

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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Columbia
Official Code*

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To amend An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia to establish a Library Enhancement Task Force that will assess, support, and implement strategies to fund the enhancement and development of the District of Columbia Public Library system; to prescribe the membership of the Task Force and designate the Chairperson of the Task Force; to establish that Task Force members shall not receive compensation for their service but may be reimbursed for expenses; to provide staff support for the Task Force; to specify the duties of the Task Force; to require the Task Force to complete a strategic plan to raise revenue for the construction and renovation of library facilities within 180 days of the effective date of this act; to establish a Library Development Trust Fund to serve as the repository for revenue generated from mixed-use projects involving library facilities, the sale or lease of air rights above library buildings, the sale or lease of facilities and real property used by or under control of the District of Columbia Public Library, and the use of other assets of the District of Columbia Public Library; to provide that money deposited in to the Trust Fund shall support public-private partnerships to develop and enhance library facilities; and to require the Mayor to initiate a competitive process for the performance of work to develop and enhance library facilities following the approval of a strategic plan by the Board of Trustees.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Library Enhancement, Assessment, and Development Amendment Act of 2006".

Sec. 2. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended by adding new sections 9-13 to read as follows:

"Sec. 9. Establishment of the Library Enhancement Task Force.

"There is established a Library Enhancement Task Force ("Task Force") to serve as a collaborative body to assess, support, and implement strategies to fund the enhancement and development of the District of Columbia Public Library ("DCPL") system.

"Sec. 10. Membership and organization of the Library Enhancement Task Force.

"(a)(1) The Task Force shall be comprised of the following 11 members:

"(A) The Mayor, or his or her designee;

"(B) The Chairperson of the Committee on Education, Libraries, and

Recreation of the Council of the District of Columbia, or his or her designee;

“(C) The Chairperson of the Committee on Economic Development of the Council of the District of Columbia, or his or her designee;

“(D) The Deputy Mayor for Planning and Economic Development, or his or her designee;

“(E) The Deputy Mayor for Children, Youth, Families and Elders, or his or her designee;

“(F) The Chief Financial Officer, or his or her designee;

“(G) The President of the Board of Library Trustees; the Chairperson of the Board of Library Trustees’ Facilities Committee; and a third member of the Board of Library Trustees designated by the Board President; and

“(H) Two public members, one of whom shall be appointed by the Mayor and one of whom shall be appointed by the Council by resolution, to serve 3-year terms.

“(2) Vacancies occurring in the Task Force shall be filled in the same manner as the original appointees.

“(b) The President of the Board of Library Trustees shall serve as Chairperson.

“(c) The following 3 persons, or their designees, shall serve as ex-officio, nonvoting members of the Task Force:

“(1) The Director of the District of Columbia Public Library;

“(2) The Superintendent of the District of Columbia Public Schools; and

“(3) The President of the University of the District of Columbia.

“(d) Each member shall serve without compensation, except that members may receive reimbursement for expenses incurred in the service of the Task Force.

“(e) The DCPL shall provide staffing for the Task Force.

“Sec. 11. Duties of the Task Force.

“(a) The Task Force shall:

“(1) Review:

“(A) The District of Columbia Comprehensive Plan;

“(B) The DCPL Capital Construction/Renovation Master Plan for

Branch Libraries;

“(C) The DCPL Building Condition Survey;

“(D) The DCPL Strategic Business Plan 2005-2006;

“(E) Any revisions to the plans set forth in subparagraphs (A) through (D) of this paragraph; and

“(F) The recommendations of the Mayor’s Blue Ribbon Task Force on the Future of the District of Columbia Public Library System;

“(2) Identify methods to integrate the facility and programming needs of the DCPL, and other educational, recreational, and community needs into the District’s planning and economic development opportunities;

“(3) Assess and recommend methods of using DCPL assets to raise funds to modernize and enhance the DCPL system, including:

“(A) Developing mixed-use projects that incorporate library facilities with revenue-producing ventures;

“(B) Selling or leasing air rights above library buildings; and

“(C) Selling or leasing facilities or real property used by or under the control of the DCPL;

“(4) Within 180 days of the effective date of the Library Enhancement,

Assessment, and Development Amendment Act of 2006, passed on 2nd reading on January 4, 2006 (Enrolled version of Bill 16-49):

“(A) Develop a strategic plan to use the revenue raised to fund the construction and renovation of library facilities and submit it to the Board of Library Trustees for approval and to the Mayor and Council for informational purposes; and

“(B) Develop and submit to the Mayor and Council specific recommendations on actions the Mayor and Council may take to implement the strategic plan; and

“(5) Following approval by the Board of Library Trustees of the strategic plan developed and submitted to the Board of Library Trustees, the Mayor, and the Council pursuant to paragraph (4) of this subsection, support the implementation of the plan.

“(b) The Task Force shall provide opportunity for public input into the development of the strategic plan after providing notice of the opportunity to the public, including posting information on the DCPL Internet site.

“Sec. 12. Establishment of the Library Development Trust Fund.

“(a) There is established within the General Fund of the District of Columbia a segregated, nonlapsing trust fund designated as the Library Development Trust Fund (“Trust Fund”) into which shall be deposited any revenue generated from:

“(1) The development of mixed-use projects involving library facilities;

“(2) The sale or lease of air rights above library facilities;

“(3) The sale or lease of library facilities or of real property used by or under the control of the DCPL;

“(4) Any project developed pursuant to this act;

“(5) Any grants, gifts, or subsidies from public or private sources meant to assist in effecting the purpose of this act; and

“(6) Any return on investment of the assets of the Trust Fund.

“(b) Monies deposited into the Trust Fund shall be used to solicit proposals for public-private partnerships and to finance public-private partnerships pursuant to this act, such as the:

“(1) Purchase of a library site and improvement;

“(2) Construction of a library facility;

“(3) Complete or partial furnishing of a library facility;

“(4) Repair of a library facility;

“(5) Renovation of a library facility; and

“(6) Costs or expenses associated with an approved plan or project, including architectural, engineering, consulting, demolition, and legal costs.

“(c) Pursuant to section 6, the Mayor shall submit to the Council, as part of the annual budget, a requested appropriation for expenditures from the Trust Fund, including a description of the specific approved plan or project for which the funds will be used.

“(d) Funds deposited in the Trust Fund shall not revert to the fund balance of the General Fund of the District of Columbia at the end of any fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in this section, subject to authorization by Congress.

“Sec. 13. Competitive process for performance of work.

“Within 60 days of approval of a strategic plan by the Board of Library Trustees pursuant to section 11, the Mayor shall initiate a competitive process for the performance of the work described in the plan. The Mayor shall issue one or more solicitations for competitive sealed bids or competitive sealed proposals for vendors who shall complete the project or

projects for a guaranteed price by assembling the necessary team of designers, architects, developers, and other vendors, and posting a performance bond, or obtaining other insurance, to insure that design and time requirements shall be met for the guaranteed price. The Mayor shall consult closely with the Board of Library Trustees in preparing the solicitation or solicitations, and shall include a statement of work or specifications approved by the Board of Library Trustees.”.

Sec. 3. 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. 4. 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