

A RESOLUTION

17-23

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To confirm the appointment of Ms. Laura McGiffert Slover to the Board of Education.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Education Laura McGiffert Slover Confirmation Resolution of 2007".

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

Ms. Laura McGiffert Slover
2844 Arizona Avenue, N.W.
Washington, D.C. 20016
(Ward 3)

as a member of the Board of Education of the District of Columbia, established by section 495 of the District of Columbia Home Rule Act, approved December 23, 1974, (87 Stat. 811; D.C. Official Code § 1-204.95), succeeding Robin B. Martin, for a term to end January 2, 2009.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-24

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To confirm the appointment of Ms. Tonya Vidal Kinlow to the Board of Education.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Education Tonya Vidal Kinlow Confirmation Resolution of 2007".

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

Ms. Tonya Vidal Kinlow
3952 Second Street, S.W.
Washington, D.C. 20032
(Ward 8)

as a member of the Board of Education of the District of Columbia, established by section 495 of the District of Columbia Home Rule Act, approved December 23, 1974, (87 Stat. 811; D.C. Official Code § 1-204.95), completing the unexpired term of JoAnne Ginsberg, which will end December 14, 2008.

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

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-25

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To appoint Emeka Moneme, Acting Director of the District Department of Transportation, to the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Emeka Moneme Appointment Resolution of 2007".

Sec. 2. The Council of the District of Columbia appoints:

Emeka Moneme
2405 Summershade Court
Odenton, Maryland 21113

Acting Director of the District Department of Transportation, as a member of the Board of Directors of the Washington Metropolitan Area Transit Authority, replacing Gladys Mack, in accordance with section 5(a) of the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), to serve at the pleasure of the Council.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

17-26

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To appoint Mr. Anthony R. Giancola as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Directors of the Washington Metropolitan Area Transit Authority Alternate Member Anthony R. Giancola Appointment Resolution of 2007".

Sec. 2. The Council of the District of Columbia appoints:

Anthony R. Giancola
528 Cedar Street, N.W.
Washington, D.C. 20012
(Ward 4)

as an alternate member of the Board of Directors of the Washington Metropolitan Area Transit Authority, replacing Michelle L. Pourciau, in accordance with section 5(a) of the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01), to serve at the pleasure of the Council.

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

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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A RESOLUTION

17-27

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To confirm the appointment of Dr. Stephanie D. Scott as the Secretary of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Secretary of the District of Columbia Stephanie D. Scott Confirmation Resolution of 2007".

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

Dr. Stephanie D. Scott
6800 6th Street, N.W.
Washington, D.C. 20012

as the Secretary of the District of Columbia, 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.

A RESOLUTION

17-28

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To amend the Council Period 17 Appointment of Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution of 2007 to modify the membership of the Committee on Health and Committee on Housing and Urban Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 17 Committee Membership Amendment Resolution of 2007".

Sec. 2. Section 3 of Council Period 17 Appointment fo Chairperson Pro Tempore, Committee Chairpersons, and Committee Membership Resolution fo 2007, effective January 3, 2007 (Res. 17-2; 54 DCR 156), is amended as follows:

(a) Paragraph (3) is amended by striking the name "Jim Graham" and inserting the name "Tommy Wells" in its place.

(b) Pargraph (4) is amended by striking the name "Tommy Wells" and inserting the name "Jim Graham" in its place.

Sec. 3. This resolution shall take effect immediately.

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A RESOLUTION

17-29

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To establish the date by which the Mayor shall submit to the Council the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2008, to identify information and documentation to be submitted to the Council with the proposed budget for the government of the District of Columbia for the fiscal year ending September 30, 2008, and to clarify that the Mayor shall submit performance plans and reports pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2008 Budget Submission Requirements Resolution of 2007".

Sec. 2. Pursuant to section 442(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42(a)) ("Home Rule Act"), the Mayor shall submit to the Council, and make available to the public, not later than March 23, 2007, the proposed budget for the District government and related budget documents required by sections 442, 443, and 444 of the Home Rule Act (D.C. Official Code §§ 1-204.42, 1-204.43, and 1-204.44), for the fiscal year ending September 30, 2008. The proposed budget shall contain the following:

(1) For the entire District government, including all subordinate agencies, independent agencies, independent instrumentalities, and independent authorities ("agency"), a summary statement or table showing:

(A) The revenues by source (local, federal, intra-district, private, and other);

(B) Expenditures by Comptroller Source Group (agency object class) for fiscal years 2005 and 2006; and

(C) Projections for fiscal years 2007 and 2008;

(2) For each agency or separate line item in the District's annual budget, summary statements or tables showing all sources of funding by source (local, federal, intra-

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district, private, and other) for fiscal years 2005 and 2006, including a presentation of any variance between fiscal year appropriations and expenditures;

(3) For each agency or separate line item in the District's annual budget, a summary statement or table showing projections of all sources of funding by source (local, federal, intra-district, private, and other), for fiscal years 2007 and 2008;

(4) For each agency or separate line item in the District's annual budget, summary statements or tables showing expenditures by Comptroller Source Group (agency object class) and Organizational Level II (control center, delineated by Organizational Level III (responsibility center)) for all sources of funding for fiscal years 2005 and 2006, including a presentation of any variance between fiscal year appropriations and expenditures, as well as projections for fiscal years 2007 and 2008; and

(5) A summary statement or table showing the fiscal year 2008 baseline budget, including a presentation of fiscal year 2007 reprogrammings that will have a recurring fiscal impact in succeeding fiscal years.

Sec. 3. In addition to, and in support of, the information submitted pursuant to section 2, the Mayor shall submit the following to the Council:

(1) Copies of all documents referenced in and supportive of the budget justification for fiscal year 2008, including any proposed legislation and proposed fiscal year 2008 Budget Request Act, that are necessary for implementation of the proposed budget for the District for fiscal year 2008;

(2) A summary statement or table showing, by Comptroller Source Group (agency object class) and Organizational Level II (control center, delineated by Organizational Level III (responsibility center)), authorized full-time equivalents ("FTEs") by revenue source (local, federal, intra-district, private, other, and capital); FTEs indicating the actual salary of the incumbent, or, in the case of a vacant position, the authorized salary, for fiscal years 2005 and 2006; projections for fiscal years 2007 and 2008; and a listing of authorized FTEs for fiscal year 2008 that reflects new positions, reorganizations, and transfers;

(3)(A) A cash-flow report based on:

(i) No change in budget and revenue authority; and

(ii) The revised current fiscal year budget request and the succeeding fiscal year budget request;

(B) The cash-flow report should include the actual and projected monthly cash flow for preceding, current, and succeeding fiscal years, and the following detail:

(i) Major source of receipts:

(I) Individual income tax;

(II) Real property tax;

(III) Special property tax;

(IV) General sales and use taxes;

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- (V) Miscellaneous taxes;
- (VI) Federal payments;
- (VII) Miscellaneous receipts;
- (VIII) Private and other;
- (IX) Federal grants;
- (X) Short-term notes;
- (XI) Receivables; and
- (XII) Tobacco settlement payments;
- (ii) Major types of disbursements:
 - (I) Payroll;
 - (II) Miscellaneous disbursements;
 - (III) Public assistance;
 - (IV) Medicaid;
 - (V) Pension contributions benefits;
 - (VI) Transit authority contribution;
 - (VII) Debt service; and
 - (VIII) Recovery bonds or short-term notes;
- (iii) Beginning balance; and
- (iv) Ending balance;
- (4) For the entire District government and each agency:
 - (A) A summary statement or table showing:
 - (i) Legislation enacted in fiscal years 2006 and 2007 that shall impact fiscal year 2008 and is not accounted for in the 2008 fiscal year baseline budget; and
 - (ii) All sources of funding by source (local, federal, intra-district, private, and other) for fiscal years 2007 and 2008; and
 - (B) A list of all enacted legislation that is subject to appropriation without regard to fiscal year and a statement for each as to whether it is funded in the proposed fiscal year 2008 budget, and if it is not funded, then an additional statement as to the fiscal impact to fund it in fiscal year 2008;
- (5) For Medicaid data, a summary statement or table showing:
 - (A) The fiscal year 2008 baseline Medicaid budget by each specific responsibility center related to the District of Columbia's Medicaid program, including a presentation of current fiscal year reprogrammings that will have a recurring fiscal impact in succeeding fiscal years and a comparison to the fiscal year 2007 final estimated Medicaid spending by each specific responsibility center;
 - (B) The total Medicaid expenditures per month for fiscal year 2006 compared to the anticipated Medicaid expenditures for each month of fiscal years 2007 and 2008;

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(C) The total number of actual Medicaid enrollees for each month of fiscal year 2006 compared to the number of anticipated Medicaid enrollees for each month of fiscal years 2007 and 2008, including data showing discrete numbers for each of the following groups:

- (i) Aged;
- (ii) Disabled;
- (iii) Temporary Assistance for Needy Families ("TANF") adults;
- (iv) TANF children;
- (v) Children Health Insurance Program ("CHIP") parents;
- (vi) CHIP children;
- (vii) Other adults; and
- (viii) Other children; and

(D) The amount of Medicaid reimbursement projected to be achieved in fiscal years 2007 and 2008, including a comparison to the actual reimbursements received in fiscal year 2006; the amount of projected local dollars that are used to leverage the federal reimbursement in fiscal years 2007 and 2008, including a comparison to the actual local dollars used to leverage federal reimbursement in fiscal year 2006; and a list of the local match by each agency's responsibility center associated with leveraging Medicaid matching dollars for each of the following:

- (i) District of Columbia Public Schools;
- (ii) Department of Mental Health;
- (iii) Child and Family Services Agency;
- (iv) Department of Human Services; and
- (v) Department of Health;

(6) A summary statement or table showing:

(A) The number of full-time and part-time teachers in the District of Columbia public school system, by school level (*e.g.*, elementary, junior high); and

(B) The number of special education students served by school level (*e.g.*, elementary, junior high), including the number of students who are eligible for Medicaid services;

(7) Mayoral reprogramming requests for the current fiscal year that are included in the summary statement or table pursuant to section 2(5);

(8) For the Office of Labor Relations and Collective Bargaining within the Office of the City Administrator, and the Office of Labor Management Programs within the Executive Office of the Mayor, the following budget information shall be presented separately;

(A) The revenues by source (local, federal, intra-district, private, and other) for fiscal years 2007 and 2008;

(B) Expenditures by Comptroller Source Group (agency object class) for fiscal years 2005 and 2006; and

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(C) Projections for fiscal years 2007 and 2008;

(9) For all District government agencies, salary lapse data the 3 previous fiscal years, including information that details what the salary lapse was and whether it was reprogrammed for other purposes, and information explaining the salary lapse assumptions that were used in developing the core budget for fiscal year 2008;

(10) For all District government agencies, a summary statement or table showing all reprogrammings for the last 2 fiscal years, which statement or table shall include information that details what agency sent or received the reprogrammed funds and identifies the reprogrammed funds by source (local, federal, intra-district, private, and other); and

(11) For the Fire and Emergency Medical Services Department, include within the budget narrative a detailed explanation of the financial resources available for Emergency Medical Services in fiscal years 2007 and proposed 2008.

Sec. 4. Pursuant to Title XIV-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective May 16, 1995 (D.C. Law 11-16; D.C. Official Code § 1-614.11 *et seq.*), the Mayor shall submit to the Council, and make available to the public, not later than January 29, 2007, the performance reports for fiscal year 2006 that cover all publicly funded activities of each District government agency. The Mayor shall submit to the Council, and make available to the public, not later than March 23, 2007, the performance plans for fiscal year 2008 that cover all publicly funded activities of each District government agency.

Sec. 5. The Mayor shall submit to the Council, not later than January 31, 2007, the agency strategic business plans that are required by D.C. Official Code § 47-308.01(g).

Sec. 6. Pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), the Council's 56-calendar day budget review period shall begin after the date that all materials required to be submitted by sections 2 through 5 have been submitted in accordance with this resolution and the Council's rules.

Sec. 7. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor and to the Board of Education of the District of Columbia.

Sec. 8. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

A RESOLUTION

17-30

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the Department of Mental Health Establishment Amendment Act of 2001 to authorize the Department of Mental Health to enter into a long-term ground lease with Greater Southeast Community Hospital to construct a building, at the District's cost, not to exceed \$3.7 million, to house the Comprehensive Psychiatric Emergency Program on a site located on the campus of Greater Southeast Community Hospital; and to amend the Health Services Planning Program Re-establishment Act of 1996 to exempt the Department of Mental Health's Comprehensive Psychiatric Emergency Program and community-based mental health service providers certified by the Department of Mental Health from the certificate of need requirements of section 8 of the Health Services Planning Program Re-establishment Act of 1996.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) There existed an immediate need to amend the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.01 *et seq.*), to authorize the Department of Mental Health ("DMH") to enter into a long-term ground lease with Greater Southeast Community Hospital to construct a building, at the District's cost, not to exceed \$3.7 million, to house the Comprehensive Psychiatric Emergency Program ("CPEP") on a site located on the campus of Greater Southeast Community Hospital and to amend the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-401 *et seq.*) ("Act"), to exempt DMH's CPEP and community-based mental health service providers certified by DMH from the certificate of need requirements of section 8 of the Act.

(b) The DMH staff have worked with the Office of Property Management and local hospitals in the search for an appropriate alternate location for CPEP. Greater Southeast Community Hospital submitted a proposal to DMH to construct a freestanding, modular building on its campus to house CPEP. The building will be adjacent to the emergency department at Greater Southeast Community Hospital and the newly renovated inpatient psychiatric unit. The lease shall include the following terms and conditions:

- (1) Have a term of not less than 45 years;
- (2) Provide for an annual rent of \$1.00;
- (3) Provide that the District shall pay Greater Southeast Community Hospital for the cost of construction of the building to house CPEP, which cost shall not exceed 3.7 million;
- (4) Provide that the cost of construction shall be paid by the District in stages related to the progress of construction of the building, as determined by the Director of the

Department of Mental Health to be in the best interests of the District;

(5) Provide that the commencement of the lease is subject to the condition that the mortgagees of the Greater Southeast Community Hospital campus grant a non-disturbance agreement to the District in a form and substance satisfactory to the District; and

(6) Other terms and conditions that the Director of the Department of Mental Health determines are in the best interests of the District.

(c) In November, the Council enacted the Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Emergency Act of 2006, effective December 4, 2006 (D.C. Act 16-529; 53 DCR 9833) ("Emergency Act"), which addressed the needs described in subsection (a) of this section. The Emergency Act expires on March 4, 2007.

(d) The Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Temporary Act of 2006, signed by the Mayor on December 19, 2006 (D.C. Act 16-545; 53 DCR 10204), was transmitted to Congress on January 16, 2007, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after March 4, 2007.

(e) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is in effect.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Comprehensive Psychiatric Emergency Program Long-Term Ground Lease Congressional Review Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-31

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To declare the existence of an emergency, due to Congressional review, with respect to the need to authorize the provision of resources and facilities to aid in the orderly transfer of executive duties and responsibilities upon the expiration of the term of office of a Mayor and the assumption of duties and responsibilities of a new Mayor, to promote the orderly transfer of the legislative duties and responsibilities upon the expiration of the term of office of the Council Chairman, and to authorize \$2 million for the Council of the District of Columbia to cover additional personnel costs and fund additional central services during fiscal year 2007.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mayor and Chairman of the Council Transition Revised Congressional Review Emergency Declaration Resolution of 2007".

Sec. 2. (a) To aid in an orderly transfer of executive duties and responsibilities from the outgoing Mayor and Council Chairman to the incoming Mayor and Chairman and to assure continuity in the execution of the laws and in the conduct of the executive and legislative affairs of the District government, reasonable resources and facilities are required, including additional funds for personnel costs and an expansion of central services.

(b) In November 2006, the Council enacted the Mayor and Chairman of the Council Transition Revised Emergency Amendment Act of 2006, effective December 4, 2006 (D.C. Act 16-534; 53 DCR 9846) ("Emergency Act"), and the Mayor and Chairman of the Council Transition Revised Temporary Amendment Act of 2006, signed by the Mayor on December 19, 2006 (D.C. Act 16-544; 54 DCR ___) ("Temporary Act"), which authorized resources and facilities to the incoming Mayor and Chairman, including additional resources for the Council for personnel costs and central services.

(c) The Emergency Act expires on February 6, 2007. The Temporary Act was transmitted to Congress on January 16, 2007, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and is not projected to become law until March 2, 2007.

(d) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the Temporary Act is in effect.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Mayor and Chairman of the Council Transition Revised Congressional Review Emergency Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-32

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 6, 2007

To declare the existence of an emergency with respect to the need to exempt from procurement practices contracts necessary to implement the use of an additional 100 closed circuit television system cameras by the Metropolitan Police Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "MPD CCTV Procurement Exemption Emergency Declaration Resolution of 2007".

Sec. 2. Emergency circumstances.

- (a) There has been a recent spate of crimes in the District of Columbia.
- (b) It is the belief of the Council that detection and prevention can be enhanced by the addition of closed circuit television cameras throughout the city.
- (c) Eliminating the required procedures under our procurement law is necessary in this instance to shorten the procurement period and implement the proposed security measure.
- (d) The Enhanced Crime Prevention and Abatement Emergency Amendment Act of 2006, effective July 21, 2006 (D.C. Act 16-446; 53 DCR 6477), also exempted from the procurement law closed circuit television systems.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the MPD CCTV Procurement Exemption Emergency Amendment Act of 2007 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.