

Testimony of Nancy MacWood

On Behalf of The Committee of 100 On The Federal City

Public Hearing on B18-76: “Public Land Surplus Standards Amendment Act of 2009”

May 29, 2009

I am Nancy MacWood and I am representing The Committee of 100 on the Federal City at this hearing. We want to thank Councilmember Thomas for his unflagging leadership in working with individuals and groups around the city to improve the process of surplus and disposing of city-owned real property. The “Public Land Surplus Standards Amendment Act of 2009” addresses many of the issues that District residents recognize as impediments to a predictable, transparent and thoughtful process for determining the use of District real property and we are grateful to him for working to move it forward. We also want to thank Councilmember Cheh for convening this hearing and for her interest in making sure that the District has clear and reasonable standards for determining when public property should be classified as surplus and how such property should be treated thereafter.

We look forward to working with this committee and others on efforts to strengthen the legislation because we share the commitment to have standards in place as soon as possible. With your leadership we feel we are not just on the brink, but in the home stretch.

I also want to acknowledge the considerable work and advocacy that Ann Hargrove -- a long-time member of the Committee of 100 on the Federal City – has devoted to this issue. Her approach to solving many citywide issues is informed by her impressive knowledge of regulation and governmental processes in other cities. Ann brings a “best practices” orientation to issues, like this one, which has benefited many of us.

The Committee of 100 shares many of the views you have heard today. We agree that public properties are public assets that must be safeguarded for appropriate public uses. We also recognize that public buildings or property may no longer serve an original function and they may not be adaptable to other public uses, but there must be a transparent process that was followed to reach that conclusion. The public and the Council should be able to apply the same predictable criteria used by the Mayor and reach the same conclusion that the building or property is in fact no longer needed for the short or long term and that appropriate disposition of the building will result in good value to the District and an appropriate continued or altered use by a non-profit or private entity if non-profit use isn't feasible.

Currently, the law requires that the Mayor only conclude that the real property is no longer required for public purposes. The law is silent on what factors the Mayor should

consider in reaching this finding. The proposed legislation would require the Mayor to utilize a consistent analysis using comprehensive and up-to-date information about public facility needs in reaching a finding that public property should be surplus and to share his findings with the public and the Council.

A lot of progress has been made recently in identifying where public property is located, who is using it, and where we are leasing property and how much it is costing the city. The next step is to fully implement the Master Facilities Plan, and to integrate information from the agencies about future public facility needs with the Comprehensive Plan and other relevant governmental studies and initiatives. When the future of public buildings and land is evaluated within the context of what services do we want to provide, where do we need them, and when do we need them, thoughtful and fair decisions should result. It seems obvious, but it must be stated, that public buildings and land should be used for public services and needs, and only when there is compelling data based on a consistent and comprehensive process that there are no appropriate public uses should our public buildings or land be offered to non-profit organizations.

The Committee of 100 also supports the inclusion of social factors in addition to economic factors in determining the disposition of surplus property. While social factors may not be easily converted to an economic benefit, many government initiatives that support social programs are critical to the well being of District residents. We can anticipate that such an economic/social analysis might reveal that a former fire station could be sold at high market prices for redevelopment as condominiums **and** alternatively that it is an ideal location for a charter school or a combined library and community center. Under the proposed legislation, the Mayor would have to describe to the Council and the public how in this instance disposing of the property has greater economic and social value than using the property for a public purpose.

Lastly, The Committee of 100 would like to suggest that when standards have been applied and the resulting analysis and Council action leads to the leasing or sale of a public building or land, the agreement that seals the deal must provide fair value for the asset. Any proposed preferential financing or tax abatements should be factored into an economic assessment of the worth of the transaction and this information should be shared with the Council before you approve any agreements to dispose of public property.

As I stated at the beginning of my testimony, The Committee of 100 on the Federal City believes this legislation is on the right path in imposing standards on the surplus and disposition of public buildings and land. We appreciate the opportunity to testify and look forward to working with you and the many citywide groups and residents who are committed to a reformed process.