

ENROLLED ORIGINAL

A RESOLUTION

16-707

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve proposed 5-year Contract No. CFOPD-06-C-026A with Abandoned Property Experts, LLC, for the auditing of unclaimed property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-06-C-026A Approval and Payment Authorization Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFOPD-06-C-026A for the auditing of unclaimed property.

(b) On April 7, 2006, the Office of the Chief Financial Officer's Office of Contracts issued IFB No. CFOPD-06-I-026 for the audit of unclaimed property and remittance of proceeds to residents of the District of Columbia. Three bids were received on April 24, 2006 with the intent to make multiple awards. Owusu & Company bid to provide the required services for 5 years in the amount of 15% of net unclaimed property value remitted to the District.

(c) Approval is necessary to allow execution of the multiyear (5-year) contract.

(d) The contract is approved.

Sec. 3. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-708

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve proposed 5-year Contract No. CFOPD-06-C-026B with Affiliated Computer Services, Inc., d/b/a ACS Unclaimed Property Clearinghouse, for auditing of unclaimed property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-06-C-026B with Affiliated Computer Services, Inc. Approval and Payment Authorization Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFOPD-06-C-026B for the auditing of unclaimed property.

(b) On April 7, 2006, the Office of the Chief Financial Officer's Office of Contracts issued IFB No. CFOPD-06-I-026 for audit of unclaimed property and remittance of proceeds to residents of the District of Columbia. Three bids were received on April 24, 2006 with the intent to make multiple awards. Owusu & Company bid to provide the required services for 5 years in the amount of 15% of net unclaimed property value remitted to the District.

(c) Approval is necessary to allow execution of the multiyear (5-year) contract.

(d) The contract is approved.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-709

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve proposed 5-year Contract No. CFOPD-06-C-026C with Owusu & Company for the auditing of unclaimed property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-06-C-026C with Owusu & Company Approval and Payment Authorization Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFOPD-06-C-026C for the auditing of unclaimed property.

(b) On April 7, 2006, the Office of the Chief Financial Officer's Office of Contracts issued IFB No. CFOPD-06-I-026 for audit of unclaimed property and remittance of proceeds to residents of the District of Columbia. Three bids were received on April 24, 2006 with the intent to make multiple awards. Owusu & Company bid to provide the required services for 5 years in the amount of 15% of net unclaimed property value remitted to the District.

(c) Approval is necessary to allow execution of the multiyear (5-year) contract.

(d) The contract is approved.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-710

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve proposed 25-year Contract No. CFOPD-06-C-052 with The Bank of York to provide paying agent services for the Capitol Hill Towers Tax Increment Fund (TIF) Note.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-06-C-052 with The Bank of New York Approval and Payment Authorization Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFOPD-06--052 for the Capitol Hill Towers Tax Increment Fund (TIF) Note.

(b) On April 14, 2006, the Office of the Chief Financial Officer's Office of Contracts issued IFB No. CFOPD-06-I-052 for paying agent services for the Capitol Hill Towers Tax Increment Fund (TIF) Note. Four bids were received on April 25, 2006 with the intent to make a single award. The Bank of New York, deemed the lowest responsible and responsive bidder by meeting the requirements of the Office of Tax and Revenue and the Department of Employment Services, bid to provide the required services for 25 years in the amount of \$12,500. This bid includes \$500 for year one and \$500 for the following years.

(c) Approval is necessary to allow execution of the multiyear (25-year) contract.

(d) The contract is approved.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-711

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve Contract No. CFOPD-06-C-066 for paying agent services for the Embassy Suites Tax Increment Fund (TIF) Note.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-06-C-066 with the National Bank of New York Approval and Payment Authorization Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFOPD-06-C-066 for the Embassy Suites Tax Increment Fund (TIF) Note.

(b) On April 14, 2006, the Office of the Chief Financial Officer's Office of Contracts, issued IFB No. CFOPD-06-I-056 for paying agent services for the Embassy Suites Tax Increment Fund (TIF) Note. Four bids were received on April 25, 2006 with the intent to make a single award. The Bank of New York, deemed the lowest responsible and responsive bidder by meeting the requirements of the Office of Tax and Revenue and the Department of Employment Services, bid to provide the required services for 25 years in the amount of \$12,500. This bid includes \$500 for year one and \$500 for the following years.

(c) Approval is necessary to allow execution of the multiyear (25-year) contract.

(d) The contract is approved.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-712

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve proposed Contract No.16-282 with Lourenco Consultants, Inc. as a 3<sup>rd</sup> party inspection and review contractor to review and approve construction drawings and undertake field inspections.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Contract No. 16-282 with Lourenco Consultants Approval Resolution of 2006".

Sec. 2. (a) 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 Mayor transmitted proposed Contract No.16-282 with Lourenco Consultants Inc. in the amount of \$2,973,124 for the purposes of reviewing and approving construction drawings and undertaking field inspections as a 3<sup>rd</sup> party inspection and review contractor.

(b) The Council approves the contract.

Sec. 3. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. 4. The Secretary to the Council shall transmit a copy of this resolution to the Mayor upon its adoption.

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

16-713

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the disposition by a solicitation of offers of certain District-owned property commonly known as Keene School located at 33 Riggs Road, N.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Keene School Disposition Approval Resolution of 2006".

Sec. 2. (a) Pursuant to section 1(b)(6) of An Act Authorizing the sale of certain real property 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 approval of the proposed disposition by solicitation of offers of the property located at 33 Riggs Road, N.E., Washington, D.C., commonly known as Keene School, and designated for purposes of assessment and taxation as Lots 802 and 806 in Square 3702 ("Property").

(b) The Council determines that the Property is no longer required for public purposes.

(c) The Council approves the proposed disposition of the Property pursuant to the solicitation of offers transmitted by the Mayor.

(d) The Council finds that this solicitation of offers adequately includes economic and other policy factors and objectives as evaluation criteria, and that the Mayor's analysis of these factors and objectives supports the disposition of the Property.

Sec. 3. 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, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chief Financial Officer.

Sec. 5. This resolution shall take effect immediately.

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A RESOLUTION

16-714

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the sale of District-owned real property located at 1626 North Capitol Street, N.W., to NC Firehouse, LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Old Engine Company 12 Disposition Approval Resolution of 2006".

Sec. 2. (a) Pursuant to section 1(b)(6) of An Act Authorizing the sale of certain real property 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 approval of the proposed negotiated disposition of the property located at 1626 North Capitol Street, N.W., Washington D.C., commonly known as "Old Engine Company 12" and designated for purposes of assessment and taxation as Lot 0001, Square 3101 ("Property"), to NC Firehouse, LLC, a District of Columbia limited liability company ("Purchaser").

(b) The sale of the Property shall be subject to the following terms and conditions, in addition to other terms and conditions as the Mayor deems necessary and appropriate:

(1) The Purchaser shall pay \$600,000 to the District upon consummation of the sale to the Purchaser;

(2) The Purchaser shall cause the Property to be restored pursuant to applicable historic preservation laws and regulations;

(3) The Purchaser shall cause the Property to be developed to include a full service sit-down restaurant, ground floor retail space, and cultural space available to the public ("Project"); and

(4) The Purchaser and any Project developer selected by the Purchaser shall execute an LSBDE MOU and First Source Agreement.

(c) For purposes of this section, the term:

(1) "First Source Agreement" means an agreement with the District of Columbia Department of Employment Services governing obligations of the Purchaser and any Project developer under section 4 of the First Source Employment Agreement Act of 1984, effective June

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29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated from the Project.

(2) "LSDBE MOU" means an agreement with the Department of Small and Local Business Development governing certain obligations of the Purchaser and any Project developer under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 ( D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) regarding contracting and employment in the pre-construction and construction of the Project.

(d) 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.

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

(f) The Council approves the proposed disposition of the Property pursuant to the terms of this resolution.

**Sec. 3. 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, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

**Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chief Financial Officer.**

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

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## A RESOLUTION

16-715

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the issuance of debt by the Anacostia Waterfront Corporation, through its subsidiary the Southwest Waterfront Holdings Corporation, to allow the acquisition of the Hogates property and the transfer of Southwest Waterfront assets.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hogates Debt Issuance Approval Resolution of 2006".

Sec. 2. Pursuant to section 116 of the Anacostia Waterfront Corporation Act of 2004, effective December 7, 2004 (D.C. Law 15-219; D.C. Official Code § 2-1223.16) ("AWC Act"), the Anacostia Waterfront Corporation ("AWC") transmitted to the Council on June 15, 2006 a request to incur debt in connection with the acquisition of the Southwest Waterfront leasehold property located at 800 Water Street, S.W., known as the Hogates property, which will permit the transfer of all Southwest Waterfront assets to the Anacostia Waterfront Corporation subsidiaries.

Sec. 3. Summary description of the project being financed.

(a) The project being financed is the acquisition of the Southwest Waterfront assets from the National Capital Revitalization Corporation and the payment of the outstanding balance of a loan in the amount of \$5.5 million currently encumbering the Hogates property. The debt will have an initial 3-year term and a maximum loan amount of \$5.5 million.

(b) The payoff of the current loan with the debt will allow for the finalized transfer of Southwest Waterfront assets to the AWC subsidiaries. The overall transfer of land between the AWC and the National Capital Revitalization Corporation was previously approved by the Council pursuant to section 30aa of the National Capital Revitalization Corporation Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C. Official Code § 2-1219.51).

Sec. 4. Proposed sources of payment of and security for the debt.

(a) The proposed sources of payment and security for the debt are the leasehold interests, including all revenues or rights generated from the leases or contracts associated with the leases, on the:

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on the:

(1) Hogates property; and  
(2) Southwest Waterfront property at 600 Water Street, S.W., known as the  
Gangplank Marina.

(b) The debt complies with the requirements of section 116(p)(6) through (12) of the  
AWC Act.

Sec. 5. Financial analysis of the project being financed.

The financial analysis prepared by the Office of the Chief Financial Officer, is the financial  
analysis required by section 116(p)(3)(D) of the AWC Act.

Sec. 6. The Council hereby approves the issuance of the proposed debt by the AWC or its  
subsidiary, the Southwest Waterfront Holdings Corporation.

Sec. 7. The Secretary to the Council shall transmit a copy of this resolution, upon its  
adoption, to the Anacostia Waterfront Corporation Board of Directors and to the Mayor.

Sec. 8. This resolution shall take effect immediately.

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A RESOLUTION

16-716

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the disposition of certain development rights and other real property interests located within and associated with the ballpark site owned by the District to WDC Baseball Partners LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "South Capitol Street Development Disposition Approval Resolution of 2006".

Sec. 2. (a) Pursuant to section 1(b)(6) of An Act Authorizing the sale of certain real property 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 approval of the proposed disposition of all or a portion of the development rights and, to the extent necessary and in accordance with the Stadium Lease and Construction Administration Agreement, as these documents are defined in and approved by the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Emergency Act of 2006, effective February 14, 2006 (D.C. Act 16-277), and executed by the parties on March 6, 2006, or otherwise amended in accordance with the terms thereof, such other real property interests situated within and associated with the ballpark site, as that term is defined in section 105(a)(2) of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.05(a)(2)), to WDC Baseball Partners LLC, a Delaware limited liability company, or one of its affiliates or assignees approved by the Mayor ("Purchaser"). The disposition of these development rights and property interests ("Property") shall be subject to the following terms and conditions, in addition to such other terms and conditions as the Mayor deems necessary and appropriate:

(1) The Purchaser shall pay full market consideration for the Property conveyed as determined by the Mayor, in consultation with the Anacostia Waterfront Corporation ("AWC") and the District of Columbia Sports and Entertainment Commission ("SEC"), based on prevailing market conditions, subject to deduction for non-standard development costs that may be imposed upon the Purchaser by the District;

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(2) The Purchaser shall cause the Property to be developed in accordance with design documents approved by Purchaser, the District, the AWC, the SEC, and the owners of the Baseball Expos, L.P. ("Team"), and subject to reasonable terms and conditions as determined by the Mayor, in consultation with the AWC. This development of the Property shall include residential and retail development and shall provide no less than 925 parking spaces and certain retail spaces to be made available to the SEC for use by the Team on or before March 1, 2008, subject to the terms and conditions of the Stadium Lease and the Construction Administration Agreement;

(3) The disposition of the Property shall at all times be subject to the terms and conditions of the Stadium Lease and the Construction Administration Agreement;

(4) The Purchaser shall ensure that no less than 25% of the beneficial ownership of Purchaser shall be owned by local, small or disadvantaged businesses, certified as such by the Department of Small and Local Business Development;

(5) The Purchaser and any developer of the Property selected by the Purchaser shall execute an LSBDE MOU and First Source Agreement acceptable to the Mayor;

(6) One million dollars of the amount paid in accordance with paragraph (1) of this subsection shall be paid to the AWC for purposes of funding, subject to the availability of appropriations, an LSDBE mentorship/business assistance program that the AWC will create or cause to be created. Otherwise, the \$1 million shall be used in accordance with the Ballpark Hard and Soft Costs Cap and Ballpark Lease Conditional Approval Temporary Act of 2006, effective March 23, 2006 (D.C. Law 16-115; 53 DCR 2542); and

(7) The Purchaser shall cause to be developed, to the extent practicable taking into consideration the financial viability of development of the Property and the other requirements set forth herein, affordable units to be sold exclusively to eligible buyers.

(b) For purposes of this section, the term:

(1) "Affordable unit" means a unit to be sold to a household with an income equal to or less than the maximum area median income ("AMI") percentage for that unit as required by the design documents described in subsection (a)(2) of this section, with AMI being the periodic AMI calculation provided by HUD as a direct calculation without taking into account any adjustments made by HUD for the program it administers.

(2) "Eligible buyer" means a household consisting of one or more individuals that purchases an affordable unit as their primary residence and certifies that they intend to use the unit as their primary residence. For all affordable units, the term "eligible buyer" means a household meeting the income restrictions of an affordable unit.

(3) "First Source Agreement" means an agreement with the District of Columbia Department of Employment Services governing certain obligations of Purchaser and any developer of the Project pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor's Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result

of the Project.

(4) "LSDBE MOU" means an agreement with the Department of Small and Local Business Development governing certain obligations of the Purchaser and any developer of the Property under the Small, Local, and Disadvantaged Business Enterprises Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), regarding contracting and employment of local, small businesses in the pre-construction and construction on the Property.

(c) 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.

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

(e) The Council approves the proposed disposition of the Property pursuant to the terms of this resolution.

**Sec. 3. 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, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor and the Chief Financial Officer.**

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

**ENROLLED ORIGINAL**

**A RESOLUTION**

16-717

**IN THE COUNCIL OF THE DISTRICT OF COLUMBIA**

July 11, 2006

To declare the sense of the Council in opposition to the current Draft Master Plan for the Armed Forces Retirement Home and in support of a revised development plan that would compliment the surrounding neighborhoods, preserve the value of historic sites, and follow the spirit of the McMillan Plan.

**RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Opposition to the Draft Master Plan for the Armed Forces Retirement Home Resolution of 2006".**

Sec. 2. The Council finds that:

- (1) The current Draft Master Plan for the Armed Forces Retirement Home ("AFRH") proposes development that would be far more dense than the neighboring residential communities in Wards 1, 4, and 5.
- (2) The proposed development, because of its scale, would cause an increase in traffic, ensuing noise and air pollution, and the loss of valued and historic green space.
- (3) In comparison to other parts of the District of Columbia, the neighborhoods around the AFRH offer relatively few parks and recreational opportunities.
- (4) The 1902 McMillan Plan for the District of Columbia calls for the preservation of the natural landscape of the AFRH.
- (5) The current Draft Master Plan for AFRH will alter historical sites by diminishing the tranquility and openness of the Lincoln Cottage, the nearby Rock Creek Church Cemetery, and St. Paul's Episcopal Church.

Sec. 3. It is the sense of the Council that development plans for AFRH should be revised to incorporate the fabric of the neighboring communities, the historic value of the AFRH and surrounding locations, and the spirit of the 1902 McMillan Plan.

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Sec. 4. The Secretary to the Council shall transmit a copy of this resolution to the Deputy Mayor for Planning and Economic Development, the Office of Planning, the National Capital Planning Commission, the General Services Administration, the Armed Forces Retirement Home, and to the Delegate to the House of Representatives from the District of Columbia.

Sec. 5. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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A RESOLUTION

16-718

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to tax natural gas based on the number of therms delivered to consumers, tax home heating oil based on the number of gallons delivered to consumers, and to clarify the definition of a residential ratepayer definition for utility tax amendments in the Ballpark Omnibus Financing and Revenue Act of 2004; and to make technical amendments to utility tax rates of the utility taxes to be deposited in the Ballpark Revenue Fund and to correct the basic tax rate for electricity users.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Emergency Act of 2006 will expire on August 17, 2006.

(b) The permanent version of this legislation, the Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Act of 2006, has been approved by the Council and signed by the Mayor, and will take effect following the completion of the 30-day period of Congressional review.

(c) It is important that the provisions of the emergency act remain in effect, without interruption, until the permanent legislation is in effect.

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 Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Congressional Review Emergency Act of 2006 be adopted after a single reading.

Sec. 4. Effective date.

This resolution shall take effect immediately.

## A RESOLUTION

16-719

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency, due to Congressional review, with respect to the need to exempt from taxation real property owned by the Far Southeast Community Organization, located on lots 73, 74, and 75, square 5753 that is to be used for inclusive housing, and to provide equitable real property tax relief.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Congressional Review Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Council has enacted the Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Emergency Act of 2006 (D.C. Act 16-0372), and accompanying temporary legislation (D.C. Act 16-0398), that exempts from taxation real property owned by the Far Southeast Community Organization, located on lots 73, 74, and 75, square 5753 that is to be used for inclusive housing, providing equitable real property tax relief.

(b) The emergency legislation will expire on August 17, 2006, and the temporary legislation is still undergoing Congressional review and will not become law before the emergency legislation expires.

(c) Therefore, the Council must approve emergency legislation to continue the exemption from taxation of real property owned by the Far Southeast Community Organization, located on lots 73, 74, and 75, square 5753 that is to be used for inclusive housing, providing equitable real property tax relief.

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 Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Congressional Review Emergency Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-720

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To confirm the Mayoral appointment of Stephen T. Baron as the Director of the Department of Mental Health.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Mental Health Stephen T. Baron Confirmation Approval Resolution of 2006".

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

Mr. Stephen T. Baron  
6845 Caravan Court, #2772  
Columbia, MD 21044

as Director of the Department of Mental Health, established by section 105 of the Department of Mental Health Establishment Amendment Act of 2001, effective December 18, 2001 (D.C. Law 14-56; D.C. Official Code § 7-1131.05), 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 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.

**ENROLLED ORIGINAL**

A RESOLUTION

16-721

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the 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 2006".

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(i)), the Council approves the compensation system changes recommended by the Board of Trustees of the University of the District of Columbia for the non-faculty/non-union educational employees not covered by collective bargaining, which were transmitted to the Council by the University of the District of Columbia on May 31, 2006, which provide as follows:

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

Increase: 3.5%      Effective: July 1, 2005

Service Codes: L02, L04, L20, L26; CBU Code: XGF  
Created from Salary Schedule Effective October 1, 2002

GRADE	STEP INCREASES								Difference Between Steps
	1	2	3	4	5	6	7	8	
01	165,375	200,000							
1A	128,764	132,051	135,338	138,625	141,912	145,199	148,486	151,773	3,287
2A	94,534	97,715	100,896	104,077	107,258	110,439	113,620	116,801	3,181
2B	88,506	91,445	94,384	97,323	100,262	103,201	106,140	109,079	2,939
03	74,756	77,688	80,620	83,552	86,484	89,416	92,348	95,280	2,932
04	66,285	68,825	71,365	73,905	76,445	78,985	81,525	84,065	2,540
05	59,173	61,428	63,683	65,938	68,193	70,448	72,703	74,958	2,255
06	55,695	57,866	60,037	62,208	64,379	66,550	68,721	70,892	2,171
07	50,291	52,232	54,173	56,114	58,055	59,996	61,937	63,878	1,941
08	45,737	47,490	49,243	50,996	52,749	54,502	56,255	58,008	1,753
09	38,349	39,830	41,311	42,792	44,273	45,754	47,235	48,716	1,481
10	34,805	36,154	37,503	38,852	40,201	41,550	42,899	44,248	1,349
11	31,787	32,991	34,195	35,399	36,603	37,807	39,011	40,215	1,204
12	29,042	30,155	31,268	32,381	33,494	34,607	35,720	36,833	1,113
13	26,334	27,337	28,340	29,343	30,346	31,349	32,352	33,355	1,003
14	23,740	24,665	25,590	26,515	27,440	28,365	29,290	30,215	925
15	20,498	21,271	22,044	22,817	23,590	24,363	25,136	25,909	773

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006  
ENROLLED ORIGINAL

2  
6045

ENROLLED ORIGINAL

Sec. 3. Applicability.

The compensation system changes approved in section 2 shall become effective as of the 1<sup>st</sup> day of the 1<sup>st</sup> pay period beginning on or after July 1, 2005.

Sec. 4. 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. 5. 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. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-722

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the 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 2006".

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(i)), the Council approves the compensation system changes recommended 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, which were transmitted to the Council by the University of the District of Columbia on May 31, 2006, which provide as follows:

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

Increase: 3.5%    Effective: July 1, 2005

Service Codes: L32, N33, N34; CBU Code: XGF  
Created from Salary Schedule Effective October 1, 2002

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006 ENROLLED ORIGINAL

GRADE	STEP INCREASES															Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
05 INSTRUCTOR	43,415	44,544	45,673	46,802	47,931	49,060	50,189	51,318	52,447	53,576	54,705	55,834	56,963	58,092	59,221	1,129
04 ASSISTANT PROFESSOR	53,573	54,837	56,101	57,365	58,629	59,893	61,157	62,421	63,685	64,949	66,213	67,477	68,741	70,005	71,269	1,264
03 ASSOCIATE PROFESSOR	60,225	61,742	63,259	64,776	66,293	67,810	69,327	70,844	72,361	73,878	75,395	76,912	78,429	79,946	81,463	1,517
02 PROFESSOR	67,814	69,748	71,682	73,616	75,550	77,484	79,418	81,352	83,286	85,220	87,154	89,088	91,022	92,956	94,890	1,934
01 DISTINGUISHED PROFESSOR															99,439	

6048

Sec. 3. Applicability.

The compensation system changes approved in section 2 shall become effective as of the 1<sup>st</sup> day of the 1<sup>st</sup> pay period beginning on or after July 1, 2005.

Sec. 4. 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. 5. 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. 6. This resolution shall take effect immediately.

A RESOLUTION

16-723

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the 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 2006".

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 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 by the Board on May 31, 2006, which provide as follows:

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

Increase: 3.5%      Effective: July 1, 2005

Service Codes: L29; CBU Code: XGF  
Created from Salary Schedule Effective October 1, 2002

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
02A	113,068	116,485	119,902	123,319	126,736	130,153	133,570	136,987	140,404	143,821	3,417
02B	97,209	100,046	102,883	105,720	108,557	111,394	114,231	117,068	119,905	122,742	2,837
03	82,969	85,386	87,803	90,220	92,637	95,054	97,471	99,888	102,305	104,722	2,417
04	70,537	72,591	74,645	76,699	78,753	80,807	82,861	84,915	86,969	89,023	2,054

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

6051

2

**Sec. 3. Applicability.**

The compensation system changes approved in section 2 shall become effective as of the 1<sup>st</sup> day of the 1<sup>st</sup> pay period beginning on or after July 1, 2005.

**Sec. 4. 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. 5.** 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. 6.** This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-724

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To approve the compensation system 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 2006".

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 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 May 31, 2006, which provide as follows:

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

Increase: 3.5%    Effective: July 10, 2005

Service Code: A01; CBU Code: XGF

Created from Salary Schedule Effective October 6, 2002

6054

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
DS - 01	15,795	16,276	16,757	17,238	17,719	18,200	18,681	19,162	19,643	20,124	481
DS - 02	17,602	18,136	18,670	19,204	19,738	20,272	20,806	21,340	21,874	22,408	534
DS - 03	19,065	19,653	20,241	20,829	21,417	22,005	22,593	23,181	23,769	24,357	588
DS - 04	21,228	21,887	22,546	23,205	23,864	24,523	25,182	25,841	26,500	27,159	659
DS - 05	23,570	24,310	25,050	25,790	26,530	27,270	28,010	28,750	29,490	30,230	740
DS - 06	26,120	26,942	27,764	28,586	29,408	30,230	31,052	31,874	32,696	33,518	822
DS - 07	28,852	29,767	30,682	31,597	32,512	33,427	34,342	35,257	36,172	37,087	915
DS - 08	31,809	32,821	33,833	34,845	35,857	36,869	37,881	38,893	39,905	40,917	1,012
DS - 09	34,978	36,098	37,218	38,338	39,458	40,578	41,698	42,818	43,938	45,058	1,120
DS - 10	38,382	39,612	40,842	42,072	43,302	44,532	45,762	46,992	48,222	49,452	1,230
DS - 11	42,168	43,520	44,872	46,224	47,576	48,928	50,280	51,632	52,984	54,336	1,352
DS - 12	50,531	52,152	53,773	55,394	57,015	58,636	60,257	61,878	63,499	65,120	1,621
DS - 13	60,085	62,014	63,943	65,872	67,801	69,730	71,659	73,588	75,517	77,446	1,929
DS - 14	71,007	73,286	75,565	77,844	80,123	82,402	84,681	86,960	89,239	91,518	2,279
DS - 15	83,530	86,210	88,890	91,570	94,250	96,930	99,610	102,290	104,970	107,650	2,680
DS - 16	96,841	97,288	97,735	98,182	98,629	99,076	99,523	99,970	100,417	100,864	447

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

Increase: 3.5%      Effective: July 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 October 6, 2002

GRADE	STEP INCREASES										Difference Between Steps
	1	2	3	4	5	6	7	8	9	10	
DS - 02	19,738	20,272	20,806	21,340	21,874	22,408	22,942	23,476	24,010	24,544	534
DS - 03	21,415	22,003	22,591	23,179	23,767	24,355	24,943	25,531	26,119	26,707	588
DS - 04	22,545	23,204	23,863	24,522	25,181	25,840	26,499	27,158	27,817	28,476	659
DS - 05	24,310	25,050	25,790	26,530	27,270	28,010	28,750	29,490	30,230	30,970	740
DS - 06	26,942	27,764	28,586	29,408	30,230	31,052	31,874	32,696	33,518	34,340	822
DS - 07	29,767	30,682	31,597	32,512	33,427	34,342	35,257	36,172	37,087	38,002	915

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

6055

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

Increase: 3.5%      Effective: July 10, 2005

Service Codes: B01; CBU Code: XGF  
Created from Salary Schedule Effective October 6, 2002

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
RW - 01	9.88	20,550.40	10.31	21,444.80	10.71	22,276.80	11.13	23,150.40	11.53	23,982.40
RW - 02	10.70	22,256.00	11.15	23,192.00	11.59	24,107.20	12.04	25,043.20	12.48	25,958.40
RW - 03	11.53	23,982.40	12.02	25,001.60	12.49	25,979.20	12.97	26,977.60	13.44	27,955.20
RW - 04	12.37	25,729.60	12.89	26,811.20	13.39	27,851.20	13.95	29,016.00	14.43	30,014.40
RW - 05	13.20	27,456.00	13.73	28,558.40	14.28	29,702.40	14.83	30,846.40	15.38	31,990.40
RW - 06	13.98	29,078.40	14.57	30,305.60	15.15	31,512.00	15.73	32,718.40	16.31	33,924.80
RW - 07	14.91	31,012.80	15.53	32,302.40	16.15	33,592.00	16.77	34,881.60	17.39	36,171.20
RW - 08	15.73	32,718.40	16.38	34,070.40	17.04	35,443.20	17.70	36,816.00	18.35	38,168.00
RW - 09	16.56	34,444.80	17.24	35,859.20	17.94	37,315.20	18.63	38,750.40	19.31	40,164.80
RW - 10	17.39	36,171.20	18.11	37,668.80	18.85	39,208.00	19.57	40,705.60	20.30	42,224.00
RW - 11	18.24	37,939.20	18.99	39,499.20	19.76	41,100.80	20.51	42,660.80	21.28	44,262.40
RW - 12	19.04	39,603.20	19.84	41,267.20	20.64	42,931.20	21.43	44,574.40	22.22	46,217.60
RW - 13	19.86	41,308.80	20.69	43,035.20	21.53	44,782.40	22.36	46,508.80	23.18	48,214.40
RW - 14	20.70	43,056.00	21.57	44,865.60	22.44	46,675.20	23.27	48,401.60	24.16	50,252.80
RW - 15	21.53	44,782.40	22.43	46,654.40	23.34	48,547.20	24.22	50,377.60	25.12	52,249.60

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

6056

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

Increase: 3.5%      Effective: July 10, 2005

Service Codes: B02; CBU Code: XGF  
Created from Salary Schedule Effective October 6, 2002

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	10.80	22,464.00	11.23	23,358.40	11.69	24,315.20	12.14	25,251.20	12.59	26,187.20
LW - 02	11.69	24,315.20	12.17	25,313.60	12.67	26,353.60	13.13	27,310.40	13.63	28,350.40
LW - 03	12.62	26,249.60	13.13	27,310.40	13.66	28,412.80	14.19	29,515.20	14.72	30,617.60
LW - 04	13.55	28,184.00	14.10	29,328.00	14.66	30,492.80	15.24	31,699.20	15.79	32,843.20
LW - 05	14.39	29,931.20	14.99	31,179.20	15.60	32,448.00	16.19	33,675.20	16.80	34,944.00
LW - 06	15.34	31,907.20	15.98	33,238.40	16.62	34,569.60	17.25	35,880.00	17.90	37,232.00
LW - 07	16.30	33,904.00	16.99	35,339.20	17.68	36,774.40	18.35	38,168.00	19.03	39,582.40
LW - 08	17.25	35,880.00	17.99	37,419.20	18.70	38,896.00	19.42	40,393.60	20.14	41,891.20
LW - 09	18.12	37,689.60	18.89	39,291.20	19.63	40,830.40	20.38	42,390.40	21.16	44,012.80
LW - 10	19.04	39,603.20	19.84	41,267.20	20.64	42,931.20	21.43	44,574.40	22.22	46,217.60
LW - 11	19.99	41,579.20	20.82	43,305.60	21.65	45,032.00	22.49	46,779.20	23.33	48,526.40
LW - 12	20.89	43,451.20	21.76	45,260.80	22.61	47,028.80	23.50	48,880.00	24.37	50,689.60
LW - 13	21.81	45,364.80	22.72	47,257.60	23.63	49,150.40	24.53	51,022.40	25.44	52,915.20
LW - 14	22.75	47,320.00	23.70	49,296.00	24.64	51,251.20	25.60	53,248.00	26.54	55,203.20
LW - 15	23.73	49,358.40	24.73	51,438.40	25.71	53,476.80	26.69	55,515.20	27.69	57,595.20

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

6057

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

Increase: 3.5%      Effective: July 10, 2005

Service Codes: B03; CBU Code: XGF  
Created from Salary Schedule Effective October 6, 2002

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	14.97	31,137.60	15 60	32,448.00	16.22	33,737.60	16.84	35,027.20	17.47	36,337.60
SW - 02	15.80	32,864.00	16 47	34,257.60	17.13	35,630.40	17.78	36,982.40	18.43	38,334.40
SW - 03	16.65	34,632.00	17 35	36,088.00	18.04	37,523.20	18.73	38,958.40	19.43	40,414.40
SW - 04	17.44	36,275.20	18 17	37,793.60	18.90	39,312.00	19.62	40,809.60	20.35	42,328.00
SW - 05	18.29	38,043.20	19 05	39,624.00	19.81	41,204.80	20.58	42,806.40	21.34	44,387.20
SW - 06	19.10	39,728.00	19 89	41,371.20	20.68	43,014.40	21.48	44,678.40	22.27	46,321.60
SW - 07	19.97	41,537.60	20 80	43,264.00	21.64	45,011.20	22.47	46,737.60	23.30	48,464.00
SW - 08	20.76	43,180.80	21 63	44,990.40	22.50	46,800.00	23.36	48,588.80	24.23	50,398.40
SW - 09	21.58	44,886.40	22 49	46,779.20	23.39	48,651.20	24.28	50,502.40	25.18	52,374.40
SW - 10	22.43	46,654.40	23 37	48,609.60	24.30	50,544.00	25.24	52,499.20	26.18	54,454.40
SW - 11	22.96	47,756.80	23.92	49,753.60	24.88	51,750.40	25.83	53,726.40	26.80	55,744.00
SW - 12	23.61	49,108.80	24.59	51,147.20	25.57	53,185.60	26.56	55,244.80	27.54	57,283.20
SW - 13	24.45	50,856.00	25 47	52,977.60	26.46	55,036.80	27.51	57,220.80	28.53	59,342.40
SW - 14	25.39	52,811.20	26 44	54,995.20	27.50	57,200.00	28.56	59,404.80	29.61	61,588.80
SW - 15	26.51	55,140.80	27 60	57,408.00	28.71	59,716.80	29.82	62,025.60	30.93	64,334.40
SW - 16	27.81	57,844.80	28 96	60,236.80	30.13	62,670.40	31.29	65,083.20	32.45	67,496.00
SW - 17	29.27	60,881.60	30 49	63,419.20	31.71	65,956.80	32.94	68,515.20	34.17	71,073.60

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006

ENROLLED ORIGINAL

Sec. 3. Applicability.

The compensation system changes approved in section 2 shall become effective as of the 1<sup>st</sup> day of the 1<sup>st</sup> pay period beginning on or after July 1, 2005.

Sec. 4. 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. 5. 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. 6. This resolution shall take effect immediately.

JUL 28 2006

ENROLLED ORIGINAL

A RESOLUTION

16-725

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

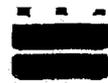
July 11, 2006

To approve the proposed compensation system changes submitted by the Mayor for non-bargaining unit employees in the Fire and Emergency Medical Services Department occupying the positions of Battalion Chief, Deputy Chief, and Assistant Chief.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Career and Excepted Service Non-Union Employees Compensation System Changes for Fire and Emergency Medical Services Department Non-Bargaining Unit Battalion Chiefs, Deputy Chiefs, and Assistant Chiefs Approval Resolution of 2006".

Sec. 2. (a) Pursuant to sections 1104 and 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 §§ 1-611.04 and 1-611.06), the Council approves the proposed compensation system changes recommended by the Mayor for Fire and Emergency Medical Services Department Non-bargaining Career and Excepted Service employees occupying the positions of Battalion Chief (Class 8), Deputy Chief (Class 9), and Assistant Chief (Class 10), which were transmitted by the Mayor to the Council on June 5, 2006, which provide as follows:

# District of Columbia Salary Schedule: FEMSD (Uniformed/Non-Union)



Effective Date: October 1, 2006

FY: 2007

Union/Nonunion: Non-Union

Affected CBU/Service Code(s):  
XAA D02, XAA D03, XAA D12,  
XAA D13

Salary Plan Schedule: FEMSD (Uniformed/Non-Union)

PeopleSoft Pay Plan: DS0052, FF0003 (XAA D03)

Percentage Increase: 4

Resolution Number:

Date of Resolution:

DISTRICT OF COLUMBIA REGISTER

JUL 28 2006 ENROLLED ORIGINAL

Grade

Class 08 Battalion Chief

Base Annual Salary October 1, 2005  
Base Pay with 4% Increase as of October 1, 2006 = Base Pay #1  
Service Longevity Payment - 15 years service @ 5% of Pay #1 = Pay #2  
Service Longevity Payment - 20 years service @ 10% of Pay #1 = Pay #3  
Service Longevity Payment - 25 years service @ 15% of Pay #1 = Pay #4  
Service Longevity Payment - 30 years service @ 20% of Pay #1 = Pay #5

	Step			
	1	2	3	4
Class 08 Battalion Chief	\$87,912	\$92,483	\$97,291	\$102,352
Base Pay with 4% Increase as of October 1, 2006 = Base Pay #1	\$91,428	\$96,182	\$101,183	\$106,446
Service Longevity Payment - 15 years service @ 5% of Pay #1 = Pay #2	\$95,999	\$100,991	\$106,242	\$111,768
Service Longevity Payment - 20 years service @ 10% of Pay #1 = Pay #3	\$100,571	\$105,800	\$111,301	\$117,091
Service Longevity Payment - 25 years service @ 15% of Pay #1 = Pay #4	\$105,142	\$110,609	\$116,360	\$122,413
Service Longevity Payment - 30 years service @ 20% of Pay #1 = Pay #5	\$109,714	\$115,418	\$121,420	\$127,735
Class 09 Deputy Chief	\$103,168	\$110,081	\$117,458	\$125,328
Base Pay with 4% Increase as of October 1, 2006 = Base Pay #1	\$107,295	\$114,484	\$122,156	\$130,341
Service Longevity Payment - 15 years service @ 5% of Pay #1 = Pay #2	\$112,660	\$120,208	\$128,264	\$136,858
Service Longevity Payment - 20 years service @ 10% of Pay #1 = Pay #3	\$118,025	\$125,932	\$134,372	\$143,375
Service Longevity Payment - 25 years service @ 15% of Pay #1 = Pay #4	\$123,389	\$131,657	\$140,479	\$149,892
Service Longevity Payment - 30 years service @ 20% of Pay #1 = Pay #5	\$128,754	\$137,381	\$146,587	\$156,409
Class 10 Assistant Chief	\$121,487	\$129,581	\$138,215	\$147,444
Base Pay with 4% Increase as of October 1, 2006 = Base Pay #1	\$126,346	\$134,764	\$143,744	\$153,306
Service Longevity Payment - 15 years service @ 5% of Pay #1 = Pay #2	\$132,663	\$141,502	\$150,931	\$160,891
Service Longevity Payment - 20 years service @ 10% of Pay #1 = Pay #3	\$138,981	\$148,240	\$158,118	\$168,606
Service Longevity Payment - 25 years service @ 15% of Pay #1 = Pay #4	\$145,298	\$154,979	\$165,306	\$176,444
Service Longevity Payment - 30 years service @ 20% of Pay #1 = Pay #5	\$151,615	\$161,717	\$172,493	\$183,306

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Sec. 3. The compensation system changes approved in section 3 shall become effective on October 1, 2006.

Sec. 4. 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. 5. 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.

Sec. 6. This resolution shall take effect immediately.

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A RESOLUTION

16-726

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to order the closing of public alleys in Square 749, bounded by K Street, L Street, 2<sup>nd</sup> Street and 3<sup>rd</sup> Street, N.E., in Ward 6.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of Public Alleys in Square 749, S.O. 00-83 Emergency Declaration Resolution of 2006".

Sec. 2. (a) There exists an immediate need to approve emergency legislation to close the public alleys in Square 749.

(b) The Council approved on 2<sup>nd</sup> reading on July 11, 2006, the Closing of Public Alleys in Square 749, S.O. 00-83 Act of 2006. (Enrolled version of Bill 16-720). This bill is essential for the development of Square 749 in accordance with plans approved by the Zoning Commission for the District of Columbia ("Zoning Commission").

(c) The closing of the public alleys in Square 749 will facilitate the development of Union Place ("Union Place"), a residential and retail project approved as a planned unit development ("PUD") in final action by the Zoning Commission on April 20, 2006 in Case No. 05-36.

(d) Union Place will be developed with approximately 702 residential units, approximately 78 of which are committed to be set aside as affordable for occupants with household incomes at 80% of the area median income. The affordable housing set-aside, as proffered by the Union Place developer and ordered by the Zoning Commission, represents 11.07% of the project's total residential gross square footage.

(e) Union Place will be developed with a daycare center, a central plaza accessible for public use, and green roof technology. These features and the affordable housing set-aside were among the Union Place public benefits recognized by the Zoning Commission pursuant to the PUD evaluation standards of the District of Columbia zoning regulations.

(f) Advisory Neighborhood Commission 6C ("ANC 6C"), which represents the area including Square 749, voted to support the Union Place PUD with the condition that the Union Place developer begin project construction within one year from the effective date of the Zoning

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Commission order approving the PUD. The Union Place developer made a commitment to ANC 6C and to the Zoning Commission to begin construction within this time period, subject to prompt completion of District government actions necessary to close the public alleys in Square 749.

(g) ANC 6C also requested the Union Place developer to clear and hydro-seed the PUD site to assure an attractive appearance to the neighborhood pending the start of construction. The Union Place developer made a commitment to ANC 6C and the Zoning Commission to do so.

(h) Clearing and hydro-seeding the PUD site requires removal of the alley-way pavement materials within the PUD site. The Union Place developer cannot remove the alley-way pavement materials within the PUD site until the alleys are closed and title to the alley properties is vested in accordance with the Closing of Public Alleys in Square 749, S.O. 00-83 Emergency Act of 2006.

(i) Hydro-seeding can be accomplished most successfully, with the highest rate of grass growth and ground coverage, if seeding can be completed prior to the extreme heat and otherwise unfavorable growing conditions the Washington, D.C. area normally experiences in August.

(j) It is in the best interests of the Ward 6 neighborhood surrounding Square 749 to have the public alleys in Square 749 closed on an emergency basis so that the Union Place PUD site can be cleared, hydro-seeded, and improved in aesthetic appeal as soon as possible.

(k) It is also in the best interests of the Ward 6 neighborhood surrounding Square 749 to have the public alleys in Square 749 closed on an emergency basis so that the Union Place developer can proceed with the necessary site-preparation work to assure compliance with the commitments to ANC 6C and the Zoning Commission to begin construction within one year from the effective date of the Zoning Commission's PUD approval order.

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 Closing of Public Alleys in Square 749, S.O. 00-83 Emergency Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-727

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to authorize the Mayor to enter into one or more franchise agreements to allow telecommunications carriers to attach wireless network antennae to District-owned buildings and utilize District internet-related telecommunications assets in return for services to digitally-disadvantaged residents of the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Digital Inclusion Emergency Declaration Resolution of 2006".

Sec. 2. Findings.

The Council finds that:

(1) Residents in economically-disadvantaged areas of the District of Columbia are likely to be digitally-disadvantaged in that they cannot afford access to the Internet and may lack the computer equipment and training necessary to benefit meaningfully from Internet access.

(2) The District of Columbia government does not have the funds to provide to digitally-disadvantaged residents the range of services necessary to afford Internet access and permit them to benefit meaningfully from that access.

(3) By awarding franchises that permit a telecommunications carriers to use District-owned assets such as buildings and poles in return for the provision of certain services to digitally-disadvantaged residents, the District of Columbia government can meet the Internet access needs of such residents without additional cost to the District.

(4) The emergency measure will allow the District of Columbia government to move forward with issuing a request for information ("RFI") and a request for proposals ("RFP") to enter into one or more franchise agreements for the use of District telecommunications assets for telecommunications purposes in exchange for the furnishing of a package of services for digitally-disadvantaged residents.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Digital Inclusion Emergency Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

16-728

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to order the closing of E Street, S.E., and the public alleys connected thereto in Square 5320, adjacent to F Street, S.E. and 51st Street, S.E.; the public alley in Square 5319, bounded by F Street, S.E., and lots, 20, 21, and 36; F Street, S.E., and the public alley connected thereto in Square 5318, between 50th and 51st Street, S.E.; the portion of 50th Street, S.E., bounded by G Street, S.E., and lots 18, 19, and 20 in Square 5318 and lots 34 and 35 in Square 5319; the public alley connected to the portion of F Street, S.E., in Square 5319, which lies west of 51st Street, S.E., and bounded by lots 9 and 20 in Square 5318 and lots 33 and 34 in Square 5319; the portion of 50th Place, S.E., bounded by G Street, S.E., and lots 13,14,15,16, and 17 in Square 5318; and to create new streets and alleys to be dedicated to the District, in squares 5318, 5319, and 5320 and designate the new streets as Kimi Gray Court and Ivory Walters Lane, in Ward 7.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing, Dedication, and Designation of Public Streets and Alleys in Squares 5318, 5319, and 5320 Emergency Declaration Resolution of 2006".

Sec. 2. (a) This street and alley closing legislation will help facilitate the comprehensive redevelopment of former public housing complex in Southeast Washington with 186 new rental and for-sale housing units.

(b) The project will be undertaken as a Hope VI redevelopment project by the District of Columbia Housing Authority and the developers A&R/THC, LLC. The Hope VI project will bring quality housing for low-income residents, increase neighborhood stability by creating mixed-income homeownership opportunities, promote area residents' economic capacity and self-sufficiency, and revitalize this 17-acre site in the Marshall Heights neighborhood of Ward 7.

(c) The naming of the streets is an important memory of women who worked extremely hard to improve the lives of those who have lived in the neighborhood and worked diligently to bring this revitalization to the neighborhood. Both of these women were former public housing residents. Miss Gray was a leader at the Kenilworth Gardens complex, but was actively involved in helping the Eastgate residents spur the redevelopment of their site. Ivory Walters was a resident at Eastgate who was actively involved in supporting the quality of life and did a great deal to support young people who lived at the site.

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(d) Approval of emergency legislation will allow the construction of the proposed development to proceed expeditiously and ensure that the project progresses on schedule in accordance with HUD Hope IV grant requirements. Proceeding forward with the development and obtaining permits for construction on site is dependent upon the Council's approval of the street and alley closing.

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 Closing, Dedication, and Designation of Public Streets and Alleys in Squares 5318, 5319, and 5320 Emergency Act of 2006, be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-729

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's fiscal year 2007 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2007 Budget Support Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Fiscal Year 2007 Budget Support Act of 2006, passed on 1<sup>st</sup> reading on May 9, 2006 (Engrossed version of Bill 16-679) ("permanent act"), which contains measures necessary to support the Fiscal Year 2007 Budget and Financial Plan, is scheduled for final reading on July 11, 2006.

(b) There are time sensitive provisions that need to be in place for the new fiscal year on October 1, 2006, and the permanent act is not projected to become law prior to October 1, 2006, due to the required Congressional review period.

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 Fiscal Year 2007 Budget Support Emergency Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

16-730

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to clarify that the Mayor may, in his or her discretion, immediately release to any unit owner or the unit owners' association a pro-rata share of a warranty against structural defects, upon a showing that a structural defect exists in any unit or portion of the common elements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Condominium Warranty Bond Release Discretion Clarification Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Council of the District of Columbia enacted the Condominium Act of 1976 ("Condominium Act") to regulate the conversion of rental housing to condominiums as well as the registration and governance of condominiums in the District of Columbia .

(b) The Condominium Act included important protections for purchasers of condominium units against structural defects that are found after purchase. These important protections, in the form of a bond or letter of credit, or any other form of security approved by the Mayor, in the amount of 10% of the estimated construction or conversion costs, are meant to warrant against structural defects for which the buyer should not be responsible.

(c) Under current law, it is unclear that the Mayor has the discretion to release that security to the unit owner or to the Unit Owners' Association, upon a showing that covered structural defects exist.

(d) Accordingly, because of the fact that structural defects can often pose a life and limb hazard to unit owners, and often repairs may be expedited by private action by the unit owner, the Council should clarify that the Mayor has the discretion to release the warranty bond, or other security, to avoid unnecessary, costly, and potentially hazardous delays.

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 Condominium Warranty Bond Release Discretion Clarification Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

**ENROLLED ORIGINAL**

A RESOLUTION

16-731

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to implement the Rent Control Reform Amendment Act of 2006 as of August 4, 2006.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rent Control Reform Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Council passed Bill 16-109, the Rent Control Reform Amendment Act of 2006 (D.C. Act 16-391) on final reading on June 6, 2006. According to information provided by the Secretary to the Council, but for one day being added to Congress's July 4<sup>th</sup> recess, D.C. Act 16-391 would have become effective law as of August 4, 2006. As a result of this one additional day that Congress is not in session, the 30-day Congressional review period will not expire until on or about September 5, 2006.

(b) This delay subjects those tenants in rent-controlled apartments whose rents may be increased in September to the possibility of rent increases far in excess of what the new law would permit. It also subjects individuals who commence tenancies in units vacated during this delay to much greater initial rent amounts. This is because landlords will have the financial incentive for that additional month to increase rents on occupied and vacant units by utilizing unimplemented rent ceilings, which D.C. Act 16-391 eliminates. The likely impact is further tenant displacement and a further loss of affordable rental housing, which necessitated the reform measure in the first instance.

(c) The emergency bill will make the provisions of D.C. Act 16-391 effective as of August 4, 2006.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 above constitute emergency circumstances making it necessary that the Rent Control Reform Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## A RESOLUTION

16-732

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to authorize an investigation by the Council, pursuant to section 413 of the District of Columbia Home Rule Act, into the circumstances related to the preparation and remediation of the site bound by South Capitol Street, N Street, S.E., 1<sup>st</sup> Street, S.E., and Potomac Avenue, S.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Environmental Remediation Project Investigation Authorization Emergency Declaration Resolution of 2006".

Sec. 2. (a) There exists an immediate need for the Council to investigate the circumstances surrounding the ongoing environmental remediation project at the site bound by South Capitol Street, N Street, S.E., 1<sup>st</sup> Street, S.E., and Potomac Avenue, S.E. ("S.E. site").

(b) In what is quickly becoming one of the most expensive stadium construction projects, the site preparation and remediation costs are rising at rates much greater than anticipated. Current expenditures and future projections have put the S.E. site well beyond the original acquisition cost limit.

(c) Attempts to determine the underlying facts regarding site preparation and remediation have been met with obstruction. The District's own contractors have refused to furnish the methodologies and formulas underpinning an essential report upon which much of recent cost estimation was based.

(d) Too often in the exercise of its oversight responsibilities, the Council is faced with resistance from its own agencies and commissions, in addition to contractors and vendors. These actions have the effect of concealing operational and financial mismanagement, irregularities, and other deficiencies that have a devastating and costly impact upon the District government.

(e) These circumstances warrant conducting an investigation into the circumstances surrounding the environmental remediation project at the S.E. site.

(f) The Council should compel the production of relevant information from governmental and non-governmental entities related to the environmental remediation project at the S.E. site and to review such information in a timely and thorough manner to determine whether the project is being conducted in a manner that serves the best interest of District residents.

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(g) To ensure that the Council is accorded adequate legal authority to obtain necessary and relevant information regarding the environmental remediation project at the S.E. site the Council must be given the authority to conduct an investigation led by the chairs of the Committee on Finance and Revenue and the Committee on Economic Development, including the use of subpoenas, pursuant to the authority provided in section 413 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13), and section 601 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 16, effective January 3, 2005 (Res. 16-1; 52 DCR 597).

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Environmental Remediation Project Investigation Authorization Emergency Resolution of 2006 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-733

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To authorize, on an emergency basis, an investigation by the Council, pursuant to section 413 of the District of Columbia Home Rule Act, into the circumstances related to the preparation and remediation of the site bound by South Capitol Street, N Street, S.E., 1<sup>st</sup> Street, S.E., and Potomac Avenue, S.E.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Environmental Remediation Project Investigation Authorization Emergency Resolution of 2006".

Sec. 2. The Council finds that the circumstances surrounding the environmental remediation project at the site bound by South Capitol Street, N Street, S.E., 1<sup>st</sup> Street, S.E., and Potomac Avenue, S.E. ("S.E. site") warrant conducting an investigation led by the chairs of the Committee on Finance and Revenue and Committee on Economic Development, including the use of subpoenas, pursuant to the authority provided in section 413 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code § 1-204.13), and section 601 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 16, effective January 3, 2005 (Res. 16-1; 52 DCR 597).

Sec. 3. This investigation shall examine:

- (1) Contracts entered into by the District, its independent agencies, instrumentalities, or corporations for the purposes of preparing and remediating the S.E. site;
- (2) Information and reports paid for or commissioned by the District and prepared for the District, its independent agencies, instrumentalities or corporations, relating to the preparation and remediation of the S.E. site; and
- (3) Communications of any kind among the District, its independent agencies, instrumentalities, or corporations and contractors or subcontractors, relating to past, current or planned or contemplated activities at the S.E. site.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-734

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 11, 2006

To declare the existence of an emergency with respect to the need to exempt the Georgetown bridge repairs, known as the Wisconsin Avenue Bridge Project, from the maximum noise level restrictions and from the limitations on after-hours work.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Wisconsin Avenue Bridge Project and Noise Control Emergency Declaration Resolution of 2006".

Sec. 2. (a) The Wisconsin Avenue Bridge Project is being undertaken by the District government to rehabilitate, upgrade, and improve utility infrastructure, roadways, sidewalks, and bridge deck at the Wisconsin Avenue Bridge located over the historic C&O Canal within the Georgetown Business District (which is geographically defined as the bridge span located over the historic C&O Canal between Grace Street and M Street, N.W.).

(b) The project will commence in June 2006 and is scheduled to be completed no later than December 31, 2007.

(c) It is vital to the public health, safety, and welfare of the residents of the District of Columbia that the Wisconsin Avenue Project progress as quickly as possible. A decision was made to extend the project work into the night in order to maximize the hours available for construction and utility work and expedite completion of the project in the shortest possible time period. This, in turn, would minimize the impact on vehicular and pedestrian traffic, workers, and residents who frequent Georgetown during the daytime, and commerce in Georgetown. The longer the project lasts, the more there will be major traffic disruptions that severely hurt businesses in Georgetown and have a negative financial impact on the District.

(d) Although contractors working on the Wisconsin Avenue Project are contractually obligated to utilize best available technology and implement best practices to alleviate the noise, they cannot meet the maximum permissible noise levels for nighttime construction of 60 decibels in a commercial light manufacturing zone or 55 decibels in a waterfront zone.

(e) The proposed emergency legislation will exempt the Wisconsin Avenue Project from

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the noise limitations in the District of Columbia Noise Control Act of 1977.

(f) In addition, pursuant to the District of Columbia Construction Codes, the code official cannot issue a permit to perform work after-hours within 500 feet of a residential zone unless failure to issue the after-hours permit would pose a threat to the public safety, health, and welfare. The proposed emergency legislation will exempt the Wisconsin Avenue Project from the limitations on after-hours work and any potential challenges to the issuance of an after-hours permit.

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 Wisconsin Avenue Bridge Project and Noise Control Emergency Amendment Act of 2006 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.