

A RESOLUTION

22-357

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 5, 2017

To declare the existence of an emergency with respect to the need to approve the First Amendment to Lease Agreement and the Second Amendment to Lease Agreement for 3919 Benning Road, N.E., between the District of Columbia government and Cedar East River Park, LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Amendments to Lease Agreement for 3919 Benning Road, N.E., Approval Emergency Declaration Resolution of 2017”.

Sec. 2. (a) There exists an immediate need to approve the First Amendment to Lease Agreement and the Second Amendment to Lease Agreement for the continued lease of premises at 3919 Benning Road, N.E.

(b) The underlying lease was previously approved by the Council (CA19-318) on May 3, 2012. Thereafter, the Department of General Services entered into the First Amendment to Lease Agreement, which had an aggregate value of less than \$1 million. Thus, the First Amendment to Lease Agreement did not require Council approval.

(c) The Second Amendment to Lease Agreement will cause the aggregate value of the amendments entered into after the Council’s approval of the underlying lease to exceed \$1 million during a 12-month period. Therefore, Council approval of the amendments is required pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(d) Approval of the amendments is necessary to extend the term of the lease, which is necessary to allow the Office of the Chief Technology Officer (“OCTO”) to continue to operate its primary data center at the premises. Relocation of this critical telecommunications infrastructure requires a substantial amount of time and cannot be effectuated without the extension of the lease term. As a result, OCTO needs to amend the lease to extend the lease term.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Amendments to Lease Agreement for 3919 Benning Road, N.E., Approval Emergency Act of 2017 be adopted after a single reading.

**ENROLLED ORIGINAL**

Sec. 4. This resolution shall take effect immediately.