

A RESOLUTION

23-471

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 21, 2020

To approve the disposition of District-owned real property located at 3999 8th Street S.E., also known as 700 Yuma Street S.E., commonly known as the Ferebee-Hope School, and known for tax and assessment purposes as Lot 0045, Square 6124.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ferebee-Hope School Disposition Approval Resolution of 2020”.

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 Agreement” means an agreement with the District governing certain obligations of the Lessee of the Property under 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.*) (“CBE Act”), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a).

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

(4) “First Source Agreement” means an agreement with the District governing certain obligations of the Lessee of the Property 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.

(5) “Lessee” means KIPP D.C. Public Charter Schools, a District of Columbia nonprofit corporation or its successors or permitted assigns, with a business address of 2600 Virginia Avenue N.W.

(6) “Property” means the real property and improvements located at 3999 8th

Street S.E., also known as 700 Yuma Street S.E., commonly known as the Ferebee-Hope School, and known for tax and assessment purposes as Lot 0045, Square 6124.

Sec. 3. Approval of disposition.

(a) Pursuant to section 1(b) and (b-1) of the Act, the Mayor transmitted to the Council a request for the Council to authorize a lease of the Property to the Lessee for the development of, and use as, a charter school.

(b) The proposed disposition would occur through a negotiated lease for a period of greater than 15 years.

(c) The proposed disposition is expected to include the following terms and conditions, in addition to such other terms and conditions as the Mayor considers necessary or appropriate:

(1) The Lessee shall redevelop the Property in accordance with plans that shall be subject to approval by the District and use the Property primarily as an educational facility.

(2) The Lessee shall enter into a CBE Agreement that will require the Lessee to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the redevelopment of the Property and, if feasible, require at least 20% development participation of Certified Business Enterprises.

(3) The Lessee will enter into a First Source Agreement.

(4) The Land Disposition 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 Council.

(d) The Council finds that the Property is not required for public purposes.

(e) The Council finds that the Mayor's analysis of economic and other policy factors supporting the disposition of the Property justifies the lease proposed by the Mayor.

(f) All documents submitted with this resolution shall be consistent with the executed term sheet transmitted to the Council pursuant to section 1(b-1)(2) of the Act.

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

Sec 4. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor, the Department of General Services, and the Chief Financial Officer.

Sec. 5. 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).

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. Sec. 6. Effective date.

This resolution shall take effect immediately.