

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time limit for the disposition of certain District-owned real properties located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site, and known for tax and assessment purposes as Lot 0800 in Square 3128.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “McMillan Extension of Disposition Authority Emergency Declaration Resolution of 2021”.

Sec. 2. (a) The Council of the District of Columbia approved the disposition of District-owned real property located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site, pursuant to the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Commercial Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), and the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094).

(b) The Council subsequently approved the extension of disposition authority by the McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015, effective November 3, 2015 (Res. 21-0253; 66 DCR 4330). The Mayor's disposition authority expires on December 2, 2021.

(c) For the entire period since the Council extended the Mayor's disposition authority, the McMillan site has been the subject of litigation. To date, those cases that have been resolved have been decided in favor of developing the McMillan site. There is litigation that remains ongoing, however, the Council's passage of the Fiscal Year 2022 Budget Support Emergency Act of 2021, effective August 23, 2021, (D.C. Act 24-0159), and substantially similar permanent legislation, provides further legislative clarity that the remaining litigation be resolved without delay.

(e) Due to the delays caused by the ongoing litigation, the Mayor requires additional time to dispose of the McMillan site.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the McMillan Townhomes Parcels, Commercial Parcels, and Multifamily Parcels Extension of Disposition Authority Emergency Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.