

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: May 17, 2016

SUBJECT: Report on Bill 21-620, “*Homeless Shelter Replacement Act of 2016*”

The Committee of the Whole, to which Bill 21-620, the “Homeless Shelter Replacement Act of 2016” (previously the “Homeward DC Omnibus Approval of Facilities Plan for Short-Term Housing for Persons Experiencing Homelessness Act of 2016”) was referred, reports favorably thereon with amendments, and recommends approval by the Council.

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I. BACKGROUND AND NEED

Bill 21-620, the “Homeless Shelter Replacement Act of 2016,” provides the Mayor with the authority she needs to move forward with a plan to close D.C. General Family Shelter and replace it with smaller, better-run facilities throughout the District.¹ The Committee Print directs the Mayor to utilize District-owned sites to construct family shelters in Wards 3, 5, 6, 7, and 8. For Ward 1, the Committee Print directs the Mayor to acquire the site identified in the introduced version of Bill 21-620. In Ward 4, the Committee Print directs the Mayor to acquire the site identified in the introduced version of Bill or to utilize nearby District-owned land. Also, the Committee Print authorizes the Mayor to utilize eminent domain to acquire each site, if necessary.

¹ Except that the proposed Ward 1 facility is a replacement for apartment-style family shelter units currently located at 1433-1435 Spring Road, NW.

Finally, the Committee Print authorizes funding levels for the acquisition, where applicable, and construction of each of the seven shelter sites.

Resolution of Issues:

<u>Issue</u>	<u>Introduction</u>	<u>Print</u>
Funding in Financial Plan	Subject to Appropriations	Funded in FY17 budget to be adopted simultaneously
Lease Costs	Cheaper to own; Wards 1, 3, and 6 above-market	Eliminate leasing; all sites owned or to be acquired
Permanency of Solution	Leases expire in 15-30 years	Ownership = Permanency
Community Acceptance	Opposition great to Wards 3, 5, and 6 sites	Alternative, less objectionable sites for Wards 3, 5, and 6
Likelihood of Completion by Fall 2018	Doubtful	Possible

There is widespread agreement that D.C. General does not meet the needs of families experiencing homelessness and should be closed. The Mayor’s plan proposes to do so by building small shelters with 50 or fewer units in Wards 3, 4, 5, 6, 7, and 8. The proposal would also replace apartment-style shelter units currently located at 1433-1435 Spring Road, NW with apartment-style units at 10th and V Streets, NW in Ward 1. In assessing the plan as originally proposed in Bill 21-620, the Committee closely examined its cost-effectiveness, its potential for complications due to zoning disputes, its long-term impact on the District’s ability to meet its obligation to shelter families experiencing homelessness,² the adequacy of individual proposed sites for the intended purpose, and the overall feasibility of the plan to close D.C. General as rapidly as possible.

The Committee Print modifies the structure of the proposal in the introduced bill to direct the District to utilize, where available, District-owned land or purchase the proposed shelter site in order to maximize the value of the District’s expenditures for each site and make certain that the District is able to meet its commitment to shelter families experiencing homelessness for the future. In addition to addressing concerns related to the cost-effectiveness, permanency, and rapid implementation of the proposed plan, the Committee has worked with the Mayor, Ward councilmembers, stakeholders, and community members to fully ascertain constituent concerns and to identify alternative shelter locations, where feasible. In considering what, if any, changes to make to the proposed measure, the Committee also sought to create a model that would enable the District to move rapidly to construct facilities that would be ready for occupancy by the fall of

² See, *Homeward DC: District of Columbia Interagency Council on Homelessness Strategic Plan 2015-2020* (noting that the District will continue to require emergency shelter for families experiencing homelessness on an ongoing basis, even at the conclusion of the Plan) (hereinafter “Strategic Plan”).

2018, as proposed by Mayor Bowser, to ensure that the D.C. General Family Shelter can be replaced as quickly as possible.

Bill 21-620 presents a clear plan for how the District will replace D.C. General and, notably, will be fully funded through Bill 21-668, the *Fiscal Year 2017 Budget Local Portion Adoption Act of 2016*. Bill 21-620 is a strong statement of the District's commitment to making homelessness rare, brief, and non-recurring and that doing the right thing can be done in a manner that is both an effective and efficient use of the District's financial resources and capital assets. The District's strategy cannot be simply to close D.C. General, but to close and replace D.C. General with new facilities and a full complement of services and supports that truly meet the needs of the families they serve.

Today, significant systems change is underway with regard to how the District provides shelter and services to families and individuals experiencing homelessness.³ Replacement of D.C. General is one component of that systems change, albeit a very important one, as D.C. General is the District's primary family shelter facility. Though advocates have expressed concern about lowering the District's standard from apartment-style shelter units, consensus has developed that private rooms that meet some minimum standards can be sufficient to meet the needs of families experiencing homelessness while in shelter (especially if shelter stays are shortened from the current average). Following the Council's development of minimum shelter standards in Bill 21-352 during the fall of 2015, this plan is the next step for the District to fulfill its commitment to families experiencing homelessness as they stabilize and take the first necessary steps to secure and sustain permanent housing.

Homelessness in the District of Columbia

The District of Columbia has for decades faced challenges in providing adequate shelter and services to families experiencing homelessness and has struggled to meet its legal obligation to place families in "apartment-style" shelters.⁴ After the Council passed legislation in 2010 permitting the Mayor to shelter families in private rooms, the District failed to comply.⁵ Ultimately, the District's placement of families in congregate shelter at recreation centers during January 2014 led to a class action lawsuit and a permanent injunction requiring the District to comply with the requirements of the law.⁶

During the same period of time, while facilities in which the District sheltered homeless families met, in some cases, the letter of the law, they failed to meet the spirit of it by failing to provide shelter conditions that the District government considers safe and humane. Until 2007, the District sheltered homeless families at the D.C. Village shelter in conditions described

³ See, *Strategic Plan*.

⁴ *Id.*

⁵ *Id.*

⁶ See, Order for Permanent Injunction, July 21, 2015, Reid v. District of Columbia, Civil Action 2014 CA 001238, Judge Robert Okun.

as “overcrowded,” “pest infested,” and “inhumane.”⁷ After the closure of D.C. Village, which was a former nursing home used to shelter homeless families, the District began sheltering families at D.C. General, a former hospital.⁸ Though D.C. General was intended to be a temporary shelter location, almost a decade later it remains the District’s primary emergency family shelter, despite being beset by “vermin infestations, sexual predation by employees, and abuse among residents.”⁹ For these reasons, and many others, the both the Council and the Executive are anxious to replace D.C. General.

Today, significant systems change is underway with regard to how the District provides shelter and services to families and individuals experiencing homelessness.¹⁰ Replacement of D.C. General is one component of that systems change, albeit a very important one, as D.C. General is the District’s primary family shelter facility. Though advocates have expressed concern about lowering the District’s standard from apartment-style shelter units, consensus has developed that private rooms that meet some minimum standards can be sufficient to meet the needs of families experiencing homelessness while in shelter (especially if shelter stays are shortened from the current average).

A New Approach to Sheltering Families Experiencing Homelessness

The problems with D.C. General as a shelter are myriad. It currently shelters nearly 300 families. The size of this facility has proven difficult to manage. Moreover, the building is old and outdated with basic systems that work poorly and are costly to maintain, including its heating, cooling, electrical, and water systems.¹¹ In addition, the facility has been reported to be infested with pests and vermin.¹² Also, outbreaks of scabies and reports of filthy communal bathrooms have been made.¹³ Further, reports of drug dealing and fights in and around the facility are rampant.¹⁴ Beyond these issues, numerous complaints of staff misconduct, including the video recording of residents while showering, have been made.¹⁵ Many of these issues came to the public’s attention following the disappearance of Relisha Rudd, a child tragically abducted by a staff member at the facility in 2014.¹⁶ Formerly a hospital, D.C. General was not intended to be used for the purpose of sheltering families. Rather than being used for one or two patients during

⁷ See Washington Post, October 23, 2007, “District Closing ‘Inhumane’ DC Village”.

⁸ See Washington City Paper, Housing Complex, October 22, 2014, “Shelter Skelter: Why Shuttering D.C. General Won’t Be Easy”.

⁹ *Id.*

¹⁰ See, *Strategic Plan*.

¹¹ See Washington Post, October 23, 2007, “DC family homeless shelter beset by dysfunction, decay,” available at: https://www.washingtonpost.com/local/dc-family-homeless-shelter-beset-by-dysfunction-decay/2014/07/12/3bbb7f50-f739-11e3-a3a5-42be35962a52_story.html.

¹² See *id.*

¹³ See *id.*

¹⁴ See “Fox 5 Investigates: Drug market at DC General homeless shelter,” available at: <http://www.fox5dc.com/news/1532192-story>.

¹⁵ See Washington Post, October 23, 2007, “DC family homeless shelter beset by dysfunction, decay.”

¹⁶ See Washington City Paper, Housing Complex, October 22, 2014, “Shelter Skelter: Why Shuttering D.C. General Won’t Be Easy”.

short stays, units within D.C. General are used to shelter families with an average size of four persons.¹⁷

The Council, the current and previous mayors, advocates, stakeholders, and District residents from across the city, have, since it first opened as a shelter, sought to have D.C. General closed and a more humane shelter or system of shelters established for District families experiencing homelessness. In recent years, the District has allocated unprecedented dollar amounts to homeless services and funding for permanent housing for the homeless.¹⁸ Though historically, some residents and councilmembers have voiced opposition to the prospect of having shelter facilities in their neighborhoods due to unfounded concerns, consensus has developed within the Council and across the community that sheltering families experiencing homelessness in small, service-enriched facilities is the best approach.¹⁹ And though residents and councilmembers have raised important concerns about various aspects of the plan proposed in the introduced version of the Bill, the Committee agrees that the developing smaller, better run shelters across the city is, indeed, the right approach.

Replacement of D.C. General with a similar number of new family units, but in smaller facilities purposely designed with the intention of housing families experiencing homelessness will immediately eliminate some of the most pressing problems that exist at D.C. General. These new facilities will have reliable heating, cooling, electrical, and water systems. In addition, smaller facilities with fewer families will likely be easier to manage. Replacement of D.C. General offers the District a unique opportunity to design a system of shelter facilities with a focus on prioritizing the needs of clients and takes into account lessons learned over decades of providing shelter and services in inadequate facilities.

However, while some issues that plague the current facility are resolved by moving to newer, smaller facilities, other issues remain and require the District to establish and enforce minimum standards for service providers and to provide greater oversight over management of and services provided within shelters. The Committee expects that service providers selected to operate and work within each new facility will meet the highest standards of service, and the Council will review the relevant contracts and perform necessary oversight to ensure that the standard is met.

Bill 21-620 As Introduced

Last fall the Council adopted Bill 21-352, the “Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015,” which the Executive characterized as necessary before shelter sites could be identified to replace D.C. General.²⁰ Indeed, DHS Director Laura Zeilinger testified on behalf of the Executive that “This legislation ... enables our community to finally close

¹⁷ See *Strategic Plan*.

¹⁸ See Bill 20-157, the “Fiscal Year 2016 Budget Request Act of 2015” and Bill 20-158, the “Fiscal Year 2016 Budget Support Act of 2015)

¹⁹ See *Strategic Plan*.

²⁰ D.C. Law 21-75

DC General...”²¹ It was explained that by deciding minimum design standards for the family units, the city would be enabled to identify the replacement shelter sites. Even though the Council acted quickly to adopt Bill 21-252, voting November 3, 2015 and simultaneously adopting an emergency version (D.C. Act 21-217), the Executive took over three months to transmit the follow-up legislation, Bill 21-620.

Although characterized as an “All Eight Wards Approach,” in fact Bill 21-620 identifies family shelter sites in only seven wards, and of those, the Ward 1 site is actually a replacement for a shelter closing on Spring Road, N.W. The total number of units proposed to be located pursuant to Bill 21-620 is 301; the total number of units proposed to replace D.C. General is 272. The table below details the Mayor’s proposal:

Replacement Shelters (Bill 21-620 As Introduced):

<i>Ward</i>	<i>No. of Units</i>	<i>Land Area</i>	<i>Building Area</i>	<i>Number of Stories</i>	<i>Height</i>	<i>Zone District</i>	<i>Relief</i>
1	29	9,403	47,668	6		C-2-B	Unknown
3	38	19,113	35,000	3	40'	R-1-B	Special Exception only
4	49	8,722	24,752	5	59'2"	C-2-A	Variances: 3 area re. height
5	50	55,098	*52,587	2	44'	C-M-2	Variance: Area (near trash)
6	50	16,644	35,000	7		R-4	PUD
7	35	11,061	26,267	4	49'6"	R-5-A	Variances: height, lot occupancy, FAR
8	50		39,000	6	67.0'	R-5-A	Variances: height & loading
	301						

*includes a clinic

Issues and Concerns with the Proposal as Submitted to the Council:

The Committee’s initial review of the Mayor’s plan and corresponding Letters of Intent (LOIs) raised five basic concerns: permanency, cost-effectiveness, adequacy of the selected sites, zoning, and the Council’s role in review of related contracts. The Committee moved quickly

²¹ See Director Laura Zeilinger’s October 13, 2015 written testimony on Bill 21-352 at page 2.

to hold a hearing on the bill. During the Committee's hearing on March 17, 2016, witnesses expressed broad support for the concept of closing D.C. General and replacing it with small, service-enriched shelters across the city, but many expressed concerns regarding the cost and structure of the proposed deals, environmental concerns related to the Ward 5 site, a lack of community engagement during the site selection process, and zoning.

As proposed by the Mayor, each shelter in Wards 3, 4, 5, and 6 would be built by a private developer according to specifications provided by the District, then leased to the District for varied initial terms, with renewals for up to a total of 20 years in Wards 3, 4, and 5 and 25 years in Ward 6. At the conclusion of each lease, the property – and all improvements paid for by the District through the lease, along with any improved zoning rights – would revert to the private developer. In Ward 1, the District would spend \$14 million to develop the site, and, through a ground lease, would lease the site for 30 years. At the conclusion of the lease, like in Wards 3, 4, 5, and 6, the property, improvements paid for by the District, and zoning rights would revert to the developer. Each LOI for the proposed leased sites includes individualized escalation terms of up to 10 percent. In Wards 7 and 8, however, the proposal in the bill calls for the District to pay to have shelter it would own built on District-owned land.

Permanency

The shelter proposal embodied in Bill 21-620 is intended to replace existing units at D.C. General, as well as Spring Road. Given that the need for housing for families experiencing homelessness is unlikely to go away, it makes sense that the 301 units authorized by this legislation should be permanent. Indeed, besides units available at D.C. General, there are approximately 120 existing family shelter units in the District's family shelter stock. Meanwhile, the current number of families in shelter, including motel rooms, exceeds 1,000.

A drawback to Bill 21-620 as introduced, is that all of the replacement units are temporary, while the District's need is not. Because they are leased, the city will lose control of each site at the expiration of each lease, which range from 10 to 30 years.

Cost and Structure

After the Committee's initial review of the Mayor's proposal and the Committee of the Whole hearing on the Bill, the Committee remained quite concerned about the proposed cost of the plan and whether it represented a reasonable approach to closing D.C. General in a cost-effective, timely, and permanent manner. Bill 21-620 proposes structuring each deal in Ward 3, 4, 5, and 6 as a lease that would incorporate the development costs for each site. Rather than the District incurring the development costs up front, the developer would do so. The developer would recoup those costs, including interest and profit, within the cost of the rent. This structure is appealing because it allows the District utilize operating dollars for lease costs and to avoid borrowing for additional capital expenditures. However, the structure raised concern for the Committee because the total cost of all leases amounts to hundreds of millions of dollars, but leads to no asset for the District at the conclusion of each lease.

Following a preliminary analysis by the Council's Office of the Budget Director and comments from concerned citizens with real estate expertise, the Committee engaged Integra Realty Resources (IRR), a real estate valuation and consulting firm, to analyze the proposed terms of each deal and assess the reasonableness of each. IRR had worked previously with the Council to perform an analysis of the proposed soccer stadium deal. Ultimately, IRR's analysis determined that most of the proposed deals are above-market and that purchase of each site would be most cost-effective, rather than the District spending over \$265 million over the course of all of the analyzed leases, excluding the District's own operational and service costs.

A brief summary of IRR's findings for each site is below.

Ward 1: The proposed Ward 1 site is located at 2105 10th Street, NW. In addition to the \$14 million the District would spend to develop 29 two- to three-bedroom apartment-style shelter units at the site, under the Ward 1 proposal, the District would lease with the land on which the improvements have been made from the developer at an initial cost of \$770,000 per year, or \$81.89 per square foot of land area for a term of 30 years.²² According to the terms of the LOI, the annual rent would increase by 2 percent each year for the first five years, then at CPI annually, except that beginning in the sixth lease year and every five years thereafter, rent would increase by 10 percent, instead of CPI.

IRR's analysis determined that the proposed lease "would be above-market to a rather extraordinary degree."²³ That conclusion was driven by IRR's conclusion "that the initial rental rate for the site represents 10.13% of the fee simple value of the site," which IRR assessed at \$7.6 million.²⁴ This means that the proposed initial annual ground lease cost, excluding the extraordinarily high contemplated escalations, is approximately 10 percent of the cost to purchase the site outright. IRR also explained that the proposed lease term is "atypically" and "extraordinarily" short for a ground lease, which "most commonly [would] have a term of 99 years, or (at a minimum) options to extend the lease for that length of time."²⁵ IRR found that the result of these terms would be "a windfall profit to the property owner/landlord on the order of \$14,700,000."²⁶ Therefore, IRR recommended acquisition of the site by the District via negotiation or eminent domain.²⁷

Ward 3: The proposed Ward 3 site is located at 2619 Wisconsin Avenue, NW. Under the terms provided in the LOI, the District would pay an annual rent of \$2,066,400, or \$4,400 per unit, per month to build 38 units of dorm-style shelter, with annual rent escalations of 3 percent, and some

²² See Integra Realty Resources Consulting and Real Property Appraisal Report: Proposed Short-Term Family Housing Sites and Facilities Lease Study, pages 2-5 (hereinafter IRR Report).

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ See *id.* at page 4.

property management services provided by the landlord for an initial term of 15 years, with one 5-year renewal option.²⁸

IRR's analysis determined that the "as is" market value of the property is \$2.5 million.²⁹ However, IRR also found that the "'as if leased' market value" of the proposed site is \$6.1 million, meaning that, based on the lease terms, the property would be valued at nearly \$4 million more than "as is." This indicates that the result of these terms would be a "windfall" profit to either the current property owner or landlord.³⁰ Furthermore, IRR determined that the proposed rental rate "is above market by approximately \$366,400 per year, or \$10.47 per square feet."³¹ Therefore, IRR recommended either renegotiation of the rent for a longer term or acquisition of the site by the District to lower overall costs.

Ward 4: The proposed Ward 4 site is located at 5505 Fifth Street, NW. Under the terms provided in the LOI, the District would pay an annual rent of \$1,344,000, or \$2,286 per unit, per month to build 49 units of dorm-style shelter, with annual rent escalations of 3 percent, and some property management services provided by the landlord for an initial term of 10 years, with two 5-year renewal options.³²

IRR's analysis determined that the "as is" market value of the property is \$2.9 million, though it was recently purchased for \$3.35 million.³³ However, IRR also found that the "'as if leased' market value" of the proposed site is \$3.1 million, indicating that these terms may be only "slightly above-market."³⁴ IRR's analysis determined that the proposed rental rate "is essentially at market."³⁵ IRR did, however, recommend either renegotiation of the rent for a longer term or acquisition of the site by the District to lower overall costs.

Ward 5: The proposed Ward 5 site is located at 2266 25th Place, NE. Under the terms provided in the LOI, the District would pay an annual rent of \$2,250,000, or \$3,404 per unit, per month to build 50 units of dorm-style shelter, with annual rent escalations of 2.5 percent, and some property management services provided by the landlord for an initial term of 15 years, with one 5-year renewal option.³⁶

²⁸ See *id.* at pages 6-10.

²⁹ *Id.*

³⁰ See *id.* (To whom the windfall profit would fall cannot be determined based on the available information – the proposed landlord has not yet finalized acquisition of the proposed site and the terms of the acquisition have not been disclosed to the Council or IRR.)

³¹ See *IRR Report* at page 9.

³² See *id.* at pages 11-12.

³³ See *id.* at page 13.

³⁴ *Id.*

³⁵ See *id.* at page 9.

³⁶ See *id.* at page 16.

IRR's analysis determined that the "as is" market value of the property is \$4.6 million, though it was purchased in 2014 for \$5 million.³⁷ However, IRR also found that the "as if leased" market value of the proposed site is \$4.4 million, indicating that the proposed rental rate "is at or slightly below market."³⁸ IRR did, however, recommend either renegotiation of the rent for a longer term or acquisition of the site by the District to lower overall costs.

Ward 6: The proposed Ward 6 site is located at 700 Delaware Avenue, SW. Under the terms provided in the LOI, the District would pay an annual rent of \$2.25 million, or \$3,750 per unit, per month to build 50 units of dorm-style shelter, with annual rent escalations of 3 percent, and some property management services provided by the landlord for an initial term of 15 years, with two 5-year renewal options.³⁹

IRR's analysis determined that the "as is" market value of the property is \$1.8 million.⁴⁰ However, IRR also found that the "as if leased" market value of the proposed site is \$6.6 million, meaning that, based on the lease terms, the property would be valued at nearly \$5 million more than "as is." This indicates that the result of these terms would be a "windfall" profit to either the current property owner or landlord.⁴¹ Therefore, IRR recommended either renegotiation of the rent for a longer term or acquisition of the site by the District to lower overall costs.

Overall, the structure of the proposed deals is also of concern, relative to cost. "Structure" refers to the fact that after a period of 10 to 30 years (depending on the particular lease), and after substantial financial investment by the city, the leaseholds revert to the property owners. Not only are the rents for several of the proposed sites above-market, and not only does the District plan to pay for construction (e.g. Ward 1) with the effect of enhancing the value of the asset, but then the city has nothing to show for its investment at the end of the leases.

Adequacy of the Selected Sites

The Executive has explained that it assessed various sites' suitability as a location for a temporary shelter for families experiencing homelessness on the basis of several key factors, including:

- Size – approximate 30,000 square feet per site
- Access to public transportation

³⁷ See *id.* at page 17.

³⁸ See *id.*

³⁹ See *id.* at pages 19-20.

⁴⁰ See *id.* at page 21.

⁴¹ See *id.* (To whom the windfall profit would fall cannot be determined based on the available information – the proposed landlord has not yet finalized acquisition of the proposed site and the terms of the acquisition have not been disclosed to the Council or IRR.)

- Access to “services and amenities”
- Economic feasibility
- Locations “across all 8 wards”
- Able to be developed within 24 to 30 months

Ultimately, the package presented in Bill 21-620 proposes to build D.C. General replacement units in 6 wards – 3, 4, 5, 6, 7, and 8. In Ward 1, the proposed units would replace apartment-style shelter units at 1433-1435 Spring Road, NW, which is currently operated as part of the District’s family shelter system pursuant to a contract with The Community Partnership (TCP). No site was identified in Ward 2 for a family shelter. The Committee believes that, where possible, D.C. General replacement facilities should be built on District-owned land. Nonetheless, aside from their economic feasibility and the time they would take to develop, the Committee believes the sites selected are adequate to meet the health and safety needs of would-be residents based on the criteria presented by the Executive – except the proposed location in Ward 5.

The proposed location in Ward 5 has been identified by concerned citizens across the city – including Ward 5 residents, members of faith-based groups, and a variety of homeless advocates – as unsuitable for use as a family shelter due to environmental concerns.⁴² Unlike the proposed sites, the Ward 5 site is not located in a residential neighborhood. Instead, it is located in a rather isolated industrial zone on a dead end street. The shelter site is adjacent to railroad tracks, directly across from a Metrobus depot where more than 260 buses park, and one block away from a concrete facility.⁴³ Numerous medical professionals have expressed concern about the site location’s potential to have a detrimental impact on shelter residents, especially because children experiencing homelessness have a higher incidence of asthma than the general population.⁴⁴ Also of concern is the fact that residents’ access to fresh food would be limited, as the nearest grocery store is more than a mile away from the proposed site. In addition, the closest bus lines are more than a half-mile away from the would-be shelter site, and the closest Metro station is nearly two miles away.⁴⁵ These factors and the lack of support for the site from the Ward 5 councilmember lead the Committee to the conclusion that the proposed Ward 5 site is unsuitable for use as a family shelter.

Zoning

Based on information provided thus far, it appears that each proposed site will require zoning relief of various types.⁴⁶ The Committee is concerned that, especially with vigorous community opposition to the various proposed shelter locations, the Mayor’s proposed timeline

⁴² See Report on Bill 21-620, “*Homeward DC Omnibus Approval of Facilities Plan for Short-Term Housing for Persons Experiencing Homelessness Act of 2016*” Attachment 2

⁴³ See Washington Post, April 23, 2016, “DC shelter plan boosts fears about asthma cases.”

⁴⁴ *Id.*

⁴⁵ See Letter from City Administrator Rashad Young to Chairman Phil Mendelson, April 11, 2016.

⁴⁶ See Zoning Case No. 18723 (Ward 1), 19285 (Ward 3), 19289 (Ward 4), 19290 (Ward 5), 19287 (Ward 7), 19288 (Ward 8) (Though no zoning case has been filed for the proposed Ward 6 site, the Executive has indicated that a PUD is necessary for the proposed Ward 6 site).

for closure of D.C. General will be unachievable. As a general proposition, as the complexity of the request for zoning relief increases, more time will be required for the zoning process to be completed.

Council Review of Underlying Contracts

The Council's initial review of Bill 21-620 and the Mayor's introductory letter accompanying the bill raised serious concerns for the Council. The Mayor's letter suggested that Bill 21-620 would give pre-authorization to the contracts to be completed for these projects. In addition, the bill as introduced would have exempted the underlying contracts from some requirements of the Procurement Practices Reform Act (PPRA). The Council takes seriously its role in review of contracts, particularly for projects of this importance. While the contracts for the deals as contemplated in Bill 21-620 would have requires Council review in accordance with the Home Rule Act, the Committee Print removes any reference to PPRA exemption to avoid confusion. Furthermore, the Committee Print specifies that all underlying contracts must come to the Council for review as required pursuant to the Home Rule Act.

Committee's Comprehensive Approach to Close and Replace DC General:

After considering the various concerns raised across the community and reviewing the objective analysis provided by IRR, the Committee concluded that, while it fully supports the concept of the Mayor's proposal to open small, service-enriched shelters across the city, the plan must be improved. It is clear that the overall cost of the plan to close D.C. General can be lowered dramatically by, where available, utilizing District-owned land across the city to locate shelter facilities. Therefore, working with councilmembers in the respective affected wards, the Committee worked to identify various District-owned parcels that might be feasible as potential alternative sites. After some discussion with the Mayor, the Committee collaborated with the Executive to determine whether a site was feasible, or if the Executive was able to identify another suitable site. While councilmembers in Ward 1 and Ward 4 determined that the sites proposed in their respective wards were suitable, the Committee and Executive were able to identify alternatives for Wards 3, 5, and 6. The proposed locations in Wards 7 and 8 met all criteria for suitability, including being District-owned parcels.

The Committee Print, therefore, directs the Mayor to utilize the District-owned sites mutually agreed to by the Committee and the Mayor to construct family shelters in Wards 3, 5, 6, 7, and 8. For Ward 1 and Ward 4, the Committee Print authorizes the Mayor to acquire the sites identified in the introduced version of Bill 21-620. In addition, the Committee notes that the District parcels of District-owned land available for suitable for development at 8th and Kennedy Streets, NW. Therefore, the Committee Print provides that the Mayor may utilize these District-owned parcels for the purpose of constructing a Ward 4 shelter, in lieu of the proposed site. The Committee Print also authorizes the Mayor to utilize eminent domain to acquire each privately owned site, if necessary. Finally, the Committee Print sets a budget for the acquisition, where applicable, and construction of each of the seven shelter sites.

Though the utilization of District-owned land dramatically decreases the cost of the shelter plan, the plan as articulated in the Committee Print requires approximately \$100 million in capital funding. \$40 million in capital funds had previously been allocated for the closure of D.C. General.⁴⁷ In order to find additional potential funding sources, the Committee worked with councilmembers Cheh and Grosso and the Council’s Office of the Budget Director to identify available capital funds. The Committee on Education, in its Fiscal Year 2017 budget report identified one school modernization project that was fully funded, but not “shovel ready.”⁴⁸ The report from the Committee on Education explains:

The Committee has serious reservations about the timing of the Coolidge HS project. During the budget hearing, the Committee asked several questions about the timeline. Due to the size of the Coolidge facility, DCPS is conducting a feasibility study to determine what to do with one half of the building. For years, community members in Ward 4 have been advocating for another middle school in that area of the Ward. This would align with the recommendations from the Advisory Committee on Student Assignment and School Boundaries. DCPS stated that the feasibility study would not be complete until June 2016. At that time, DCPS would share the information with the community and make a decision on how to proceed. Until this process is done, DGS would not be able to move forward on contracting for design or actually putting a shovel in the ground to start construction. In comparison, Orr Elementary had \$4 million in FY16 for planning and design and \$28.3 million in FY17 to start its modernization. No feasibility study was required as DGS has already determined it is cheaper to build a new facility on the field next to the current school. When the Committee inquired about the status of Orr Elementary during a roundtable on modernizations in March 2016, the Committee was told that construction on Orr would not begin until Summer 2017. This would suggest that the Coolidge modernization would not begin until well after that time. The Committee believes that it is highly unlikely that DGS will expend \$59 million in FY17; however, the Committee could not identify another school modernization project that was shovel ready at this time.

Typically, planning for a school modernization project can be complete within two years, but usually requires at least one year and the following steps:

- Feasibility study;
- Community engagement;
- School Improvement Team (SIT Team);
- RFP for architectural design services;
- Architectural design in collaboration with SIT Team;
- RFP for construction services;
- Construction

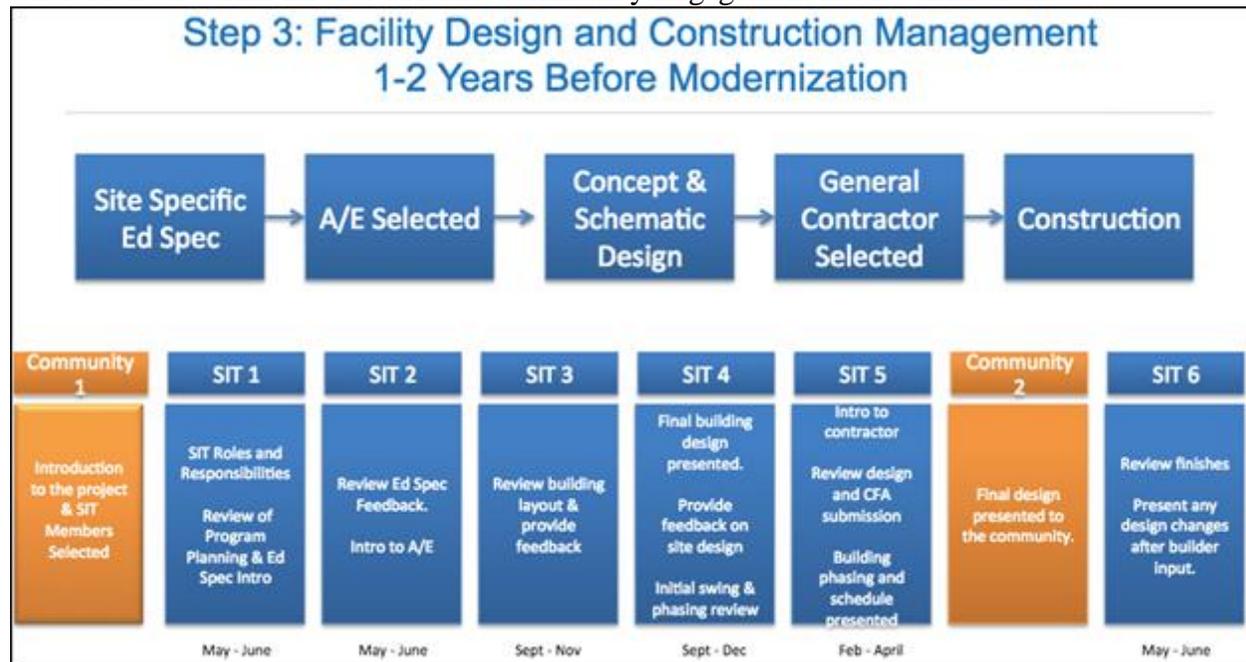
⁴⁷ See D.C. Law 21-0027, the Fiscal Year 2016 Budget Request Act of 2015.

⁴⁸ See Committee on Education, Report and Recommendations of the Committee on Education on the Fiscal Year 2017 Budget for Agencies Under Its Purview at page 31.

Per the Committee on Education, DCPS has indicated that it is currently working in collaboration with the District’s Office of Planning on a feasibility study that it expects will be completed in June of 2016. After the feasibility study is complete, DCPS will engage with the community to receive feedback about what a modernization at Coolidge should include. One issue that will likely be discussed is whether to co-locate a middle school in the same building as the high school, which is currently severely under enrolled. Only after the community engagement process has concluded will DCPS convene a SIT Team, comprised of parents and community stakeholders, which will stay involved through ribbon-cutting, to make decisions regarding building and programmatic design. Per the Committee on Education, assuming an optimistic timeline, a SIT Team could be convened by the fall of 2016. Even so, the decision making process that would lead to an RFP for architectural design services would not like be complete until the end of 2016. The Committee on Education then expects that design approval through the SIT Team could be finalized by May of 2017 and an RFP for construction services issued in June of 2017. Following award of a construction contract, the project would not be ready to break ground until the start of Fiscal Year 2018 – even on this very optimistic timetable.

As a result, as noted by the Committee on Education, because the Coolidge project has not yet reached the planning and design phase, the \$59 million allocated for this project in Fiscal Year 2017 will likely go unused. Instead, the Committee on Education believes that a planning budget of \$9 million is more appropriate for the project in Fiscal Year 2017. With Coolidge’s existing unspent allotment, an additional \$5 million would provide the needed planning funds for the project. Therefore, \$54 million would be available for other capital projects.

Chart A: DCPS Timeline for SIT and Community Engagement in Modernizations



In accordance with principles of responsible budgeting, this Committee believes that funds – particularly borrowed funds – should not sit idle while important projects, like the plan to close D.C. General, go unfunded. Therefore, working with the Council’s Office of the Budget Director, the \$59 million allocated for Coolidge that would have likely been unexpended has been redirected to enable the District to close D.C. General once and for all. The funds budgeted for Coolidge have been restored in Fiscal Year 2020 through savings from other projects.

Conclusion

Closure of D.C. General is an important step, and while this plan addresses one crucial area of need within the homeless services system, many pressing issues remain to be addressed at great expense. Though this plan will ensure that D.C. General is closed, it does not address the hundreds of families that remain sheltered in motel rooms in the District and elsewhere or additional investments will be needed to address deficiencies in the single adult shelter system. Nor does this plan address the costs necessary to continue to move ahead to address the District’s affordable housing crisis.

As the District continues critical systems transformation in the area of homeless services and throughout its social services systems, it is essential that the District deploy its resources wisely in order to address other pressing needs. Utilizing District-owned land and capital dollars to ensure that the District is able to meet its future obligations is the right approach. It frees hundreds of millions of dollars of operating dollars over the course of the next 20 to 30 years for other purposes, including those noted above, while ensuring that the needs of families in crisis are met in an appropriate way.

By closing and replacing D.C. General with small, supportive, well-run shelters across the District, the Committee believes the District has an opportunity to become a national model for humane and effective homeless services. The Committee believes that this step will allow the District to move to a higher standard of service that begins with new facilities, but does not end there. Starting with the creation of a more humane standard for shelter facilities to protect the health, safety, and dignity of families and using what has been learned over decades of dysfunction, the Committee is confident that with this and other essential investments, the Department of Human Services will continue to improve the provision of shelter and services in the District.

II. LEGISLATIVE CHRONOLOGY

- | | |
|--------------------|---|
| September 18, 2015 | Bill 21-352, the “Interim Eligibility and Minimum Shelter Standards Amendment Act of 2015,” is introduced at the request of Mayor Bowser. |
| November 3, 2015 | Committee of the Whole approves Bill 21-352 with amendments. Emergency version approved same date (D.C. Act 251). |

- February 11, 2016 Bill 21-620, “Homeward DC Omnibus Approval of Facilities Plan for Short-Term Housing for Persons Experiencing Homelessness Act of 2016” is introduced by Chairman Mendelson at the Request of the Mayor.
- February 19, 2016 Notice of Intent to Act on Bill 21-620 is published in the *District of Columbia Register*.
- February 19, 2016 Notice of a Public Hearing on Bill 21-620 is published in the *District of Columbia Register*.
- March 17, 2016 The Committee of the Whole holds a public hearing on Bill 21-620.
- May 17, 2016 The Committee of the Whole marks-up Bill 21-620.

III. POSITION OF THE EXECUTIVE

Bill 21-620 was submitted to the Council by the Executive. Rashad Young, City Administrator; Brenda Donald, Deputy Mayor for Health and Human Services; Laura Zeilinger, Director of the Department of Human Services; and Christopher Weaver, Director of the Department of Human Services, all testified on behalf of the Executive in support of Bill 21-620 at the March 17, 2016 public hearing.

Each of the four explained that the Executive believes Bill 21-620 to reflect a well-conceived plan that requires no revision. Mr. Young, Ms. Donald, Ms. Zeilinger, and Mr. Weaver each asserted that the plan is cost-effective and that each location is appropriate for the intended purpose.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 21-620 on Thursday, March 17, 2016. The testimony summarized below is from that hearing. Copies of written testimony are attached to this report.

Amber Harding, Staff Attorney, Washington Legal Clinic for the Homeless, testified in partial support of Bill 21-620, expressing support for the concept of closing D.C. General with “smaller, healthier, and safer shelters” across the District. Ms. Harding encouraged “greater

privacy protections and disability rights compliance” in the design of each shelter, including the maximization of private bathrooms at each site. In addition, Ms. Harding highlighted health and safety concerns for the proposed Ward 5 location, particularly environmental concerns related to the site’s location in an industrial zone.

Monica Kamen, Advocacy Coordinator, Fair Budget Coalition, testified in partial support of Bill 21-620, noting that, while the Fair Budget Coalition (FBC) supports the concept of closing D.C. General and replacing it with smaller shelters dispersed throughout the city, the organization encourages the Executive to continue to engage stakeholders regarding facility design. Further, Ms. Kamen stated that FBC opposed the proposed Ward 5 site and encouraged selection of an alternative site.

Louvenia Williams, Executive Director, Edgewood/Brookland Family Support Center, testified in opposition to Bill 21-620. Instead, Ms. Williams proposed that D.C. General replacement shelter sites house fewer than 20 families each.

Deborah Shore, Executive Directors, Sasha Bruce YouthWork, testified in support of Bill 21-620, but asked that an air quality test be performed at the Ward 5 site as well as abatement as necessary, depending on the results of such a test.

M. Beverly Hunter, Public Witness, testified sharing her thoughts about the homeless services and rental housing systems in the District.

Eric Sheptock, Public Witness, testified in partial support of Bill 21-620, but spoke of the need to improve human services in the District.

Susie Cambria, Public Witness, testified in partial support of Bill 21-620, but she encouraged the Committee to include provisions requiring background checks for grantees, staff, and volunteers by MPD.

Melissa Rohan, Public Witness, testified recommending that provisions requiring screening of all shelter staff and residents be added to the bill.

Charles A. Parker, Senior Pastor, Metropolitan Memorial United Methodist Church, testified in support of Bill 21-620.

Michael D. Wilker, Senior Pastor, Lutheran Church of the Reformation, testified in support of Bill 21-620.

William H. Lamar, IV, Pastor, Metropolitan AME, testified in support of Bill 21-620.

Rev. Monte Hillis, Washington Interfaith Network, testified in support of Bill 21-620.

Robin Diener, President, Dupont Circle Citizens Association, testified in support of Bill 21-620.

Andy Litsky, Chairman, ANC 6D, testified in partial support of Bill 21-620, noting a need to act, but decrying a lack of transparency in the process that led to the selection of the proposed Ward 6 site and formulation of the overall proposal. Mr. Litsky asked that the Council refrain from moving the legislation on an emergency basis.

Judith Sandalow, Executive Director, Children’s Law Center, testified in support of Bill 21-620, though she expressed a desire to ensure that health and welfare concerns for children related to any of the proposed sites would be “addressed by a clear and transparent stakeholder engagement process” and that neighbors in each of the proposed sites’ respective neighborhoods would be “actively engaged at all phases of the process to ensure that the new shelters meet the needs of residents in the shelter and their neighbors.”

Jackie Blumenthal, Chairman, ANC 3B, testified in partial support of Bill 21-620, raising concerns about a lack of transparency in the site selection process and legislative introduction to the community. Further, Ms. Blumenthal noted that the community surrounding the proposed Ward 3 site has concerns about overcrowding at Stoddert Elementary that might be exacerbated by an influx of additional students. In addition, she raised concerns about any zoning change required to accommodate the facility, asking that any change expire once the facility ceases to operate as a shelter. Finally, Ms. Blumenthal asked that the Council refrain from acting on an emergency basis to pass this legislation.

Brian Turmail, Commissioner, ANC 3B-05, testified in partial support of Bill 21-620, but highlighted concerns about potential increased overcrowding at Stoddert Elementary as a result of placement of a shelter at the proposed Ward 3 site.

Anita Livia Mitra Crabtree, Public Witness, testified in opposition to Bill 21-620, citing the costs of the proposal and questions about the RFP process that led to the selection of many of the proposed sites. In particular, Ms. Crabtree requested that, prior to any Council action, the RFP be reissued to reflect the Mayor’s actual proposal, that provisions be added to prevent the sale or assignment of any of the leases, and that any potential conflicts of interest related to the proposed deals be examined.

Robert McDiarmid, Public Witness, testified in opposition to Bill 21-620, emphasizing that the proposed Ward 3 site is inconsistent with “long standing zoning protections,” which prohibit a facility as large as that proposed in the Bill. Mr. McDiarmid asked, specifically, that the Council reject the proposed Ward 3 site and remove the “Sense of the Council” section of the legislation.

Malia Brink, Public Witness, testified in opposition to Bill 21-620, noting inconsistencies in the Letters of Intent provided to the Council for each proposed site and the representations made to the community by the Bowser Administration. Ms. Brink also highlighted the inconsistency between the existing zoning at the proposed Ward 3 site and the design of the proposed site. Ms. Brink also discussed the seemingly exorbitant costs of the proposals and the fact that the District would have no asset at the conclusion of each proposed lease, resulting in the District engaging in

a similar effort in order to meet its legal requirement to shelter families experiencing homelessness in a mere 20 years.

Ron Del Sesto, Public Witness, testified in opposition to Bill 21-620, citing a lack of transparency in the process that led to the selection of each proposed site, inconsistency in information being provided about the proposed Ward 3 site, and opposition to any zoning change that would be needed to allow the proposed site to be built. Mr. Del Sesto also noted the potential for additional overcrowding at Stoddert Elementary.

William W. Chip, Public Witness, testified in opposition to Bill 21-620, asserting that the Massachusetts Avenue Heights neighborhood would account for a disproportionate share of Ward 3's shelter beds. He highlighted that, should the proposed Ward 3 site move forward, the neighborhood would "have four shelter within a three-block radius."

Ed Lazere, Executive Director, DC Fiscal Policy Institute, testified in support of Bill 21-620, though he asked that the District perform an environmental impact study to determine "whether the site is environmentally healthy."

Virginia James, Public Witness, testified in partial support of Bill 21-620.

Regina James, Public Witness, testified in support of closing D.C. General, but asserted that the proposed Ward 5 site is "not an environment conducive for children." Further, Ms. James noted that using District-owned or leasing existing vacant buildings would be a more cost-effective means of achieving the plan's goals.

Gabriel Serrato, Public Witness, testified in partial support of Bill 21-620.

Amiee Aloï, Public Witness, testified in opposition to Bill 21-620, noting that the cost of the plan is "enormous," that the community has not been adequately engaged by the Bowser Administration, and that the zoning, site design, and other factors make the proposed Ward 3 site unsuitable.

Jason Higley, Public Witness, testified in opposition to Bill 21-620, asserting that the cost of the proposed Ward 3 site are too high, especially in comparison to available apartment rentals in the surrounding neighborhood.

Faye Halloran, Public Witness, testified in partial support of Bill 21-620.

John Hisle, Executive Director, Good Faith Communities Coalition, testified in partial support of Bill 21-620, noting general support for the plan, but recommending that the proposed Ward 5 site be removed from the proposal due to environmental concerns.

Micah Bales, Communications & Outreach Manager, Homeless Children's Playtime Project, testified in partial support of Bill 21-620, expressing support for all except the proposed

Ward 5 site due to its location in a non-residential neighborhood with health, access, and safety concerns.

Young Soon Diokno, Public Witness, testified in support of delayed action Bill 21-620 by the Council to allow for consideration of potential alternative sites and further engagement with the Bowser Administration. Ms. Diokno noted that the proposed Ward 4, 5, 7, and 8 sites are “somewhat disconnected from their communities.” She also encouraged that the District government not be led by an arbitrary timeline and engage with communities to address related to safety and shelter operations. Finally, Ms. Diokno asserted that the plan was not cost-effective.

Benjamin Thomas, Public Witness, testified in support of Bill 21-620, but expressed concern about the process that led to the selection of the proposed Ward 7 site. He noted that the neighborhood has numerous liquor stores, a great deal of crime, and no grocery store.

Nancy MacWood, Commissioner, ANC 3C, testified expressing reservations about Bill 21-620. She stated that the size of the proposed Ward 3 site is too large and encouraged the Council to explore the feasibility of developing two to three Ward 3 family shelters. Ms. MacWood also criticized the inconsistency in the information that community members have received regarding the site. Next, she encouraged a more thorough review of the costs associated with the plan. Finally, Ms. Macwood encouraged the Council to remove the “Sense of the Council” language impacting zoning from the Bill.

Daniel James Crabtree, Public Witness, testified in opposition to Bill 21-620, explaining that many questions remain about the proposal, including the process that led to selection of the proposed Ward 3 site, whether proposed Ward 3 site is conducive to the operation of a shelter facility, and the ability of the District to ensure that the proposed sites will be operated in a manner that will prevent them from becoming “mini-DC General[s].”

Ericka Taylor, Executive Director, Fair Budget Coalition, testified in support of Bill 21-620, expressing support for steps the Bowser Administration has taken to provide a higher level of privacy for bathroom accommodations in the proposed sites. Ms. Taylor reiterated her colleague, Monica Kamen’s, reservations regarding the proposed Ward 5 site. She also encourage greater transparency as the process moves forward.

Stacy Cloyd, Commissioner, ANC 6D-02, testified in opposition to Bill 21-620 due to concerns that the proposed Ward 6 site would be difficult to build due to neighboring buildings and that, if built, the design is not conducive to a shelter, particularly due to the functions of the neighboring Blind Whino space and the lack of private bathrooms. Ms. Cloyd also expressed concern about how to ensure that any future shelter would be well-run. Ms. Cloyd put forward several alternative sites within the Ward.

Isabe Urban, Public Witness, testified in support of Bill 21-620.

Rev. Ben Roberts, Director of Social Justice Ministries, Foundry United Methodist Church, testified in support of Bill 21-620, though he recalled the poorly-run Randall School

shelter site formerly located in Ward 6 and encouraged the City to avoid recreating similar issues. Rev. Roberts also expressed concerns about ensuring that appropriate services be provided to families at the proposed shelter sites once built.

Kathy Henderson, Commissioner, ANC 5D-05, testified in support of Bill 21-620.

Jessica Wasserman, Public Witness, testified in support of Bill 21-620.

Kurt Runge, Director of Advocacy, Miriam's Kitchen, testified in support of Bill 21-620.

Carol Dostert, Public Witness, testified in support of Bill 21-620.

Marie-Louise Murville, Public Witness, testified in opposition to Bill 21-620, noting that there are other, more cost-effective and suitable ways to shelter families and close D.C. General that what has been proposed in the Bill.

Jennifer Speight, Public Witness, testified in support of Bill 21-620, noting the terrible conditions at D.C. General and that new facilities must better run.

Frances E. Francis, Public Witness, testified in opposition to Bill 21-620, highlighting the zoning issues, costs, and a lack of transparency with regard to the selection of the proposed Ward 3 site and issues.

Carlos Davis, Public Witness, testified in support of Bill 21-620, though he noted that changes to the proposed Ward 5 site are necessary, including efforts to mitigate industrial impacts within a 2-mile radius of the site, additional street lighting, additional transportation, including a new Circulator route, and incentivizing quality retail development in the area.

Joseph Gavrilovich, Senior Policy Analyst, DC Alliance of Youth Advocates, testified in support of Bill 21-620, though he noted issues with the proposed Ward 5 site, including environmental issues. Mr. Gavrilovich also expressed strong support for the proposed Ward 1 site.

Rhys Gerholdt, Public Witness, testified in partial support of Bill 21-620.

Hannah Hasefnu, Public Witness, testified in support of Bill 21-620.

Mina Marefat, Public Witness, testified in partial support of Bill 21-620.

Marie Mann Bibbs, Public Witness, testified in opposition to Bill 21-620 due to the costs of the plan and a lack of transparency. Ms. Bibbs suggested using the District's limited resources to permanently house families experiencing homelessness.

Brandon J. Bortner, Public Witness, testified in opposition to Bill 21-620, asserting that the costs of the plan are exorbitant.

Sarah Novick, Jews United for Justice, testified in partial support of Bill 21-620, noting that the proposed Ward 5 site is unacceptable due to a lack of adequate public transportation and its distance from schools and grocery stores.

William Jordan, Public Witness, testified in opposition to Bill 21-620, asserting that reworking the District's approach to housing and economic development would allow the District to house all families experiencing homelessness without needing to build any emergency shelter.

Jay Gazlay, Vice-President, Capitol Park IV Condo, testified in partial support of Bill 21-620.

Dan Balotescu, Public Witness, testified in opposition to Bill 21-620, particularly the proposed Ward 6 site.

Gordon Brown, Public Witness, testified in partial support of Bill 21-620, though he suggested building permanent community housing or permanent supportive housing instead of temporary emergency shelter.

Dr. Francis Xavier McGuigan, Public Witness, testified in opposition to Bill 21-620, particularly due to the zoning changes that would be required to proceed with the proposed Ward 3 site.

Kevin Sampson, Public Witness, testified regarding the need to thoroughly address the needs of persons experiencing homelessness in the District and the reform the District's homeless services system.

Dr. Melissa Clarke, Black Mental Health Alliance, testified in support of Bill 21-620. She suggested comprehensive healthcare services for families sheltered in the proposed facilities.

Dr. Edwin Chapman, American Board of Addiction Medicine, testified in support of Bill 21-620, encouraging the provision of comprehensive healthcare for families sheltered at each of the proposed sites.

Judge Arthur Burnett, National African American Drug Policy Coalition, testified in support of Bill 21-620, recommending that provisions be included to encourage community participation and provision of comprehensive services to persons experiencing homelessness sheltered at the proposed sites.

Peter Bishop, Public Witness, testified in support of Bill 21-620, encouraging councilmembers and his fellow Ward 5 residents to see the positive aspects of the location of the proposed Ward 5 site and to use their imagination to determine what would be needed to make the proposed Ward 5 location workable. Mr. Bishop also encouraged the Department of Human Services to release any air quality study it has obtained to support the feasibility of the proposed site.

Donya Williams, Public Witness, testified in partial support of Bill 21-620 and detailed her own experiences in shelter at D.C. General. Ms. Williams emphasized the need for access to public transportation and services while in shelter.

Kevine Mullone, President, Langdon Park Community Association, testified in support of Bill 21-620.

Rashad Young, City Administrator, testified on behalf of the Executive. His testimony is summarized in Section III above.

Brenda Donald, Deputy Mayor for Health and Human Services, testified on behalf of the Executive. Her testimony is summarized in Section III above.

Laura Green Zeilinger, Director, Department of Human Services, testified on behalf of the Executive. Her testimony is summarized in Section III above.

Christopher Weaver, Director, Department of General Services, testified on behalf of the Executive. His testimony is summarized in Section III above.

VI. IMPACT ON EXISTING LAW

Bill 21-352 amends the Homeless Services Reform Act of 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*).

VII. FISCAL IMPACT

The attached November 3, 2015 fiscal impact statement from the District's Chief Financial Officer states that funds are sufficient in the FY 2015 through FY 2018 budget and financial plan to implement the bill.

VIII. SECTION-BY-SECTION ANALYSIS

Section 1 States the short title of Bill 21-620.

Section 2 States findings for purposed of eminent domain.

Section 3

Subsection (a) Authorizes the Mayor to use designated funds to acquire family shelter facilities, including D.C. General Family Shelter replacement units and for the replacement of apartments at the Spring Road Shelter.

Paragraph (1) Authorizes the Mayor to use capital funds for a Ward 1 shelter.

Subparagraph (A) Authorizes the Mayor to acquire the designated Ward 1 shelter site.

Subparagraph (B) Authorizes the Mayor to contract for the development of the Ward 1 shelter site.

Paragraph (2) Authorizes the Mayor to use capital funds for a Ward 3 shelter and to contract for development of the designated site.

Paragraph (3) Authorizes the Mayor to use capital funds for a Ward 4 shelter.

Subparagraph (A) Authorizes the Mayor to acquire the designated Ward 4 shelter site.

Subparagraph (B) Authorizes the Mayor to contract for the development of the Ward 4 shelter site.

Paragraph (4) Authorizes the Mayor to use capital funds for a Ward 5 shelter and to contract for development of the designated site.

Paragraph (5) Authorizes the Mayor to use capital funds for a Ward 6 shelter and to contract for development of the designated site.

Paragraph (6) Authorizes the Mayor to use capital funds for a Ward 7 shelter and to contract for development of the designated site.

Paragraph (7) Authorizes the Mayor to use capital funds for a Ward 8 shelter and to contract for development of the designated site.

Subsection (b) Requires the Mayor to send any contracts required by the Home Rule Act to the Council for review consistent with the Home Rule Act.

Subsection (c) Prohibits the use of funds appropriated for designated capital projects in a manner inconsistent with the act.

Section 4 States the Fiscal Impact of Bill 21-620.

Section 5 Effective date.

IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 21-620 as introduced.
2. Written Testimony.
3. Fiscal Impact Statement for Bill 21-620.
4. Legal Sufficiency Determination for Bill 21-620.
5. Committee Print for Bill 21-620.