

ENROLLED ORIGINAL

A RESOLUTION

17-157

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved

April 19, 2007

To confirm the appointment of Mr. Neil O. Albert as the Deputy Mayor for Planning and Economic Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deputy Mayor for Planning and Economic Development Neil O. Albert Confirmation Resolution of 2007".

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

Mr. Neil O. Albert
1358 Locust Road, N.W.
Washington, D.C. 20012
(Ward 4)

as the Deputy Mayor for Planning and Economic Development, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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.

ENROLLED ORIGINAL

A RESOLUTION

17-168

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve the proposed compensation system changes submitted by the Board of Trustees of the University of the District of Columbia for the faculty of the David A. Clarke School of Law not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia's David A. Clarke School of Law Faculty Compensation System Changes Approval Resolution of 2007".

Sec. 2. Pursuant to section 1111 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.11), the Council approves the proposed compensation system changes recommended by the Board of Trustees of the University of the District of Columbia ("Board") for the faculty of the David A. Clarke School of Law not covered by collective bargaining, which were transmitted to the Council by the University of the District of Columbia on March 15, 2007, following their adoption by the Board on November 21, 2006, and which provide as follows:

UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
LAW SCHOOL
FACULTY SALARY SCHEDULE

Increase: 4% Effective: October 1, 2005

Service Codes: L32, N33, N34; CBU Code: XGF
Created from Salary Schedule Effective July 1, 2005

GRADE	STEP INCREASES															Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
05 INSTRUCTOR	45,152	46,326	47,500	48,674	49,848	51,022	52,196	53,370	54,544	55,718	56,892	58,066	59,240	60,414	61,588	1,174
04 ASSISTANT PROFESSOR	55,716	57,031	58,346	59,661	60,976	62,291	63,606	64,921	66,236	67,551	68,866	70,181	71,496	72,811	74,126	1,315
03 ASSOCIATE PROFESSOR	62,634	64,212	65,790	67,368	68,946	70,524	72,102	73,680	75,258	76,836	78,414	79,992	81,570	83,148	84,726	1,578
02 PROFESSOR	70,527	72,538	74,549	76,560	78,571	80,582	82,593	84,604	86,615	88,626	90,637	92,648	94,659	96,670	98,681	2,011
01 DISTINGUISHED PROFESSOR															103,417	

ENROLLED ORIGINAL

Sec. 3. The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2005.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 5. 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. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-169

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve the proposed compensation system changes submitted by the Board of Trustees of the University of the District of Columbia for the non-faculty, non-union Educational Service employees not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Non-Faculty/Non-Union Educational Service Employees Compensation System Changes Approval Resolution of 2007".

Sec. 2. Pursuant to section 1111 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.11), the Council approves the proposed compensation system changes recommended by the Board of Trustees of the University of the District of Columbia ("Board") for the non-faculty, non-union Educational Service employees not covered by collective bargaining, which were transmitted to the Council by the University of the District of Columbia on March 15, 2007, following their adoption by the Board on November 21, 2006, and which provide as follows:

UNIVERSITY OF THE DISTRICT OF COLUMBIA
 OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
 ADMINISTRATIVE SALARY SCHEDULE

Increase: 4.0% Effective: October 1, 2005
 Service Codes: L02, L04, L20, L26; CBU Code: XGF
 Created from Salary Schedule Effective July 1, 2005

GRADE	STEP INCREASES										Difference Between Steps	
	1	2	3	4	5	6	7	8	9	10		
01	178,010	229,058										
1A	133,915	137,334	140,753	144,172	147,591	151,010	154,429	157,848	161,267	164,686	3,419	
2A	98,315	101,623	104,931	108,239	111,547	114,855	118,163	121,471	124,779	128,087	3,308	
2B	92,046	95,103	98,160	101,217	104,274	107,331	110,388	113,445	116,502	119,559	3,057	
03	77,746	80,795	83,844	86,893	89,942	92,991	96,040	99,089	102,138	105,187	3,049	
04	68,936	71,578	74,220	76,862	79,504	82,146	84,788	87,430	90,072	92,714	2,642	
05	61,540	63,885	66,230	68,575	70,920	73,265	75,610	77,955	80,300	82,645	2,345	
06	57,923	60,181	62,439	64,697	66,955	69,213	71,471	73,729	75,987	78,245	2,258	
07	52,303	54,322	56,341	58,360	60,379	62,398	64,417	66,436	68,455	70,474	2,019	
08	47,566	49,389	51,212	53,035	54,858	56,681	58,504	60,327	62,150	63,973	1,823	
09	39,883	41,423	42,963	44,503	46,043	47,583	49,123	44,615	50,663	52,203	1,540	
10	36,197	37,600	39,003	40,406	41,809	43,212	44,615	46,018	47,421	48,824	1,403	
11	33,058	34,310	35,562	36,814	38,066	39,318	40,570	41,822	43,074	44,326	1,252	
12	30,204	31,362	32,520	33,678	34,836	35,994	37,152	38,310	39,468	40,626	1,158	
13	27,387	28,430	29,473	30,516	31,559	32,602	33,645	34,688	35,731	36,774	1,043	
14	24,690	25,652	26,614	27,576	28,538	29,500	30,462	31,424	32,386	33,348	962	
15	21,318	22,122	22,926	23,730	24,534	25,338	26,142	26,946	27,750	28,554	804	

ENROLLED ORIGINAL

Sec. 3. The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2005.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 5. 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. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-170

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve the proposed compensation system changes submitted by the Mayor on behalf of the Board of Trustees of the University of the District of Columbia for the Legal Service employees not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Legal Service Employees Compensation System Changes Approval Resolution of 2007".

Sec. 2. Pursuant to section 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.06), the Council approves the proposed compensation system changes recommended by the Mayor on behalf of the Board of Trustees of the University of the District of Columbia ("Board") for the Legal Service employees not covered by collective bargaining, which were transmitted to the Council by the Mayor on behalf of the Chairman of the Board on March 22, 2007, following their adoption by the Board on November 21, 2006, and which provide as follows:

**UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
LEGAL SERVICES ADMINISTRATIVE SALARY SCHEDULE**

Increase: 4.0% Effective: October 1, 2005

Service Codes: L29; CBU Code: XGF
Created from Salary Schedule Effective July 1, 2005

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
02A	117,591	121,145	124,699	128,253	131,807	135,361	138,915	142,469	146,023	149,577	3,554
02B	101,097	104,047	106,997	109,947	112,897	115,847	118,797	121,747	124,697	127,647	2,950
03	86,288	88,802	91,316	93,830	96,344	98,858	101,372	103,886	106,400	108,914	2,514
04	73,538	75,674	77,810	79,946	82,082	84,218	86,354	88,490	90,626	92,762	2,136

ENROLLED ORIGINAL

Sec. 3. The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2005.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 5. 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. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-171

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve the proposed compensation system changes submitted by the Mayor on behalf of the University of the District of Columbia for the Career Service employees of the University of the District of Columbia not covered by collective bargaining.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "University of the District of Columbia Non-Union Career Service Employees Compensation System Changes Approval Resolution of 2007".

Section 2. Pursuant to section 1106 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.06), the Council approves the proposed compensation system changes recommended by the Mayor on behalf of the Board of Trustees of the University of the District of Columbia ("Board") for the Career Service employees not covered by collective bargaining, which were transmitted to the Council by the Mayor on behalf of the Chairman of the Board on March 22, 2007, following their adoption by the Board on November 21, 2006, and which provide as follows:

UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
DISTRICT SERVICE

Increase: 4% Effective: October 10, 2005

Service Code: A01; CBU Code: XGF

Created from Salary Schedule Effective July 10, 2006

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
DS - 01	16,427	16,927	17,427	17,927	18,427	18,927	19,427	19,927	20,427	20,927	500
DS - 02	18,306	18,861	19,416	19,971	20,526	21,081	21,636	22,191	22,746	23,301	555
DS - 03	19,828	20,440	21,052	21,664	22,276	22,888	23,500	24,112	24,724	25,336	612
DS - 04	22,077	22,762	23,447	24,132	24,817	25,502	26,187	26,872	27,557	28,242	685
DS - 05	24,513	25,283	26,053	26,823	27,593	28,363	29,133	29,903	30,673	31,443	770
DS - 06	27,165	28,020	28,875	29,730	30,585	31,440	32,295	33,150	34,005	34,860	855
DS - 07	30,006	30,958	31,910	32,862	33,814	34,766	35,718	36,670	37,622	38,574	952
DS - 08	33,081	34,133	35,185	36,237	37,289	38,341	39,393	40,445	41,497	42,549	1,052
DS - 09	36,377	37,542	38,707	39,872	41,037	42,202	43,367	44,532	45,697	46,862	1,165
DS - 10	39,917	41,196	42,475	43,754	45,033	46,312	47,591	48,870	50,149	51,428	1,279
DS - 11	43,855	45,261	46,667	48,073	49,479	50,885	52,291	53,697	55,103	56,509	1,406
DS - 12	52,565	54,251	55,937	57,623	59,309	60,995	62,681	64,367	66,053	67,739	1,686
DS - 13	62,488	64,494	66,500	68,506	70,512	72,518	74,524	76,530	78,536	80,542	2,006
DS - 14	73,847	76,217	78,587	80,957	83,327	85,697	88,067	90,437	92,807	95,177	2,370
DS - 15	86,871	89,658	92,445	95,232	98,019	100,806	103,593	106,380	109,167	111,954	2,787
DS - 16	100,715	101,180	101,645	102,110	102,575	103,040	103,505	103,970	104,435	104,900	465

UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
WAGE SERVICE - SUPERVISORY PAY RATES

Increase: 4% Effective: October 10, 2005

Service Codes: B03; CBU Code: XGF
Created from Salary Schedule Effective July 10, 2005

GRADE	STEP 1 HOURLY RATE	STEP 1 ANNUALIZED RATE	STEP 2 HOURLY RATE	STEP 2 ANNUALIZED RATE	STEP 3 HOURLY RATE	STEP 3 ANNUALIZED RATE	STEP 4 HOURLY RATE	STEP 4 ANNUALIZED RATE	STEP 5 HOURLY RATE	STEP 5 ANNUALIZED RATE
SW - 01	15.57	32,383.10	16.22	33,745.92	16.87	35,087.10	17.51	36,428.29	18.17	37,791.10
SW - 02	16.43	34,178.56	17.13	35,627.90	17.82	37,055.62	18.49	38,461.70	19.17	39,867.78
SW - 03	17.32	36,017.28	18.04	37,531.52	18.76	39,024.13	19.48	40,516.74	20.21	42,030.98
SW - 04	18.14	37,726.21	18.90	39,305.34	19.66	40,884.48	20.40	42,441.98	21.16	44,021.12
SW - 05	19.02	39,564.93	19.81	41,208.96	20.60	42,852.99	21.40	44,518.66	22.19	46,162.69
SW - 06	19.86	41,317.12	20.69	43,026.05	21.51	44,734.98	22.34	46,465.54	23.16	48,174.46
SW - 07	20.77	43,199.10	21.63	44,994.56	22.51	46,811.65	23.37	48,607.10	24.23	50,402.56
SW - 08	21.59	44,908.03	22.50	46,790.02	23.40	48,672.00	24.29	50,532.35	25.20	52,414.34
SW - 09	22.44	46,681.86	23.39	48,650.37	24.33	50,597.25	25.25	52,522.50	26.19	54,469.38
SW - 10	23.33	48,520.58	24.30	50,553.98	25.27	52,565.76	26.25	54,599.17	27.23	56,632.58
SW - 11	23.88	49,667.07	24.88	51,743.74	25.88	53,820.42	26.86	55,875.46	27.87	57,973.76
SW - 12	24.55	51,073.15	25.57	53,193.09	26.59	55,313.02	27.62	57,454.59	28.64	59,574.53
SW - 13	25.43	52,890.24	26.49	55,096.70	27.52	57,238.27	28.61	59,509.63	29.67	61,716.10
SW - 14	26.41	54,923.65	27.50	57,195.01	28.60	59,488.00	29.70	61,780.99	30.79	64,052.35
SW - 15	27.57	57,346.43	28.70	59,704.32	29.86	62,105.47	31.01	64,506.62	32.17	66,907.78
SW - 16	28.92	60,158.59	30.12	62,646.27	31.34	65,177.22	32.54	67,686.53	33.75	70,195.84
SW - 17	30.44	63,316.86	31.71	65,955.97	32.98	68,595.07	34.26	71,255.81	35.54	73,916.54

**UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
WAGE SERVICE - LEADER PAY RATES**

Increase: 4% Effective: October 10, 2005

Service Codes: B02; CBU Code: XGF
Created from Salary Schedule Effective July 10, 2005

GRADE	STEP 1 HOURLY RATE	STEP 1 ANNUALIZED RATE	STEP 2 HOURLY RATE	STEP 2 ANNUALIZED RATE	STEP 3 HOURLY RATE	STEP 3 ANNUALIZED RATE	STEP 4 HOURLY RATE	STEP 4 ANNUALIZED RATE	STEP 5 HOURLY RATE	STEP 5 ANNUALIZED RATE
LW - 01	11.23	23,362.56	11.68	24,292.74	12.16	25,287.81	12.63	26,261.25	13.09	27,234.69
LW - 02	12.16	25,287.81	12.66	26,326.14	13.18	27,407.74	13.66	28,402.82	14.18	29,484.42
LW - 03	13.12	27,299.58	13.66	28,402.82	14.21	29,549.31	14.76	30,695.81	15.31	31,842.30
LW - 04	14.09	29,311.36	14.66	30,501.12	15.25	31,712.51	15.85	32,967.17	16.42	34,156.93
LW - 05	14.97	31,128.45	15.59	32,426.37	16.22	33,745.92	16.84	35,022.21	17.47	36,341.76
LW - 06	15.95	33,183.49	16.62	34,567.94	17.28	35,952.38	17.94	37,315.20	18.62	38,721.28
LW - 07	16.95	35,260.16	17.67	36,752.77	18.39	38,245.38	19.08	39,694.72	19.79	41,165.70
LW - 08	17.94	37,315.20	18.71	38,915.97	19.45	40,451.84	20.20	42,009.34	20.95	43,566.85
LW - 09	18.84	39,197.18	19.65	40,862.85	20.42	42,463.62	21.20	44,086.02	22.01	45,773.31
LW - 10	19.80	41,187.33	20.63	42,917.89	21.47	44,648.45	22.29	46,357.38	23.11	48,066.30
LW - 11	20.79	43,242.37	21.65	45,037.82	22.52	46,833.28	23.39	48,650.37	24.26	50,467.46
LW - 12	21.73	45,189.25	22.63	47,071.23	23.51	48,909.95	24.44	50,835.20	25.34	52,717.18
LW - 13	22.68	47,179.39	23.63	49,147.90	24.58	51,116.42	25.51	53,063.30	26.46	55,031.81
LW - 14	23.66	49,212.80	24.65	51,267.84	25.63	53,301.25	26.62	55,377.92	27.60	57,411.33
LW - 15	24.68	51,332.74	25.72	53,495.94	26.74	55,615.87	27.76	57,735.81	28.80	59,899.01

UNIVERSITY OF THE DISTRICT OF COLUMBIA
OUTSIDE THE SCOPE OF COLLECTIVE BARGAINING
DISTRICT SERVICE

Increase: 4% Effective: October 10, 2005

Service Code: A06; CBU Code: XGF

OCCUPATIONAL COVERAGE: CLERICAL SERIES DS-318 - SECRETARY; DS-322 CLERK TYPIST; DS 356 DATA TRANSCRIBER
Created from Salary Schedule Effective July 10, 2005

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
DS - 02	20,528	21,083	21,638	22,193	22,748	23,303	23,858	24,413	24,968	25,523	555
DS - 03	22,272	22,884	23,496	24,108	24,720	25,332	25,944	26,556	27,168	27,780	612
DS - 04	23,447	24,132	24,817	25,502	26,187	26,872	27,557	28,242	28,927	29,612	685
DS - 05	25,282	26,052	26,822	27,592	28,362	29,132	29,902	30,672	31,442	32,212	770
DS - 06	28,020	28,875	29,730	30,585	31,440	32,295	33,150	34,005	34,860	35,715	855
DS - 07	30,958	31,910	32,862	33,814	34,766	35,718	36,670	37,622	38,574	39,526	952

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Sec. 3. The compensation system changes approved in section 2 shall become effective as of the first day of the first pay period beginning on or after October 1, 2005.

Sec. 4. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the University of the District of Columbia Board of Trustees and the Mayor.

Sec. 5. 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. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-172

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$73.3 million in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist The Catholic University of America in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "The Catholic University of America Revenue Bonds Project Approval Resolution of 2007".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

(1) "Authorized Delegate" means the Mayor, the Deputy Mayor for Planning and Economic Development, or any officer or employee of the Executive Office of the Mayor to whom the Mayor has delegated or to whom the foregoing individuals have subdelegated any of the Mayor's functions under this resolution pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Mayor.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this resolution.

(4) "Borrower" means The Catholic University of America, a nonprofit corporation organized under the laws of the United States by Act of Congress and existing under the laws of the District of Columbia.

(5) "Chairman" means the Chairman of the Council of the District of Columbia.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the bonds and to make the loan, and includes agreements, certificates, letters, opinions, forms, receipts, and

ENROLLED ORIGINAL

other similar instruments.

(7) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the bonds and the making of the loan, including any offering document, and any required supplements to any such documents.

(8) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(9) "Issuance Costs" means all fees, costs, charges, and expenses paid or incurred in connection with the authorization, preparation, printing, issuance, sale, and delivery of the bonds and the making of the loan, including, but not limited to, underwriting, legal, accounting, rating agency, and all other fees, costs, charges, and expenses incurred in connection with the development and implementation of the Financing Documents, the Closing Documents, and those other documents necessary or appropriate in connection with the authorization, preparation, printing, issuance, sale, marketing, and delivery of the bonds and the making of the loan, together with financing fees, costs, and expenses, including program fees and administrative fees charged by the District, fees paid to financial institutions and insurance companies, initial letter of credit fees (if any), and compensation to financial advisors and other persons (other than full-time employees of the District) and entities performing services on behalf of or as agents for the District.

(10) "Loan" means the District's lending of proceeds from the sale, in one or more series, of the bonds to the borrower.

(11) "Project" means:

(A) The financing, refinancing, or reimbursing of the construction, renovation, expansion, improvement, equipping, and installing of a 402-bed dormitory and associated facilities and infrastructure, including roadways, parking, sidewalks, and open spaces; the relocation of an existing facilities maintenance building and site work; enhancement of campus entrances, including modification and improvement of existing entrances on Michigan Avenue, Harewood Road, and McCormick Road, and enhancement of other campus roadways, parking, and open spaces; improvements to the campus security gateway area at the Brookland/Catholic University Metro station; the renovation of Keane Hall, Caldwell Hall, Shahan Hall, Ward Hall, Hartke Hall, O'Boyle Hall, McMahan Hall, Maloney Hall, Mullen Library, and Marist Hall, all for the enhancement of general purpose classrooms, laboratories, libraries, practice rooms, performance space, and faculty and staff offices; the renovation of Gibbons Hall for residence life; renovation of the Dufour Athletic Center and related athletic facilities and expansion of the Eugene I. Kane Student Fitness Center, and all of which are located on the main campus of the borrower, with main offices located at 620 Michigan Avenue, N.E., Washington, D.C. (Square 3821, Lot 0044);

(B) The refinancing of a portion of the outstanding principal amount of the District's Series 1999 bonds issued to refinance the District's Series 1989A bonds and to finance

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the construction of a new student center and new student residence facilities and expansion of Mullen Library, the renovation and equipping of other existing academic, athletic, residential, and administrative facilities, and the replacement of main boilers in the Power Plant Building;

(C) The paying of capitalized interest and related Issuance Costs for the bonds; and

(D) The paying of any credit enhancement, including any bond insurance, and funding of any required reserves.

Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may, by resolution, authorize the issuance of District revenue bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$73.3 million, and to make the loan for the purpose of financing, refinancing, or reimbursing costs of the project.

(3) The project is located in the District and will contribute to the health, education, safety, or welfare of, or the creation or preservation of jobs for, residents of the District, or to economic development of the District.

(4) The project is an undertaking in the area of elementary, secondary, and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the bonds and the loan to the borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the project.

Sec. 4. Bond authorization.

(a) The Mayor is authorized pursuant to the Home Rule Act and this resolution to assist in financing, refinancing, or reimbursing the costs of the project by:

(1) The issuance, sale, and delivery of the bonds, in one or more series, in an aggregate principal amount not to exceed \$73.3 million; and

(2) The making of the loan.

(b) The Mayor is authorized to make the loan to the borrower for the purpose of financing, refinancing, or reimbursing the costs of the project and establishing any fund with respect to the bonds as required by the Financing Documents.

(c) The Mayor may charge a program fee to the borrower, including, but not limited to,

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an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the bonds, the District's participation in the monitoring of the use of the bond proceeds and compliance with any public benefit agreements with the District, maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the bonds.

Sec. 5. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this resolution in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the bonds, including a determination that the bonds may be issued in certificated or book-entry form;

(2) The principal amount of the bonds to be issued and denominations of the bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the bonds, and the maturity date or dates of the bonds;

(5) The terms under which the bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the bonds and the replacement of mutilated, lost, stolen, or destroyed bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the bonds;

(8) The time and place of payment of the bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the bonds to ensure that the proceeds are properly applied to the project and used to accomplish the purposes of the Home Rule Act and this resolution;

(10) Actions necessary to qualify the bonds under blue sky laws of any jurisdiction where the bonds are marketed; and

(11) The terms and types of credit enhancement under which the bonds may be secured.

(b) The bonds shall contain a legend, which shall provide that the bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

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(c) The bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary of the District of Columbia's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the bonds.

(e) The bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The bonds may be issued at any time or from time to time in one or more issues and in one or more series.

Sec. 6. Sale of the bonds.

(a) The bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon terms that the Mayor considers to be in the best interests of the District.

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the bonds.

(c) The Mayor is authorized to deliver the executed and sealed bonds, on behalf of the District, for authentication, and, after the bonds have been authenticated, to deliver the bonds to the original purchasers of the bonds upon payment of the purchase price.

(d) The bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the bonds of such series and, if the interest on the bonds is expected to be exempt from federal income taxation, the treatment of the interest on the bonds for purposes of federal income taxation.

Sec. 7. Payment and security.

(a) The principal of, premium, if any, and interest on, the bonds shall be payable solely from proceeds received from the sale of the bonds, income realized from the temporary investment of those proceeds, receipts and revenues realized by the District from the loan, income realized from the temporary investment of those receipts and revenues prior to payment to the bond owners, other moneys that, as provided in the Financing Documents, may be made available to the District for the payment of the bonds, and other sources of payment (other than from the District), all as provided for in the Financing Documents.

ENROLLED ORIGINAL

(b) Payment of the bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the bond owners of certain of its rights under the Financing Documents and Closing Documents, including a security interest in certain collateral, if any, to the trustee for the bonds pursuant to the Financing Documents.

(c) The trustee is authorized to deposit, invest, and disburse the proceeds received from the sale of the bonds pursuant to the Financing Documents.

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the bonds and to make the loan to the borrower.

(b) The Mayor is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Financing Documents and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the bonds, and to ensure the due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Authorized delegation of authority.

To the extent permitted by District and federal laws, the Mayor may delegate to any Authorized Delegate the performance of any function authorized to be performed by the Mayor under this resolution.

Sec. 10. Limited liability.

(a) The bonds shall be special obligations of the District. The bonds shall be without recourse to the District. The bonds shall not be general obligations of the District, shall not be a pledge of or involve the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the bonds.

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(c) Nothing contained in the bonds, in the Financing Documents, or in the Closing Documents shall create an obligation on the part of the District to make payments with respect to the bonds from sources other than those listed for that purpose in section 7.

(d) The District shall have no liability for the payment of any Issuance Costs or for any transaction or event to be effected by the Financing Documents.

(e) All covenants, obligations, and agreements of the District contained in this resolution, the bonds, and the executed, sealed, and delivered Financing Documents and Closing Documents to which the District is a party, shall be considered to be the covenants, obligations, and agreements of the District to the fullest extent authorized by law, and each of those covenants, obligations, and agreements shall be binding upon the District, subject to the limitations set forth in this resolution.

(f) No person, including, but not limited to, the borrower and any bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District or any of its elected or appointed officials, officers, employees or agents to perform any covenant, undertaking, or obligation under this resolution, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance, sale, or delivery of the bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this resolution, the bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the bonds, the Financing Documents, or the Closing Documents.

Sec. 12. Maintenance of documents.

Copies of the specimen bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the

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issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

(a) The issuance of bonds is in the discretion of the District. Nothing contained in this resolution, the bonds, the Financing Documents, or the Closing Documents shall be construed as obligating the District to issue any bonds for the benefit of the borrower or to participate in or assist the borrower in any way with financing, refinancing, or reimbursing the costs of the project. The borrower shall have no claims for damages or for any other legal or equitable relief against the District, its elected or appointed officials, officers, employees, or agents as a consequence of any failure to issue any bonds for the benefit of the borrower.

(b) The District reserves the right to issue the bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations that any portion of any limited amount of bonds or other obligations, the interest on which is excludable from gross income for federal income tax purposes, will be reserved or will be available at the time of the proposed issuance of the bonds.

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the project, does not provide any assurance that the project is viable or sound, that the borrower is financially sound, or that amounts owing on the bonds or pursuant to the loan will be paid. The borrower, any purchaser of the bonds, or any other person shall not rely upon the District with respect to these matters.

Sec. 15. Expiration.

If any bonds are not issued, sold, and delivered to the original purchaser within 3 years of the effective date of this resolution, the authorization provided in this resolution with respect to the issuance, sale, and delivery of the bonds shall expire.

Sec. 16. Severability.

If any particular provision of this resolution, or the application thereof to any person or circumstance is held invalid, the remainder of this resolution and the application of such provision to other persons or circumstances shall not be affected thereby. If any action or inaction contemplated under this resolution is determined to be contrary to the requirements of applicable law, such action or inaction shall not be necessary for the purpose of issuing of the bonds, and the validity of the bonds shall not be adversely affected.

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the project. This resolution has been

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adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

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

Sec. 19. 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 Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

17-173

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To confirm the appointment of Mr. Robert Clayton Cooper to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Robert Clayton Cooper Confirmation Resolution of 2007".

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

Mr. Robert Clayton Cooper
6409 3rd Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a mortgage lending member of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), replacing Kathleen Miles, whose term ended June 28, 2006, for a term to end June 28, 2008.

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.

ENROLLED ORIGINAL

A RESOLUTION

17-174

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To confirm the reappointment of Mr. Michael L. Wheat to the District of Columbia Housing Finance Agency Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Housing Finance Agency Board of Directors Michael L. Wheat Confirmation Resolution of 2007".

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

Mr. Michael L. Wheat
1615 Holly Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a finance member of the District of Columbia Housing Finance Agency Board of Directors, established by section 202 of the District of Columbia Housing Finance Agency Act, effective March 3, 1979 (D.C. Law 2-135; D.C. Official Code § 42-2702.02), for a term to end June 28, 2008.

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.

ENROLLED ORIGINAL

A RESOLUTION

17-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To confirm the appointment of Mr. Dennis L. Rubin as the Chief of the Fire and Emergency Medical Services Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief of the Fire and Emergency Medical Services Department Dennis L. Rubin Confirmation Resolution of 2007".

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

Mr. Dennis L. Rubin
213 Elvan Avenue, N.E.
Atlanta, GA 30317

as the Chief of the Fire and Emergency Medical Services Department, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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.

ENROLLED ORIGINAL

A RESOLUTION

17-176

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To confirm the appointment of Mr. Robin B. Martin 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 Robin B. Martin Confirmation Resolution of 2007".

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

Mr. Robin B. Martin
2458 Wyoming Avenue, N.W.
Washington, D.C. 20008
(Ward 2)

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), completing the unexpired term of Glenn S. Gerstell, which will end September 12, 2008.

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.

ENROLLED ORIGINAL

A RESOLUTION

17-177

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to clarify that cigarette stamps may be affixed only to packages of cigarettes whose brands are included in the directory of Tobacco Product Manufacturers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Cigarette Stamp Clarification Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to amend section 47-2402(c) of the District of Columbia Official Code to clarify that District of Columbia cigarette tax stamps ("cigarette tax stamps") may be affixed only to packages of cigarettes whose brands are included in the District of Columbia's directory of Tobacco Product Manufacturers that have provided proper certifications pursuant to the section 4(b) of the Tobacco Product Manufacturers Reserve Fund Complementary Procedures Act of 2004, effective April 22, 2004 (D.C. Law 15-150; D.C. Official Code § 7-1803.03(b)) ("Complementary Procedures Act").

(b) The Office of Tax and Revenue ("OTR") and the Office of the Attorney General ("OAG") currently enforce the financial obligations of cigarette manufacturers under the Tobacco Settlement Model Act of 2000, effective July 18, 2000 (D.C. Law 13-139; D.C. Official Code § 7-1801.01 *et seq.*) ("Model Act"). These efforts are directly supported by OTR's and OAG's enforcement of the complementary obligations of cigarette wholesalers and retailers under the Complementary Procedures Act. These complementary obligations include prohibitions against affixing cigarette tax stamps to, or selling in the District of Columbia, packages of cigarettes whose brands are not included in the District of Columbia directory of those cigarette manufacturers that, pursuant to the Complementary Procedures Act, have provided proper certifications regarding their obligations under the Model Act. OTR has expressed concern that, without clarification that affixing cigarette tax stamps to the cigarette packages of non-participating manufacturers, as defined in the Model Act, is a violation of Chapter 24 of Title 47 of the District of Columbia Official Code, OTR could face a technical legal challenge to its reliance on its cigarette tax enforcement authority to enforce the lawful use of cigarette tax stamps under these circumstances.

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(c) It is important to continued, uninterrupted enforcement of the Model Act that OTR's enforcement activities with respect to the Complementary Procedures Act not be impeded or curtailed by technical uncertainty regarding OTR's enforcement authority.

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 Tax Stamp Clarification Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-178

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to amend the District of Columbia School Reform Act of 1995 to require that an existing tenant that is a public charter school in good standing or an organization providing educational or youth services under contract with the District government that has been a tenant since 2004 and is in good standing be given the right of first offer with regard to the purchase, lease, transfer, or use of a facility or property, and to clarify that nothing in the underlying legislation shall be construed to deem the subject facility or property surplus or to authorize the Mayor to dispose of the subject facility or property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia School Reform Property Disposition Clarification Emergency Declaration Resolution of 2007".

Sec. 2. (a) The Office of Property Management intends to issue a solicitation of offers from public charter schools to lease the following former school buildings:

- (1) Keene, located at 33 Riggs Road, N. E.; and
- (2) Langston/Slater, located at 33/45 P Street, N. W.

(b) The Community Academy Public Charter School currently occupies the Keene building, and the Associates for Renewal in Education currently occupies the Langston/Slatter building and has been a tenant for over 30 years.

(c) Equity dictates that the Community Academy Public Charter School and the Associates for Renewal in Education be given the right of first offer to lease the buildings they currently occupy, under terms determined by the Office of Property Management, pursuant to the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*).

(d) Nothing in the underlying emergency and temporary legislation shall be construed to deem a facility or property to be surplus or to authorize the Mayor to dispose of a facility or property.

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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 District of Columbia School Reform Property Disposition Clarification Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-179

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to approve modifications numbered 6, 7, and 8 and proposed modification numbered 9 to Contract No. POAM-2004-D-0015-DW for security services and to authorize payment for the 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 Nos. 6, 7, and 8 and Proposed Modification No. 9 to Contract No. POAM-2004-D-0015-DW Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve modifications numbered 6, 7, and 8 and proposed modification numbered 9 to Contract No. POAM-2004-D-0015-DW for security services and to authorize payment for the services received and to be received under that contract.

(b) On May 16, 2005, Contract No. POAM-2004-D-0015-DW was awarded to Hawk One Security, Inc., ("Hawk") to provide security services at various facilities for the Protective Services Division of the Office of Property Management.

(c) Modification numbered 4 extended the contract from May 16, 2006 through May 21, 2006, while awaiting Council approval for the first option year.

(d) On May 18, 2006, Council approved the exercise of the first option year in the amount of \$22,071,920.43 and modification numbered 5 extended the term of the contract from May 22, 2006 to May 15, 2007.

(e) Modification numbered 6, dated May 24, 2006, in the amount of \$30,000.00 added security services at various branch libraries on an as-needed basis.

(f) Modification numbered 7, dated August 17, 2006, in the amount of \$502,350.00 added security services for the Department of Parks and Recreation's pools.

(g) Modification numbered 8, dated August 17, 2006, added security services at the District's new Unified Command Center in the amount of \$368,280.00.

(h) Modification numbered 9, in the amount of \$962,426.00, is necessary to approve payment for unscheduled security services at District of Columbia General Building #42, 2210 Adams Place, N.E. , 4th & L Street Trailers and D.C. Village Cottage A and B for the period

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November 1, 2006 through March 31, 2007. Council approval is necessary as these modifications increase the contract by more than \$1 million during a 12-month period.

(i) The emergency legislation will retroactively approve modifications numbered 6, 7, and 8 and proposed modification numbered 9 in the following amounts:

Modification 6	\$ 30,000.00
Modification 7	502,350.00
Modification 8	368,280.00
Proposed Modification 9	<u>962,426.00</u>
	\$1,863,056.00

(j) Council approval is necessary to allow the continuation of these vital services and to ensure the safety and security of District government employees and the general public at the District facilities covered by Hawk. Without this approval, Hawk cannot be paid for services provided in excess of \$22,071,920.43.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Modifications Nos. 6, 7, and 8 and Proposed Modification No. 9 to Contract No. POAM-2004-D-0015-DW Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-180

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to authorize payment for the goods and services received and to be received under Contract No. POAM-2004-B-0014-BS with Jair-Lynch/Tompkins Joint Venture.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. POAM-2004-B-0014-BS Approval and Payment Authorization Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve the modifications made to the contract for the construction of the Unified Communications Center and to authorize payment for the goods and services received and to be received under this contract.

(b) On July 27, 2004, the Office of Contracting and Procurement ("OCP") awarded Contract No. POAM-2004-B-0014-BS to Jair-Lynch/Tompkins Joint Venture ("JLTJV") for the construction of the Unified Communications Center.

(c) After the award, 15 modifications to the contract were negotiated to encompass numerous change orders. From July 27, 2004 through July 26, 2005, modifications numbered 1 through 5 were issued under the contract in the aggregate amount of \$905,329.00. The OCP did not request Council approval for these modifications.

(d) From July 27, 2005 through July 26, 2006, modifications numbered 6 through 11 were issued under the contract in the aggregate amount of \$1,277,254.00. The OCP did not request Council approval for these modifications.

(e) From July 27, 2006 through August 24, 2006, modifications numbered 12 and 13 were issued under the contract in the aggregate amount of 5626,157.00. Final work to complete the Unified Communications Center pursuant to modifications numbered 14 and 15, totaling \$2,130,667.00, is being performed even though those modifications have not been issued. The OCP must request Council approval for these modifications.

(f) Council approval is necessary to authorize the modifications issued, and to be issued, under this contract and to approve payment to JLTJV for the goods and services provided from July 24, 2005 through the present.

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(g) The aggregate unauthorized expenditures under modifications numbered 6 through 15 under the contract with JLTJV is in the amount of \$4,034,078.00. The amounts due pursuant to modifications numbered 6 through 13, totaling \$1,903,411.00, have been paid to JLTJV. The amounts to become due pursuant to modifications numbered 14 and 15, totaling \$2,130,667.00, have yet to be paid.

(h) Council approval is necessary to allow the District to pay for the benefit of these vital goods and services from JLTJV.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. POAM-2004-B-0014-BS Approval and Payment Authorization Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to approve the multiyear Contract No. GAFM-2007-C-0009 with Gilbane Building Company for construction services for the modernization of the H.D. Cooke Elementary School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gilbane Building Company Contract No. GAFM-2007-C-0009 Emergency Declaration Resolution of 2007".

Sec. 2. (a) The District of Columbia Public Schools requires the services of a contractor for the installation of a 3-story primary grades wing and science garden and fenced play area, which is part of the modernization of the H. D. Cooke Elementary School.

(b) On April 25, 2007, the Board of Education approved Contract No. GAFM-2007-C-0009, with a period of performance of 884 days after issuance of the Notice to Proceed, with the Gilbane Building Company for the provision of construction services for the modernization of H. D. Cooke Elementary School in the amount of \$24.93 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 Gilbane Building Company Contract No. GAFM-2007-C-0009 Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-182

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve, on an emergency basis, the multiyear Contract No. GAFM-2007-C-0009 with the Gilbane Building Company for construction services for the modernization of the H. D. Cooke Elementary School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gilbane Building Company Contract No. GAFM-2007-C-0009 Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. GAFM-2007-C-0009, a multiyear agreement, in the amount of \$24.93 million, with the Gilbane Building Company for construction services for the modernization of the H. D. Cooke Elementary School.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Board of Education and to the Office of 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. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-183

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To declare the existence of an emergency with respect to the need to approve contracts with HEGA Construction Co., Inc., and Motir Services, Inc., for the replacement of windows at Stevens Elementary School, Payne Elementary School, Whittier Elementary School, and Hart Middle School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "School Window Replacement Emergency Declaration Resolution of 2007".

Sec. 2. (a) There exists an immediate need to approve proposed contracts with HEGA Construction Co., Inc., and Motir Services, Inc., for window replacement at 4 schools. The need for the replacement of windows at Stevens Elementary School, Payne Elementary School, Whittier Elementary School, and Hart Middle School has been ongoing for nearly 4 years, and funding has been available.

(b) It is imperative that the replacement of the windows begin expeditiously so that another school year does not begin without this needed, and funded, upgrade.

Sec. 3. The Council of the District of Columbia determines that the circumstances described in section 2 constitute emergency circumstances making it necessary that the School Window Replacement Emergency Approval Resolution of 2007 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-184

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

May 1, 2007

To approve, on an emergency basis, Contract Nos. GAFM-2006-C-034B and GAFM-2006-C-0348C with HEGA Construction Co., Inc., and GAFM-2006-C-0348D and GAFM-2006-C-0348E with Motir Services, Inc., for the replacement of windows at Stevens Elementary School, Payne Elementary School, Whittier Elementary School, and Hart Middle School.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "School Window Replacement Emergency Approval Resolution of 2007".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), the Council approves the following contracts, which the Mayor transmitted to the Council on April 25, 2007:

(1) Contract No. GAFM-2006-C-0348B with HEGA Construction Co., Inc., in the amount of \$1,270,920.00 for the replacement of windows at Stevens Elementary School;

(2) Contract No. GAFM-2006-C-0348C with HEGA Construction Co., Inc., in the amount of \$1,885,980.00 for the replacement of windows at Payne Elementary School;

(3) Contract No. GAFM-2006-C-0348D with Motir Services, Inc., in the amount of \$1,250,644.00 for the replacement of windows at Whittier Elementary School; and

(4) Contract No. GAFM-2006-C-0348E with Motir Services, Inc., in the amount of \$2,663,609.00 for the replacement of windows at Hart Middle School.

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

Sec. 4. This resolution shall take effect immediately.