

  
Councilmember Jack Evans

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish the Pennsylvania Avenue Development Area, the District Pennsylvania Avenue Development Corporation to oversee and guide the development of the Pennsylvania Avenue Area Development Area, the Board of Directors of the District Pennsylvania Avenue Development Corporation, the Pennsylvania Avenue Development Fund, and to authorize rulemaking.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Pennsylvania Avenue Development Act of 2015".

Sec. 2. Findings and purpose.

"(a) The Council finds that:

"(1) The establishment of a defined Pennsylvania Avenue Development Area will ensure suitable development, maintenance, and use of this vital area of local, as well as federal, importance.

"(2) It is essential that this area is developed in a comprehensive manner with input from all stakeholders.

"(3) The establishment of a corporate body with the power to act to represent the interests of the District and to work in consultation and coordination with the General Services

1 Administration and other federal entities is necessary to ensure that the rights, duties, and  
2 responsibilities of all stakeholders are established.

3 "(4) Vesting the requisite powers in a corporate body will enable the District to  
4 take maximum advantage of private as well as public resources in the development of the  
5 Pennsylvania Avenue Development Area.

6 "(b) The purpose of this act is to define the Pennsylvania Avenue Development Area and  
7 to establish the District Pennsylvania Avenue Development Corporation to guard and promote  
8 the general welfare of the residents, employers, employees, property owners, commercial  
9 tenants, consumers, and the general public within this geographic area by preserving,  
10 maintaining, and enhancing the economic prosperity of the area, overseeing economic  
11 development, and increasing the social vitality of the area, while preserving the magnificent and  
12 historical face of the Pennsylvania Avenue corridor.

13 Sec. 3. The Pennsylvania Avenue Development Area.

14 There is established the Pennsylvania Avenue Development Area which shall be  
15 comprised of the geographic area bounded on the west by 15th Street and E Street, N.W.; 15th  
16 Street and Pennsylvania Avenue, N.W.; running easterly the length of Pennsylvania Avenue,  
17 N.W.; and bounded on the east by 3rd Street, N.W.

18 Sec. 4. Establishment of the District Pennsylvania Avenue Development Corporation.

19 (a) There is established a District Pennsylvania Avenue Development Corporation  
20 ("Corporation") as an independent authority of the District government.

21 (b) Except as may be otherwise provided in this act, the Corporation shall be subject to  
22 all laws applicable to offices, agencies, departments, and instrumentalities of the District  
23 government, including provisions granting oversight responsibilities to the Chief Financial

1 Officer as defined in section 425(b) of the District of Columbia Home Rule Act, approved  
2 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.25(b)).

3 (c) The general purpose of the Corporation shall be to effectuate and oversee the  
4 development of the Pennsylvania Avenue Development Area and to administer the Pennsylvania  
5 Avenue Development fund.

6 (d)(1) The Corporation shall be dissolved upon completion, as determined by the Board  
7 of Directors, of the development plan required by section 6 or at any time by an act of the  
8 Council.

9 (2) Upon dissolution, any funds remaining in the fund established by section 7  
10 remaining after all obligations and indebtedness of the Corporation have been fulfilled and paid  
11 or otherwise satisfied shall be deposited in the General Fund.

12 Sec. 5. Establishment the Board of Directors of the Corporation.

13 (a) The powers and management of the Corporation shall be vested in a Board of  
14 Directors consisting of following members or their designees:

- 15 (1) The Mayor;
- 16 (2) The Chairman of the Council;
- 17 (3) The Chairman of the Committee on Economic Development;
- 18 (4) The Chairman of the Committee on Finance and Revenue;
- 19 (5) The City Administrator;
- 20 (6) The Director of the District Department of Transportation;
- 21 (7) The Director of the Department of Public Works;
- 22 (8) The Director of the Department of General Services; and

1                   (9) Eight private citizens, who shall be appointed by the Mayor with the advice  
2 and consent of the Council, who are residents of the District demonstrate knowledge and  
3 experience in:

4                   (A) The study of the history of the capital;

5                   (B) Architecture;

6                   (C) City planning;

7                   (D) Retail;

8                   (E) Real Estate;

9                   (F) Construction; or

10                  (G) Government.

11                 (b) The Mayor shall invite the following people or their designees to serve as nonvoting  
12 member of the Board:

13                   (A) The Director of the federal General Services Administration;

14                   (B) The Chairman of the National Capital Planning Commission;

15                   (C) The Architect of the Capitol;

16                   (D) The Archivist of the United States;

17                   (E) The Director of the National Park Service; and

18                   (E) Other person requested by the Director of the General Services

19 Administration as necessary or appropriate to be on the Board.

20                 (c) The Mayor and the Chairman of the Council shall designate a Chairman and Vice

21 Chairman of the Board from among the private citizen members.

1 (d)(1) The members of the Board who are officers or employees of the District or  
2 Federal government shall receive no additional compensation by virtue of their membership on  
3 the Board.

4 (2) The private citizen members, when engaged in the activities of the  
5 Corporation, shall be entitled to receive compensation at an established daily rate and  
6 reimbursement of expenses expended on Corporation activity.

7 (e) When at least 4 private citizens have been confirmed by the Council, the Board shall  
8 establish bylaws and rules of procedure, which, following confirmation of 8 private citizens may  
9 be amended from time to time by majority vote.

10 Sec. 6. The powers and duties of the Board of Directors

11 (a) The Board shall meet at the call of the Chairman; provided, that the Board shall meet  
12 not less often than once every 2 months.

13 (b) The Board of Directors shall promulgate an area development plan that includes:

14 (1) Short-term and long-term objectives, and the proposed strategy to effect them;

15 (2) The types of uses, both public and private, to be permitted and sought;

16 (3) An estimate of the current value of any properties that may be acquired by the  
17 District;

18 (4) An estimate of the pre-development and post-development value of any  
19 planned development, whether of District or Federal property;

20 (5) An estimate of the development costs, both public and private, including the  
21 cost, if any, to existing businesses during development or construction phases

22 (6) A thorough study of the economic impact of development, District and  
23 Federal, on:

- 1 (A) The District's tax base;
- 2 (B) The Washington metropolitan area; and
- 3 (C) Existing business activities in the District; and
- 4 (7) The procedures, interim and long-term, to be used in carrying out and
- 5 insuring continuing viability and conformance to the development plan.

6 (c)(1) Within 270 days from the date of the first meeting of the Board, the Board shall  
7 make public its work to-date, including recommended proposed legislation to enact, amend, or  
8 repeal statutes or regulations to better effect the development plan or process or collaboration  
9 with stakeholders, including Federal entities.

10 (2) The Chairman of the Council, upon request of the Board of Directors, shall  
11 introduce in the Council any proposed legislation that the Board determines to be necessary and  
12 appropriate to further the purposes of this act.

13 (d) Within 360 days from the date of the first meeting of the Board, the Board shall  
14 submit to the Council and make public the area development plan required by subsection (b) of  
15 this section.

16 (e)(1) Subject to the availability of funding, the Board shall have the power to appoint  
17 and fix the compensation and duties of an Executive Director and such staff as may be necessary  
18 to accomplish the purposes of this act.

19 (2) Absent the availability of funding, staff shall be provided by the  
20 Department of General Services.

21 (f) For the purposes of this section, the first meeting of the Board shall be deemed to be  
22 when Board includes at least 4 private citizen members.

23 Sec. 7. Pennsylvania Avenue Development Fund.

1 (a) There is established as a special fund the Pennsylvania Avenue Development Fund  
2 (“Fund”), which shall be administered by the Board of Directors of the Corporation or its  
3 designee in accordance with subsection (c) of this section.

4 (b) There shall be deposited into the Fund:

5 (1) The amount of any appropriation;

6 (2) Gifts, donations, or grants; and

7 (3) Other revenue sources to be determined.

8 (c) The Fund shall be used to fund the purposes of this act. The Fund shall not be used to  
9 provide the compensation authorized in this act.

10 (d) The money deposited into the Fund, and interest earned, shall not revert to the  
11 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
12 year, or at any other time.

13 Sec. 8. Rules.

14 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
15 approved October 21, 1968 (82 Stat 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to  
16 implement the provisions of this act.

17 Sec. 9. Applicability.

18 Sections 5(d)(2) and 6(e)(1) shall apply upon the inclusion of their fiscal effect in an  
19 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget  
20 Director of the Council in a certification published by the Council in the District of Columbia  
21 Register.”.

22 Sec. 10. 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. 11. 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.



1  
2 Councilmember Jack Evans  
3  
4  
5  
6

7  
8 A BILL  
9  
10  
11  
12

13 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
14  
15  
16  
17  
18

19 To establish the Pennsylvania Avenue Development Area, the District Pennsylvania Avenue  
20 Development Corporation to oversee and guide the development of the Pennsylvania  
21 Avenue Area Development Area, the Board of Directors of the District Pennsylvania  
22 Avenue Development Corporation, the Pennsylvania Avenue Development Fund, and to  
23 authorize rulemaking.  
24

25 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
26 act may be cited as the "Pennsylvania Avenue Development Act of 2015".  
27

28 Sec. 2. Findings and purpose.

29 "(a) The Council finds that:

30 "(1) The establishment of a defined Pennsylvania Avenue Development Area will  
31 ensure suitable development, maintenance, and use of this vital area of local, as well as federal,  
32 importance.

33 "(2) It is essential that this area is developed in a comprehensive manner with  
34 input from all stakeholders.

35 "(3) The establishment of a corporate body with the power to act to represent the  
36 interests of the District and to work in consultation and coordination with the General Services

1 Administration and other federal entities is necessary to ensure that the rights, duties, and  
2 responsibilities of all stakeholders are established.

3 "(4) Vesting the requisite powers in a corporate body will enable the District to  
4 take maximum advantage of private as well as public resources in the development of the  
5 Pennsylvania Avenue Development Area.

6 "(b) The purpose of this act is to define the Pennsylvania Avenue Development Area and  
7 to establish the District Pennsylvania Avenue Development Corporation to guard and promote  
8 the general welfare of the residents, employers, employees, property owners, commercial  
9 tenants, consumers, and the general public within this geographic area by preserving,  
10 maintaining, and enhancing the economic prosperity of the area, overseeing economic  
11 development, and increasing the social vitality of the area, while preserving the magnificent and  
12 historical face of the Pennsylvania Avenue corridor.

13 Sec. 3. The Pennsylvania Avenue Development Area.

14 There is established the Pennsylvania Avenue Development Area which shall be  
15 comprised of the geographic area bounded on the west by 15th Street and E Street, N.W.; 15th  
16 Street and Pennsylvania Avenue, N.W.; running easterly the length of Pennsylvania Avenue,  
17 N.W.; and bounded on the east by 3rd Street, N.W.

18 Sec. 4. Establishment of the District Pennsylvania Avenue Development Corporation.

19 (a) There is established a District Pennsylvania Avenue Development Corporation  
20 ("Corporation") as an independent authority of the District government.

21 (b) Except as may be otherwise provided in this act, the Corporation shall be subject to  
22 all laws applicable to offices, agencies, departments, and instrumentalities of the District  
23 government, including provisions granting oversight responsibilities to the Chief Financial

1 Officer as defined in section 425(b) of the District of Columbia Home Rule Act, approved  
2 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.25(b)).

3 (c) The general purpose of the Corporation shall be to effectuate and oversee the  
4 development of the Pennsylvania Avenue Development Area and to administer the Pennsylvania  
5 Avenue Development fund.

6 (d)(1) The Corporation shall be dissolved upon completion, as determined by the Board  
7 of Directors, of the development plan required by section 6 or at any time by an act of the  
8 Council.

9 (2) Upon dissolution, any funds remaining in the fund established by section 7  
10 remaining after all obligations and indebtedness of the Corporation have been fulfilled and paid  
11 or otherwise satisfied shall be deposited in the General Fund.

12 Sec. 5. Establishment the Board of Directors of the Corporation.

13 (a) The powers and management of the Corporation shall be vested in a Board of  
14 Directors consisting of following members or their designees:

- 15 (1) The Mayor;
- 16 (2) The Chairman of the Council;
- 17 (3) The Chairman of the Committee on Economic Development;
- 18 (4) The Chairman of the Committee on Finance and Revenue;
- 19 (5) The City Administrator;
- 20 (6) The Director of the District Department of Transportation;
- 21 (7) The Director of the Department of Public Works;
- 22 (8) The Director of the Department of General Services; and

1                   (9) Eight private citizens, who shall be appointed by the Mayor with the advice  
2 and consent of the Council, who are residents of the District demonstrate knowledge and  
3 experience in:

4                   (A) The study of the history of the capital;

5                   (B) Architecture;

6                   (C) City planning;

7                   (D) Retail;

8                   (E) Real Estate;

9                   (F) Construction; or

10                  (G) Government.

11                  (b) The Mayor shall invite the following people or their designees to serve as nonvoting  
12 member of the Board:

13                  (A) The Director of the federal General Services Administration;

14                  (B) The Chairman of the National Capital Planning Commission;

15                  (C) The Architect of the Capitol;

16                  (D) The Archivist of the United States;

17                  (E) The Director of the National Park Service; and

18                  (E) Other person requested by the Director of the General Services

19 Administration as necessary or appropriate to be on the Board.

20                  (c) The Mayor and the Chairman of the Council shall designate a Chairman and Vice

21 Chairman of the Board from among the private citizen members.

1 (d)(1) The members of the Board who are officers or employees of the District or  
2 Federal government shall receive no additional compensation by virtue of their membership on  
3 the Board.

4 (2) The private citizen members, when engaged in the activities of the  
5 Corporation, shall be entitled to receive compensation at an established daily rate and  
6 reimbursement of expenses expended on Corporation activity.

7 (e) When at least 4 private citizens have been confirmed by the Council, the Board shall  
8 establish bylaws and rules of procedure, which, following confirmation of 8 private citizens may  
9 be amended from time to time by majority vote.

10 Sec. 6. The powers and duties of the Board of Directors

11 (a) The Board shall meet at the call of the Chairman; provided, that the Board shall meet  
12 not less often than once every 2 months.

13 (b) The Board of Directors shall promulgate an area development plan that includes:

14 (1) Short-term and long-term objectives, and the proposed strategy to effect them;

15 (2) The types of uses, both public and private, to be permitted and sought;

16 (3) An estimate of the current value of any properties that may be acquired by the  
17 District;

18 (4) An estimate of the pre-development and post-development value of any  
19 planned development, whether of District or Federal property;

20 (5) An estimate of the development costs, both public and private, including the  
21 cost, if any, to existing businesses during development or construction phases

22 (6) A thorough study of the economic impact of development, District and  
23 Federal, on:

1 (A) The District's tax base;

2 (B) The Washington metropolitan area; and

3 (C) Existing business activities in the District; and

4 (7) The procedures, interim and long-term, to be used in carrying out and  
5 insuring continuing viability and conformance to the development plan.

6 (c)(1) Within 270 days from the date of the first meeting of the Board, the Board shall  
7 make public its work to-date, including recommended proposed legislation to enact, amend, or  
8 repeal statutes or regulations to better effect the development plan or process or collaboration  
9 with stakeholders, including Federal entities.

10 (2) The Chairman of the Council, upon request of the Board of Directors, shall  
11 introduce in the Council any proposed legislation that the Board determines to be necessary and  
12 appropriate to further the purposes of this act.

13 (d) Within 360 days from the date of the first meeting of the Board, the Board shall  
14 submit to the Council and make public the area development plan required by subsection (b) of  
15 this section.

16 (e)(1) Subject to the availability of funding, the Board shall have the power to appoint  
17 and fix the compensation and duties of an Executive Director and such staff as may be necessary  
18 to accomplish the purposes of this act.

19 (2) Absent the availability of funding, staff shall be provided by the  
20 Department of General Services.

21 (f) For the purposes of this section, the first meeting of the Board shall be deemed to be  
22 when Board includes at least 4 private citizen members.

23 Sec. 7. Pennsylvania Avenue Development Fund.

1 (a) There is established as a special fund the Pennsylvania Avenue Development Fund  
2 (“Fund”), which shall be administered by the Board of Directors of the Corporation or its  
3 designee in accordance with subsection (c) of this section.

4 (b) There shall be deposited into the Fund:

5 (1) The amount of any appropriation;

6 (2) Gifts, donations, or grants; and

7 (3) Other revenue sources to be determined.

8 (c) The Fund shall be used to fund the purposes of this act. The Fund shall not be used to  
9 provide the compensation authorized in this act.

10 (d) The money deposited into the Fund, and interest earned, shall not revert to the  
11 unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal  
12 year, or at any other time.

13 Sec. 8. Rules.

14 The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act,  
15 approved October 21, 1968 (82 Stat 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to  
16 implement the provisions of this act.

17 Sec. 9. Applicability.

18 Sections 5(d)(2) and 6(e)(1) shall apply upon the inclusion of their fiscal effect in an  
19 approved budget and financial plan, as certified by the Chief Financial Officer to the Budget  
20 Director of the Council in a certification published by the Council in the District of Columbia  
21 Register.”.

22 Sec. 10. 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. 11. 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.