

AN ACT

*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide an abatement of real property taxes on real property owned by the United Negro College Fund, Inc.; and to provide a relocation assistance grant to the United Negro College Fund, Inc.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “UNCF Tax Abatement and Relocation to the District Assistance Act of 2010”.

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-4635. UNCF — 10-year real property tax abatement.”.

(b) A new section 47-4635 is added to read as follows:

“§ 47-4635. UNCF — 10-year real property tax abatement.

“(a) For the purposes of this section, the term:

“(1) “DCRA” means the Department of Consumer and Regulatory Affairs.

“(2) “Property” means the real property in Square 441, as referenced in the District of Columbia Office of the Surveyor Record of Squares, Book II, Page 441, that is owned by UNCF.

“(3) “UNCF” means the United Negro College Fund, Inc., a New York nonprofit corporation founded in 1944 by Dr. Frederick Patterson that provides assistance to approximately 60,000 students a year at 900 colleges and universities and 39 historically black colleges and universities nationwide.

“(b) The real property taxes imposed by Chapter 8 of this title on the property shall be abated for 10 years, beginning on the later of October 1, 2011, or the 1st day following DCRA’s issuance of the certificate of occupancy for the property and UNCF’s physical occupancy of the property; provided, that:

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“(1) The property shall be owned by UNCF during the duration of the abatement period;

“(2) The property continues to either be occupied by UNCF, or leased by UNCF to another nonprofit organization that works in a partnership with, and has a mission similar to, UNCF during the duration of the abatement period;

“(3) UNCF enters into a First Source Agreement with the Department of Employment Services for the duration of the abatement; and

“(4) UNCF shall have entered into an agreement with the Department of Small and Local Business Development requiring that at least 35% of the contract dollar volume for all tenant design, build-out, and improvements within the space owned by UNCF shall be reserved for local, small, and disadvantaged business enterprises, as certified pursuant to Subchapter IX-A of Chapter 2 of Title 2.

“(c) The total abatement under this section shall not exceed:

“(1) In tax year 2012, \$200,000; and

“(2) For each succeeding tax year, an amount equal to \$400,000 in Fiscal Year 2012 dollars, plus an escalation of 3%, compounded annually, for each subsequent tax year for the duration of the abatement.”.

Sec. 3. Authorization of funding for tax years 2012, 2013, and 2014.

(a) The Council authorizes the expenditure of an amount not to exceed an aggregate amount of \$1,037,000, which shall be paid to the General Fund of the District of Columbia in the applicable tax years from the fund established pursuant to section 168 of the District of Columbia Appropriations Act of 2000, approved November 29, 1999 (Pub. L. No. 106-113; 113 Stat. 1531) (“Fund”).

(b) To offset the amount of revenue reductions resulting from the tax abatement authorized in D.C. Official Code § 47-4635, the funds authorized pursuant to subsection (a) of this section shall be made available as follows:

(1) An amount not to exceed \$200,000 in tax year 2012;

(2) An amount not to exceed \$412,000 in tax year 2013; and

(3) An amount not to exceed \$425,000 in tax year 2014.

(c) The property, as defined in D.C. Official Code § 47-4635(a)(2), is located in the District of Columbia Enterprise Zone, as defined by section 1400 of the Internal Revenue Code of 1986, approved August 5, 1997 (111 Stat. 863; 26 U.S.C. § 1400).

(d) The amounts authorized to be expended from the Fund pursuant to this section are reserved for the purposes specified in this section and shall be included in the District’s budget for each fiscal year to which the reservation relates.

(e) If the amounts made available from the Fund pursuant to this section are not spent for the purposes specified, they shall not revert to the General Fund of the District of Columbia and shall remain available in the Fund in each subsequent fiscal year until expended to offset the revenue reductions resulting from the tax abatement authorized in D.C. Official Code § 47-

4635. Notwithstanding the provisions of D.C. Official Code § 47-363 and section 2192(b) of the Economic Development Capital Fund Implementation Plan Act of 2009, effective March 3, 2010 (D.C. Law 18-111; 57 DCR 181), the Council approves a reprogramming of the \$710,000 from the Howard Theatre appropriation (Project/Phase EB403C/04) to the Office of the Deputy Mayor for Planning and Economic Development for the United Negro College Fund account for the purposes specified in this section.

Sec. 4. Financial assistance for the relocation of UNCF to the District of Columbia.

(a) The Council authorizes the Office of the Deputy Mayor for Planning and Economic Development to issue a one-time grant to the United Negro College Fund (“UNCF”) in an amount not to exceed \$710,000 to assist UNCF with expenses related to its relocation to the District. Relocation expenses eligible for reimbursement under this section shall include:

(1) Predevelopment services, such as architecture services, engineering services, interior design services, and other similar services required by UNCF prior to its occupancy of the new space;

(2) Tenant improvement expenses;

(3) Tenant improvement expenses incurred by UNCF prior to its occupancy;

(4) Furniture, fixture, and equipment expenses;

(5) Technological upgrade expenses;

(6) Construction expenses; and

(7) Any other costs incurred by UNCF as a part of its relocation to the District that are approved by the Mayor and are eligible capital costs.

(b) The grant authorized pursuant to subsection (a) of this section shall be funded from the Great Streets funds budgeted for the Howard Theatre project as specified in the approved Fiscal Year 2010 capital budget for the Office of the Deputy Mayor for Planning and Economic Development.

Sec. 5. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 6. 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. 7. 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

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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