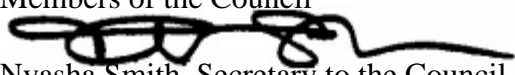


COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : July 11, 2019

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Committee of the Whole on Tuesday, July 9, 2019. Copies are available in Room 10, the Legislative Services Division.

TITLE: "O Street Wall Protection Act of 2019", B23-0399

INTRODUCED BY: Councilmembers Gray, Cheh, Grosso, Todd, Bonds, Evans, Silverman, R. White, and Chairman Mendelson

The Chairman is referring this legislation to the Committee of the Whole.

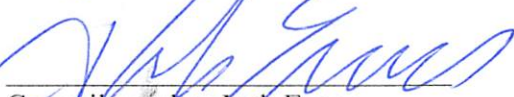
Attachment


cc: General Counsel
Budget Director
Legislative Services


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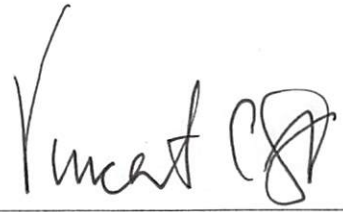

Chairman Phil Mendelson


Councilmember Anita Bonds

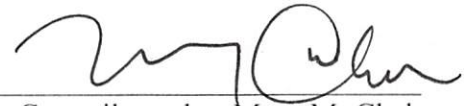

Councilmember Jack Evans


Councilmember Elissa Silverman

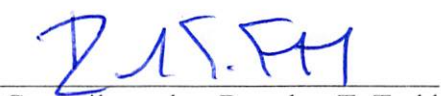

Councilmember Robert C. White, Jr.



Councilmember Vincent C. Gray


Councilmember Mary M. Cheh


Councilmember David Grosso


Councilmember Brandon T. Todd

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Mayor to prohibit activities that may compromise the retaining wall commonly known as the O Street Wall or contribute to soil erosion and sedimentation in Square S-5542, S.E.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

act may be cited as the "O Street Wall Protection Act of 2019".

Sec. 2. Findings.

The Council of the District of Columbia finds that:

24 (a) In 1976, the O Street retaining wall (“Wall”) was constructed to control soil erosion
25 and sedimentation between the 3200-3300 block of Highwood Drive, S.E., and the 3200 block of
26 O Street, S.E., Square S-5542. S.E.

27 (b) In early 1996, there was a sudden dramatic subsidence of soil behind the Wall, and
28 the Wall began to crack and shift.

29 (c) The Wall deteriorated to a point that residents whose homes abutted the wall were in
30 danger of losing their property, and became vulnerable to a constant threat to their safety and
31 welfare; the homes on Highwood Drive, S.E. above the Wall were in severe jeopardy of
32 foundation failure, mudslide, and condemnation; and there were continuing street and sewer
33 maintenance problems and the increasing possibility of rupturing gas lines.

34 (d) Faced with this emergency, the Council of the District of Columbia in 1999
35 appropriated \$3,576,000 for restoration of the Wall, which included a network of underground
36 drainage pipes.

37 Sec. 3. O Street Wall Protection.

38 (a) The Mayor shall prohibit activities in Square S-5542, S.E., including landfill
39 treatments, water diversions, and construction, which may compromise the retaining wall
40 commonly known as the O Street Wall, located in Square S-5542, S.E, or contribute to soil
41 erosion and sedimentation problems in Square S-5542, S.E.

42 (b) The Mayor shall acquire by purchase or condemnation the remaining unimproved lots
43 adjacent to O Street, S.E. between Branch Avenue, S.E. and Carpenter Street, S.E; provided, that
44 condemnation proceedings conducted by the Mayor to obtain such property shall be performed

45 in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the
46 District of Columbia Official Code.

47 Sec. 4. Fiscal impact statement.

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

51 Sec. 5. Effective date.

52 This act shall take effect following approval by the Mayor (or in the event of veto by the
53 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
54 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
55 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
56 Columbia Register.