

A RESOLUTION

22-259

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 7, 2017

To approve the disposition of District-owned real property located at 925 13th Street, N.W., formerly the Franklin School, known for taxation and assessment purposes as Lot 808 in Square 285.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Franklin School Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Act” means 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 *et seq.*).

(2) “CBE Act” means the Small and Certified 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.*).

(3) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to the CBE Act.

(4) “Developer” means Franklin School Development LLC, a District of Columbia limited liability company, with a business address of 1300 I Street, N.W., Suite 400E, Washington, DC 20005, or its successors, assignees, sublessees, or affiliates, as approved by the Mayor.

(5) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265, dated November 9, 1983, regarding job creation and employment generated as a result of the construction on the Property.

(6) “Project” means the development of the property for use as a museum and ancillary uses allowed under applicable law and as further described in the term sheet submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

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(7) “Property” means the real property and improvements located at 925 13th Street, N.W., commonly known as the Franklin School, and known for taxation and assessment purposes as Lot 808 in Square 285.

Sec. 3. Findings.

(a) The Property consists of a rectangular-shaped lot of approximately 14,938 square feet in total land area improved by the approximately 51,000 square-foot historic Franklin School Building.

(b) The Developer shall comply with the requirements of the Act.

(c) The Developer shall enter into an agreement that shall require the Developer to, at a minimum, contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the Project and at least 20% equity and 20% development participation of Certified Business Enterprises in the Project, in accordance with section 2349a of the CBE Act and 1(b)(6) of the Act.

(d) The Developer shall enter into a First Source Agreement.

(e) The proposed method of disposition is a lease of greater than 15 years pursuant to section 1(b)(8)(C) of the Act, as further described in the documents submitted to the Council with this resolution, in accordance with section 1(b-1) of the Act.

(f) The District has satisfied the public hearing requirements of section 1(b-5) of the Act, as amended by the Land Disposition Transparency Temporary Amendment Act of 2017, effective June 10, 2017 (D.C. Law 22-2; 64 DCR 4021).

(g) The Land Disposition and Development Agreement for the disposition of the real property shall not be inconsistent with the substantive business terms of the transaction submitted by the Mayor with this resolution in accordance with section 1(b-1)(2) of the Act, unless revisions to those substantive business terms are approved by the Council.

Sec. 4. Approval of disposition.

(a) Pursuant to the Act, the Mayor transmitted to the Council a request for approval of the disposition of the Property to the Developer.

(b) The Council approves the disposition of the Property.

Sec. 5. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 7. Effective date.

This resolution shall take effect immediately.