

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve the disposition of District-owned real property formerly the Grimke School, located at 1923 Vermont Avenue, N.W., and 912 U Street, N.W., and known for taxation and assessment purposes as Lots 0827 and 0833 in Square 0361.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution may be cited as the “Grimke School Disposition Approval Resolution of 2017”.

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) “Certified Business Enterprise” means a business enterprise or joint venture certified pursuant to 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.*).

(2) “First Source Agreement” means an agreement with the District governing certain obligations of the Developer 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,

34 regarding job creation and employment generated as a result of the construction on the
35 Property.

36 (3) “Property” means the real property located at is located at 1923 Vermont
37 Avenue, N.W., and 912 U Street, N.W., and known for taxation and assessment purposes
38 as Lots 0827 and 0833 in Square 0361.

39 Sec. 3. Findings.

40 (a) The developer of the Property shall be Community Three Grimke, LLC, a
41 District of Columbia limited liability company, with a business address of 1326 H Street,
42 NE, Washington DC 20002 , comprised wholly of Community Three Development, LLC,
43 with a business address of 1326 H Street, NE, Washington DC 20002, or its successors,
44 or one of its affiliates or assignees, as approved by the Mayor (the “Developer”).

45 (b) The Property consists of (i) an approximately 38,000 square foot parcel
46 that includes the historic Grimke School, the current location of the African American
47 Civil War Museum, and accessory parking, and (ii) an approximately 5,900 square foot
48 adjacent parcel that is currently used as a parking lot. The historic Grimke School
49 building is approximately 52,000 gross square feet.

50 (c) The intended use of the Property is a mixed-use development including
51 multifamily residential, affordable housing, retail development, space for cultural uses
52 including the African-American Civil War Museum, and any ancillary uses allowed
53 under applicable law, and as further described in the term sheet submitted with this
54 resolution (the “Project”).

55 (d) The Mayor finds that the disposition shall include the following terms:

56 (1) Developer will comply with the requirements of An Act Authorizing
57 the sale of certain real estate in the District of Columbia no longer required for public
58 purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*)
59 (the “Act”), including dedicating at least 30% of all multi-family units in the Project as
60 affordable housing units pursuant to D.C. Official Code § 10-801(b-3).

61 (2) Developer shall enter into an agreement that shall require
62 Developer to, at a minimum, contract with Certified Business Enterprises for at least 35%
63 of the contract dollar volume of the Project, and shall require at least 20% equity and
64 20% development participation of Certified Business Enterprises in the Project, in
65 accordance with D.C. Official Code §§ 2-218.49a and 10-801(b)(6).

66 (3) Developer shall enter into a First Source Agreement with the
67 District that shall govern certain obligations of the Developer regarding job creation and
68 employment as a result of the construction on the Property, pursuant to D.C. Official
69 Code § 2-219.03 and Mayor’s Order 83-265, dated November 9, 1983.

70 (e) Pursuant to D.C. Official Code § 10-801(b)(8)(C) and (b)(8)(F), the
71 proposed method of dispositions are a lease of greater than 15 years and a public or
72 private sale to the bidder providing that the most benefit to the District, as further
73 described in the documents submitted with this resolution.

74 (f) The District has satisfied the public hearing requirements of section 1(b-5) of
75 An Act Authorizing the sale of certain real estate in the District of Columbia no longer
76 required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code
77 § 10-801(b-5), as amended by The Land Disposition Transparency Emergency Act of
78 2017, effective March 27, 2017, (D.C. Act 22-25)).

79 (g) The Land Disposition Agreement for the disposition of the real property
80 shall not be inconsistent with the substantive business terms of the transaction submitted
81 by the Mayor with this resolution in accordance with subsection (b-1)(2) of this section,
82 unless revisions to those substantive business terms are approved by Council.

83 Sec. 4. Approval of disposition.

84 (a) Pursuant to the Act, the Mayor transmitted to the Council a request for
85 approval of the disposition of the Property to the Developer.

86 (b) The Council approves the disposition of the Property.

87 Sec. 5 Supersession of Prior Disposition Authority

88 This resolution supersedes Grimke School, N.W., Disposition Resolution of 2015,
89 effective February 2, 2016 (R21-0376; 63 DCR 1503) regarding the disposition the
90 Property.

91 Sec. 6. Fiscal impact statement.

92 The Council adopts the fiscal impact statement in the committee report as the
93 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
94 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02
95 (c)(3)).

96 Sec. 7. Transmittal of resolution.

97 The Secretary to the Council shall transmit a copy of this resolution, upon its
98 adoption, to the Mayor.

99 Sec. 8. Effective date.

100 This resolution shall take effect immediately.