

**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 February 7, 2023, Legislative Meeting
DATE: February 2, 2023

I write to request that the following measures be placed on the agenda for the February 7, 2023, Legislative Meeting:

Emergency and Temporary Legislation

- **Local Business Enterprise Clarification Emergency Declaration Resolution of 2023**
- **Local Business Enterprise Clarification Emergency Amendment Act of 2023**
- **Local Business Enterprise Clarification Temporary Amendment Act of 2023**

The goal of the Department of Small and Local Business Development is to stimulate and foster the economic growth and development of businesses based in the District of Columbia. Due to a loophole, many large, out-of-District businesses have been able to legally certify as local business enterprises. The Council has enacted emergency and temporary legislation to close this loophole. The most recent legislation, the Local Business Clarification Temporary Amendment Act of 2022, effective June 30, 2022 (D.C. Law 24-0139; 69 DCR 8343), expires on February 10, 2023 (“temporary legislation”).

Emergency legislation is needed to keep the provisions of the temporary legislation effective law until permanent legislation is enacted so that local businesses continue to have a fair shot in the District’s contracting and procurement process.

- **Medical Cannabis Clarification Emergency Declaration Resolution of 2023**
- **Medical Cannabis Clarification Emergency Amendment Act of 2023**
- **Medical Cannabis Clarification Temporary Amendment Act of 2023**

There exists an immediate need to provide that an applicant that submitted a medical cannabis facility registration application between November 29, 2021, and March 28, 2022, be allowed to relocate the location of its cultivation center or retailer facility without otherwise affecting the current status of its application. As a part of the March 2021 through August 2022 medical cannabis facility licensing round, all medical cannabis facility registration applicants were constrained by a cap on the number of cultivation center and dispensary registrations permitted in each Ward.

The caps limited an applicant’s ability to secure affordable, appropriate cultivation center and dispensary facilities for their proposed cannabis businesses. The available properties within the permitted Wards were limited and some had issues, such as inadequate power, ADA access, and other issues regarding essential building infrastructure. The applicants were forced to select such facilities when other more appropriate facilities exist in other Wards that would require substantially fewer capital expenditures by the tenants to make the necessary improvements to the facilities.

Medical cannabis licenses were conditionally issued to 2 equity impact enterprises who were awarded a total of 2 cultivation center registrations and one dispensary registration on September 28, 2022 (“enterprises”). The Medical Cannabis Amendment Act of 2022, enacted on January 30, 2023 (D.C. Act 24-798; 70 DCR ___) (“Act”), removed the caps on the number of cultivation center and retailer (formerly, dispensary) registrations per ward (“cap”). With this change in the law, the enterprises who were awarded licenses on September 28, 2022 must still operate under caps removed by the Act shortly thereafter, putting these businesses at a significant disadvantage as they are unable to obtain more optimal properties that are compliant and available for cultivation center and retailer operations.

The Medical Cannabis Clarification Emergency Amendment Act of 2023 will remedy this issue and enable the enterprises to have the option to change their cultivation center or retailer location to another compliant property that was previously unavailable to them due to the cap. Emergency legislation is to amend the Act, which is projected to become law at the end of March, to allow these enterprises the ability to locate to optimal properties, which will enable them to begin operations more quickly and better serve registered patients, as the Act will permit other successful applicants to do.

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

- **General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2023-2028 Authorization Emergency Declaration Resolution of 2023**
- **General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2023-2028 Authorization Emergency Act of 2023**
- **General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2023-2028 Authorization Temporary Act of 2023**

This emergency legislation is necessary to ensure that the District of Columbia can borrow 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.

Ceremonial Resolutions

- **Wayne E. McOwen District of Columbia Insurance Federation Retirement Recognition Resolution of 2023**

This ceremonial resolution recognizes the contributions that Wayne E. McOwen has made to the District upon the occasion of his retirement as the Executive Director of the District of Columbia Insurance Federation (“DCIF”). Mr. Owen served as the 3rd Executive Director of DCIF for the past 18 years and had a 36-year record of tenure of professional activity in the insurance marketplace prior to his tenure with DCIF.

- **Dr. Carolyn B. Rudd Recognition Resolution of 2023**

This ceremonial resolution recognizes the contributions that Dr. Carolyn B. Rudd has made within the District’s business community and to honor Dr. Rudd’s time as Chair of the Board of Directors at the District of Columbia Chamber of Commerce.

- **Coach Desmond Dunham 2022 National Coach of the Year Recognition Resolution of 2023**

This ceremonial resolution recognizes and congratulates Coach Desmond Dunham for being named the 2022 National Coach of the Year by the US Track & Field and Cross-Country Coaches Association. Coach Dunham is one of the most decorated high school coaches in the country and boasts national All-Americans, national championships, and international titles from the short sprints up to the distance events, including cross country.

- **Nyckoles Harbor 2022 Gatorade State Football Player of the Year for Washington, D.C. Recognition Resolution of 2023**

This ceremonial resolution recognizes and congratulates Nyckoles Harbor on winning the 2022 Gatorade State Football Player of the Year award for Washington, D.C. Nyckoles Harbor is also a multi-sport star athlete at Archbishop Carroll High School in Washington, D.C. and a two-time Gatorade State Boys Track & Field Player of the Year.

- **Alease Sarah (Neal) Chichester Posthumously Ceremonial Resolution of 2023**

This ceremonial resolution posthumously recognizes and honors the life of Alease S. (Neal) Chichester. Alease Chichester was a public servant and held positions at the U.S. Congress, Council of the District of Columbia, DC Department of Public Works, and the DC Department of Consumer and Regulatory Affairs before her retirement.

- **Capital Classic Recognition Resolution of 2023**

This ceremonial resolution recognizes the Capital Classic on their 50th anniversary of their high school All-American basketball game in the District of Columbia.

The draft measures along with their supporting materials are attached. Feel free to contact Legislative Director, Doni Crawford, at dcrawford@dccouncil.gov, 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