

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to exempt any District-owned real property from new disposition requirements if certain criteria are met; and to amend the Department of Real Estate Services Establishment Act of 1998 to require that the Mayor prepare and submit to the Council a Master Public Facilities Plan.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Master Public Facilities Plan Amendment Act of 2010”.

Sec. 2. Section 1(a-1) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-1)), is amended by adding a new paragraph (5) to read as follows:

Amend
§ 10-801

“(5) The Mayor shall be deemed to have met the requirements of paragraphs (2)(C) and (4) of this subsection if, prior to April 19, 2010, the Mayor submitted the proposed resolution pursuant to this subsection to the Council and, prior to March 10, 2010, the Mayor engaged in community outreach efforts regarding the real property’s proposed redevelopment; provided, that the community outreach:

“(A) Occurred in an accessible location, or accessible locations, in the vicinity of the real property; and

“(B) Involved a discussion of the proposed redevelopment plan for real property.”.

Sec. 3. The Department of Real Estate Services Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*), is amended by adding a new section 1806g-1 to read as follows:

“Sec. 1806g-1. Master Public Facilities Plan.

“(a)(1) The Department of Real Estate Services, in collaboration with the Office of Planning and the Office of the City Administrator, shall prepare a Master Public Facilities Plan based on facilities needs requests provided by each District government agency that uses real

property titled or leased in the name of the District (“agencies”) for a period of at least 5 years.

“(2) The Master Public Facilities Plan shall include the following:

“(A) Identification of long-term and short-term facilities needs, as known at the time;

“(B) The integration and adoption of relevant elements in the District’s Comprehensive Plan for the National Capital that provide goals, objectives, and policies for land use issues;

“(C) An assessment of all District-owned or maintained facilities and property and the identification of improvements needed to correct deficiencies;

“(D) Opportunities for the substitution of District-owned space for leased space;

“(E) Real properties of facilities proposed for demolition, surplus, or disposition, which have potential for other uses;

“(F) Significant energy and sustainability initiatives;

“(G) A summary of all leases and capital projects, including future planning goals and objectives of all leases and capital projects; and

“(H) Consideration of recommendations of the District Facilities Planning Advisory Committee and District residents.

“(3) The Department of Real Estate Services shall provide agencies with instructions for preparing the facilities needs requests. Before developing facilities needs requests, agencies with significant community services functions shall, as part of their facilities needs review, solicit public input in their review process, as appropriate, such as by conducting a public hearing. All agencies shall:

“(A) Base their facilities needs requests on anticipated program operations;

“(B) Submit their facilities needs requests to the Department of Real Estate Services, including the types of facilities and, if applicable, the general location for the facilities, on or before September 1st of each 5th year in the 5-year cycle, commencing in 2012; and

“(C) Identify space requests associated with all types of uses, including:

“(i) Office;

“(ii) Industrial;

“(iii) Recreational;

“(iv) Housing and community service space; and

“(v) Community service facilities.

“(4) The Department of Real Estate Services, in collaboration with the Office of Planning and the Office of the City Administrator, shall review the requests and prepare a draft Master Public Facilities Plan that meets the aggregate facilities needs of the District.

“(b) The Department of Real Estate Services shall transmit the draft Master Public Facilities Plan to the District Facilities Planning Advisory Committee once every 5 years, on or

before February 15th of each 5th year in the 5-year cycle, commencing in 2013, for review and comment. The Department of Real Estate Services, in collaboration with the Office of Planning and the Office of the City Administrator, may revise the draft Master Public Facilities Plan based on the comments received.

“(c) The Department of Real Estate Services shall hold at least one public hearing, upon 30 days’ notice published in the District of Columbia Register and 30 days’ notice to the affected Advisory Neighborhood Commission, to receive comment or input into the draft Master Public Facilities Plan, as revised under subsection (b) of this section, and to publicize a 30-day public comment period during which time the public may view the draft Master Public Facilities Plan and submit written comments for consideration. After taking into consideration these comments, the Department of Real Estate Services, in collaboration with the Office and Planning and the Office of the City Administrator, shall prepare a final Master Public Facilities Plan.

“(d) The Mayor shall submit the Master Public Facilities Plan to the Council. The Council shall hold a public hearing on the Master Public Facilities Plan within 60 days of receipt from the Mayor. Not more than 90 days after the completion of the public hearing required by this subsection, the Council shall approve or disapprove the Master Public Facilities Plan. If the Council does not take action to approve or disapprove the Master Public Facilities Plan within 90 days of the public hearing on the Master Public Facilities Plan, the Master Public Facilities Plan shall be deemed approved.

“(e)(1) The Master Public Facilities Plan shall guide the Department of Real Estate Services in its implementation of real estate and capital projects, including formulation of the Capital Improvements Plan. Notwithstanding the foregoing, changes in agency programs and operations, District government priorities, the real estate and financial markets, grant availability and other factors, may make it necessary or advisable to take actions not included in, or fully consistent with, the Master Public Facilities Plan.

“(2) The Department of Real Estate Services shall report to the Council at least annually on the implementation of the Master Public Facilities Plan.”.

Sec. 4. Applicability.

Section 3 shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 5. 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. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the

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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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia