

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-567

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
Supp.

West Group
Publisher

To amend, on an emergency basis, due to Congressional review, the District of Columbia Noise Control Act of 1977 and the District of Columbia Construction Codes Supplement of 2003 to exempt the Georgetown bridge repairs, known as the Wisconsin Avenue Bridge Project, from the maximum noise level restrictions and from the limitations on after-hours work.

BE IT ENACTED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this may be cited as the "Wisconsin Avenue Bridge Project and Noise Control Congressional Review Emergency Amendment Act of 2006".

Sec. 2. The District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 2700 et seq.), is amended as follows:

(a) Section 3 (20 DCMR § 2799.1) is amended by adding a new subsection (f-2) to read as follows:

DCMR

"(f-2) Wisconsin Avenue Bridge Project - The project being undertaken by the District of Columbia government to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and bridge deck at the Wisconsin Avenue Bridge located over the historic C&O Canal within the Georgetown Business District (which is geographically defined as the bridge span located over the historic C&O Canal between Grace Street and M Street, N.W.), which project will commence in June 2006 and is scheduled to be completed no later than December 31, 2007; provided that work on the project shall terminate no later than 10 p.m. on days conducted.

(b) Section 5 (20 DCMR §§ 2800 through 2807) is amended by adding a new subsection (g) to read as follows:

"(g) Notwithstanding any other provision of this act, noise emanating from construction equipment and any activities related to the Wisconsin Avenue Bridge Project shall be exempt until 10 p.m. from any noise limitations contained in this act, including section 5(a), (b), (d)(2), and (e)(2), and shall not be subject to enforcement under any provision of this act."

Sec. 3. Section 105 of the District of Columbia Construction Codes Supplement of 2003 (12A DCMR § 105) adopted pursuant to section 10 of the Construction Codes Approval and

DCMR

ENROLLED ORIGINAL

Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409), is amended by adding a new subsection 105.1.11.2 to read as follows:

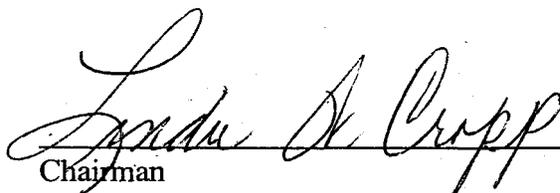
“105.1.11.2 Wisconsin Avenue Bridge Project: The limitations on the issuance of after-hours permits set forth in section 105.1.11.1 shall not apply to after-hours work related to the Wisconsin Avenue Bridge Project. For the purpose of this section, the “Wisconsin Avenue Bridge Project” means the project being undertaken by the District of Columbia government to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and the bridge deck at the Wisconsin Avenue Bridge located over the historic C&O Canal within the Georgetown Business District (which is geographically defined as the bridge span located over the historic C&O Canal between Grace Street and M Street, N.W.), which project will commence in June 2006 and is scheduled to be completed no later than December 31, 2007.”.

Sec. 4. Fiscal impact statement.

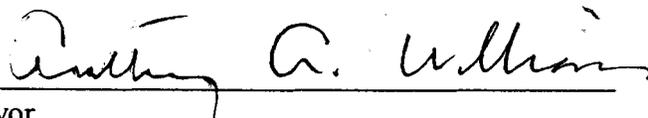
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
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To amend, on an emergency basis, due to Congressional review, the District of Columbia Deed Recordation Tax Act to impose an additional tax of .35% on transfers of security interests; and to amend the Fiscal Year 2007 Budget Support Act of 2006 to make a corresponding change.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Deed Transfer and Recordation Clarification Congressional Review Emergency Amendment Act of 2006".

Sec. 2. Section 303(a-3) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a-3)), is amended by striking the phrase "(a)(1)" and inserting the phrase "(a)(1) or (3)" in its place.

Note,
§ 42-1103

Sec. 3. Section 2053 of the Fiscal Year 2007 Budget Support Act of 2006, signed by the Mayor on August 8, 2006 (D.C. Act 16-476; 53 DCR 6928), is amended by striking the phrase "(a)(1)" and inserting the phrase "(a)(1) or (3)" in its place.

Note,
§ 42-1103

Sec. 4. Fiscal impact statement.

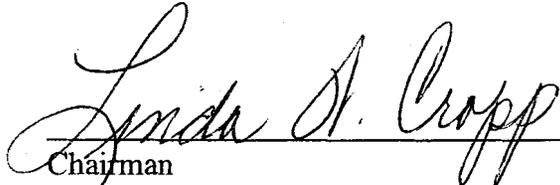
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

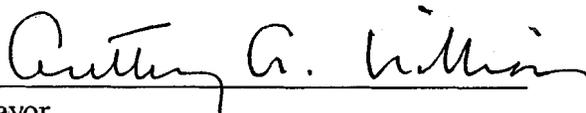
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-569

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
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Publisher

To amend, on a emergency basis, the Washington Convention Center Authority Act of 1994 to continue the terms of the current appointees of the Washington Convention Center Authority Advisory Committee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Convention Center Advisory Committee Emergency Amendment Act of 2006".

Sec. 2. Section 218 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.18), is amended as follows:

Note,
§ 10-1202.18

(a) Subsection (b) is amended as follows:

(1) The lead-in text is amended by striking the word "12" and inserting the word "17" in its place.

(2) Paragraph (2) is amended by striking the word "Operations" and inserting the phrase "Operations (or successor officer)" in its place.

(3) Paragraph (4) is amended by striking the phrase "Committee on Economic Development" and inserting the phrase "committee with oversight over the Washington Convention Center" in its place.

(4) Paragraph (7) is amended to read as follows:

"(7) Two members appointed by the Chairperson of the Council's committee with oversight over the Washington Convention Center;"

(5) Paragraph (8) is amended by striking the phrase "One member" and inserting the phrase "Two members" in its place.

(6) Paragraph (10) is amended by striking the word "and".

(7) Paragraph (11) is amended by striking the period at the end and inserting a semi-colon in its place.

(8) New paragraphs (12), (13), and (14) are added to read as follows:

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: December 4, 2006
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Subject/Short Title: "Washington Convention Center Authority Advisory Committee Emergency Amendment Act of 2006".

Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
There is no fiscal impact to this legislation. As an advisory committee no funding is provided.		

Part II. Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>[Signature]</i>

12/4/06

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“(12) One member chosen by the local chapter of the Metropolitan Washington Council, AFL-CIO;

“(13) One member chosen by the local chapter of the American Institute of Architects; and

“(14) One member chosen by the local chapter of the American Planning Association.”

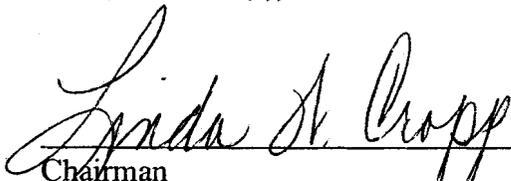
(b) Subsection (e) is amended by striking the phrase “Committee on Economic Development” and inserting the phrase “committee with oversight over the Washington Convention Center” in its place.

Sec. 3. Fiscal impact statement.

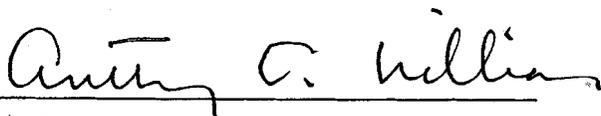
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602 (c))(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c))(3)).

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-570

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

To establish, on an emergency basis, the Film DC Economic Incentive Grant Fund to provide incentives to attract and retain film, television, and multimedia business in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Film DC Economic Incentive Emergency Act of 2006".

Sec. 2. Film DC Economic Incentive Grant Fund.

(a) There is hereby established a segregated, nonlapsing fund to be known as the Film DC Economic Incentive Grant Fund ("Fund"). The Fund shall appear as a separate program line within the budget of the Office of Motion Picture and Television Development. The Fund shall be funded by annual appropriations. All funds deposited into the Fund shall not revert to the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in this act, subject to authorization by Congress in an appropriations act.

(b)(1) The funds in the Fund shall be used:

(A) To provide incentives through discretionary grants for nationally distributed film and television projects, excluding production of television coverage of news or athletic events, that expend at least \$500,000 in qualified expenses in a period of 5 or more days for production activities located in the District of Columbia, in amount not to exceed the lesser of 10% of qualified expenses or 100% of the taxes paid to the District on the qualified expenses; and

(B) For administrative costs and monitoring of the Fund.

(2) For the purposes of this subsection, the term "qualified expenses" means costs incurred in the District for the production of the film or television project (including all expenses incurred in the District of Columbia from vehicle rentals, camera equipment, lighting, stage equipment, recording equipment, costumes, wardrobe, construction materials, props, scenery materials, film and tape, design materials, special effects materials, fabrication, printing or production of scripts, storyboards, costumes, salaries paid to District residents, hotel expenses, food and alcohol purchases, restaurant expenses, and related supplies and equipment).

ENROLLED ORIGINAL

(c) The Mayor shall submit an annual report to the Council, on or before December 31 of each year, for the fiscal year concluding September 30 that includes:

- (1) For each grant, the amount of the grant, the rationale for the grant, and the revenue generated for the District by each project for which a grant was awarded;
- (2) The criteria used in evaluating the grant proposals; and
- (3) The number of grant applications received and a description of each project for which a grant application was made.

Sec. 3. Rulemaking.

The Mayor may promulgate rules necessary to implement this act.

Sec. 4. Funding from revised revenue certification.

The unallocated revenue from the certification of the Chief Financial Officer's December 2006 and February 2007 revised quarterly revenue estimates for fiscal year 2007, less the amount to be allocated to section 1043 of the Fiscal Year 2007 Budget Support Act of 2006, signed by the Mayor on August 8, 2006 (D.C. Act 16-476; 53 DCR 6899), the Washington Stage Guild Exemption Act of 2006, effective September 26, 2006 (D.C. Law 16-172; D.C. Official Code §10-1074), the Organ and Bone Marrow Donor Act of 2006, passed on 2nd reading on November 14, 2006 (Enrolled version of Bill 16-701), and the Domestic Partnerships Joint Filing Act of 2006, passed on 1st reading on December 5, 2006 (Engrossed version of Bill 16-958), shall be deposited in the Fund in an amount to not to exceed \$1,600,000.

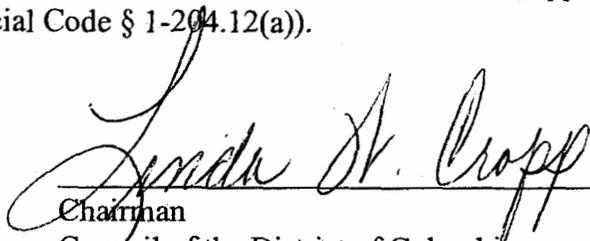
Sec. 5. Fiscal impact statement.

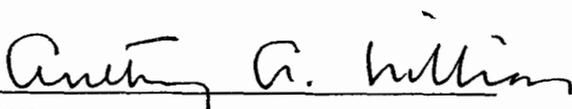
The Council adopts the attached as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 19, 2006

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: December 4, 2006
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Subject/Short Title: "Film DC Economic Incentive Emergency Act of 2006".

Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
<p>This legislation has no fiscal impact. It has been changed from the matter-of-right tax exemption program in the original bill to address concerns raised by the Office of Tax and Revenue. The program is a discretionary grant program. Since the grants aren't matter of right, the Office of Motion Picture won't be able to issue more funds in grants than is budgeted in the Film DC Fund. This legislation also has no negative impact on existing revenues from movies that are currently coming to District to shoot the two to three days of background footage. Grants can only be issued to productions staying more than five days, and since no motion pictures have filmed over 5 days, current revenue the city is receiving will not be impacted.</p>		

Part II. Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
The District will not be able to successfully attract and compete to attract filming of motion pictures in the city.		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Budget Director's Signature: <i>[Signature]</i>

[Handwritten initials]

AN ACT

D.C. ACT 16-571

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 19, 2006

To authorize, on an emergency basis, the deposit of the net proceeds from the sale of the real property known as Old Engine Company 12, 1626 North Capitol Street, N.W., into the Commercial Trust Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Old Engine Company 12 Deposit of Sale Proceeds Emergency Act of 2006".

Sec. 2. Authorization for deposit and expenditure of proceeds of sale.

(a) The net proceeds from the sale of the real property known as Old Engine Company 12, 1626 North Capitol Street, N.W., Square 3103, Lot 1, shall be deposited into the Commercial Trust Fund and expended for the authorized purposes of the Commercial Trust Fund.

(b) For purposes of this section, the term "Commercial Trust Fund" means Fund 0622, a nonlapsing, special revenue fund established within the General Fund of the District of Columbia and located in the budget of the Office of the Deputy Mayor for Planning and Economic Development.

Sec. 3. Fiscal impact statement.

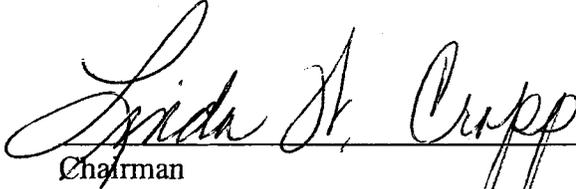
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(3)).

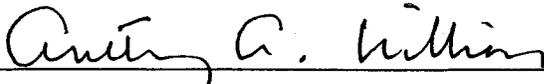
Sec. 4. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 19, 2006

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: December 4, 2006
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Subject/Short Title: "Old Engine Company 12 Deposit of Sale Proceeds Emergency Act of 2006".

Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
<p>The sale of the Old Engine Company 12 Building was included in the Fiscal Year 2007 budget and financial plan. This funding was designated in the budget to fund the Great Streets program. This emergency act merely approves the deposit of the proceeds from this sale into the Great Streets program as was contemplated in the budget. There is no unfunded fiscal impact from depositing these funds.</p>		

Part II. Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
<p>The net proceeds from the sale of the Old Engine Company 12 building have been reflected in the FY2007 budget and financial plan. If the deposit of sale proceeds is not approved, there will be a budget shortfall for the Commercial Trust Fund and the District would not be able to honor its existing commercial revitalization commitments.</p>		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>ASTH...</i>

12/4/06

AN ACT
D.C. ACT 16-572

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

*Codification
District of
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To amend, on an emergency basis, section 47-4403 of the District of Columbia Official Code to allow the Office of Tax and Revenue to enter into a closing agreement for any taxable period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing Agreement Emergency Act of 2006".

Sec. 2. Section 47-4403 of Title 47 of the District of Columbia Official Code is amended by striking the phrase "for a period ending before the date of the agreement" and inserting the phrase "for any taxable period" in its place.

Note,
§ 47-4403

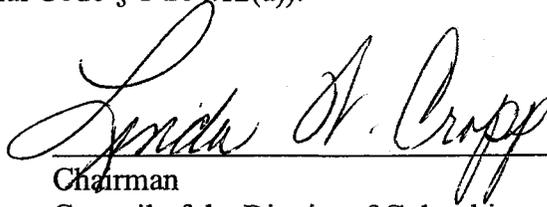
Sec. 3. Applicability.
Section 2 shall apply as of December 1, 2006.

Sec. 4. Fiscal impact statement.
The Council adopts the attached fiscal impact statement 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)).

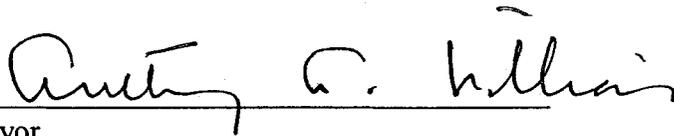
Sec. 5. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 19, 2006

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: December 4, 2006
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Subject/Short Title: "Closing Agreement Emergency Act of 2006".

Part I. Summary of the Fiscal Estimates of the Bill		
	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
This legislation allows the Office of Tax and Revenue to enter into one closing agreement for all taxable periods. This legislation has no adverse fiscal impact, and may have a positive fiscal impact by reducing litigation costs and encouraging settlements.		

Part II. Other Impact of the Bill		
	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
The Office of Tax and Revenue will have to continue to perform multiple closing agreements to resolve tax matters.		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: <i>[Signature]</i>

2/1/06

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-573

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

*Codification
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West Group
Publisher

To amend, on an emergency basis, Title 47 of the District of Columbia Official Code to provide that the owner of a property that is receiving erroneously the homestead deduction and senior/disabled real property tax relief has a duty to inform the Chief Financial Officer, that the benefits shall be rescinded prospectively on the sale of real property to a non-qualifying purchaser, and that a former owner that received the benefits shall be personally liable for the amount of benefits improperly received.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Real Property Tax Benefits Revision Emergency Act of 2006".

Sec. 2. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-850.02 is amended as follows:

(1) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or current owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

(C) A new paragraph (6) is added to read as follows:

"(6) Notwithstanding the rescission of the deduction pursuant to paragraphs (4) and (5) of this subsection, if all of the applicant's ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which the ownership interest was transferred. At the end of such half tax year, the deduction shall cease. If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, §§ 47-850(d), 47-850.01(b), and 47-850.04 shall not apply to the extent that both real properties may benefit from the deduction during that half tax year and, thereafter, only the newly purchased real property or housing cooperative in which

Note,
§ 47-850.02

ENROLLED ORIGINAL

the applicant acquired newly an interest shall benefit from the applicant's deduction. Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to a dwelling unit in any half tax year."

(2) Subsection (c)(1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(b) Section 47-863 is amended as follows:

(1) Subsection (f) is amended as follows:

(A) Paragraph (1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(B) Paragraphs (4) and (5) are amended by striking the phrase "(for which notification is required under this subsection)".

(C) A new paragraph (6) is added to read as follows:

"(6) Notwithstanding the rescissions of the deduction pursuant to paragraphs (4) and (5) of this subsection, if the applicant's required ownership interest in the real property is transferred to a new owner, shareholder, or member who does not apply or qualify for the deduction, the real property shall nevertheless be entitled to the apportioned amount of the deduction applicable to the installment payable during the half tax year during which such ownership interest was transferred. At the end of the half tax year, the deduction shall cease. If the applicant purchases another real property or interest in a housing cooperative for which he or she shall make application for the deduction, and the application and purchase occurs during the same half tax year when the transfer occurred, subsections (i) and (j) of this section shall not apply to the extent that both real properties may benefit from the deduction during that half tax year and, thereafter, only the newly purchased real property or housing cooperative in which the applicant acquired newly an interest shall benefit from the applicant's deduction. Notwithstanding the foregoing, a real property shall not benefit from more than one deduction in any half tax year; provided, that in the case of a housing cooperative, the real property shall not benefit from more than one deduction related to an eligible household in any half tax year."

(2) Subsection (g)(1) is amended by striking the word "applicant" wherever it appears and inserting the phrase "applicant (or former owner if there is no applicant)" in its place.

(3) Subsection (l) is amended by striking the word "decrease" and inserting the word "deduction" in its place.

Sec. 3. Applicability.

(a) Section 2(a)(1)(A) and (B), 2(a)(2), 2(b)(1)(A) and (B), and 2(b)(2) shall apply for tax years beginning after September 30, 2001.

Bill Number:	Type: Emergency (X) Temporary () Permanent ()	Date Reported: December 4, 2006
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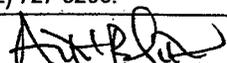
Subject/Short Title: "Real Property Tax Benefits Clarification Emergency Act of 2006".

Part I. Summary of the Fiscal Estimates of the Bill

	YES	NO
1. It will impact spending. (If "Yes," complete Section 1 in the Fiscal Estimate Worksheet).	()	(x)
a) It will affect local expenditures.	()	(x)
b) It will affect federal expenditures.	()	(x)
c) It will affect private/other expenditures.	()	(x)
d) It will affect intra-District expenditures.	()	(x)
2. It will impact revenue. (If "Yes," complete Section 2 in the Fiscal Estimate Worksheet).	()	(x)
a) It will impact local revenue.	()	(x)
b) It will impact federal revenue.	()	(x)
c) It will impact private/other revenue.	()	(x)
d) It will impact intra-District revenue.	()	()
3. The bill will have NO or minimal fiscal impact. (If "Yes," explain below).	(x)	
<p>This legislation amends the real property tax homestead and senior/disabled deduction provisions to make the rescission of the homestead and senior/disabled benefits <i>effective on the first day of the billing cycle of the following half tax year in the limited instance where a property is transferred to a non-homesteader or non-senior.</i> Under current law, the retroactive rescission is effective back to the first day of the half tax year when the property was transferred. Such retroactive rescission makes prorating taxes at settlement very difficult because the settlement company must escrow significant funds pending the finalization of the tax bill by the Office of Tax and Revenue during the next billing cycle. This legislation will have a <i>de minimus</i> fiscal impact by extending the Homestead deduction until the end of the six month period, which will be offset by the Office of Tax and Revenue being better able to focus enforcement efforts on fraud that is occurring within the Homestead deduction program.</p>		

Part II. Other Impact of the Bill

	YES	NO
If you check "Yes" for each question, please explain on separate sheet, if necessary.		
1. It will affect an agency and/or agencies in the District.	()	(x)
2. Are there performance measures/output for this bill?	()	(x)
3. Will it have results/outcome, i.e., what would happen if this bill is not enacted?	()	(x)
<p>The retroactive rescission of the homestead and senior/disabled benefits would not take effect. Sellers of homes to a non-homesteader or non-senior would continue to lose the homestead and senior/disabled benefits as of the previous half-year billing cycle from when the sale was conducted.</p>		
4. Are funds appropriated for this bill in the Budget and Financial Plan for the current year?	()	(x)

Sources of information:	Councilmember: Evans
	Staff Person & Tel: Eric Goulet, (202) 727-8206.
	Council Budget Director's Signature: 

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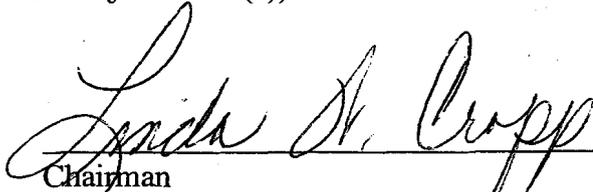
(b) Section 2(a)(1)(C) and 2(b)(1)(C) shall apply as of January 2, 2007.

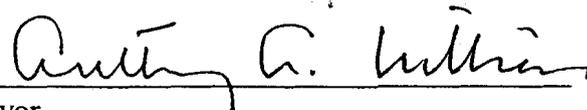
Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. 5. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-574

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

2007 Winter
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West Group
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To amend, on an emergency basis, section 47-3503(c)(5) of the District of Columbia Official Code to delay implementation by one tax year of the owner-occupant residential tax credit to real properties that were under the lower income homeownership cooperative housing association 5-year exemption, to clarify that to receive the credit there must be continuous ownership, and to clarify that no credits will be granted for tax years prior to Tax Year 2007.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Lower Income Homeownership Cooperative Housing Association Re-Clarification Emergency Act of 2006".

Sec. 2. Section 47-3503(c)(5) of the District of Columbia Official Code is amended as follows:

Note,
§ 47-3503

(a) The existing text is designated as subparagraph (A).

(b) A new subparagraph (B) is added to read as follows:

“(B) The application of subparagraph (A) of this paragraph shall be limited as follows:

“(i) The credit under § 47-864 that may result for the tax year beginning October 1, 2006 shall be nonrefundable and shall be applied to the real property tax owed for the tax year beginning October 1, 2007, and thereafter.

“(ii) No credit under § 47-864 shall be allowed for a tax year prior to the tax year beginning October 1, 2006.

“(iii) Subparagraph (A) of this paragraph shall not apply if the ownership has not been continuous from the date that the exemption provided by this subsection has been validly in effect.”.

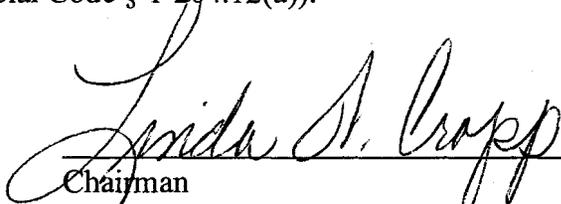
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Sec. 3. Fiscal impact statement.

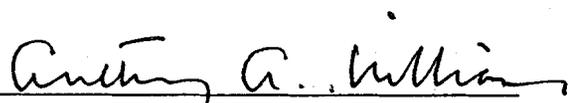
The Council adopts the attached fiscal impact statement as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 19, 2006

ENROLLED ORIGINAL

AN ACT

D.C. ACT 16-575

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
 DECEMBER 19, 2006

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2007 Winter
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To amend, on an emergency basis, due to congressional review, the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to add the definition "certified business enterprise" and clarify that the dollar volume subcontracting requirement may include purchases from small business enterprises that provide materials, goods, and supplies.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Small and Local Business Development Subcontracting Clarification Congressional Review Emergency Amendment Act of 2006".

Sec. 2. The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

(a) Section 2302 is amended by adding a new paragraph (1A) to read as follows:
 "(1A) "Certified business enterprise" means a business enterprise or joint venture certified by the Small and Local Business Opportunity Commission pursuant to part D."

Note,
 § 2-218.02

(b) Section 2313(c)(1)(A) is amended to read as follows:
 "(A) Reviewing applications for certification as a local business enterprise, small business enterprise, disadvantaged business enterprise, resident-owned business, longtime resident business, or local business enterprise with its principal office located in an enterprise zone;"

Note,
 § 2-218.13

(c) Section 2331(a)(2A) is amended to read:

Note,
 § 2-218.31

"(2A) Meets 1 of the 4 following standards:"

(d) Section 2346(a) is amended to read as follows:

Note,
 § 2-218.46

"(a)(1) All construction contracts in excess of \$250,000 shall include the following requirements:

"(A) At least 35% of the dollar volume shall be subcontracted to small business enterprises; provided, however, that the costs of materials, goods and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods and supplies are purchased from small business enterprises; or

"(B) If there are insufficient qualified small business enterprises to completely fulfill the requirement of subparagraph (A) of this paragraph, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume to any certified business enterprises; provided, however, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.

"(2) All non-construction contracts in which a portion of the work is subcontracted shall include the following requirements:

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“(A) At least 35% of the dollar volume shall be subcontracted to small business enterprises; provided, however, that the costs of materials, goods and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods and supplies are purchased from small business enterprises; or

“(B) If there are insufficient qualified small business enterprises to completely fulfill the requirement of subparagraph (A) of this paragraph, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume to any certified business enterprises; provided, however, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.”.

(e) Section 2350(b)(1) is amended to read as follows:

“(b)(1)(A) A government corporation shall take all measures as shall be reasonably necessary to assure that all contracts entered into by the government corporation, or any agency or subsidiary of the government corporation, with respect to each major phase of the development and construction of a project undertaken by the government corporation, including contracts for professional services, architectural, engineering, and other construction related services and construction trade work, shall provide that at least 35% of the work on the project shall be awarded to small business enterprises; provided, however, that the costs of materials, goods and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods and supplies are purchased from small business enterprises.

“(B) If there are insufficient qualified small business enterprises to fulfill the small business enterprise contracting requirement, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume of the project to any certified business enterprises; provided, however, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.”.

(f) Section 2354 is amended as follows:

(1) The existing language is designated as subsection (a).

(2) Paragraph (2) of the newly designated subsection (a) is amended as follows:

(A) Subparagraph (C) is amended by striking the word “and” at the end.

(B) Subparagraph (D) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(C) A new subparagraph (E) is added to read as follows:

“(E) The actual dollar amount expended with each business enterprise.”.

(3) New subsections (b) and (c) are added to read as follows:

“(b) Within 45 days of its receipt of the annual reports required by section 2350(g), the Department shall submit to the Council and the Commission a report containing the following information with respect to each government corporation for the current and prior fiscal years:

“(1) The expendable budget of the government corporation;

“(2) The government corporation's achievement with respect to the requirements of section 2350; and

“(3) A list of each contract or procurement of the government corporation, which shall include the following:

“(A) A description of the contract or procurement;

“(B) The dollar amount of the contract or procurement;

“(C) The name of the business enterprise from which the goods or services were contracted or procured;

“(D) Whether the business enterprise was a certified local, small, or disadvantaged business enterprise, and, if it was:

“(i) The category or categories under which the business

Note,
§ 2-218.50

Note,
§ 2-218.54

ENROLLED ORIGINAL

enterprise is certified; and

“(ii) The identification number of the business enterprise assigned by the Department;

“(E) The source of funding for the contract (local, federal, other, or capital); and

“(F) The actual dollar amount expended with each business enterprise.

“(c)(1) Beginning with the first full quarter after the effective date of the Fiscal Year 2007 Budget Support Emergency Act of 2006, D.C. Act 16-477 [August 8, 2006], the Department shall submit to the Council, within 60 days of the end of the quarter, a copy of the quarterly reports of each agency required by section 2353(a) and a copy of the quarterly reports of each government corporation required by section 2350(f).

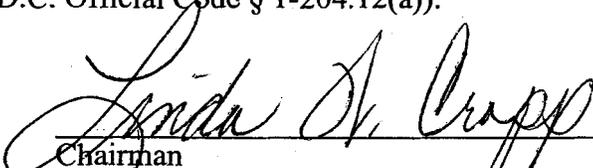
“(2) Beginning with the first full quarter after August 8, 2006, the Department shall submit to the Council the following:

“(A) A summary of the information that each agency is required to submit pursuant to section 2353 and the information that each government corporation is required to submit pursuant to section 2350(f), in a format that shows the cumulative progress of each agency’s or government corporation’s annual local, small, and disadvantaged business enterprise contracting and procurement goals to date and the actual dollar amount expended with each business enterprise for the current fiscal year; and

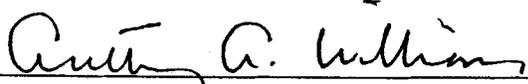
“(B) A list of all agencies or government corporations that have not submitted a report for that quarter and a detailed explanation of what actions were taken by the Department to effectuate compliance with the reporting requirement.”.

Sec. 3. The Council adopts the fiscal impact statement of the Budget Director 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. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
December 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-576

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2007 Winter
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West Group
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To create, on an emergency basis, a public/private partnership between the District of Columbia and New Town Development, LLC for the purpose of economic, social, and cultural revitalization, of creating a substantial number of workforce housing units, of creating a project labor agreement with a job training program for District residents, and of preserving certain buildings and business operations presently located on the approximately 24-acre site in Ward 5 that is bounded by Florida Avenue N.E., on the south, 6th Street, N.E., on the east, Penn Street, N.E., on the north, and the railroad tracks and metro rail on the west, hereinafter designated as "New Town at Capital City Market Project" in accordance with New Town at the Capital City Market: A Neighborhood Revitalization Initiative and Development Plan presented to the District government by the New Town Development, LLC, and to authorize the Mayor to use tax incentives, economic and other development initiatives that may be provided by existing laws and regulations, and other existing laws and regulations to achieve the purpose and goals of this act within the footprint of New Town at the Capital City Market.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Town at Capital City Market Revitalization Development and Public/Private Partnership Emergency Act of 2006".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Capital City Market" or "Market" means the approximately 24-acre site bounded by Florida Avenue, N.E., on the south, 6th Street, N.E., on the east, Penn Street, N.E. on the north, and the railroad tracks and Metro rail on the west in northeast Washington, D.C., in Ward 5.
- (2) "Chief Financial Officer" means the Chief Financial Officer of the District of Columbia.
- (3) "Developer" means the New Town Development, LLC, a District of Columbia limited liability company.

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(4) "DHCD" means the Department of Housing and Community Development.

(5) "Partnership" means the public/private partnership between the District and Developer to revitalize and develop the Capital City Market into a mixed-use, urban residential, retail, restaurants, entertainment, support facilities, office, government facilities, above and below-grade parking community; to create a substantial amount of workforce housing for teachers, policemen, firemen, and other District of Columbia residents; to preserve specific historic buildings; and to maintain the Market's historic retail and wholesale functions on the existing site in northeast Washington, D.C.

(6) "Revitalization and Development Plan" means the Initial Conceptual Plan for New Town at the Capital City Market: "A Neighborhood Revitalization Initiative and Development Plan".

(7) "Washington Beef Properties" means Parcel 129/32 and lots 5, 800, and 802 in square 3587.

(8) "Workforce housing" means housing units set aside for eligible renters or purchasers as defined by the appropriate agency of the District of Columbia and who are at 50% to 120% of the Area Median Income.

Sec. 3. Findings.

(a) The Revitalization and Development Plan presented by the Developer can be used as a model for developing large tracts of underutilized land to create workforce housing, needed community facilities and services, and jobs, and to increase the District's tax base.

(b) The Market was originally located on the National Mall where the Federal Triangle Complex now exists and was relocated to its present site shortly after World War I upon passage of the Union Station Act of 1910 and adoption of the MacMillan Plan for the Mall.

(c) While the Market has an active retail and wholesale business of local, national, and international food and meat products, the Market now is an underutilized resource of its neighborhood and the city.

(d) The Market has deteriorated and has deteriorating structures, defective and inadequate street layout, excessive vacant land, vacant buildings, unsanitary and unsafe conditions, and diversity of ownership, and is becoming an attractive place for criminal activity and homeless inhabitants.

(e) The Market is located less than 350 yards from the new Metro entrance of New York/Florida Avenues Metro station.

(f) The Market's present condition, uses, and zoning substantially impair the sound growth of an underutilized site near a Metrorail station and prevent the development of new housing and much needed workforce housing.

(g) The Market is an ideal site for transit-oriented development that will increase pedestrian-friendly residential density adjacent to transit facilities that is consistent with the District's goals of maximizing transit usage while reducing automobile dependency.

ENROLLED ORIGINAL

(h) The New Town at the Capital City Market Project will accomplish neighborhood revitalization and historic preservation and provide workforce housing and jobs.

(i) The Revitalization and Development Plan will create a substantial number of workforce housing units for renters and buyers that fall between 50% to 120% of the Area Median Income.

(j) The Revitalization and Development Plan will create a planned community of housing, office, retail wholesale, local, national and international restaurants, entertainment, recreational and support facilities, and government facilities.

(k) The Revitalization and Development Plan will help reduce traffic congestion, enhance the environment, and improve the District's air quality by better planning for and deployment of vehicular traffic, green roof development, and other environmental initiatives.

(l) The Revitalization and Development Plan will allow existing property owners or lessees to invest in the project, become fee simple owners in the new retail and warehouse facility, allow existing property owners to do a like-kind property exchange under section 1031 of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 302; 26 U.S.C. § 1031), and participate in other revitalization and development options.

(m) The Revitalization and Development Plan will allow the present retailers and wholesalers to continue their businesses in the new revitalized Capital City Market.

(n) The Revitalization and Development Plan will be carried out in such a way that it will cause minimal interference to the existing operators of retail and wholesale establishments and allow them to continue to operate during construction.

(o) The Revitalization and Development Plan will preserve the original Market buildings (Union Market) bounded by 4th and 5th Streets and Morse and Penn Streets unless it is found to be impractical to do so by the Developer and the Office of Planning.

(p) The Developer has agreed to require construction contractors to enter into a project labor agreement for the project with a training component for District residents.

(q) The construction of the project will take more than 5 years, which will allow District residents to be trained as apprentices for jobs created by the development and become full-fledged journeymen on the project.

(r) The Revitalization and Development Plan provides for a workforce housing set-aside of a minimum of 20% and a goal of 40%, which will have a significant impact on increasing the District's workforce housing supply by approximately 320 or 640 units, respectively.

(s) The Mayor is authorized to negotiate a land swap or sale with Gallaudet University and to use other means, such as property tax abatement, tax increment financing, and PILOT programs, to assist the Developer in achieving the 40% goal of workforce housing and other community needs.

(t) The Revitalization and Development Plan calls for 40% of the workforce housing to be set aside for teachers, policemen, firemen, and other critical District of Columbia employees and the remaining 60% to be set aside for District of Columbia residents who are first time

home purchasers and are at 50% to 120% of the Area Median Income.

(u) The Revitalization and Development Plan will relocate the retail and wholesale operations of the existing Market into modern facilities in the northeast portion of the site which will allow for convenient ingress and egress access for large trailer trucks to and from New York Avenue and Florida Avenue while screening them from residential areas and pedestrian traffic.

(v) The Revitalization and Development Plan provides that the new facilities for the existing retail and wholesale operations will be constructed as condominiums or cooperatives to allow the retailers and wholesalers to own their retail or wholesale facilities.

(w) The Revitalization and Development Plan will provide enhanced services for the residents of New Town, the surrounding neighborhoods, and visitors, including, among other things, a state-of-the-art YMCA with a daycare center, teen center, programs for senior citizens, swimming pool, indoor basketball courts, and a fitness center; a state-of-the-art community health clinic and a state-of-the-art public library branch if the District determines they are needed; and an outdoor amphitheater (designed to convert to an ice skating rink in winter) to showcase local and national entertainers to District citizens and visitors.

(x) The Revitalization and Development Plan provides that the YMCA, library, and community health clinic will all operate on a 20-year lease-to-purchase agreement with ownership transferring to the leaseholders for \$1 at lease expiration.

(y) The Revitalization and Development Plan will create an array of new retail and restaurant businesses and create hundreds of new permanent jobs as well as hundreds of construction jobs.

(z) The Revitalization and Development Plan and its proposed concept is supported by the 3 Advisory Neighborhood Commissions in Ward 5 and the Brentwood Community Association, Inc.

(aa) The Developer is committed to enter into a First-Source Employment Agreement and a Local, Small, and Disadvantaged Business Enterprise Memorandum of Understanding with the appropriate District government agencies.

(bb) The Capital City Market footprint area is currently zoned C-M-1 for low-density, light-industry and commercial uses and must be re-zoned as C-3-C with an overlay to allow the height and density necessary to achieve the goals of the project and to allow residential and warehouse uses to co-exist as part of New Town at the Capital City Market.

(cc) Certain alleys within the footprint of the Capital City Market will have to be closed.

(dd) The Market is, or Revitalization and Development Plan will be, designated as a renewal area sufficient to be eligible for the most favorable HUD-guaranteed financing programs.

(ee) On May 7, 2002, the Council unanimously passed the Request for Proposals for the Disposition of the Washington Beef Properties, 1240-1248 4th Street, N.E., Lots 5, 800, and 802 in Square 3587 Approval Resolution of 2002, effective May 7, 2002 (Res. 14-440; 49 DCR

ENROLLED ORIGINAL

4760).

(ff) On June 11, 2002, DHCD issued a request for proposals for the Washington Beef Properties, which are located on the Capital City Market site.

(gg) On July 8, 2003, the Council unanimously passed the Unsolicited Proposal Submitted by Sang Oh & Company for the Negotiated Purchase and Disposition of Surplus Property at 375 Morse Street, N.E., also known as the Ironworks Parcel, Emergency Approval Resolution of 2003, effective July 8, 2003 (Res. 15-214; 50 DCR 6941).

(hh) On February 26, 2004, pursuant to that certain Land Disposition Agreement between Sang Oh & Company, Inc. and DHCD, Sang Oh & Company, Inc., was granted the development rights to Washington Beef Properties.

(ii) Working with DHCD, ANC 5B, and the Ward 5 community, Sang Oh & Company, Inc., has completed architectural drawings for a proposed 11-story retail office and condominium building with a 20% percent affordable housing unit set-aside at 80% percent of the Area Median Income, and with community amenities for the Ward 5 community, that is, a 100-seat community meeting room, an office for ANC 5B, and space and signage for a Metropolitan Police Department substation.

(jj) The proposed development is consistent with the purposes and goals of the Revitalization and Development Plan and with architectural designs for New Town at the Capital City Market concept.

(kk) Sang Oh & Company, Inc. has completed demolition of the structures on the Washington Beef Properties site and has submitted its PUD application to the Zoning Commission.

Sec. 4. Office of Planning.

The Developer shall work with the Office of Planning and other appropriate agencies prior to and during the zoning process, to ensure that the District's planning and other policy objectives and goals, to the extent that the project is not jeopardized financially, are achieved to the fullest extent possible.

Sec. 5. Authority of Deputy Mayor for Economic Development.

The Deputy Mayor for Economic Development shall have the authority and responsibility of ensuring that the District's interests and goals, to the fullest extent possible, are achieved as set forth in this act. When the project is approved for construction, the Deputy Mayor and the Developer will develop a timetable for the development of the project and will provide detailed quarterly reports to the Mayor and the Council.

Sec. 6. Development of conceptual plan.

The Council directs the Mayor through the appropriate agencies working with the Developer, the affected community (Ward 5), and the landowners and renters of the Capital City

Market to develop a Final Conceptual Plan and an Agreement between the District and the Developer within 180 days of the effective date of this act. Once the Final Conceptual Plan and the Agreement have received affirmative written approval from property owners representing 50% or more of the site of the Capital City Market, the Mayor shall submit the Final Conceptual Plan and the Agreement to the Council for approval within 30 days of the affirmative written approval.

Sec. 7. Eminent domain.

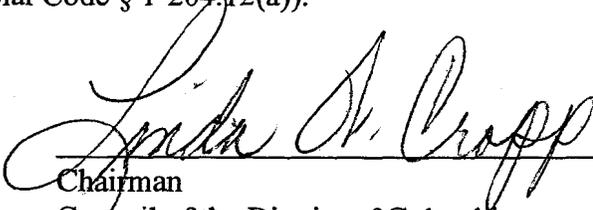
The Mayor shall not use eminent domain for any aspect of the revitalization or development of the Capital City Market without the prior approval of the Council.

Sec. 8. Fiscal impact statement.

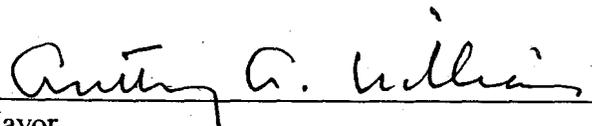
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 9. 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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



 Chairman
 Council of the District of Columbia



 Mayor
 District of Columbia
 APPROVED
 December 19, 2006

ENROLLED ORIGINAL

AN ACT
D.C. ACT 16-577

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
DECEMBER 19, 2006

*Codification
District of
Columbia
Official Code*

2001 Edition

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Supp.

West Group
Publisher

To amend, on an emergency basis, the Advisory Neighborhood Commissions Act of 1975 to clarify that a Commission may provide reimbursements for authorized purchases made with credit cards.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Advisory Neighborhood Commissions Clarification Emergency Amendment Act of 2006".

Sec. 2. Section 16 of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1996 (D.C. Law 1-58; D.C. Official Code § 1-309.13), is amended by adding a new subsection (f-1) to read as follows:

Note,
§ 1-309.13

(f-1) "A Commission may provide reimbursements for authorized and properly documented purchases made with credit cards."

Sec. 3. Fiscal impact statement.

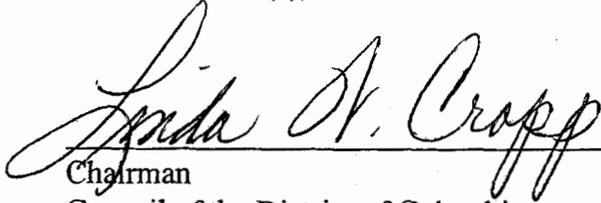
This legislation does not have a fiscal impact.

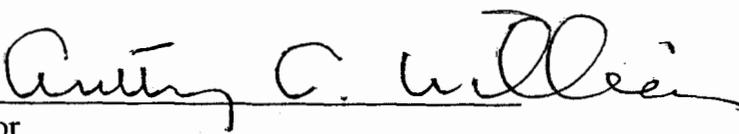
Sec. 4. Effective date.

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
D.C. Official Code § 1-204.12(a)).


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
December 19, 2006