

Council of the District of Columbia

Committee of the Whole

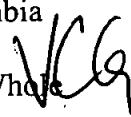
Report

2010 JUL -2 AM 11:32

OFFICE OF THE
SECRETARY

John A. Wilson Building 1350 Pennsylvania Avenue, N.W. Washington, D.C. 20004

To: Members of the Council of the District of Columbia

From: Vincent C. Gray, Chairman, Committee of the Whole 

Date: June 29, 2010

Subject: Bill 18-700, the "Duke Ellington Park Designation Act of 2010"

The Committee of the Whole, to which Bill 18-700, the "Duke Ellington Park Designation Act of 2010" was referred, reports favorably on the bill, and recommends its adoption by the Council of the District of Columbia.

Statement of Purpose and Effect

Bill 18-700, the "Duke Ellington Park Designation Act of 2010" designates the public park bounded by New Hampshire Avenue, M Street, and 21st Street, NW, in Ward 2, as Duke Ellington Park.

Legislative History

March 12, 2010	Bill 18-700 introduced by Councilmember Evans and referred to the Committee of the Whole
March 19, 2010	Notice of intent to act on Bill 18-700 published in <u>D.C. Register</u>
June 11, 2010	Abbreviated notice of public hearing on Bill 18-700 published in <u>D.C. Register</u>
June 23, 2010	Public hearing by Committee of the Whole on Bill 18-700
June 29, 2010	Committee of the Whole consideration of Bill 18-700

Committee Reasoning

Section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982 ("the Act") (D.C. Law 4-201; D.C. Official Code § 9-204.01) authorizes the Council to name or change the name of any public street, alley, circle, bridge, building, park or other public space. The Act provides that, with some exceptions, 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. Bill 18-700, the "Duke Ellington Park Designation Act of 2010" designates the public park bounded by New Hampshire Avenue, M Street, and 21st Street, NW, in Ward 2, As Duke Ellington Park.

Edward Kennedy "Duke" Ellington, the District of Columbia's most famous native son and one of the most important figures in American music, was born in the West End neighborhood of Washington, DC on April 29, 1899 at 2129 Ward Place, NW. Ellington's interest in music and introductory piano lessons began here in the District, where he spent his first 24 years. Edward Kennedy "Duke" Ellington went on to become the most prolific composer of the twentieth century, both in terms of number of compositions and variety of forms. Ellington composed more than 3,000 songs, including "Satin Doll," "Perdido" and "Don't Get Around Much Any More." Ellington's "It Don't Mean a Thing If It Ain't Got That Swing" helped usher in the swing era of jazz. Ellington boasts over fifty years of sustained achievement as an artist and an entertainer and performed with other famous artists, including John Coltrane, Louis Armstrong and Ella Fitzgerald.

Duke Ellington lays claim to numerous awards including 13 Grammy Awards, the 1966 Grammy Lifetime Achievement Award, Membership in the French Legion of Honor in 1969, depiction on a United States postage Stamp in 1986, a citation from the Pulitzer Prize Board in 1999, a commemorative United States Quarter by the United States Mint in 2009, making him the first African American to be prominently feature on a US Coin in circulation. Ellington is considered by many to be America's greatest composer, bandleader, and recording artist.

The Committee believes that the designation of the public park bounded by New Hampshire Avenue, M Street, and 21st Street, NW, located just steps from Ellington's birth site, in honor of Edward "Duke" Ellington celebrates his legacy and serves as a fitting memorial.

Section-by-Section Analysis

Section 1 provides the short title of the legislation.

Section 2 designates the public park bounded by New Hampshire Avenue, M Street, and 21st Street, NW, in Ward 2, As Duke Ellington Park.

Section 3 provides for the transmittal of the act to the Director of the Department of Parks and Recreation.

Section 4 adopts the fiscal impact statement in the committee report.

Section 5 provides the effective date of the legislation.

Impact on Existing Law

Bill 18-700 has no impact on existing law. Alley Closing and Acquisition Procedures Act of 1982 ("the Act") (D.C. Law 4-201; D.C. Official Code § 9-204.01) authorizes the Council to name or change the name of any public street, alley, circle, bridge, building, park or other public space.

Fiscal Impact

Bill 18-700 does not have a negative fiscal impact. There may be a minimal fiscal impact associated with the one-time cost of creating new signs, which will be absorbed by the existing budget.

Advisory Neighborhood Commission (ANC) Review

On February 17, 2010, at ANC 2A's regularly scheduled public meeting, with a quorum present, the Commission adopted a resolution to name the public park bounded by New Hampshire Avenue, M Street, and 21st Street, NW, in Ward 2, as Duke Ellington Park.

Committee Action

On June 23, 2010, the Committee held a public hearing on Bill 18-700, at which the following persons testified in support of the bill: Gary Griffith, West End Friends; and Dick Golden, Resident and neighbor of proposed Duke Ellington Park. A copy of the written testimony and comments submitted for the record are attached.

On June 29, 2010, the Committee of the Whole met to consider and report on Bill 18-700. Chairman Gray moved approval of the Committee Print and report on Bill 18-700, which were approved by voice votes. Chairman Gray and Councilmembers Alexander, Bowser, Kwame Brown, Michael Brown, Catania, Cheh, Evans, Graham, Mendelson, Thomas and Wells were present. Councilmember Barry was absent.

Attachments

- (A) Bill 18-700 as introduced
- (B) Public hearing record
- (C) Fiscal Impact Statement
- (D) Committee Print

ATTACHMENT

A

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

Memorandum

To: Members of the Council
From: *Cynthia Brock-Smith /cc*
Cynthia Brock-Smith, Secretary to the Council
Date: March 15, 2010
Subject: Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Friday, March 12, 2010. Copies are available in Room 10, the Legislative Services Division.

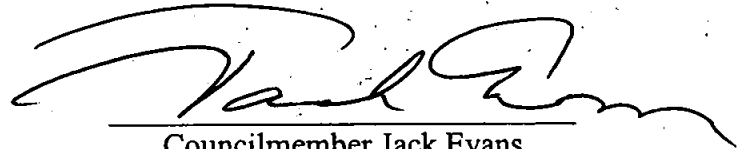
TITLE: "Duke Ellington Park Designation Act of 2010", B18-0700

INTRODUCED BY: Councilmember Evans

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

Attachment

cc: General Counsel
Budget Director
Legislative Services


Councilmember Jack Evans

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Jack Evans introduced the following bill, which was referred to the Committee on _____

To designate the public park bounded by New Hampshire Avenue, N.W., M Street, N.W., and 21st Street, N.W., in Ward 2, as Duke Ellington Park.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Duke Ellington Park Designation Act of 2010".

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Council designates the park bounded by New Hampshire Avenue, N.W., M Street, N.W., and 21st Street, N.W., in Ward 2, as "Duke Ellington Park".

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective, to the Director of the Department of Parks and Recreation.

Sec. 4. Fiscal impact statement.

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

4 Sec. 4. Effective date.

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

ATTACHMENT

B

Government of the District of Columbia
Foggy Bottom and West End
Advisory Neighborhood Commission 2A



c/o West End Library

1101 24th St., N.W.

Washington DC 20037

February 25, 2010

Ms. Cynthia Brock-Smith
Secretary
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington DC 20004

Dear Councilmembers:

At its duly noticed, regular meeting held on February 17, ANC2A adopted the following resolution regarding the designation of an unnamed park in the West End neighborhood as "Duke Ellington Park."

WHEREAS, Edward Kennedy "Duke" Ellington's birth in the West End neighborhood of Washington has been established by his District of Columbia birth certificate, which shows that he was delivered by a midwife on April 29, 1899 at a house at 2129 Ward Place; and

WHEREAS, Duke Ellington's achievements as a major figure in American music – as composer, instrumentalist, and band leader – have been recognized before and after his death in 1974; and

WHEREAS specific recognitions include the 1966 Grammy Lifetime Achievement Award, membership in the French Legion of Honor in 1969, depiction on a United States postage stamp in 1986, a citation from the Pulitzer Prize Board in 1999, and in 2009 depiction on a commemorative U.S. quarter by the United States Mint; and

WHEREAS, residents of today's West End neighborhood wish to recognize and honor West End native Duke Ellington with a fitting memorial,

THEREFORE, BE IT RESOLVED that the unnamed triangular park at the intersection of New Hampshire Avenue, M Street, and 21st St., N.W.—which is the nearest public park to Duke Ellington's birthplace on Ward Place – be named "Duke Ellington Park."

Thank you for your support of this worthy initiative for our neighborhood.

Sincerely,



Rebecca Coder
Chair

cc: John T. Piltzecker
Superintendent, National Mall and Memorial Parks
National Park Service
National Capital Region
900 Ohio Drive, SW
Washington DC 20024

Jesús Aguirre
Interim Director
D.C. Department of Parks and Recreation
3149 16th Street, NW
Washington DC 20010

Jack Evans
Councilmember, Ward 2

ATTACHMENT
C

COUNCIL OF THE DISTRICT OF COLUMBIA

OFFICE OF THE BUDGET DIRECTOR - COUNCIL FISCAL IMPACT STATEMENT

Legislative Number: B18-0700

Short Title: Duke Ellington Park Designation Act of 2010

Type: Permanent Emergency/Temporary Amendment

Version: Introduced Committee Print Engrossed Emergency
 Committee Print (Draft) Com. Print (Amended) Enrolled Temporary

FISCAL IMPACT SUMMARY

Implementation of this legislation has no impact on spending or revenue.

Implementation of this legislation has the following costs within the budget and financial plan:

FY 2010	FY 2011	FY 2012	FY 2013	4-Year Total

(Dollars in Thousands)

- Funds sufficient to implement this legislation are appropriated within the current budget and four-year financial plan.
- This legislation will become effective subject to future funding being included within a budget and four-year financial plan.
- Funds are not available to support the fiscal effect of this legislation. This legislation does not meet the requirements of Council Rule 443(c).

ANALYSIS OF IMPACT ON SPENDING

Agency/Department(s) that will be affected:

None This legislation will impact spending.

Office of the Budget Director Analysis:

This legislation will not have an adverse impact on the District's budget and financial plan. This legislation would designate the public park bounded by New Hampshire Avenue, N.W., M Street, N.W., and 21st Street, N.W., in Ward 2, as Duke Ellington Park. There is a minimal fiscal impact associated with the one-time cost of creating new signs, which will be absorbed by the existing agency budget.

Short Title: Duke Ellington Park Designation Act of 2010

ANALYSIS OF IMPACT ON REVENUE

None This legislation will impact revenue.

Office of the Budget Director Analysis:
This legislation will not impact revenue.

SOURCES OF INFORMATION

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Requesting Councilmember(s): Chairman Vincent C. Gray

Date of Request: June 24, 2010

Council Budget Director's Signature:  6/24/10
Eric J. Goulet Date Reported

Office of the Budget Director
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 508
Washington, DC 20004-3003

Phone: (202) 724-8139
Fax: (202) 724-7819

ATTACHMENT
D

A BILL

18-700

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To designate the public park bounded by New Hampshire Avenue, N.W., M Street, N.W., and
21st Street, N.W., in Ward 2, as Duke Ellington Park.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
act may be cited as the "Duke Ellington Park Designation Act of 2010".

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition
Procedures of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01),
the Council designates the park bounded by New Hampshire Avenue, N.W., M Street, N.W., and
21st Street, N.W., in Ward 2, as "Duke Ellington Park".

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective,
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 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)).

Sec. 4. 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 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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