



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Executive Office of the Mayor
Office of the Deputy Mayor for Planning and Economic Development

DMPED OFFICE ORDER No. 2015-8

SUBJECT: Establishment of Office of the Deputy Mayor for Planning and Economic Development (“DMPED”) policy for posting Land Disposition Agreements on the DMPED website.

SCOPE: This is an **AGENCY-WIDE** policy, adhering to all employees within DMPED, with a special emphasis on the Real Estate Division.

EFFECTIVE DATE: March 19, 2015.

PURPOSE AND AUTHORITY: DMPED is committed to operating as openly and transparently as possible while ensuring the protection of the public trust. This bulletin is issued to outline the policies and procedures for posting Land Disposition Agreements on DMPED’s website in order to increase transparency and accessibility of documents.

POLICY AND PROCEDURES:

The following policy guides the manner in which Land Disposition Agreements will be posted on the DMPED website, subject to valid District of Columbia Freedom of Information Act exemptions, in the form that they are transmitted to the Council of the District of Columbia (“Council”) for approval and their eventual final form. The policy also guides the manner in which Land Disposition Agreements dating back to 2001, in the form that they were transmitted to the Council for approval and their final form, will be similarly posted on DMPED’s website. Note that this policy is subject to change for improved efficiency and any changes will be noticed to all Agency Staff immediately.

1. Upon the effective date of this policy, it shall be the responsibility of the appropriate Project Manager to ensure that information posted on the DMPED website regarding each of his/her projects is routinely updated and managed to ensure transparency and accessibility.

The following section applies to Land Disposition Agreements that have previously been transmitted and/or approved by Council:

1. Within 20 business days of the effective date of this policy, the appropriate DMPED FOIA Officer and DMPED Chief of Staff shall work with the DMPED Webmaster to create a tab, webpage, or webpage section called “Land Disposition Agreements” on DMPED’s website.
2. Under this tab, webpage, or webpage section, Land Disposition Agreements previously submitted to the Council for approval, available after a reasonable search of DMPED records by the appropriate DMPED FOIA officer, shall be posted by the DMPED Webmaster. Those Land Disposition Agreements that have been executed and are available after a reasonable search of DMPED records shall also be posted, subject to valid District of Columbia Freedom of Information Act (“FOIA”) exemptions prescribed by D.C. Official Code § 2-534.
 - a. If certain Land Disposition Agreements, e.g., those submitted to the Council more recently, are readily available, they shall be posted on the DMPED website within 40 business days.

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The following section applies to disposition legislation and accompanying Land Disposition Agreements that shall be introduced to the Council for approval in the future:

1. Within 15 business days after submission to the Council of a legislative package for the disposition of District owned land, the associated Project Manager shall supply to DMPED's Webmaster the Land Disposition Agreement that was included in the package.
2. Within 10 business days after receipt of this Land Disposition Agreement, DMPED's webmaster shall post this version on DMPED's website under the "Land Disposition Agreements" tab, webpage, or webpage section.
3. Within 15 business days after the execution of the final Land Disposition Agreement, the associated Project Manager shall meet with the appropriate DMPED FOIA officer to determine what, if any, information should be protected under the District's FOIA exemptions. If any information is deemed protected, such information shall be redacted.
4. Within 45 business days after the execution of the final Land Disposition Agreement, the associated Project Manager shall provide to DMPED's Webmaster the executed version of the Land Disposition Agreement, including redactions, if any.
5. Within 10 business days after receiving the executed Land Disposition Agreement, DMPED's Webmaster shall post this final version on DMPED's website under the "Land Disposition Agreements" tab, webpage, or webpage section.
6. If, pursuant to D.C. Code §10-801(b-1)(6), there is a resolution introduced to the Council due to a substantive change to the term sheet or Memorandum of Understanding in a Land Disposition Agreement, within 15 business days after the introduction to Council, the Project Manager shall supply to the DMPED Webmaster a copy of the amended term sheet or Memorandum of Understanding.
 - a. Within 10 business days after receipt, DMPED's Webmaster shall post the amended term sheet or Memorandum of Understanding on DMPED's website under the "Land Disposition Agreements" tab, webpage, or webpage section.
 - b. Depending on the approval or disapproval of the proposed amendment, the associated Project Manager will ensure the most accurate and current Land Disposition Agreement is posted on DMPED's website under the "Land Disposition Agreements" tab, webpage, or webpage section.

Definitions:

Project Manager – A representative of the Office of the Deputy Mayor for Planning and Economic Development charged with negotiating and managing real estate projects on behalf of the District from inception to completion.

Legislative Package – A grouping of documents, including legislation and supporting attachments, outlined by District law as necessary to be included in a submission to Council for consideration of approval.

FOIA Officer – A representative of the Office of the Deputy Mayor for Planning and Economic Development charged with ensuring compliance with the District's Freedom of Information Act.

Webmaster - A representative of the Office of the Deputy Mayor for Planning and Economic Development charged with enacting, maintaining, and improving the agency's presence on the World Wide Web.

SO ORDERED, this 19th day of March, 2015.



Brian T. Kenner
Deputy Mayor for Planning and
Economic Development