

**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 19, 2023

SUBJECT: Report on Bill 25-173, the “Sterling A. Brown Way Designation Act of 2023”

The Committee of the Whole, to which Bill 25-173, the “Sterling A. Brown Way Designation Act of 2023” was referred, reports favorably thereon with technical amendments and recommends approval by the Council.

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I. BACKGROUND AND NEED

On February 28, 2023, Bill 25-173, the “Sterling A. Brown Way Designation Act of 2023” was introduced by Councilmember Zachary Parker. This bill would symbolically designate Kearny Street, N.E. between 12th Street, N.E. and 13th Street, N.E. as Sterling A. Brown Way. The location is in Ward 5. A symbolic naming is for ceremonial purposes and shall be in addition to and subordinate to any name that is an official name.

Sterling Allen Brown was born on May 1, 1901 on the campus of Howard University to a professor at the Howard Divinity School and his mother who taught in the D.C. Public Schools. He spent his youth on a farm in Howard County, Maryland and later attended Dunbar High School in the District. He attended Williams College in Massachusetts on a scholarship, and continued his graduate studies at Harvard University in 1922 where he graduated with a degree in English. In 1923, Mr. Brown was hired as an English lecturer at Virginia Theological Seminary and College. In 1927, Sterling Brown married Daisy Turnbull and they later adopted a son, Jonathon L. Dennis.

Mr. Brown returned to Howard University to teach in 1929, a position he would hold for 40 years. He was a well-known poet during this time, harkening back to his Graves Prize winning poem as an undergraduate senior. In 1932, he published his first book of poetry entitled “Southern Road,” a collection of poems focusing on life in the rural South that treated his African American characters as dignified and poignant. A literary giant, he was often referred to as the Dean of African American poets. He also served as a visiting professor at a number of other universities on the east coast. Some of his notable students include Toni Morrison, Kwame Ture (Stokely Carmichael), and Ossie Davis.

In 1979, the District declared Mr. Brown’s birthday – May 1 – as Sterling Brown Day. In 1984, the District named him its first poet laureate, a position which he held until his death five years later in 1989 at age 87. Mr. Brown spent the majority of his life as a resident of the Brookland neighborhood where he is honored with a small plaque and sign installed in front of his former home.

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 the suffix “Way” or “Plaza.”⁶ As established by Bill 25-173, “Sterling A. Brown Way” is a symbolic designation of Kearny Street, N.E. between 12th Street, N.E. and 13th Street, N.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

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).

(“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 names.⁷

Symbolically designating the street where Brown resided will serve as a fitting tribute to his contributions to culture – both in the District and internationally. Thus, the Committee of the Whole recommends Council approval of Bill 25-173, the “Sterling A. Brown Way Designation Act of 2023.”

II. LEGISLATIVE CHRONOLOGY

- February 28, 2023 Bill 25-173, the “Sterling A. Brown Way Designation Act of 2023” is introduced by Councilmember Zachary Parker.
- March 7, 2023 Bill 25-173 is officially read at a Legislative Meeting and the referral to the Committee of the Whole is official.
- March 10, 2023 Notice of Intent to Act on Bill 25-173 is published in the *DC Register*.
- June 23, 2023 Notice of a public hearing on Bill 25-173 is published in the *DC Register*.
- July 13, 2023 The Committee of the Whole holds a hearing on Bill 25-173.
- September 19, 2023 The Committee of the Whole marks up Bill 25-173.

III. POSITION OF THE EXECUTIVE

Brant Miller, Interim Manager, Policy and Legislative Affairs Division, District Department of Transportation, testified on behalf of the Executive that it had “no objection” to the symbolic street naming of a portion of Kearny Street, N.E. after Sterling A. Brown. His testimony is attached.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on several bills, including Bill 25-173 on Thursday, July 13, 2023. The testimony summarized below pertains Bill 25-173.

⁷ D.C. Official Code § 9-204.24(d).

Harry Thomas, Jr., Public Witness, testified in support of the designation and spoke to Mr. Brown’s national legacy and his connection to Ward 5.

Brant Miller, Interim Manager, Policy and Legislative Affairs Division, 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 25-173.

VI. IMPACT ON EXISTING LAW

Bill 25-173 has no impact on existing law. D.C. Official Code § 9-204.01⁸ 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.”⁹ Bill 25-173 symbolically designates Kearny Street, N.E. between 12th Street, N.E. and 13th Street, N.E. as Sterling A. Brown Way. Additionally, “a symbolic name of a street or alley shall contain only the suffix Way or Plaza,” such as proposed by Bill 25-173.¹⁰ 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.¹¹ Mr. Brown passed away on January 13, 1989.

VII. FISCAL IMPACT

According to the September X, 2023 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 for four signs), the cost of Bill 25-173 can be absorbed.

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 25-173.
<u>Section 2</u>	Symbolically designates Kearny Street, N.E. between 12th Street, N.E. and 13th Street, N.E. as Sterling A. Brown Way.
<u>Section 3</u>	Adopts the Fiscal Impact Statement.

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

⁹ D.C. Code § 9-204.03(a).

¹⁰ D.C. Code § 9-204.03(c).

¹¹ See D.C. Code § 9-204.05.

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

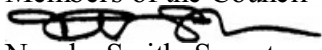
IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 25-173 as introduced.
2. Testimony for Bill 25-173.
3. Map of Proposed Designation.
4. Fiscal Impact Statement for Bill 25-173.
5. Legal Sufficiency Determination for Bill 25-173.
6. Committee Print for Bill 25-173.

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 : Monday, March 6, 2023
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, February 28, 2023. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Sterling A. Brown Way Designation Act of 2023", B25-0173

INTRODUCED BY: Councilmember Parker

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

Attachment
cc: General Counsel
Budget Director
Legislative Services



COUNCIL OF THE DISTRICT OF COLUMBIA

THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
SUITE 102
WASHINGTON, D.C. 20004

ZACHARY PARKER
COUNCILMEMBER, WARD 5

COMMITTEE MEMBER
Facilities and Family Services
Health
Hospital and Health Equity
Housing
Transportation and the Environment

February 28, 2023

Nyasha Smith, Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue NW
Washington, DC 2004

Dear Secretary Smith,

Today, I am introducing the **Sterling A. Brown Way Designation Act of 2023**. Please find enclosed a signed copy of the legislation. This bill will symbolically designate the 1200 block of Kearney Street NE in Ward 5 in honor of Sterling A. Brown, first Poet Laureate of the District of Columbia.

In 1932, Sterling A. Brown published his first book of poetry *Southern Road*. He would go on to win the Lenore Marshall Poetry Prize in the 1980s for his collection of poetry entitled *Collected Poems*.

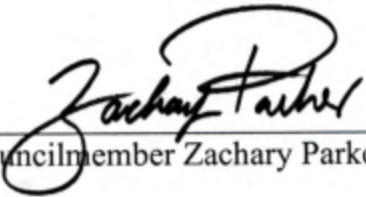
Sterling A. Brown was born in DC, and lived in the city from 1901 to 1918, and again from 1929 – when he joined the faculty of Howard University – until his death. He was a proud Brookland resident from 1935 until 1989. He was a renowned teacher and literary giant, often referred to as the dean of African American poets. Among his noteworthy student scholars were activist Kwame Ture (Stokely Carmichael) and Nobel Prize winning author Toni Morrison. The District declared his birthday, May 1st, Sterling A. Brown Day in 1979.

For a portion of his life, Sterling A. Brown was a proud resident of the Brookland community in Ward 5 and lived on the street which the bill seeks to symbolically designate. I submit this bill in an effort to help preserve the District's history and acknowledge the contributions of notable residents such as Sterling A. Brown.

Sincerely,

A handwritten signature in black ink that reads "Zachary Parker".

Zachary Parker
Ward 5 Councilmember


Councilmember Zachary Parker

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To symbolically designate the 1200 Block of Kearny Street, N.E., in Ward 5, as Sterling A. Brown Way.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Sterling A. Brown Way Designation Act of 2023”.

Sec. 2. Pursuant to sections 401, 403a, and 423 of 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, 9-204.03a, and 9-204.23), the Council symbolically designates the 1200 Block of Kearny Street, N.E., in Ward 5, as “Sterling A. Brown Way.”.

Sec. 3. 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. 4. Effective date.

This act shall take effect after 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 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of Transportation



Public Hearing on
B25-0171, the “Alexander Crummell Way Designation Act of 2023”
B25-0172, the “William R. Spaulding Way Designation Act of 2023”
B25-0173, the “Sterling A. Brown Way Designation Act of 2023”
B25-0174, the “Rayford Logan Way Designation Act of 2023”
B25-0175, the “John Mercer Langston Way Designation Act of 2023”
B25-0176, the “Edna Brown Coleman Way Designation Act of 2023”
B25-0177, the “Julius Hobson Sr. Way Designation Act of 2023”
B25-0178, the “Dorothy Celeste Boulding Ferebee Way Act of 2023”
B25-0193, the “Jeanette A. Michael Way Designation Act of 2023”
B25-0235, the “Catlett Alley Designation Act of 2023”
B25-246, the “Amigos Park Designation Act of 2023”
B25-316, the “Gordon Way Designation Act of 2023”

Testimony of
Brant Miller
Interim Manager, Policy and Legislative Affairs Division
District Department of Transportation

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

Thursday, July 13, 2023
11:30 a.m.
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 Brant Miller, Interim 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 the following ten symbolic street renaming bills, one official street naming bill and a bill officially naming an area of the public right-of-way:

- B25-0171, the “Alexander Crummell Way Designation Act of 2023”
- B25-0172, the “William R. Spaulding Way Designation Act of 2023”
- B25-0173, the “Sterling A. Brown Way Designation Act of 2023”
- B25-0174, the “Rayford Logan Way Designation Act of 2023”
- B25-0175, the “John Mercer Langston Way Designation Act of 2023”
- B25-0176, “Edna Brown Coleman Way Designation Act of 2023”
- B25-0177, “Julius Hobson Sr. Way Designation Act of 2023”
- B25-0178, “Dorothy Celeste Boulding Ferebee Way Act of 2023”
- B25-0193, “Jeanette A. Michael Way Designation Act of 2023”
- B25-0235, “Catlett Alley Designation Act of 2023”
- B25-246, “Amigos Park Designation Act of 2023”
- B25-316, “Gordon Way Designation Act of 2023”

The stated purpose of **Bill 25-171** is to *symbolically* designate the 1900 Block of Gallaudet Street, N.E., in Ward 5, as *Alexander Crummell Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1900 block of Gallaudet Street, N.E. 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 25-172** is to *symbolically* designate the 1900 though 2200 Blocks of Randolph Street, N.E. in Ward 5 as *William R. Spaulding Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1900 though 2200 blocks of Randolph Street, N.E. Sufficient signage requires seven total signs, totaling \$1,330.

The stated purpose of **Bill 25-173** is to *symbolically* designate the 1200 Block of Kearny Street N.E. in Ward 5 as *Sterling A. Brown Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1200 block of Kearny Street, N.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 25-174** is to *symbolically* designate the 100 Block of N Street, N.W., in Ward 5, as *Rayford Logan Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 100 block of N Street, N.W. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 25-175** is to *symbolically* designate the 800 Block of 26th Street, N.E., in Ward 5, as *John Mercer Langston Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map

highlighting the 800 block of 26th Street, N.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 25-176** is to *symbolically* designate the 1400 Block of Morse Street, N.E., in Ward 5, as *Edna Brown Coleman Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1400 block of Morse Street, N.E. Sufficient signage requires two total signs, totaling \$380.

The stated purpose of **Bill 25-177** is to *symbolically* designate the 4600 through 4800 Blocks of Queens Chapel Terrace Road, N.E., in Ward 5, as *Julius Hobson Sr. Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 4600 through 4800 blocks of Queens Chapel Terrace Road, N.E. Sufficient signage requires six total signs, totaling \$1,140.

The stated purpose of **Bill 25-178** is to *symbolically* designate the 1800 Block of 2nd Street, N.W., in Ward 5, as *Dorothy Celeste Boulding Ferebee Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1800 block of 2nd Street, N.W. Sufficient signage requires two total signs, totaling \$380

The stated purpose of **Bill 25-193** is to *symbolically* designate the 1900 through 2200 Blocks of G Street, N.W., in Ward 2, as *Jeanette A. Michael Way*. For

visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the 1900 through 2200 Blocks of G Street, N.W.

Sufficient signage requires eight total signs, totaling \$1,520.

The stated purpose of **Bill 25-235** is to *officially* designate the public alley system within Square 3015, bounded by Georgia Ave, N.W., Crittenden Street N.W., 9th Street, N.W., and Buchanan Street, N.W., in Ward 4, as *Catlett Alley N.W.* For visualization purposes, I have attached to this testimony a copy of the plat of the designated alley system. In fiscal terms, the cost of each installed pole is \$270. Sufficient signage requires four total signs and four poles, totaling \$1,840.

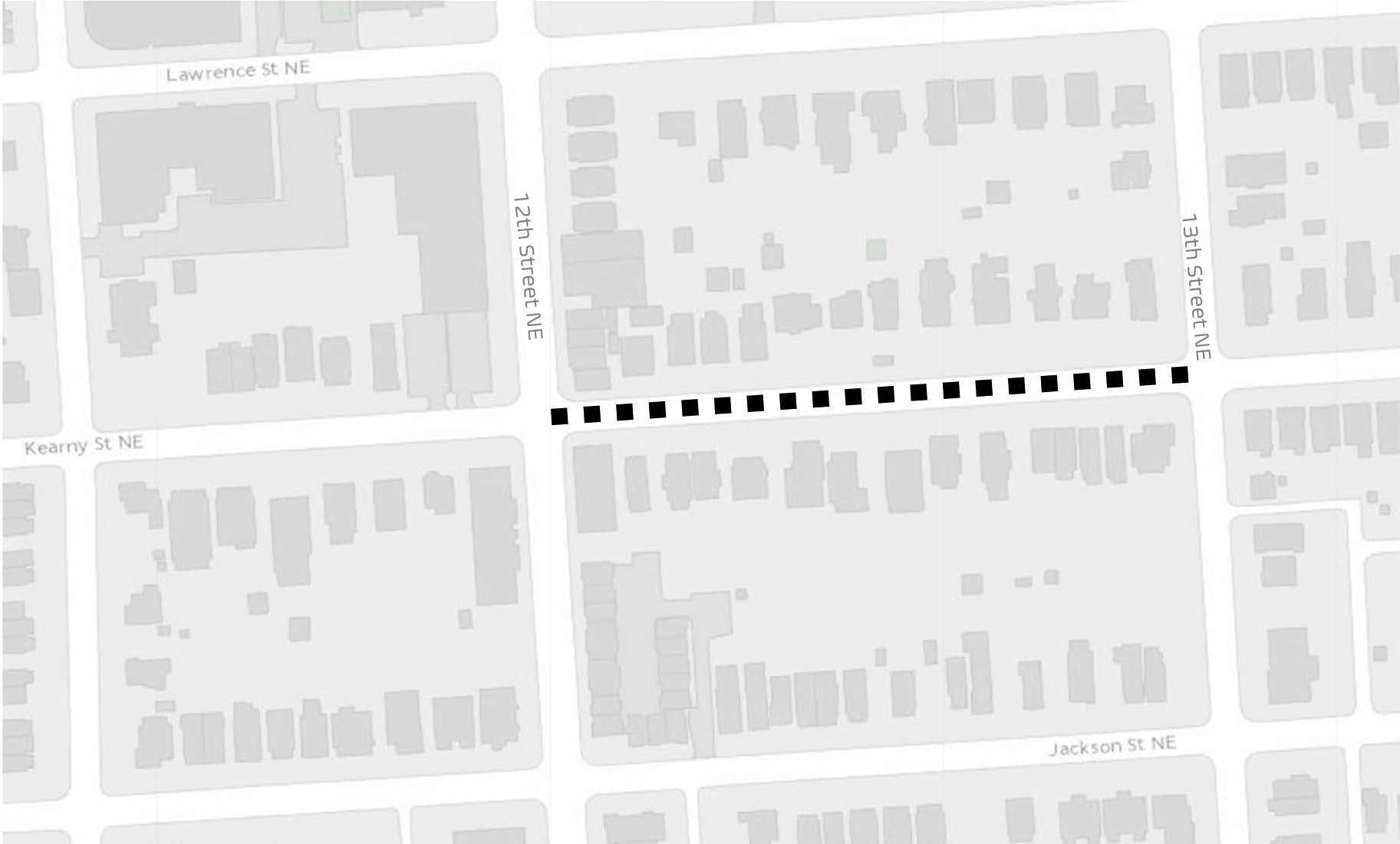
The stated purpose of **Bill 25-246** is to designate the public right-of-way abutting Square 2596, Lot 1057, at the northwest corner of Mount Pleasant Street, N.W., and Kenyon Street, N.W., as *Amigos Park*. For visualization purposes, I have attached to this testimony a copy of the plat of the designated public right-of-way.

The stated purpose of **Bill 25-316** is to *symbolically* designate the public alley system within Square 242, bounded by 14th Street N.W., Rhode Island Avenue N.W., Logan Circle N.W., Vermont Avenue N.W., and N Street N.W. as *Gordon Way*. For visualization purposes, I have attached to this testimony a copy of a DDOT-generated map highlighting the designated alley system. Sufficient signage requires three total signs and three poles, totaling \$1,380.

DDOT can absorb the costs of these signs and poles within its current budget and does not foresee any operational impact that these official and symbolic namings would have on the District's transportation network. Therefore, the Administration has no objection to these street, alley and public space namings. 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.

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

Bill 25-173, Sterling A. Brown Way Designation Act of 2023



THE AREA SHOWN THUS ■ ■ ■ ■ IS SYMBOLICALLY DESIGNATED AS STERLING A. BROWN WAY



1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **September 19, 2023**

4
5 A BILL

6
7
8 25-17
9

10
11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
12
13
14 _____

15 To symbolically designate Kearny Street, N.E. between 12th Street, N.E. and 13th Street, N.E., as
16 Sterling A. Brown Way.
17

18 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
19 act may be cited as the “Sterling A. Brown Way Designation Act of 2023”.

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 Kearny Street,
23 N.E. between 12th Street, N.E. and 13th Street, N.E. as “Sterling A. Brown 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.