

ENROLLED ORIGINAL

A RESOLUTION

17-509

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To approve the multiyear Contract No. DCHC-2007-E-0001 with ACS State Healthcare, LLC, to provide pharmacy-benefit services for Medicaid eligible fee-for-service recipients.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHC-2007-E-0001 Approval Resolution of 2008".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. DCHC-2007-E-0001, in the estimated amount of \$5,741,234.99, with ACS State Healthcare, LLC, to provide pharmacy-benefit services for Medicaid eligible fee-for-service recipients for 3 years from the date of award.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. The Council adopts the February 5, 2008 fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, effective December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

17-510

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To confirm the appointment of Mr. Yinusa A. Yusuff to the Commission on African Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on African Affairs Yinusa A. Yusuff Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. Yinusa A. Yusuff
645 Oglethorpe Street, N.E.
Washington, D.C. 20011
(Ward 4)

as a member of the Commission on African Affairs, established by section 4 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1393), for a term to end 2 years after the date of appointment.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-511

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To approve multiyear Contract No. DCTO-2008-C-0006 with Verizon Washington D.C., Inc., to provide telecommunication services to the District government.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCTO-2008-C-0006 Approval Resolution of 2008".

Sec. 2. Pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)), the Council approves Contract No. DCTO-2008-C-0006, a multiyear agreement, in an estimated amount of \$51 million, with Verizon Washington D.C., Inc. ("Verizon"), to provide telecommunication services to the District government from the date of award until December 31, 2010.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 5. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

17-512

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To confirm the reappointment of Mr. Daniel M. Tangherlini to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Water and Sewer Authority Board of Directors Daniel M. Tangherlini Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Daniel M. Tangherlini
638 D Street, N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Board of Directors of the Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2011, so long as he remains an employee of the District of Columbia government.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-513

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To confirm the reappointment of Ms. Brenda L. Richardson to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Water and Sewer Authority Board of Directors Brenda L. Richardson Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Brenda L. Richardson
3008 24th Place, S.E.
Washington, D.C. 20020
(Ward 8)

as an alternate member of the Board of Directors of the Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2011.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-514

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To confirm the reappointment of Mr. Alan J. Roth to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Water and Sewer Authority Board of Directors Alan J. Roth Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Mr. Alan J. Roth
1845 Vernon Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Board of Directors of the Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2011.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-515

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To confirm the appointment of Mr. George S. Hawkins to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Water and Sewer Authority Board of Directors George S. Hawkins Confirmation Resolution of 2008".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Mr. George S. Hawkins
908 French Street, N.W. Apt. B
Washington, D.C. 20001
(Ward 2)

as an alternate member of the Board of Directors of the Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), replacing Kenneth Davis, whose term ended September 12, 2007, for a term to end September 12, 2011.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-516

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To approve proposed rules to establish a new administrative review process for the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Administrative Review Process Approval Resolution of 2008".

Sec. 2. Pursuant to D.C. Official Code § 25-211(b)(2), the Mayor transmitted to the Council on December 7, 2007, proposed rules to establish a new administrative review process for the Alcoholic Beverage Control Board. The Council approves the proposed rules published at 55 DCR 768, to amend Chapters 15 and 16 of Title 23 of the District of Columbia Municipal Regulations.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chairperson of the Alcoholic Beverage Control Board.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statements of the Budget Director and the Chief Financial Officer 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. 5. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

17-517

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to amend the Department of Transportation Establishment Act of 2002 to authorize the Director of the District Department of Transportation to issue grants to achieve transportation goals, including safety objectives, to enter into agreements to support community-based transportation enhancement activities, to enter into agreements with the Washington Metropolitan Area Transit Authority regarding transportation projects that benefit the District, to include as a duty of the District Department of Transportation the management and construction of streetscape projects, to authorize the District Department of Transportation to review and revise the location of bus shelter locations, and to authorize the District Department of Transportation to develop and update the District's various transportation improvement plans.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Transportation Establishment Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis regarding the need to amend the Department of Transportation Establishment Act of 2002 to clarify the District Department of Transportation's authority necessary to achieve transportation goals.

(b) The District Department of Transportation lacks clear authority to issue grants that are needed to further safety objectives.

(c) The District has delayed certain safety-education efforts because it lacks the grant-making authority to fund these activities.

(d) The District Department of Transportation lacks other authority necessary for its day-to-day management of the District's transportation network, including authority to manage streetscape projects, to revise bus shelter locations, to develop and update transportation improvement plans, and to enter into agreements with the Washington Metropolitan Area Transit Authority to fund transportation projects.

(e) The District Department of Transportation risks delay in transportation construction,

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planning, and safety-education activities with each day that these authorities remain unclear.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Transportation Establishment Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-518

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to repeal changes to condominium and cooperative conversion fees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Conversion Fee Clarification Emergency Declaration Resolution of 2008".

Sec. 2. (a) On July 11, 2006, the Council passed the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 53 DCR 6899).

(b) Subtitle M of Title II of the Fiscal Year 2007 Budget Support Act of 2006, the Vacancy Conversion Fee Clarification Amendment Act of 2006, clarified the circumstances for collection of a condominium and cooperative conversion fee, including circumstances under which the fee may be reduced; eliminated the vacancy exemption to payment of condominium and cooperative conversion fees; and limited the duration of vacancy exemptions properly granted for tenant elections.

(c) The Council enacted this legislation to remove what had been an incentive to certain unscrupulous developers to empty buildings of their occupants, through coercion or other means, to avail themselves of the 5% conversion fee payment exemption for vacant properties.

(d) Since enactment of the Fiscal Year 2007 Budget Support Emergency Act of 2006, several developers across the District, including developers that produce affordable housing, have reported various unintended consequences and unresolved issues surrounding the repeal of the conversion fee payment exemption for vacant buildings.

(e) Ambiguities raised by this legislation include whether this legislation applies to conversions currently in process; whether there is a grandfather provision for developers who acquired vacant property but failed to register the property prior to August 8, 2006; whether this legislation applies to purchases pursuant to the tenant opportunity to purchase provisions of the Rental Housing Sale and Conversion Act of 1980; and whether there should be an exemption for small developers who generally deal in vacant properties and for whom the 5% conversion fee exemption represents a majority of their profit margin.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Conversion Fee Clarification Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-519

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to expand the D.C. Housing Authority Rent Supplement Program to allow service providers who own, lease, or operate supportive housing to apply for and be awarded sponsor-based assistance funding to house clients.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Emergency Declaration Resolution of 2008".

Sec. 2. (a) The D.C. Housing Authority Rent Supplement Program ("Program") was created to provide housing assistance to extremely low-income individuals in the District of Columbia, including individuals who are homeless and individuals in need of supportive services, such as elderly individuals and individuals with disabilities. The District of Columbia Housing Authority ("DCHA") was appropriated funding in both fiscal year 2007 and fiscal year 2008 to implement the Program. The funding is used to provide 3 types of housing assistance: Tenant-Based Assistance; Project-Based Assistance; and Sponsor-Based Assistance. Tenant-based assistance is provided directly to clients and allows them to secure housing units in the private market. Project-Based and Sponsor-Based assistance subsidize housing units. Funds are awarded based on another program, DCHA's Partnership Program, as required in the authorizing statute.

(b) Sponsor-Based assistance was created to operate differently than the Project-Based assistance. Project-Based assistance is attached to a particular building or set of buildings. Sponsor-Based assistance is comprised of funds allocated under contract to a particular private or nonprofit housing provider.

(c) Current law mandates that Sponsor-Based assistance be allocated only for units owned and operated by the provider. DCHA has found that the current law has the unintended effect of precluding certain providers who do not own and operate units, but who will nonetheless secure housing for their clients, from participating in the Program. This was not the intent of the authorizing statute.

(d) Currently, there is a Request for Proposals to award the fiscal year 2008 Local Rent Supplement Project-Based and Sponsor-Based funds. Proposals are due to DCHA by February 28, 2008.

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(e) To allow providers who do not own and operate units to compete for funds under the Program, and to provide them with adequate time to prepare proposals, it is critical that the authorizing statute be modified promptly.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-520

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to amend the Inclusionary Zoning Implementation Amendment Act of 2006 to require that the initial rental and price schedule be published by a time certain, and to require that regulations to implement inclusionary zoning be submitted to the Council for review by a time certain.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Inclusionary Zoning Implementation Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01 *et seq.*) ("Act"), was passed by the Council of the District of Columbia unanimously on December 19, 2006, and signed by the Mayor on December 28, 2006.

(b) Funds to administer the Act are available. Funds were requested in the Fiscal Year 2008 Budget Request Act, signed by the Mayor on May 25, 2007 (D.C. Act 17-51; 54 DCR 5506), and were appropriated by Congress in the Joint Resolution Making further continuing appropriations for the fiscal year 2008, and for other purposes, approved September 29, 2007 (Pub. L. No. 110-92; 121 Stat. 989), and, subsequently, the District of Columbia Appropriations Act, 2008, approved December 26, 2007 (Pub. L. No. 110-161; 121 Stat. 1844).

(c) The Act requires the Mayor to promulgate regulations to implement the Inclusionary Zoning Program, including amendments to Title 12A of the District of Columbia Municipal Regulations, and to publish the initial rental and price schedule in the District of Columbia Register.

(d) The Act will soon have been a law for a year. Funds to administer the Act have been appropriated since the start of fiscal year 2008.

(e) Regulations have been not promulgated as required by section 107 of the Act. The initial rental and price schedule has not been published as required by section 103 of the Act. Consequently, the Inclusionary Zoning Program has not been implemented.

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(f) Delay in meeting the rulemaking and publication requirements have resulted in the loss of inclusionary mixed-income units being included in many residential developments.

(g) Emergency legislation is needed to provide that the publication and rulemaking requirements of the Act from this point in time be met expeditiously, by a date certain, to prevent the loss of mixed-income units that would be required pursuant to the Act in upcoming residential developments.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Inclusionary Zoning Implementation Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-521

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2008 Supplemental Appropriations Emergency Act of 2007 and the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 to allocate funding for the pre-kindergarten initiative to the Office of the State Superintendent of Education, to authorize 7 full-time equivalent positions for the District of Columbia Auditor, to revise the applicability provision to clarify the amount of funds required to be reprogrammed, and that the requirement shall be met upon the receipt, not approval, of the required requests, and to add the requirement of a reprogramming of the funding for Early Childhood Development from the Department of Human Services to Office of the State Superintendent of Education.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Supplemental Appropriations Clarification Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Fiscal Year 2008 Supplemental Appropriations Emergency Act of 2007 and the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 ("supplemental legislation") allocated funds to the District of Columbia Public Schools to provide start-up funding for the Pre-K-for-All initiative. The appropriate agency to receive this funding is the Office of the State Superintendent of Education.

(b) The supplemental legislation allocated \$750,000 to the District of Columbia Auditor to support increased operational and oversight capacity. The emergency legislation adds to that \$750,000 allocation authority for 7 full-time equivalent positions to enable the District of Columbia Auditor to utilize these additional funds effectively.

(c) As a condition of applicability, the supplemental legislation requires that \$99.827 million and other indefinite amounts be reprogrammed, in accordance with the School Modernization Use of Funds Requirements Temporary Amendment Act of 2007. The emergency legislation clarifies the amount that is required to be reprogrammed, provides that the requirement shall be met upon the receipt, not approval, of the required requests, and adds the requirement of a reprogramming of the funding for Early Childhood Development from the

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Department of Human Services to the Office of the State Superintendent of Education.

(d) The Public Education Reform Amendment Act of 2007 requires the transfer of the Early Care and Education Administration and the Early Intervention Program ("ECEA") from the Department of Human Services to the Office of the State Superintendent of Education. The Public Education Reform Amendment Act of 2007 has been law since June, 2007, but this transfer has not yet been effected. The Office of the State Superintendent of Education is ready to assume the responsibility for ECEA. It is important that the transfer take place to allow the Office of the State Superintendent of Education to accurately access its budgetary needs.

(e) Emergency legislation is needed to address the above-referenced matters.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Supplemental Appropriations Clarification Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-522

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to extend the time in which the Mayor may dispose of the Old Congress Heights School site in Ward 8, the disposal of which the Council approved on March 7, 2006.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Extension of Time to Dispose of the Old Congress Heights School Emergency Declaration Resolution of 2008".

Sec. 2. (a) Pursuant to Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801) ("Act"), the Council approved the Mayor's disposition of the property located at 600 Alabama Avenue, S.E., Washington, D.C., commonly known as Old Congress Heights School, and designated for purposes of assessment and taxation as Parcel 235, Lot 6 ("Property").

(b) Pursuant to the Act, the Mayor's authorization to dispose of the Old Congress Heights School expires on March 8, 2008 (2 years after the effective date of the resolution approving the disposition).

(c) The prospective lessee and the District have worked diligently towards the disposition of the Property and the execution of a long-term lease.

(d) Despite the concerted efforts of the District and the prospective lessee, the disposition will not be completed by March 8, 2008.

(e) An extension of 6 months to complete the disposition of the Property, to September 8, 2008, is necessary to complete the transaction.

(f) If the proposed extension is not approved on an emergency basis, the time, effort, and expense devoted to the disposition will be lost.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Extension of Time to Dispose of the Old Congress Heights School Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-523

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. DCHC-2008-C-9091 with Unity Health Care, Inc., and to authorize payment for the services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHC-2008-C-9091 Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract to provide pharmacy-staffing and pharmacy-management services at 7 public-health clinics and to authorize payment for the services received and to be received under this contract.

(b) On September 29, 2007, the Office of Contracting and Procurement ("OCP") issued Contract No. DCHC-2008-C-9091 ("Contract") as a letter contract to Unity Health Care, Inc. ("Unity") in the amount of \$566,666.66 for the period October 1, 2007, until November 30, 2007.

(c) On November 30, 2007, by Modification No. 0001, OCP extended the letter contract for the period December 1, 2007, through December 31, 2007, in the amount of \$283,333.33.

(d) On December 28, 2007, by Modification No. 0002, OCP extended the letter contract, at no additional cost, for the period January 1, 2008, through February 29, 2008. The total amount of the letter contract was \$849,999.99.

(e) Council approval of the definitized Contract in the total amount of \$3,215,014 and authorization of payment is necessary to continue to provide these pharmacy-staffing and pharmacy-management services and to compensate Unity for these vital services from October 1, 2007 through September 30, 2008.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCHC-2008-C-9091 Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-524

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. RM-08-SAS-003-AS with Community Connections, Inc., for the provision of residential services to Department of Mental Health consumers, and to authorize payment for the services received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Department of Mental Health Community Connections, Inc., Residential Services Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve Contract No. RM-08-SAS-003-AS with Community Connections, Inc., for the provision of residential services to Department of Mental Health ("DMH") consumers in the amount of \$2,964,600.

(b) On October 1, 2007, DMH entered into a letter contract with Community Connections, Inc., for both residential services and supported independent-living services, which expressed DMH's intent to enter into a definitized contract, Contract No. RM-08-SAS-003-AS, for over \$1 million during a 12-month period. A determination was later made by the Contracting Officer that these different types and levels of services should be handled through separate contracts. Therefore, the letter contract has been modified to cover only residential services and has also been extended. The revised letter contract, dated December 26, 2007, is for \$972,000, and the proposed definitized contract is in the amount of \$2,964,600.

(c) The letter contract was executed in anticipation of merging the letter contract into a definitized contract. Council approval of the definitized contract is necessary as the contract is in excess of \$1 million over a 12-month period.

(d) Approval of the contract is required to allow residential services to continue and to avoid having to find new residential placements for 81 mental-health consumers in the middle of winter.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Department of Mental Health Community Connections, Inc., Residential Services Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-525

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. POBY-2006-C-0016 with Nutrition, Inc., and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. POBY-2006-C-0016 Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract to provide nutritional meals to elderly citizens of the District of Columbia and to authorize payment for the goods and services received and to be received under this contract.

(b) On January 4, 2006, the Council approved the award of Contract No. POBY-2006-C-0016 ("Contract") to Nutrition, Inc., to provide hot and cold meals to eligible elderly citizens. The Contract was awarded for a base term of 2 years, from January 12, 2006 until January 11, 2008, with 3 one-year options.

(c) The original Council package erroneously included only the amount for the 1st year of the 2-year base period, which was \$5,373,400. The correct amount for the base term should have been \$9,773,400.

(d) Council approval is necessary to increase the amount for the 2-year base period in the amount of \$4.4 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. POBY-2006-C-0016 Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17- 526

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to authorize payment to International Business Machines Corporation for software licensing and maintenance-support services provided to the Office of the Chief Technology Officer without a valid written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "International Business Machines Corporation Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) At the end of fiscal year 2006, the Office of the Chief Technology Officer ("OCTO") and the International Business Machines Corporation ("IBM") were negotiating the prices for the next contract.

(b) Due to a miscommunication between OCTO and the Office of Contracting and Procurement, a letter of continuance was not issued and the contract expired on September 30, 2006.

(c) IBM performed the services from October 1, 2006 until April 30, 2007 before the contracting officer became aware that IBM was working without a contract.

(d) A contract for these services was signed on April 30, 2007.

(e) IBM has not been paid for the services performed prior to the execution of the contract. The total cost to OCTO for the unauthorized services for the period from October 1, 2006 through April 30, 2007 is \$ 930,016.67.

(f) The software licensing and maintenance-support services OCTO received benefited the District; the OCTO contracting officer has determined that the price charged for the services received is fair and reasonable and recommends payment; the OCTO Chief Financial Officer has certified that appropriated funds are available and are unallocated to any other purpose; and the District's Chief Procurement Officer, upon review, has recommended that the contract be ratified.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the International Business Machines Corporation Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-527

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. RM-08-SAS-141-AS with Community Connections, Inc., for the provision of supported independent-living services to Department of Mental Health consumers, and to authorize payment for the services received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. RM-08-SAS-141-AS Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve Contract No. RM-08-SAS-141-AS with Community Connections, Inc., for the provision of supported independent-living services to Department of Mental Health ("DMH") consumers, in the amount of \$1,193,952.

(b) On October 1, 2007, DMH entered into a letter contract with Community Connections, Inc., for the provision of residential services and supported independent-living services, which expressed DMH's intent to enter into a definitized contract for over \$1 million. A determination was later made by the contracting officer that these distinct levels and types of services should be handled through separate contracts. Therefore, a revised letter contract, dated December 26, 2007, was entered into, in the amount of \$308,352, covering only supported independent-living services. This revised letter contract expresses DMH's intent to enter into a definitized contract, Contract No. RM-08-SAS-141-AS, in the amount of \$1,193,952.

(c) The letter contract was executed in anticipation of merging the letter contract into a definitized contract. Council approval of the definitized contract is necessary as the contract is in excess of \$1 million over a 12-month period.

(d) The contract provides for critical supported independent-living rental subsidies for 240 mental-health consumers. Approval of the contract is necessary to allow these supported independent-living services to continue and to avoid having to disrupt consumers' living arrangements in the middle of winter.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. RM-08-SAS-141-AS Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-528

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. RM-08-SAS-001-AS with Life Stride, Inc., and Contract No. RM-08-SAS-002-AS with Careco Mental Health Services, Inc., for the provision of residential services to Department of Mental Health consumers, and to authorize payment for the services received under these contracts.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract Nos. RM-08-SAS-001-AS and RM-08-SAS-002-AS Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve Contract No. RM-08-SAS-001-AS with Life Stride, Inc., and Contract No. RM-08-SAS-002-AS with Careco Mental Health Services, Inc., for the provision of residential services for consumers served by the Department of Mental Health ("DMH"), each contract being in an amount in excess of \$1 million during a 12-month period.

(b) On October 1, 2007, DMH entered into a letter contract with Life Stride, Inc., which expressed DMH's intent to enter into a definitized Contract No. RM-08-SAS-001-AS, for over \$1 million, with Life Stride, Inc. Since that time, the letter contract has been extended and modified, so that the revised letter contract, dated December 26, 2007, is for residential services only, in the amount of \$756,000, and the proposed definitized contract is in the amount of \$2,305,800.

(c) On October 1, 2007, DMH entered into a letter contract with Careco Mental Health Services, Inc., which expressed DMH's intent to enter into a definitized contract, Contract No. RM-08-SAS-002-AS, for over \$1 million, with Careco Mental Health Services, Inc. Since that time, the letter contract has been extended and modified, so that the revised letter contract, dated December 26, 2007, is for residential services only, in the amount of \$516,000, and the proposed definitized contract is in the amount of \$1,573,800.

(d) Each of the letter contracts was executed in anticipation of merging the letter contract into a definitized contract. Council approval of the definitized contracts is necessary as each definitized contract is in excess of \$1 million over a 12-month period.

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(e) These contracts provide for critical residential services for 106 mental-health consumers. If the contracts are not approved, DMH will have to disrupt living arrangements for these consumers and find alternative housing for them in the middle of winter.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract Nos. RM-08-SAS-001-AS and RM-08-SAS-002-AS Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-529

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to approve modifications to Contract No. GAGA-2004-C-0078B for asbestos-abatement services for the Phelps Architecture, Construction and Engineering High School, and to authorize payment for services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Modifications to Contract No. GAGA-2004-C-0078B Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve modification Nos. 9, 10, 11, and 12 to Contract No. GAGA-2004-C-0078B ("Contract") for asbestos-abatement services for the Phelps Architecture, Construction and Engineering High School, and to authorize payment for services received and to be received under that contract.

(b) On February 12, 2007, the Council approved the exercise of option year 2 of the Contract to provide asbestos-abatement services for the District of Columbia Public Schools in the amount of \$2.5 million. The option was awarded to Motir Services, Inc., on February 16, 2007.

(c) Modification No. 9, dated December 12, 2007, exercised a partial option year 3 at no cost from December 17, 2008, through January 16, 2008, to prevent the expiration of the Contract.

(d) Modification No. 10, dated January 4, 2008, exercised a partial option year 3 at no cost from January 17, 2008, through April 16, 2008, to prevent the expiration of the Contract.

(e) Modification No. 11, dated January 30, 2008, proposed authorization of payment of \$1,045,579.

(f) Modification No. 12 proposes approval of the remaining option year 3, from April 17, 2008, to December 16, 2008, in an amount of up to \$2 million, which is now necessary to continue the critical asbestos-abatement services.

(g) Council approval of the Contract and authorization of payment is necessary as these modifications increase the contract by more than \$1 million during a 12-month period and to allow the continuation of these vital services and to ensure the health, safety, and welfare of the

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public schools, including Phelps Architecture, Construction and Engineering High School. Without Council approval, Motir Services, Inc., cannot be paid for services provided, in the amount of \$1,045,579, and cannot continue services during option year 3 of the Contract.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications to Contract No. GAGA-2004-C-0078B Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-530

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to authorize payment to McKissack & McKissack for program-management services for various public schools provided to the Office of Public Education Facilities Modernization without a valid written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "McKissack & McKissack Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Office of Public Education Facilities Modernization ("OFM") engaged McKissack & McKissack to provide program-management services for various public schools without a valid written contract from June 15, 2007, through August 9, 2007.

(b) McKissack & McKissack has not been paid for these services. The total cost to OFM for the unauthorized services for the period June 15, 2007, through August 9, 2007, is \$238,963.96.

(c) The program-management services for various public schools that OFM received benefited the District. The OFM's contracting officer has determined that the cost of the services received is fair and reasonable. The OFM's chief financial officer has certified that appropriated funds are available and unallocated to any other purpose. The Chief Procurement Officer, following review, has recommended that the contract be ratified.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the McKissack & McKissack Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-531

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency with respect to the need to review and approve the sale of real property owned by the District of Columbia to the Estates at Mount Vernon, LLC, which real property is located at 1220 4th Street, N.W., 1232 4th Street, N.W., and 1226 4th Street, N.W., in the District of Columbia and designated for assessment and taxation purposes as Lots 0132, 0129, and 0866, Square 0513.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Home Again Estates at Mt. Vernon Disposition Emergency Declaration Resolution of 2008".

Sec. 2. (a) Pursuant to section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801)("Act"), the Mayor transmitted to the Council a request for Council approval of the disposition by negotiated sale of certain real property owned by the District of Columbia in fee simple, commonly known as 1220 4th Street, N.W., 1232 4th Street, N.W., and 1226 4th Street, N.W., and identified for purposes of assessment and taxation as Lots 0132, 0129, and 0866, Square 0513 (collectively, "Property").

(b) Pursuant to Council approval and subject to the provisions of the Act, the District would dispose of the Property to the Estates at Mount Vernon, LLC ("Developer").

(c) The Mayor has determined that the Developer's response to a Home Again Initiative request for proposals to purchase and redevelop the Property will result in the most effective and beneficial use of the Property.

(d) To begin redevelopment of the Property by the spring of 2008, the Developer requires title to the Property to initiate the redevelopment process, including beginning the permit process and securing the necessary construction contracts.

(e) The prompt conveyance of title to the Developer will enable swift redevelopment of the Property and the elimination of blight on the neighborhood.

(f) If the Property is not conveyed expeditiously, it may delay Developer's procuring the necessary construction and permanent financing. Construction costs within the District are also generally rising and will compromise the ability to get reasonable financing if Developer is not able to secure needed private financing.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Home Again Estates at Mt. Vernon Disposition Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-532

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To approve, on an emergency basis, the sale of real property owned by the District of Columbia located at 1220 4th Street, N.W., 1226 4th Street, N.W., and 1232 4th Street, N.W., in the District of Columbia and designated for assessment and taxation purposes as Lots 0132, 0129, and 0866, Square 0513.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Home Again Estates at Mt, Vernon Disposition Emergency Approval Resolution of 2008".

Sec. 2. (a) Pursuant to section 1(b)(6) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)(6)), the Mayor transmitted to the Council a request for Council approval of the disposition by negotiated sale of certain real property owned by the District of Columbia in fee simple, commonly known as 1220 4th Street, N.W., 1226 4th Street, N.W., and 1232 4th Street, N.W., and identified for purposes of assessment and taxation as Lots 0132, 0129, and 0866, Square 0513 (collectively, "Property").

(b) The Council finds that the Mayor's analysis of economic and other policy factors supporting the disposition of the Property justifies the conveyance proposed by the Mayor.

(c) The Council finds that the Property is no longer required for public purposes.

(d) The Council, finding that the Property is no longer required for public purposes, approves the proposed disposition of the Property by negotiated sale on terms and conditions that the Mayor determines to be in the best interests of the District.

Sec. 3. Repealer.

The Home Again Estates at Mt. Vernon Disposition Emergency Approval Resolution of 2007, effective December 11, 2007 (Res. 17-461; 54 DCR 12579), is repealed.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chief Financial Officer.

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Sec. 5. Fiscal impact statement.

The Council adopts the January 25, 2008 fiscal impact statement of the Chief Financial Officer 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. 6. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

17-533

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the sense of the Council in support of establishing the United States of America's first National Civilian University in the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Support of Establishing the United States of America's First National Civilian University in our Nation's Capital Resolution of 2008".

Sec. 2. The Council finds that:

(1) The United States Congress is currently exploring legislation introduced in the Senate by Senator Hillary Clinton (D-NY) and Senator Arlen Specter (R-PA), and a companion bill introduced in the House of Representatives by Representative Jim Moran (D-VA) and Representative Christopher Shays (R-CT) to establish the United States Public Service Academy ("Academy"), and the legislation now has over 100 co-sponsors, including Representative Eleanor Holmes Norton (D-DC).

(2) In the wake of tragedies such as Hurricane Katrina, the nation recognized the need to create an undergraduate institution designed to cultivate a new generation of young Americans dedicated to public service. This institution is particularly timely because the Congressional Budget Office reports that 44% of all federal workers become eligible to retire over the next 5 years.

(3) The Academy is anticipated to be modeled after our military service academies by providing service-oriented, leadership-focused education for approximately 5,000 undergraduate students. Thus, it will become the flagship institution for public leadership.

(4) The Academy is anticipated to cost approximately \$205 million annually, and will be funded through federal-private partnerships, with Congress appropriating approximately \$16 million.

(5) The District is the ideal place to establish the Academy because of our close, unique relationship with the federal government, which will further the national and global mission of the Academy. As the seat of the federal government, the District offers opportunities that would be invaluable to Academy students. These opportunities include internships where

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students would be able to get hands-on experience in public service, partnerships with federal and local government agencies that could provide speakers and visiting professors for Academy classes, and easy access to research materials and subjects.

(6) Establishing the Academy in the District will help foster an environment of service in our city. As a service-oriented institution, the Public Service Academy will require faculty, staff, and students to work with District schools, recreation centers, health-outreach programs, and other District service agencies to address important needs in our communities.

Sec. 3. It is the sense of the Council that the Public Service Academy is a necessary institution to encourage and teach the virtues of public service, both nationally and globally, and that the Academy should be established in the District because of its ideal location.

Sec. 4. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the United States House of Representatives, the United States Senate, and to the Mayor.

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

17-534

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 5, 2008

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Retail Incentive Act of 2004 to expand the scope of eligible projects, to permit tenants to apply for assistance under the act, and to prescribe certified business enterprise agreement requirements for such assistance.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Downtown Retail TIF Congressional Review Emergency Declaration Resolution of 2008".

Sec. 2. Emergency circumstances.

(a) The Council has previously passed the underlying legislation on a permanent basis (D.C. Act 17-279), and that act is pending Congressional review.

(b) The substance of the underlying legislation is to amend the Retail Incentive Act of 2004 to expand the scope of the law to include "unique entertainment attractions" to projects which can qualify for assistance, to permit tenants to apply for assistance, and to prescribe certified business enterprise agreement requirements for such assistance.

(c) To bring the underlying legislation into immediate effect, this Congressional review emergency legislation is warranted.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Downtown Retail TIF Congressional Review Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.