. W.W. Flood Way Designation Act of 2018” was referred, reports favorably thereon with technical amendments, and recommends approval by the Council.

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I. BACKGROUND AND NEED

On April 12, 2018 Bill 22-787, the “Rev. W.W. Flood Way Designation Act of 2018” was introduced by Councilmember T. White to symbolically designate the unit block of Brandywine Street, S.E., between 1st Street, S.E. and South Capitol Street, S.E., in Ward 8, as Rev. W.W. Flood Way. Typically, a symbolic naming is for ceremonial purposes and shall be in addition to and subordinate to any name that is an official name.

Reverend Willie Williams (“W.W.”) Flood was born on May 12, 1916 in Orangeburg, South Carolina. At age 20, Reverend Flood moved from South Carolina to Washington D.C. to live with his grandfather, Reverend William A. Fludd, the pastor of the then Tabernacle Baptist Church, where he assisted his grandfather and served as deacon. In 1939, Reverend Flood became licensed and ordained and served as assistant pastor to his grandfather and taught Sunday School and Bible Class. In 1945, Reverend Flood attended the Washington Baptist Seminary. After the passing of his grandfather in 1959, Reverend Flood assumed pastorate of the Tabernacle Baptist Church.

Under Reverend Flood’s leadership, many projects and auxiliaries were established including the Building Fund, Missionary Society, Deacon and Deaconess Boards, Senior Choir, and Junior Choir.

The building fund was established in 1960 to raise funds for the Church to move into a new building. Fundraising was spearheaded by Reverend Flood's wife, Elaine Flood and supported by Reverend Flood and several church members. In 1966, a new church building was purchased, and Reverend Flood and his congregation located from 1418 Perry Place, N.W. to their new and present-day church site at 4101 First Street, S.E. With this move, the church was renamed and opened its doors as the Southeast Tabernacle Baptist Church. As a result of Reverend Flood's expansion efforts, the Church continued to increase in membership and new auxiliaries were formed. To this day, the Church serves as a community pillar in Southeast Washington, DC.

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. The Act authorizes the Council to symbolically or officially designate or change the name of any public space in the District of Columbia, including streets and alleys.¹ In October 2016, the Act was amended to create a clear distinction between official and symbolic street and alley namings and to establish distinct processes and requirements for each type of naming.²

An "official name" refers to the legal designation of an alley or a street for mailing address and other purposes,³ whereas a "symbolic name" for a street or alley shall be in addition to and subordinate to any name that is an official name.⁴ An official name of an alley shall contain the suffix "Alley" or "Court."⁵ A symbolic name of a street or alley shall contain only the suffix "Way" or "Plaza."⁶ As established by Bill 22-787, "Rev. W.W. Flood Way" is a symbolic street designation for the unit block of Brandywine Street, S.E., between 1st Street, S.E. and South Capitol Street, S.E., in Ward 8.

The Act also establishes a notice requirement for symbolic designations. Pursuant to D.C. Official Code § 9-204.23(b), the ANC in which the symbolic designation is located must be put on notice of the public hearing regarding the proposed naming.⁷ On June 1, 2018 ANC 8D was put on notice by the Committee of the Whole.

Prior to consideration of a designation by the Council, the Mayor shall provide to the Council a surveyor's plat of the alley or street and adjacent properties.⁸ This has been done, and the plat is attached to this report. After the symbolic street or alley designation legislation becomes law and all conditions required by the Council and the Act have been satisfied, the District Department of Transportation ("DDOT") shall install signage indicating the symbolic name of the alley or street, or

¹ See D.C. Official Code § 9-204.01 *et seq.*

² See D.C. Law 21-0161, effective from Oct. 8, 2016, Published in the *DC Register* Vol 63 and Page 12933.

³ D.C. Official Code § 9-201.01(5A).

⁴ D.C. Official Code § 9-204.03a(a).

⁵ D.C. Official Code § 9-204.03(c).

⁶ D.C. Official Code § 9-204.03a(c).

⁷ Notably, D.C. Official Code § 9-204.23(b) does not specify a time requirement as to when an ANC must be put on notice of a public hearing regarding a symbolic designation.

⁸ See D.C. Official Code § 9-204.21(g).

portion thereof. Additionally, the Surveyor of the District of Columbia shall record a copy of such act and the Surveyor's plat in the Office of the Surveyor.⁹

Symbolically designating the unit block of Brandywine Street, S.E., between 1st Street, S.E. and South Capitol Street, S.E., in Ward 8, as Rev. W.W. Flood Way will commemorate the late Reverend W.W. Flood and his 73 years of contribution and service to Southeast Tabernacle Baptist Church and its surrounding community. Thus, the Committee of the Whole recommends the approval of Bill 22-787, the "Rev. W.W. Flood Way Designation Act of 2018."

II. LEGISLATIVE CHRONOLOGY

April 12, 2018	Bill 22-787, the "Rev. W.W. Flood Way Designation Act of 2018" is introduced by Councilmember T. White.
April 17, 2018	Bill 22-787 is officially referred to the Committee of the Whole.
April 20, 2018	Notice of Intent to Act on Bill 22-787 is published in the <i>DC Register</i> .
June 8, 2018	Notice of Public Hearing on Bill 22-787 is published in the <i>DC Register</i> .
July 9, 2018	A Public Hearing is held on Bill 22-787 by the Committee of the Whole.
September 18, 2018	The Committee of the Whole marks up Bill 22-787.

III. POSITION OF THE EXECUTIVE

Dan Emerine, Manager, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, testified on behalf of the Executive that it had "no objection" to the symbolic designation pursuant to Bill 22-787. His testimony is summarized below.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

No Advisory Neighborhood Commissions offered any comments regarding Bill 22-787.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on several bills including Bill 22-787 on Monday, July 9, 2018. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

⁹ D.C. Official Code § 9-204.24(c).

Daryl H. Flood, Jr, Southeast Tabernacle Baptist Church, testified in support of Bill 22-787. As the grandson of Reverend W.W. Flood, Mr. Flood testified about his grandfather's life and contributions to South East Tabernacle Baptist Church and the surrounding community.

Dan Emerine, Manager, Policy and Legislative Affairs Division, Office of the Director, District Department of Transportation, testified that the Executive has no objection to Bill 22-787. He stated that DDOT will install signage indicating the designation and stands ready to assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize.

The Committee received no comments in opposition to Bill 22-787.

VI. IMPACT ON EXISTING LAW

Bill 22-787 has no impact on existing law. D.C. Official Code § 9-204.01¹⁰ authorizes the Council to name any public space. D.C. Official Code § 9-204.03(a) authorizes the Council to designate a symbolic name for an alley "that shall be in addition to and subordinate to any name that is an official name."¹¹ Bill 22-787 symbolically designates the unit block of Brandywine Street, S.E., between 1st Street, S.E. and South Capitol Street, S.E., in Ward 8, as "Rev. W.W. Flood Way." Additionally, "a symbolic name of a street or alley shall contain only the suffix Way or Plaza," such as the name proposed by Bill 22-787.¹² Lastly, 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.¹³ Reverend W.W. Flood passed away in 2012, six years ago.

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. Because the cost to the District Department of Transportation (DDOT) is an estimated \$60 per official sign for fabrication and \$110 for installation, the cost of Bill 22-787 can be absorbed, as noted in the Fiscal Impact Statement (attached).

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 22-787.
<u>Section 2</u>	Symbolically designates the unit block of Brandywine Street, S.E., between 1st Street, S.E. and South Capitol Street, S.E., in Ward 8, as "Rev. W.W. Flood Way."
<u>Section 3</u>	Adopts the Fiscal Impact Statement.

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

¹¹ D.C. Code § 9-204.03(a).

¹² D.C. Code § 9-204.03(c).

¹³ See D.C. Code § 9-204.05.

Section 4 Establishes the effective date by stating the standard 30-day congressional review language.

IX. COMMITTEE ACTION

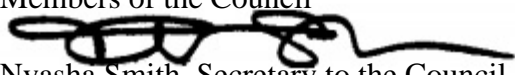
X. ATTACHMENTS

1. Bill 22-787 as introduced
2. Written Testimony
3. Surveyor's Plat
4. Fiscal Impact Statement for Bill 22-787
5. Legal Sufficiency Determination for Bill 22-787
6. Committee Print for Bill 22-787

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

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : April 13, 2018

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Thursday, April 12, 2018. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Rev. W.W. Flood Way Designation Act of 2018", B22-0787

INTRODUCED BY: Councilmember T. White

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

Attachment

cc: General Counsel
Budget Director
Legislative Services

Trayon White

Councilmember Trayon White

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To ceremonially designate the unit block of Brandywine Street, S.E. in Squares 6171 and 6171 N in Ward 8 as Rev. W.W. Flood Way.

BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Rev. W.W. Flood Way Designation Act of 2018”.

Sec. 2. Pursuant to sections 401, 403, and 421 of the Street Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01, 9-204.03, and 9-204.21) (“Act”), and notwithstanding the requirements of section 421(f) of the Act (D.C. Official Code § 9-204.21(f)), the Council:

(1) ceremonially designates the unit block Brandywine Street, S.E. in Squares 6171 and 6171 N in Ward 8 as Rev. W.W. Flood Way, S.E.

Sec. 3. Transmittal

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the District Department of Transportation, and the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

1 Sec. 5. Effective date.

2 This act shall take effect following approval by the Mayor (or in the event of veto by the
3 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
4 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
5 24, 1973 (87 Stat. 813: D.C. Official Code § 1-206.02(c)(1)) and publication in the District of
6 Columbia Register.

7

Good Afternoon Chairman ~~Phil~~ Mendelson (Council members – Name) and the Committee of the Whole,

*NADEAU,
GRAY, Allen*

My name is Daryl H. Flood, Jr., a lifelong member of the South East Tabernacle Baptist Church, and also the Eldest Grandson of Reverend Wille William Flood affectionately known as (W.W.Flood).

I support ~~this legislation~~ *Bill 22-787, Rev. W.W. Flood NADEAU Resignation Act of 2018.* because I believe it acknowledges the tirelessly works and dedicated efforts that my grandfather and former pastor provided to the Washington DC community and especially ward 8 South East, Washington, DC.

My grandfather and former pastor W.W. Flood was born on May 12th 1916 in Orangeburg South Carolina. After the passing of his father Allen Flood in 1929, he became the man of the house at the age of 12. 8 years thereafter, he was sent to live with his father Grandfather Reverend William a Fludd, the pastor of the (then) Tabernacle Baptist Church where he assisted his grandfather and served as deacon.

In 1939 Willie W. Flood received and answered his calling to the ministry and was licensed and ordained to preach the gospel. Shortly thereafter, he served in the capacity of assistant pastor to his grandfather, Rev. Fludd. As the assistant pastor, Rev. W.W. Flood also taught Sunday School and Bible Class. In 1945 Rev. W.W. Flood attended the Washington Baptist Seminary where he studied to increase his knowledge and understanding of God's word.

The building fund was established in 1960 for the purpose of raising funds to move into a new building. Many members of Tabernacle Baptist Church played an integral part in raising money for the this fund. With the building fund and supplemental monies, a new church building was purchased in 1966. Rev. Flood and his devoted congregation relocated from Perry Place, North West to their new church site at 4101 First Street, South East, Washington, DC. This marked a significant milestone and was notably the most important move in the church's history. With this move the church was renamed and opened it's doors as the South East Tabernacle Baptist Church.

April 30th 2010 my grandfather was quoted in the Washington Post saying " The neighborhood is as different as the day is from night" than when his congregation

50
has moved there over ~~40~~ years ago.... Til this day, South East Tabernacle Baptist Church has stood as a solid rock on the corner of 1st and Brandywine Street, South East, Washington, DC...

Rev WW Flood Passed Away May 29, ~~2018~~
2019
For This Reason, I ASK THAT
Bill 22-787, Rev. W.W Flood Way Designation
Act of 2018 BE APPROVED.

Many families from the southeast community visited and subsequently joined the church. Thus, the church was blessed with an increase in membership. This also resulted in the growth of present church groups and the formation of new auxiliaries. The Senior and Junior Choirs, which were already established, were blessed with additional voices. New choirs were formed: The Gospel Pearls, Youth Choir, Voices of Harmony and Flood Ensemble.

The church, which was a ground level facility, embarked on the expansion and elevation of its building. The vision* was that of a "New Building." On September 13, 1992 members gathered for the groundbreaking of the new building.

October 27, 1996 marked another milestone in the history of the church- This was a day of jubilation as the church first occupied the new building, a beautiful, spacious, brilliantly lit edifice. The Annual Men's Day morning and afternoon services were the first worship services held in the sanctuary.

Over the years the church has worked faithfully and diligently under the devoted leadership of Rev. W. W. Flood, who has exemplified the love of God to all those he has come in contact with. Many goals have been achieved and many projects completed. Throughout its illustrious history the church has maintained an uninterrupted presence in the southeast community. Blessings have been showered upon the church and the pastor as they press toward the mark of the high calling of God in Jesus Christ.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of Transportation



Public Hearing on
B22-0746, the “Outlaw Way Designation Act of 2018”
B22-0788, the “Hannah Hawkins Place Designation Act of 2018”
B22-0747, the “Bruce Robey Way Designation Act of 2018”
Bill 22-793, the “Ben’s Chili Bowl Way Designation Act of 2018”
B22-0787, the “Rev. W.W. Flood Way Designation Act of 2018”
Bill 22-697, the “Mazie Washington Way Designation Act of 2018”

Testimony of
Dan Emerine

Manager, Policy and Legislative Affairs Division
Office of the Director
District Department of Transportation

Before the
Committee of the Whole

Council of the District of Columbia

Monday, July 9, 2018
1:30 p.m.
Hearing Room 412
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, D.C. 20004



Good morning, Chairman Mendelson, members of the Council, staff, and District residents. My name is Dan Emerine, and I am Manager of the Policy and Legislative Affairs Division in the Office of the Director at the District Department of Transportation, commonly referred to as DDOT. I am here today to present testimony on behalf of Mayor Muriel Bowser and DDOT Director Jeff Marootian regarding Bill 22-0746, the “Outlaw Way Designation Act of 2018;” Bill 22-0788, the “Hannah Hawkins Place Designation Act of 2018;” Bill 22-0747, the “Bruce Robey Way Designation Act of 2018;” Bill 22-793, the “Ben’s Chili Bowl Way Designation Act of 2018;” B22-0787, the “Rev. W.W. Flood Way Designation Act of 2018;” and Bill 22-697, the “Mazie Washington Way Designation Act of 2018.”

The stated purpose of Bill 22-0746 is to symbolically designate the 200 block of 10th Street, N.E. in Ward 6 as *Outlaw Way*. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor’s plat showing the public street between square 939 and 964. In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). Sufficient signage requires two total signs, totaling \$340.

The stated purpose of Bill 22-0788 is to officially designate the 2100 and 2200 blocks of Mount View Place, S.E. in Ward 8 as *Hannah Hawkins Place*. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this

testimony a copy of the surveyor's plat showing the public street between Squares 5805, 5802, and 5800. In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). Sufficient signage requires two total signs, totaling \$340.

The stated purpose of Bill 22-0747 is to officially designate the alley that runs east and west between the 600 blocks of 11th and 12th Streets, N.E., and the 1100 blocks of G and F Streets, N.E., in Ward 6 as *Bruce Robey Way*. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor's plat showing the alley in Square 983. In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). Sufficient signage requires one sign, totaling \$170.

The stated purpose of Bill 22-0793 is to symbolically designate the 1200 block of U Street, N.W. in Ward 1 as *Ben's Chili Bowl Way*. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor's plat showing the public street between square 273 and 274. In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation). Sufficient signage requires two total signs, totaling \$340.

The stated purpose of Bill 22-0787 is to symbolically designate the unit block of Brandywine Street, S.E. in Ward 8 as *Rev. W.W. Flood Way*. As per the

requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor's plat showing the public street in Squares 6171 and 6171 N.

In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation).

Sufficient signage requires two total signs, totaling \$340.

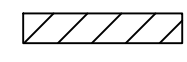
The stated purpose of Bill 22-697 is to symbolically designate the 4900 block of Nannie Helens Burroughs Avenue, N.E. in Ward 7 as *Mazie Washington Way*. As per the requirements of DC Act 21-489, Section 421(g), I have attached to this testimony a copy of the surveyor's plat showing the public alley in square 5148. In fiscal terms, the cost of each installed sign for these designations is approximately \$170 (\$60 for sign fabrication and \$110 for sign installation).

Sufficient signage requires two total signs, totaling \$340.

Sufficient signage requires 11 total signs, totaling \$1,870. DDOT is able to absorb the costs of these signs within its current budget and does not foresee any operational impact this designation would have on the District's transportation network.

Therefore, the Administration has no objection to these designations, and DDOT stands ready to assist the Council and all other stakeholders with any ceremonial unveiling activities that may materialize as a result of these Bills being passed.

This concludes my testimony. Thank you for allowing me the opportunity to testify before you today. I am available to answer any questions that you may have.

PURSUANT TO D.C. LAW _____ EFFECTIVE _____,
THE STREET SHOWN THUS:  IS SYMBOLICALLY DESIGNATED
AS "REV. W. W. FLOOD WAY".

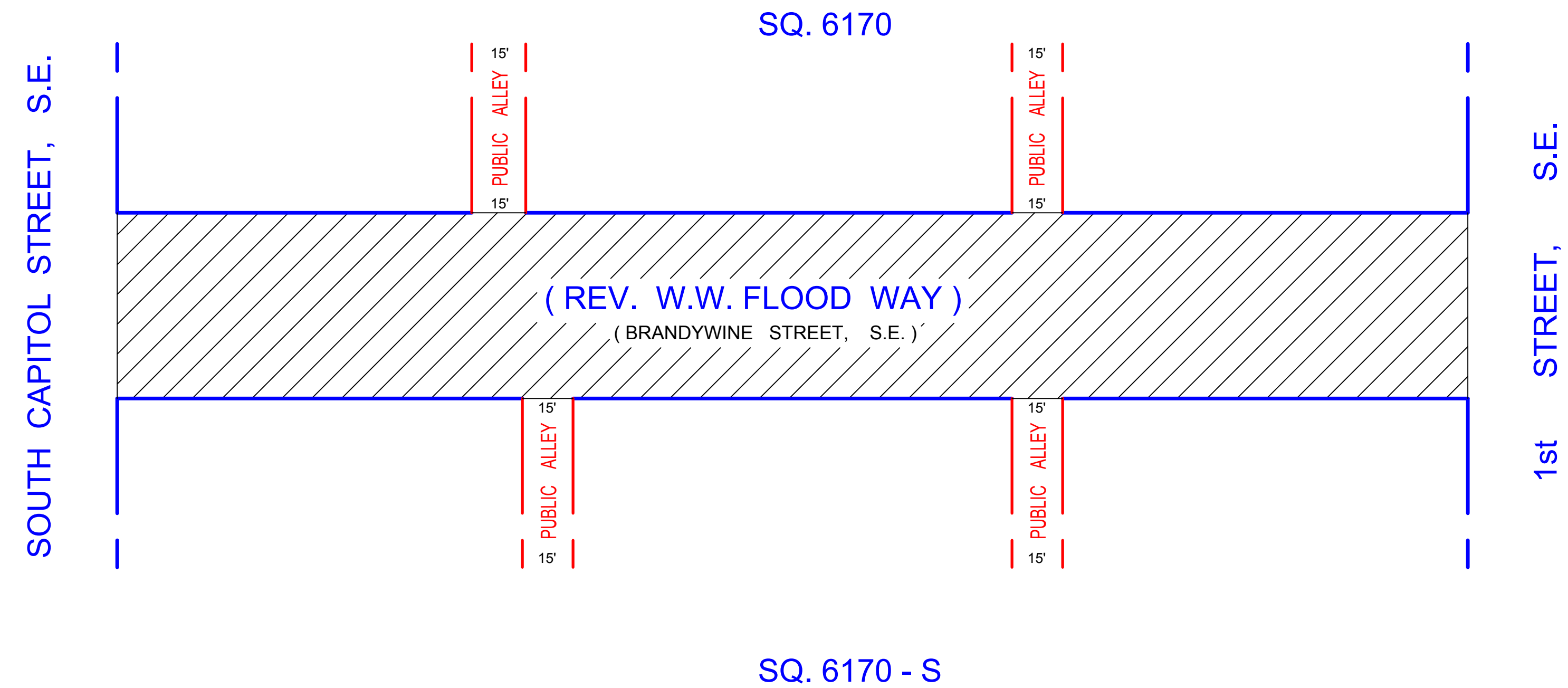
SYMBOLIC NAMING OF A PUBLIC STREET

UNIT BLOCK OF BRANDYWINE STREET, S.E.

OFFICE OF THE SURVEYOR, D.C.
_____, 2018

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

SURVEYOR, D.C.



SURVEYOR'S OFFICE, D.C.

Made for: DDOT
Drawn by: A.S. Checked by: _____
Record and computations by: B. MYERS
Recorded at: _____
Recorded in Book _____ Page _____ SR-18-0000
Scale: 1 inch = 30 feet File No. 18-11111

1 **September 18, 2018**
2 **Committee of the Whole**
3 **Committee Print DRAFT**
4
5
6

7 A BILL
8

9
10 22-787
11

12
13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
14
15 _____
16

17 To symbolically designate the unit block of Brandywine Street, S.E., between 1st Street, S.E., and
18 South Capitol Street, S.E., in Ward 8, as Rev. W.W. Flood Way.
19

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

22 Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and
23 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official
24 Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates the unit block
25 of Brandywine Street, S.E., between 1st Street, S.E., and South Capitol Street, S.E., in Ward 8,
26 as “Rev. W.W. Flood Way”.

27 Sec. 3. Fiscal impact statement.

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

31 Sec. 4. Effective date.

32 This act shall take effect following approval by the Mayor (or in the event of veto by the
33 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

34 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
35 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
36 Columbia Register.