

AN ACT

D.C. ACT 19-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 24, 2012

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2012 Fall  
Supp.

West Group  
Publisher

To approve the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission for submission to the U.S. Department of Housing and Urban Development and the U.S. Department of Defense, and to authorize the Mayor to transfer real property on the site to homeless-assistance providers and public-benefit providers upon final approval of a reuse plan by the U.S. Department of Housing and Urban Development and conveyance of the property to the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission Approval Act of 2012”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Base Closure Act” means the Defense Base Closure and Realignment Act of 1990, approved November 5, 1990 (104 Stat. 1485; 10 U.S.C. § 2687, note).

(2) “Homeless Submission” means the Walter Reed Army Medical Center Base Realignment and Closure Homeless Assistance Submission to be submitted to the U.S. Department of Housing and Urban Development that shall be developed and implemented pursuant to section 2905 of the Base Closure Act and includes the Walter Reed Reuse Plan and Legally Binding Agreements, in substantially the same form as submitted by the Mayor to the Council.

(3) “Legally Binding Agreement” means an agreement between the District, as the Walter Reed LRA, and a homeless-assistance provider recommended for approval by the Walter Reed LRA Committee, that commits the District and the homeless-assistance provider to implement and operate certain homeless assistance-services on the Walter Reed Army Medical Center Site and may require the transfer of real property on the Walter Reed Army Medical Center Site by the District to the homeless-assistance provider, in substantially the same form as submitted by the Mayor to the Council, subject to amendments requested by the U.S. Department of Housing and Urban Development.

(4) “LRA” means local redevelopment authority.

(5) “Memorandum of Agreement” means an agreement between the District, as the Walter Reed LRA, and a public-benefit provider recommended for approval by the Walter Reed LRA Committee, of educational, safety, and public health uses on the Walter Reed Army Medical Center Site for the potential transfer of real property on the Walter Reed Army Medical Center Site by the District to the public benefit provider, in substantially the same form as submitted by the Mayor to the Council.

(6) “Walter Reed LRA” means the District of Columbia, which is the local redevelopment authority recognized by the Office of Economic Adjustment on behalf of the Secretary of Defense as the entity responsible for developing a reuse plan, pursuant to the Base Closure Act.

(7) “Walter Reed LRA Committee” means the committee established by Mayor’s Order No. 2006-21 to develop final recommendations for the Walter Reed Reuse Plan to the Mayor and Council, which is comprised of representatives from the Mayor’s Office and the Council, and 5 voting and 5 alternate citizen members, all of whom live in the community surrounding the Walter Reed Army Medical Center site.

(8) “Walter Reed Army Medical Center Site” means 67.5 acres located on a portion of the area bounded by Fern Street, N.W., and Alaska Avenue, N.W., to the north, 16<sup>th</sup> Street, N.W., to the west, Aspen Street, N.W., to the south, and Georgia Avenue, N.W., to the east, as further identified in the Walter Reed Reuse Plan.

(9) “Walter Reed Reuse Plan” means the Walter Reed Local Redevelopment Authority Reuse Plan for the Walter Reed Army Medical Center Site, which was developed in conjunction with the Walter Reed LRA Committee for final recommendation to the Mayor and the Council for adoption and approval by enactment of this act, in substantially the same form as submitted by the Mayor to the Council.

**Sec. 3. Findings and purpose.**

(a) The Walter Reed Army Medical Center Site has been declared surplus and closed by the Department of Defense pursuant to the procedures and authorities of the Base Closure Act.

(b) Mayor’s Order No. 2006-21 designated the District of Columbia government as the Walter Reed LRA that was recognized by the Office of Economic Adjustment on behalf of the Secretary of Defense for the purpose of developing a Walter Reed Reuse Plan and established the Walter Reed LRA Committee and charged the committee with developing final recommendations for the Mayor and the Council for a Walter Reed Reuse Plan

(c)(1) The Mayor, in conjunction with the Walter Reed LRA Committee, developed the Walter Reed Reuse Plan during public meetings on January 28, 2010, March 10, 2010, April 21, 2010, May 26, 2010, August 5, 2010, September 1, 2010, October 6, 2010, October 13, 2011, December 1, 2011, and January 25, 2012, which were supplemented by community input received at community meetings held on June 9, 2010, July 10, 2010, August 19, 2010, October 5, 2011, November 15, 2011, December 8, 2011, and February 2, 2012.

(2) The Walter Reed LRA Committee made final recommendations to the Mayor

and Council on the Homeless Submission by motion approved on January 25, 2012.

(d) The Walter Reed Reuse Plan envisions a vibrant campus integrated into the community through the provision of expanded retail opportunities, preservation of open space, creative reuse of historic assets into a range of cultural and educational uses, creation of a range of jobs for District residents, and development of a variety of housing options to support a range of incomes and needs.

(e)(1) The Walter Reed Reuse Plan recommends homeless-assistance provider uses providing affordable housing and support services, subject to the Legally Binding Agreements.

(2) Pursuant to the terms of the Legally Binding Agreements, the transfer of the portions of the Walter Reed Army Medical Center Site to homeless-assistance providers shall be conditioned on, among other things, final approval of the Homeless Submission by the U.S. Department of Housing and Urban Development and the U.S. Department of the Army conveying the Walter Reed Army Medical Center Site to the District.

(f) The Walter Reed Reuse Plan also provides for the public benefit conveyance uses identified in the Memorandum of Agreement. Pursuant to the terms of the Memorandum of Agreement, the conveyance of the portions of the Walter Reed Army Medical Center Site to the public benefit conveyance users is conditioned on, among other things, final approval of the Homeless Submission by the U.S. Department of Housing and Urban Development and the U.S. Department of the Army conveying the Walter Reed Army Medical Center Site to the District.

(g) The Mayor shall seek to have the Office of Economic Adjustment on behalf of the Secretary of Defense recognize the District as an Implementation Local Reuse Authority, as defined in the Base Closure Act.

(h) Upon approval of the Homeless Submission by the U.S. Department of Housing and Urban Development and the Department of Defense, the Mayor, on behalf of the Walter Reed LRA, will seek to acquire and submit an application for approximately 67.5 acres of real property from the Department of Defense for redevelopment pursuant to section 2905(b)(4) of the Base Closure Act.

Sec. 4. The Council approves the Homeless Submission, the Walter Reed Reuse Plan, the Walter Reed LRA Committee final recommendations, adopted by the Walter Reed LRA, and the Legally Binding Agreements, as transmitted by the Mayor, for submission to the U.S. Department of Housing and Urban Development, and, thereafter, the U.S. Department of Defense. Further, the Mayor may amend or supplement the Walter Reed Reuse Plan, Homeless Submission, and Legally Binding Agreements based upon comments from the U.S. Department of Housing and Urban Development; provided, that any proposed amendment or supplement shall be made available by the Mayor to the public for a 30-day period of public review and comment.

Sec. 5. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C.

**ENROLLED ORIGINAL**

Official Code § 10-801 *et seq.*), the Mayor is authorized to transfer the subject real property to the applicable homeless-assistance provider in accordance with the terms of the applicable Legally Binding Agreement.

Sec. 6. Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Mayor is authorized to transfer the subject real property to the applicable public benefit conveyance applicant in accordance with the terms of the applicable Memorandum of Agreement.

Sec. 7. Fiscal impact statement.

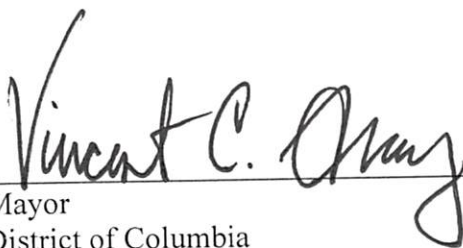
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
July 24, 2012



COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

Docket No. **B19-729**

ITEM ON CONSENT CALENDAR

ACTION & DATE

**ADOPTED FIRST READING, 06-26-12**

VOICE VOTE

RECORDED VOTE ON REQUEST

**APPROVED**

ABSENT

**BARRY**

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry				X	Evans	X								
Bowser	X				Graham	X								
Brown	X				McDuffie	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7-20-12  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

**ADOPTED FINAL READING, 07-10-12**

VOICE VOTE

RECORDED VOTE ON REQUEST

**APPROVED**

ABSENT

**ALL PRESENT**

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells	X			
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown	X				McDuffie	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

7-20-12  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

ROLL CALL VOTE - Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Mendelson					Catania					Orange				
Alexander					Cheh					Wells				
Barry					Evans									
Bowser					Graham									
Brown					McDuffie									
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date