

**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: November 1, 2022

SUBJECT: Report on Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2022”

The Committee of the Whole, to which Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2022” 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	3
IV.	Comments of Advisory Neighborhood Commissions	3
V.	Summary of Testimony.....	3
VI.	Impact on Existing Law	4
VII.	Fiscal Impact.....	4
VIII.	Section-by-Section Analysis.....	4
IX.	Committee Action.....	4
X.	Attachments	5

I. BACKGROUND AND NEED

On December 1, 2021, Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2022”¹ was introduced by Councilmember Trayon White joined by four other Councilmembers. This bill would symbolically designate Upsal Street, S.E., between First Street, S.E. and Second Street, S.E. as W. Cardell Shelton Way. The location is in Ward 8. A symbolic naming is for ceremonial purposes and shall be in addition to and subordinate to any name that is an official name.

William “Cardell” Shelton, Jr. was born in the District of Columbia on May 19, 1930 and was a resident of Ward 8 for more than 75 years. He was a graduate of Phelps Vocational High School and would later be a champion for vocational education for District Youth. He also served in the United States Army. He was a Master Brick Mason and worked on projects such as the Empire State Building. He as a mentor to craftsmen and contractors in the region and was president

¹ Originally introduced as W. Cardell Shelton Way Designation Act of 2021.

of the President of S.E. General Construction Company. He also worked on local building projects including the Harambe House Hotel on Georgia Avenue near Howard University and nearby Ed Murphy's Supper Club. Mr. Shelton was an Advisory Neighborhood Commissioner in Ward 8 and also ran for the Ward 8 School Board seat as well as a Council seat. Mr. Shelton passed away in 2017.

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.² 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.³

An “official name” refers to the legal designation of an alley or a street for mailing address and other purposes,⁴ whereas a “symbolic name” for a street or alley shall be in addition to and subordinate to any name that is an official name.⁵ An official name of an alley shall contain the suffix “Alley” or “Court.”⁶ A symbolic name of a street or alley shall contain the suffix “Way” or “Plaza.”⁷ As established by Bill 24-528, “W. Cardell Shelton Way” is a symbolic alley designation of Upsal Street, S.E., between First Street, S.E. and Second Street, S.E.

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.

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 portion thereof. Such signage shall be uniform and distinct from signs for official names⁸

Designating the street in front of Mr. Shelton’s home and former business as W. Cardell Shelton Way is a fitting tribute to honor his legacy. Thus, the Committee of the Whole recommends Council approval of Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2022.”

² See D.C. Official Code § 9-204.01 *et seq.*

³ See D.C. Law 21-0161, effective from Oct. 8, 2016, Published in the *DC Register* Vol 63 and Page 12933.

⁴ D.C. Official Code § 9-201.01(5A).

⁵ D.C. Official Code § 9-204.03a(a).

⁶ D.C. Official Code § 9-204.03(c).

⁷ D.C. Official Code § 9-204.03a(c).

⁸ D.C. Official Code § 9-204.24(d).

II. LEGISLATIVE CHRONOLOGY

- December 1, 2021 Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2022” is introduced by Councilmember T. White with six other Councilmembers.
- December 7, 2021 Bill 24-528 is officially read at a Legislative Meeting and the referral to the Committee of the Whole is complete
- December 10, 2021 Notice of Intent to Act on Bill 24-528 is published in the *DC Register*.
- June 17, 2022 Notice of a public hearing on Bill 24-528 is published in the *DC Register*.
- July 6, 2022 The Committee of the Whole holds a hearing on Bill 24-528.
- November 1, 2022 The Committee of the Whole marks up Bill 24-528.

III. POSITION OF THE EXECUTIVE

Dan Emerine, Manager, Policy and Legislative Affairs, District Department of Transportation, testified on behalf of the Executive that it had “no objection” to the symbolic street namings in Bill 24-528. DDOT testified at the hearing that the cost of the signage contemplated in the bill is \$380. His testimony is attached.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received not testimony or comments from and Advisory Neighborhood Commission.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 24-528 on Wednesday, July 6, 2022. The testimony is summarized below. Copies of the written testimony are attached to this report.

Dan Emerine, Manager, Policy and Legislative Affairs, District Department of Transportation, testified on behalf of the Executive that it had “no objection” to the designation.

The Committee received no testimony or comments in opposition to Bill 24-528.

VI. IMPACT ON EXISTING LAW

Bill 24-528 has no impact on existing law. D.C. Official Code § 9-204.01⁹ 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.”¹⁰ Bill 24-528 symbolically designates Upsal Street, S.E., between First Street, S.E. and Second Street, S.E. as W. Cardell Shelton Way. Additionally, “a symbolic name of a street or alley shall contain only the suffix Way or Plaza,” such as proposed by Bill 24-528.¹¹ 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.¹² Mr. Shelton passed away in 2017.

VII. FISCAL IMPACT

According to the October 14, 2022 Fiscal Impact Statement of the Chief Financial Officer, funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the proposed legislation. Because the cost to the District Department of Transportation (DDOT) is estimated at \$380 (\$65 per sign for fabrication and \$125 for installation), the cost of Bill 24-528 can be absorbed.

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 24-528.
<u>Section 2</u>	Symbolically designates Upsal Street, S.E., between First Street, S.E. and Second Street, S.E. as W. Cardell Shelton Way.
<u>Section 3</u>	Adopts the Fiscal Impact Statement.
<u>Section 4</u>	Establishes the effective date by stating the standard 30-day congressional review language.

IX. COMMITTEE ACTION

⁹ Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201).

¹⁰ D.C. Code § 9-204.03(a).

¹¹ D.C. Code § 9-204.03(c).

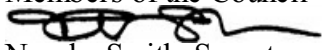
¹² See D.C. Code § 9-204.05.

X. ATTACHMENTS

1. Bill 24-528 as introduced.
2. Map of Proposed Designation.
3. Fiscal Impact Statement for Bill 24-528.
4. Legal Sufficiency Determination for Bill 24-528.
5. Committee Print for Bill 24-528.

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 : Thursday, December 2, 2021
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, December 01, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "W. Cardell Shelton Way Designation Act of 2021", B24-0528

INTRODUCED BY: Councilmembers T. White, Cheh, Henderson, Gray, and Bonds

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

Attachment
cc: General Counsel
Budget Director
Legislative Services

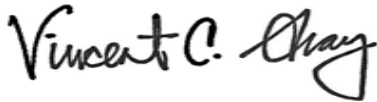
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Councilmember Christina Henderson




Councilmember Trayon White, Sr.



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Councilmember Vincent C. Gray



Councilmember Mary M. Cheh

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Councilmember Anita Bonds

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To symbolically designate the 100 block of Upsal Street, SE, in Square 6094, in Ward 8, as “W. Cardell Shelton Way”.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “W. Cardell Shelton Way Designation Act of 2021”.

Sec. 2. Pursuant to sections 401, 403a, and 423 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, 9-204.03a, 9-204.23) (“Act”), the Council symbolically designates the 100 block of Upsal Street, SE, in Square 6094, in Ward 8, as “W. Cardell Shelton Way”.

Sec. 3. Transmittal.

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

3 Sec. 4. Fiscal impact statement.

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

7 Sec. 5. Effective date.

8 This act shall take effect following approval by the Mayor (or in the event of veto by the
9 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
10 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
11 24, 1973 (87 Stat. 813: D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
12 Columbia Register.

Bill 24-528, W. Cardell Shelton Way Designation Act of 2022



THE AREA SHOWN THUS ■ ■ ■ ■ IS SYMBOLICALLY DESIGNATED AS W. CARDELL SHELTON WAY



GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of Transportation



Public Hearing on
Bill 24-417, the “Theresa Howe Jones Way Designation Act of 2021”
Bill 24-422, the “Torres Strait Way Designation Act of 2021”
Bill 24-427, the “River Rock Court Designation Act of 2021”
Bill 24-436, the “Kenilworth Courts Street Designation Act of 2021”
Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2021”
Bill 24-736, the “Wilhelmina and Calvin Rolark Way Symbolic Street Designation
Act of 2022”
Bill 24-761, the “Overbeck Alley Designation Act of 2022”

Testimony of
Dan Emerine
Manager, Policy and Legislative Affairs Division
District Department of Transportation

Before the
Committee of the Whole
Council of the District of Columbia

Wednesday, July 6, 2022
9:30 a.m.
Live via Zoom Video Conference Broadcast
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, Manager of the Policy and Legislative Affairs Division 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 Everett Lott regarding Bill 24-417, the “Theresa Howe Jones Way Designation Act of 2021”; Bill 24-422, the “Torres Strait Way Designation Act of 2021”; Bill 24-427, the “River Rock Court Designation Act of 2021”; Bill 24-436, the “Kenilworth Courts Street Designation Act of 2021”; Bill 24-528, the “W. Cardell Shelton Way Designation Act of 2021”; Bill 24-736, the “Wilhelmina and Calvin Rolark Way Symbolic Street Designation Act of 2022”; and Bill 24-761, the “Overbeck Alley Designation Act of 2022.”

The stated purpose of **Bill 24-417** is to *symbolically* designate the 4020 block of First Place, S.W., in Square 6172, in Ward 8, as *Theresa Howe Jones Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 4020 block of First Place, S.W. In fiscal terms, the cost of each installed sign for this designation is approximately \$190 (\$65 for sign fabrication and \$125 for sign installation). Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 24-422** is to *symbolically* designate the alleyway between 1601 Massachusetts Avenue N.W. and 1603 Massachusetts Avenue N.W., in Ward 2, as *Torres Strait Way*. For visualization purposes, I have attached to this

testimony a copy of a DDOT-generated map highlighting the alleyway between 1601 Massachusetts Avenue N.W. and 1603 Massachusetts Avenue N.W.

Sufficient signage requires one sign, totaling \$190, as the alleyway only has one entrance.

The stated purpose of **Bill 24-427** is to *officially* designate the public alley system within Square 969, bounded by 10th Street, S.E., Independence Avenue, S.E., 11th Street, S.E., and C Street, S.E. in Ward 6, as *River Rock Court*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated alley. Sufficient signage requires four total signs, totaling \$760.

The stated purpose of **Bill 24-436** is to designate the street in Square 5116 between 45th Street, N.E. and Kenilworth Avenue, N.E., in Ward 7, as *Amin Muslim Street* and the street in Square 5116 that connects to Quarles Street, N.E., in Ward 7, as *Denise Stanley Street*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated streets. Sufficient signage requires five total signs, totaling \$950. DDOT notes that, as introduced, the bill does not make explicit whether the designation is symbolic or official. For purposes of this testimony, DDOT assumes the designation is official, but recommends that the committee specify the type of designation.

The stated purpose of **Bill 24-528** to *symbolically* designate the 100 block of Upsal Street, S.E., in Square 6094, in Ward 8, as *W. Cardell Shelton Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-

generated map highlighting the 100 block of Upsal Street, S.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 24-736** is to *symbolically* designate the 500 block of Foxhall Place, S.E. in Square 6126, in Ward 8 as *Wilhelmina and Calvin Rolark Way, S.E.* For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 500 block of Foxhall Place, S.E. Sufficient signage requires one sign, totaling \$190, as the 500 block of Foxhall Place, S.E. only has one entrance.

The stated purpose of **Bill 24-761** is to *officially* designate a portion of the public alley system within Square 1009, bounded by 12th Street, N.E., D Street, N.E., 13th Street, N.E., and C Street, N.E. in Ward 6, as *Overbeck Alley*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated alley. Sufficient signage requires two total signs, totaling \$380. The portion of the public alley system addressed in the bill only has two entrances where DDOT would normally post signs: one at the north entrance of the alley, and the other at the south entrance of the alley.

DDOT is able to absorb the costs of these signs within its current budget and does not foresee any operational impact these designations 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.

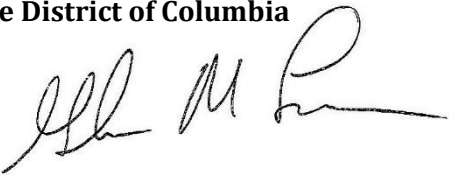
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: October 14, 2022

SUBJECT: Fiscal Impact Statement – W. Cardell Shelton Way Designation Act of 2022

REFERENCE: Bill 24-528, Committee Print as provided to the Office of Revenue Analysis on October 12, 2022

Conclusion

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

The bill symbolically designates Upsal Street, S.E., between First Street, S.E. and Second Street, S.E.¹, in Ward 8, as “W. Cardell Shelton Jones Way”.

Financial Plan Impact

Funds are sufficient in the fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill. Signage for the new symbolic designation will cost \$380, which the District Department of Transportation can absorb within its budget.

¹ Located in Square 6094.

1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **November 1, 2022**

4
5 A BILL

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8 24-528
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10
11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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15 To symbolically designate Upsal Street, S.E., between First Street, S.E. and Second Street, S.E.,
16 as W. Cardell Shelton Way.

17
18 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
19 act may be cited as the “W. Cardell Shelton Way Designation Act of 2022”.

20 Sec. 2. Pursuant to sections 401, 403a, and 423 of the Street and Alley Closing and
21 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official
22 Code §§ 9-204.01, 9-204.03a, and 9-204.23), the Council symbolically designates Upsal Street,
23 S.E., between First Street, S.E. and Second Street, S.E., as “W. Cardell Shelton Jones Way”.

24 Sec. 3. Fiscal impact statement.

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

28 Sec. 4. Effective date.

29 This act shall take effect following approval by the Mayor (or in the event of veto by the
30 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
31 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
32 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of
33 Columbia Register.