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Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To declare the existence of an emergency, with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to clarify the administrative requirements for property dispositions that were in progress at the time of the recently enacted changes to the Act.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Land Disposition Transparency Emergency Declaration Resolution of 2017.”

Sec. 2. (a) On December 6, 2016 the Council passed B21-325, the “Land Disposition Transparency and Clarification Amendment Act of 2016” (the Amendment Act) to amend parts of the District law surrounding surplus and disposition of District Land.

(b) The Amendment Act included (1) an amendment restructuring the surplus process to require both a public surplus hearing and public disposition hearing prior to the Mayor proceeding to negotiate the disposition of real property; and (2) a technical amendment to require that any “substantive” (as opposed to major) changes subsequent to Council approval of a Land Disposition Agreement (LDA) be submitted anew for Council approval.

(c) The Deputy Mayor for Planning and Economic Development (DMPED) has begun to adopt the new requirements as outlined in the Amendment Act for all future projects.

1 (d) There exist some projects in DMPED’s development pipeline that cannot meet the  
2 new requirements prior to submission for Council approval because RFPs have already been  
3 issued and negotiations for disposition have already commenced. These projects could only  
4 comply with the amended law by being re-solicited.

5 (e) Re-soliciting the projects which are already in DMPED’s development pipeline would  
6 cause great delay in repurposing these District assets as affordable homes, job creators, tax  
7 producers, and economic drivers for the city while also frustrating residents and private partners  
8 who have been working and waiting years for these redevelopments.

9 (f) Added delay in the development of these projects is not in the best interest of the  
10 District.

11 (g) Land Disposition Transparency Emergency Amendment Act of 2017 would account  
12 for these projects that were already in the pipeline when the Amendment Act was passed such  
13 that they can move forward without delay and will provide a technical clarification to ensure the  
14 amended law is clear when referring to “substantive” changes made to LDAs.

15 Sec. 3. The Council of the District of Columbia determines that the circumstances  
16 enumerated in section 2 constitute emergency circumstances making it necessary that the Land  
17 Disposition Transparency Emergency Amendment Act of 2017 be adopted on an emergency  
18 basis.

19 Sec. 4. This resolution shall take effect immediately.