

1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **May 17, 2016**
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10 A BILL

11 21-620
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15 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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20 To authorize the Mayor to use designated funds, appropriated for the purpose of developing
21 replacement shelter facilities for the D.C. General Family Shelter and for the apartments
22 used for temporary shelter at 1433 and 1435 Spring Road, N.W., to acquire specified
23 parcels of land, including through the use of eminent domain, and to construct 7 new
24 facilities, in Wards 1, 3, 4, 5, 6, 7, and 8, to provide temporary shelter for families
25 experiencing homelessness.

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27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 act may be cited as the “Homeless Shelter Replacement Act of 2016”.

29 Sec. 2. The Council finds that:

30 (1) On a given night in the District, more than 7,000 men, women, and children
31 experience homelessness.

32 (2) Each day, the DC General Family Shelter houses approximately 250 families
33 experiencing homelessness.

34 (3) The DC General Family Shelter is antiquated and inadequate, and its current
35 conditions limit the District’s ability to provide necessary services and support to families
36 experiencing homelessness.

37 (4) Best practices suggest that children and families do best when short-term
38 housing is provided in smaller-scale, service-enriched, community-based settings, and it is in the
39 best interest of the District to replace the DC General Family Shelter with a series of facilities
40 that provide temporary shelter throughout the District.

41 (5) The apartments used by the District to provide temporary shelter to families
42 experiencing homelessness at 1433 and 1435 Spring Road, N.W. (the “Spring Road Shelter”),
43 also are antiquated and in need of replacement and the District’s lease of those apartments is
44 expiring.

45 (6) In order to close DC General Family Shelter and replace the Spring Road
46 Shelter, the District needs to construct new facilities that are safe and dignified spaces for
47 families experiencing homelessness.

48 (7) It is in the best interest of the District to construct these new temporary-
49 shelter facilities on District-owned land, to avoid the disruption to the provision of services in the
50 continuum of care that can be expected to accompany the eventual expiration of a lease.

51 (8) The majority of the new shelter facilities will be constructed on District-
52 owned land; however, in certain cases, the District will need to acquire the necessary property;
53 doing so will advance the important goals of ensuring that the District owns the land on which
54 each of the facilities is constructed and that each of the facilities is located in a different Ward,
55 which in turn will allow the District to provide small-scale, community-based temporary housing
56 services throughout the District.

57 Sec. 3. (a) The Council authorizes the Mayor to use designated funds, as provided in this
58 section, to provide temporary shelter for families experiencing homelessness by acquiring land,
59 including through the use of eminent domain, if necessary, and construction of 6 facilities

60 containing DC General Family Shelter replacement units, as defined in section 2(11A) of the
61 Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-25; D.C.
62 Official Code § 4-751.01(11A)), to replace the D.C. General Family Shelter, and construction of
63 1 facility containing apartment-style units, as defined in section 2(3) of the Homeless Services
64 Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-25; D.C. Official Code § 4-
65 751.01(3)) as follows:

66 (1) The Mayor is authorized to use funds appropriated for capital project
67 “XXXX-Ward 1 Homeless Shelter,” to:

68 (A) Acquire parcels of land located at 2105 and 2107 10th Street, N.W.,
69 and 933 V Street, N.W., Square 358, Lots 5, 6, and 802, including, if necessary, through the
70 exercise of eminent domain in accordance with the procedures set forth in subchapter II of
71 Chapter 13 of Title 16 of the District of Columbia Official Code; and

72 (B) Construct a facility to provide temporary shelter for families
73 experiencing homelessness containing 29 2- and 3-bedroom apartment-style units on land to be
74 acquired by the District pursuant to subparagraph (A) of this paragraph; provided, that the
75 contract for the construction of the facility shall be awarded pursuant to a request for proposals to
76 be issued by the Department of General Services;

77 (2) The Mayor is authorized to use funds appropriated for capital project
78 “XXXX-Ward 3 Homeless Shelter,” to construct a facility to provide temporary shelter for
79 families experiencing homelessness containing 38 DC General Family Shelter replacement units
80 on District-owned land at 3320 Idaho Avenue, N.W., Square 1818, Lot 0849; provided, that the
81 contract for the construction of the facility shall be awarded pursuant to a request for proposals to
82 be issued by the Department of General Services;

83 (3) The Mayor is authorized to use funds appropriated for capital project
84 “XXXX-Ward 4 Homeless Shelter,” to:

85 (A) Acquire the parcel of land located at 5505 Fifth Street, N.W., Square
86 3260, Lot 54, including, if necessary, through the exercise of eminent domain in accordance with
87 the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia
88 Official Code,; and

89 (B) Construct a facility to provide temporary shelter for families
90 experiencing homelessness containing 49 DC General Family Shelter replacement units on the
91 land to be acquired by the District pursuant to subparagraph (A) of this paragraph; provided, that
92 the contract for the construction of the facility shall be awarded pursuant to a request for
93 proposals to be issued by the Department of General Services;

94 (4) The Mayor is authorized to use funds appropriated for capital project
95 “XXXX-Ward 5 Homeless Shelter,” to construct a facility to provide temporary shelter for
96 families experiencing homelessness containing 50 DC General Family Shelter replacement units
97 on District-owned land at 326 R Street, N.E., Square 3574, Lot 0032, (Penn Center) or 1700
98 Rhode Island Avenue, NE, Square 4134, Lot 800; provided, that the contract for the construction
99 of the facility shall be awarded pursuant to a request for proposals to be issued by the
100 Department of General Services;

101 (5) The Mayor is authorized to use funds appropriated for capital project
102 “XXXX-Ward 6 Homeless Shelter,” to construct a facility to provide temporary shelter for
103 families experiencing homelessness containing 50 DC General Family Shelter replacement units
104 on District-owned land at 2nd and K Street, N.W., Square 560, Lots 830, 834, and 7000, in Ward
105 6; provided, that the contract for the construction of the facility shall be awarded pursuant to a

106 request for proposals to be issued by the Department of General Services; and further provided,
107 that the site also may be utilized to locate a health-services facility serving families experiencing
108 homelessness and an intake center to replace the services provided at the Virginia A. Williams
109 Family Resource Center;

110 (6) The Mayor is authorized to use funds appropriated for capital project
111 “XXXX-Ward 7 Homeless Shelter,” to construct a facility to provide temporary shelter for
112 families experiencing homelessness containing 35 DC General Family Shelter replacement units
113 on District-owned land at 5004 D Street, S.E., Square 5322, Lot 0032; provided, that the contract
114 for the construction of the facility shall be awarded pursuant to a request for proposals to be
115 issued by the Department of General Services; and

116 (7) The Mayor is authorized to use funds appropriated for capital project
117 “XXXX-Ward 8 Homeless Shelter,” to construct a facility to provide temporary shelter for
118 families experiencing homelessness containing 50 DC General Family Shelter replacement units
119 on District-owned land at 4200 (assumed) 6th Street, S.E., Square 6207, Lots 53, 54, 55, and 56;
120 provided, that the contract for the construction of the facility shall be awarded pursuant to a
121 request for proposals to be issued by the Department of General Services.

122 (b) There is authorized to be appropriated sums of money not exceeding \$100 million for
123 the purposes set forth in subsection (a) of this section.

124 (c) The Mayor is authorized to use funds appropriated for capital project “XXXX-
125 Homeless Shelter Pool Project” for any acquisition or construction authorized by subsection (a),
126 the cost of which exceeds the amounts appropriated for capital projects “XXXX-Ward 1
127 Homeless Shelter,” “XXXX-Ward 3 Homeless Shelter,” “XXXX-Ward 4 Homeless Shelter,”
128 “XXXX-Ward 5 Homeless Shelter,” “XXXX-Ward 6 Homeless Shelter,” “XXXX-Ward 7

129 Homeless Shelter,” or “XXXX-Ward 8 Homeless Shelter.” There is authorized to be
130 appropriated sums of money not exceeding \$25 million for the purposes of this subsection.

131 (d) Consistent with section 451 of the District of Columbia Home Rule Act, approved
132 December 2, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Mayor shall submit any
133 contract entered into pursuant to this act involving expenditures in excess of \$1 million during a
134 12-month period to the Council for its approval.

135 (e) Any use of funds appropriated for capital projects “XXXX-Ward 1 Homeless
136 Shelter,” “XXXX-Ward 3 Homeless Shelter,” “XXXX-Ward 4 Homeless Shelter,” “XXXX-
137 Ward 5 Homeless Shelter,” “XXXX-Ward 6 Homeless Shelter,” “XXXX-Ward 7 Homeless
138 Shelter,” “XXXX-Ward 8 Homeless Shelter,” or “THK16C – Temporary and Permanent
139 Supportive Housing Pool Project” inconsistent with this Act is prohibited.

140 (f) The District shall seek to issue tax-exempt bonds to finance these projects such that
141 the Chief Financial Officer of the District must be satisfied that the proposed business
142 arrangements with respect to the use and user(s) of a proposed project will **not** create a private
143 business use within the meaning of the applicable Internal Revenue Service rules and
144 regulations.

145 Sec. 4. Fiscal impact statement.

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

149 Sec. 5. Effective date.

150 This act shall take effect following approval by the Mayor (or in the event of veto by the
151 Mayor, action by the Council to override the veto), a 30-day period of congressional review as

152 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
153 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
154 Columbia Register.