

**Council of the District of Columbia
COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT
MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

TO: Chairperson Phil Mendelson
FROM: Councilmember Kenyan R. McDuffie 
RE: Request to Agendize Measures for the September 20, 2022, Legislative Meeting
DATE: September 15, 2022

I write to request that the following measure be agendized for the September 20, 2022, Committee of the Whole and Legislative Meetings. The measure was marked up by the Committee on Business and Economic Development and has been filed timely with the Secretary's Office:

Measure from the Committee

- **Bill 24-0352, the "Players Lounge Tax Exemption Act of 2022"**

As part of its FY23 budget process, the Council set aside approximately \$80,000 to support a real property tax abatement for property located at 2737 Martin Luther King Jr., Avenue, S.E. The property is owned by GST LLC, the operators of Georgena's restaurant which is affectionately known as the "Players Lounge". The Players Lounge is a minority-owned business that has operated since 1972 and is fondly referred to as "a neighborhood institution" and "the Ward 8 living room" by members of the community.

I also request that the following measures be placed on the agenda for the September 20, 2022, Legislative Meeting:

Emergency and Temporary Legislation

- **2022 World Cup Emergency Declaration Resolution of 2022**
- **2022 World Cup Emergency Amendment Act of 2022**

The 2022 World Cup Tournament is scheduled to occur between November 20, 2022, and December 18, 2022, in the host nation of Qatar. This event takes place every four years and is a Super-Bowl-type sporting event for soccer fans. Qatar is seven hours ahead of the District of Columbia. Notwithstanding the time difference, local soccer fans are expected to watch the 2022 World Cup tournament regardless of the hour. To meet the demand, some licensed establishments will likely want to amend their hours for this sporting event. To allow on-premises retailers, manufacturers, and temporary license holders to remain open for operation, sale, service, and consumption of alcoholic beverages during the hours of the World Cup tournament, as has been done previously, emergency action is necessary so that licensees can avail themselves of the extended hours.

Emergency legislation is needed to clarify that licensees seeking approval to modify their hours for the 2022 World Cup Tournament shall be required to register with ABRA and MPD to allow for the advance planning of staffing and resources. The emergency legislation requires registration to be completed no later than three calendar days before the first day of the 2022 World Cup Tournament. Consequently, it is necessary for the Council to pass this legislation on an emergency basis.

- **Earned Income Tax Credit Expansion Clarification Emergency Declaration Resolution of 2022**
- **Earned Income Tax Credit Expansion Clarification Emergency Amendment Act of 2022**

On July 12, 2022, the Council unanimously approved, on first reading, the Earned Income Tax Credit Expansion Clarification Amendment Act of 2022. The purpose of that permanent legislation is to exclude monthly payments of the earned income tax credit and other refundable income tax credits from the definition of earned income and exclude direct cash assistance payments from the definition of income, for purposes of qualifying for public assistance. The legislation will ensure, to the extent allowable under federal law, that the benefit of the expanded Earned Income Tax Credit, as well as direct cash assistance received from District-based cash assistance programs or pilots, does not adversely impact low-income households by causing them to become ineligible for assistance on which they rely.

The permanent legislation cannot be approved on second reading prior to the September 20, 2022, legislative meeting and will not take effect prior to beginning of the next fiscal year. In order ensure consistency for the treatment of the earned income tax credit, other refundable tax credits, and direct cash assistance, emergency legislation is therefore necessary to ensure that the legislation in enacted by October 1, 2022.

- **Child Wealth Building Emergency Declaration Resolution of 2022**
- **Child Wealth Building Emergency Amendment Act of 2022**
- **Child Wealth Building Temporary Amendment Act of 2022**

The Council funded the District of Columbia’s child trust fund program during the FY22 budget process. Since that time, the Office of the Chief Financial Officer (OCFO) has been working to establish and implement the program. As part of its efforts to finalize and promulgate the program regulations and procure the services of a fund manager, OCFO determined that a few clarifying amendments to the law are needed. Accordingly, to meet the timelines set for the aforementioned activities, legislation is necessary to permit the District to make distributions from the Child Trust Fund established by the Child Wealth Building Act of 2021.

- **Tax Abatements for Affordable Housing in High-Need Areas Emergency Declaration Resolution of 2022**
- **Tab Abatements for Affordable Housing in High-Need Areas Emergency Amendment Act of 2022**
- **Tab Abatements for Affordable Housing in High-Need Areas Temporary Amendment Act of 2022**

As part of the FY23 Budget Support Act, the Council passed legislation to authorize a \$4 million tax abatement program to incentivize the provision of affordable housing in high opportunity areas (HANTA) such as Rock Creek West, Rock Creek East, Capitol Hill, and Upper Northeast. The Department of Housing and Community Development (DHCD), pursuant to delegation by the Mayor, has completed several competitive rounds for projects to apply for tax abatements within the HANTA program. During this process, DHCD and the Office of Tax and Revenue discovered a wrinkle with the law that presents anti-deficiency issues for DHCD that need to be reconciled legislatively. Because current law does not distinguish between awarded funds and certified funds, there is the possibility that funds can be double-counted such that the \$4 million pool would not cover the exact number of awarded projects. This measure cures that issue by specifying that the Mayor shall certify funding at the time of each project award. This technical change will enable reservations of tax abatements to be made to

projects currently in development, facing imminent settlement dates, which will increase the number of affordable housing units in those areas of the District of Columbia that are in high need.

Emergency Legislation on Behalf of the Office of the Chief Financial Officer

- **PR24-0876, the “Fiscal Year 2023 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Bond Anticipation Note Issuance Authorization Emergency Declaration Resolution of 2022”**
- **PR24-0877, the “Fiscal Year 2023 Income Tax Secured Revenue Bond, General Obligation Bond and General Obligation and Income Tax Secured Bond Anticipation Note Issuance Authorization Emergency Approval Resolution of 2022”**

This emergency legislation is necessary to ensure that the District of Columbia can issue bonds in a timely manner and take advantage of favorable market conditions to provide funding for, or to reimburse, the District for funds already expended on Fiscal Year 2023 capital projects approved and undertaken pursuant to the District’s Fiscal Year 2023 Budget and Financial Plan.

Emergency Legislation on Behalf of the Deputy Mayor for Planning and Economic Development

- **New Communities Initiative Bond Issuance Emergency Declaration Resolution of 2022**
- **New Communities Initiative Bond Issuance Emergency Approval Resolution of 2022**

This measure would approve the issuance and sale of income tax secured bonds (ITSB) or notes in an aggregate principal amount not to exceed \$47,831,185 to assist in financing, refinancing, making of loans for, or reimbursing eligible costs of New Communities Initiative projects. This amount of funds is reflected in the Office of the Deputy Mayor for Planning and Economic Development’s (DMPED) approved ITSB budget. Bond issuance authority is necessary for DMPED to utilize the funding. Emergency action is necessary to ensure that the District can issue bonds or notes in a timely manner and ensure continued progress on the New Communities Initiative projects.

Ceremonial Resolutions

- **Hispanic Heritage Month Recognition Resolution of 2022**

This ceremonial resolution recognizes Hispanic Heritage Month. Hispanic Heritage Month is celebrated every year from September 15 to October 15. The Month is an annual celebration of the history and culture of the U.S. Latino and Hispanic communities, as well as a commemoration of how those communities have influenced and contributed to American society.

- **Trinity Washington University 125-Year Anniversary Recognition Resolution of 2022**

This ceremonial resolution recognizes Trinity Washington University’s 125-year anniversary. Trinity Washington University is a long-standing, post-secondary educational institution in the District of Columbia.

- **St. Anthony Catholic School 100-Year Anniversary Recognition Resolution of 2022**

This ceremonial resolution recognizes St. Anthony Catholic School’s 100-year anniversary. St. Anthony School, founded as a Benedictine educational institution in the District of Columbia in 1922, serves students across the District of Columbia from pre-Kindergarten to 8th grade. The School, located in Ward 5, is a member of the Consortium of Catholic Academies.

- **Roberto ‘DJ Quicksilva’ Silva Recognition Resolution of 2022**

This ceremonial resolution recognizes Roberto ‘DJ Quicksilva’ Silva. Roberto ‘DJ Quicksilva’ Silva is a successful DC-based disc jockey. Outside of his work as a DJ, DJ Quicksilva has donated his time to communities in the District of Columbia, including opening a DJ school for youth in Wards 7 and 8, and hosting virtual dance parties during the COVID-19 pandemic.

- **Linda Moore Recognition Resolution of 2022**

This ceremonial resolution recognizes Linda Moore. Linda Moore founded the Elsie Whitlow Stokes Community Freedom Public Charter School 25 years ago. The School has prepared students in pre-Kindergarten and elementary school to become leaders, scholars, and citizens of the District throughout its time. Ms. Moore has earned numerous awards for her educational work and advocacy. Outside of her career in education, Ms. Moore serves on the board of director of Martha’s Table.

- **Ceph Christie Posthumous Recognition Resolution of 2022**

This ceremonial resolution honors the life of Dunbar student Ceph Christie. Ceph was a 17-year-old Dunbar High School student and baseball player who passed away on August 5, 2022. Ceph was a star baseball player at Dunbar High School and was named the 2022 D.C. Interscholastic Athletic Association high school baseball player of the year.

The draft measures along with their supporting materials are attached. Feel free to contact Committee Director Alicia DiFazio, at adifazio@dccouncil.us, with any questions.

Thank you for your consideration of this request.

cc: Members, Council of the District of Columbia
Office of the Secretary
Office of the General Counsel
Office of the Budget Director