



2017 DEC 15 AM 11:56  
OFFICE OF THE  
SECRETARY

MURIEL BOWSER  
MAYOR

DEC 15 2017

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Ave., N.W., Suite 504  
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and enactment by the Council of the District of Columbia is the "Homeless Shelter Replacement Amendment Act of 2017."

This bill amends the Homeless Shelter Replacement Act of 2016 ("Act"), revising the location of the District's Ward 1 Short-term Family Housing program to 2500 14<sup>th</sup> Street, NW. This site will include 35 2- and 3-bedroom apartment-style units helping the Department achieve the required number of apartment-style shelter units as outlined in the Homeless Services Reform Act, as well as a 15 units of permanent supportive housing for seniors and upgrades to the Rita Bright Family and Youth Center. The more quickly the Council expresses its approval of this plan, the more quickly and efficiently the District will be able to move forward with the plan to improve the quality of life of individuals and families experiencing homelessness.


I urge the Council to take prompt and favorable action of this matter. If you have any questions, please contact Laura Green Zeilinger, Director of Human Services, at (202) 671-4355.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".

Muriel Bowser

Enclosures

  
Chairman Mendelson  
At the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Mendelson, at the request of the Mayor, introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

To amend the Homeless Shelter Replacement Act of 2016 to revise the location of the new Ward 1 temporary shelter site, add units to the shelter, and add housing for seniors.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Homeless Shelter Replacement Amendment Act of 2017.”

Sec. 2. Section 3(a)(1) of the Homeless Shelter Replacement Act of 2016, effective July 29, 2016 (D.C. Law 21-141; 63 DCR 11132), is amended to read as follows:

“(1) The Mayor is authorized to use funds appropriated for capital project HSW01C – Ward 1 Shelter to: construct a facility to provide temporary shelter for families experiencing homelessness containing 35 2- and 3-bedroom apartment-style units on District-owned land at 2500 14th Street, N.W., Square 2662, Lot 205; provided, that the contract for the construction of the facility shall be awarded pursuant to a request for proposals to be issued by the Department of General Services; and further provided that the site may also be utilized to locate fifteen units of permanent supportive housing for seniors and the Rita Bright Recreation Center”.

Sec. 3. Fiscal impact statement.

33           The Council adopts the fiscal impact statement in the committee report as the fiscal  
34 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
35 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

36           Sec. 4. Effective date.

37           This act shall take effect following approval by the Mayor (or in the event of veto by the  
38 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
39 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
40 24, 1973 (87 Stat. 813 (D.C. Official Code § 1-206.02(c)(1))), and publication in the District of  
41 Columbia Register.


Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** December 14, 2017

**SUBJECT:** Fiscal Impact Statement – Homeless Shelter Replacement Amendment Act of 2017

**REFERENCE:** Draft Bill sent to the Office of Revenue Analysis on December 1, 2017

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**Conclusion**

Funds are sufficient in the proposed fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill.

The bill amends the Homeless Shelter Replacement Act of 2016<sup>1</sup> to change the location at which the Mayor is authorized to use capital funds set aside for a shelter in Ward 1, and it authorizes the project to include additional components. While the cost of these additional components is not yet incorporated in the budget and financial plan, the bill only authorizes, and does not require, the Mayor to include them.

**Background**

The Homeless Shelter Replacement Act of 2016 authorized the Mayor to acquire land, or use District-owned land, and spend capital funds on six new shelters in Wards 3 through 8 to serve as temporary housing for homeless families. The 2016 Act also directed the Mayor to acquire specific parcels<sup>2</sup> in Ward 1, if necessary by using eminent domain, and designated capital project HSW01C –Ward 1 Shelter for the acquisition and construction costs for 29 two and three bedroom apartment-style shelter units on the site. The Ward 1 project is set to replace shelter units located on Spring Road, N.W., while the other new shelters are set to replace the D.C. General Family Shelter.

The bill would amend the 2016 Act to change the location of the Ward 1 shelter to District-owned land at 2500 14th Street, N.W., which is currently used for the Rita Bright Recreation Center, and to

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<sup>1</sup> Effective July 29, 2016 (D.C. Law 21-141; 63 DCMR 11132).

<sup>2</sup> 2105 and 2107 10<sup>th</sup> St, N.W. and 933 V St, N.W.

The Honorable Phil Mendelson

FIS: "Homeless Shelter Replacement Amendment Act of 2017," Draft Bill sent to the Office of Revenue Analysis on December 1, 2017

increase the number of shelter units that may be built from 29 to 35. The bill also allows the Mayor to locate 15 units of Permanent Supportive Housing for Senior Citizens and the recreation center on the same site. The current concept plans for the site include a "refresh" for the recreation center.

### **Financial Plan Impact**

Funds are sufficient in the proposed fiscal year 2018 through fiscal year 2021 budget and financial plan to implement the bill. Changing the authorization to use the capital funds at a different location does not have a cost, and may result in savings for the shelter project since the proposed site is District-owned and the prior designated site was privately-owned.

The capital budget authority for the Ward 1 shelter project is \$20 million. In order to complete the Permanent Supportive Housing that may also be located on the site, the Mayor will have to identify additional capital funding. It is not yet known whether additional funding will be required to complete the six additional planned units of temporary shelter or any updates to the recreation center. The Department of General Services will be conducting a feasibility study for the project and will have a better cost estimate when the study is completed in March 2018.

In addition to the capital budget, the construction of Permanent Supportive Housing may need to include the financing costs of taxable bonds, depending on the nature of any payment and support for or from occupants. IRS rules limit the use of tax-exempt bonds to construction of buildings for public benefit or financed by public revenue only, but certain programmatic requirements of Permanent Supportive Housing may cause the project to fall outside these requirements.

Because the bill authorizes, but does not require, the Mayor to spend capital budget on the proposed project, the bill can be passed without amending the budget and financial plan. Before the Mayor can enter into construction contracts for the project, the availability of funds for the contract will need to be certified. If the contract covers construction of Permanent Supportive Housing, the additional debt service costs associated with taxable bonds must have been included in the financial plan beginning at the date of occupancy of the facility (currently estimated as fiscal year 2020).

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL  
KARL A. RACINE

Legal Counsel Division

**MEMORANDUM**

**TO:** Alana Intrieri  
Executive Director  
Office of Policy and Legislative Affairs


**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** December 14, 2017

**SUBJECT:** Legal Sufficiency Review of Legislation Entitled the "Homeless Shelter Replacement Emergency Amendment Act of 2017" and Accompanying Emergency Declaration Resolution, the "Homeless Shelter Replacement Temporary Amendment Act of 2017," and the "Homeless Shelter Replacement Amendment Act of 2017"  
(AE-16-353C)

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**This is to Certify** that this Office has reviewed the above-referenced Legislation and found it to be legally unobjectionable. If you have any questions, please do not hesitate to call me at 724-5524.

  
Janet M. Robins

JMR/cpe