

ENROLLED ORIGINAL

A RESOLUTION

16-8

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend Chapter 20 of Title 21 of the District of Columbia Official Code to add a definition of "emergency care" to the guardianship law, and to amend the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978 to authorize the Administrator of the Mental Retardation and Developmental Disabilities Administration, or the Administrator's designee, to grant, refuse, or withdraw consent, with certain limitations, on behalf of incapacitated customers, for health care services, treatment, or procedures, upon the certification of 2 licensed physicians.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizens with Mental Retardation Substituted Consent for Health Care Decisions Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. The Council of the District of Columbia finds that:

(1) This legislation gives the Administrator of the Mental Retardation and Developmental Disabilities Administration, or the Administrator's designee authority, to grant, refuse, or withdraw consent, with certain limitations, on behalf of incapacitated customers, for health care services, treatment, or procedures, upon the certification of 2 licensed physicians.

(2) The Citizens with Mental Retardation Substituted Consent for Health Care Decisions Emergency Amendment Act of 2004, effective October 26, 2004 (D.C. Act 15-558; 51 DCR 10375), expires on January 19, 2005. The temporary legislation (D.C. Act 15-602; 51 DCR 11236) is pending Congressional review.

(3) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Citizens With Mental Retardation Substituted Consent for Health Care Decisions Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to approve a modification to the Rehabilitation Services Program to assist individuals with disabilities in achieving gainful employment, and to authorize the Mayor to establish an economic needs test to be used in determining the ability of applicants for and recipients of vocational rehabilitation services to contribute to payment of the costs of the vocational rehabilitation services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rehabilitation Services Program Establishment Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. The Council of the District of Columbia finds that:

(1) There exists an immediate crisis in the District of Columbia because of the failure to establish a rehabilitation services program and to authorize the Mayor to establish an economic needs test to be used in determining the ability of applicants for and recipients of vocational rehabilitation services to contribute to payment of the costs of vocational rehabilitation services.

(2) Currently, the Department of Human Services Rehabilitation Services Administration ("RSA") provides vocational rehabilitation services in accordance with the requirements of the Rehabilitation Act of 1973 ("Act"). RSA has used the Act's regulations and program instructions to implement services. Since a rehabilitation services program has not been established as a District of Columbia government entity, the RSA is unable to implement any of the optional provisions of the Act or to issue rules to implement discretionary provisions of the Act.

(3) In seeking to serve the needs of all District of Columbia residents who require vocational rehabilitation services, RSA has implemented an economic needs test, which is an optional provision of the Act. Recently, advocates who represent customers seeking vocational rehabilitation services have challenged RSA's authority to impose an economic needs test without legislative authority. These advocates believe that each client is entitled to all

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services and that services should not be limited to what is needed to prepare for, secure, and maintain employment. This interpretation of the Act has had a significant impact on RSA's budget. Under this interpretation, RSA will be unable to provide services to a large number of eligible individuals with disabilities.

(4) If vocational rehabilitation services cannot be provided to all eligible individuals who apply for services, RSA would be required by federal law to establish an order of priority for services, prioritizing individuals with the most severe disability before other individuals with severe disabilities and non-severe disabilities can receive services. With this order of priority, RSA would be forced to deny vocational rehabilitation services to thousands of individuals with disabilities. An order of priority would have a significant impact on services to multicultural populations whose presenting disability is frequently not categorized as severe. It would also have a significant impact on services to the following populations: individuals with drug- and alcohol-related disabilities; individuals with learning disabilities; individuals with mild mental illness; and individuals with various other disabilities.

(5) If the Rehabilitation Services Program is not established as a District of Columbia government entity and the Mayor is not authorized to establish an economic needs test to be used in determining the ability of applicants and recipients to contribute to payment of the costs of vocational rehabilitation services, the District of Columbia would be forced to establish priorities for its rehabilitation services program, which would jeopardize the health, safety, and welfare of many individuals with disabilities in the District of Columbia.

(6) The Rehabilitation Services Program Establishment Emergency Act of 2004, effective October 26, 2004 (D.C. Act 15-559; 51 DCR 10378), expires on January 19, 2005. The temporary legislation (D.C. Act 15-607; 51 DCR 11419) is pending Congressional review. The permanent legislation (D.C. Bill 15-287) was adopted by the Council on 2nd reading on December 21, 2004.

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 Rehabilitation Services Program Establishment Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to provide for confidentiality of information for individuals applying for or receiving public benefits through the Department of Human Services, Income Maintenance Administration, and to authorize the Mayor to issue rules pertaining to the release and disclosure of such records.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Assistance Confidentiality of Information Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an immediate need to ensure that all Medicaid records are subject to the same confidentiality protections currently in place for other government benefits programs handled by the Department of Human Services, Income Maintenance Administration ("IMA"). The current statutory provision, which makes the public benefits records confidential, does not include the agency's Medicaid records. There also is an immediate urgent need to ensure that records of the IMA are maintained in a manner that ensures compliance by the District with the federal Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

(b) This emergency legislation would amend the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code, § 4-201.01 *et seq.*), to ensure that the Medicaid records of IMA and other protected health information are maintained in compliance with the federal HIPAA.

(c) The Public Assistance Confidentiality of Information Congressional Review Emergency Amendment Act of 2004, effective November 30, 2004 (D.C. Act 15-622; 51 DCR 11462), expires on January 29, 2005. The Public Assistance Confidentiality of Information Temporary Amendment Act of 2004, signed by the Mayor on November 1, 2004 (D.C. Act 15-569; 51 DCR 10565), is pending Congressional review.

(d) This emergency legislation is necessary to prevent a gap in the legal authority.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Assistance Confidentiality of Information Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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16-11

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, to establish a new time period for the disposition of property located in Ward 8 and approved by the Request for Proposals for the Disposition of Camp Simms Approval Resolution of 2000.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Disposal of District-Owned Surplus Real Property in Ward 8 Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an immediate need to enact legislation to establish a new 2-year time period set forth in section 3 of the Disposal of District Owned Surplus Property Amendment Act of 1989 as it applies to the disposition of property approved by the Request for Proposals for the Disposition of Camp Simms Approval Resolution of 2000 ("Resolution").

(b) The Resolution was introduced in the Council of the District of Columbia on October 13, 2000, and approved by the Council on December 5, 2000.

(c) The Resolution approved the Request for Proposals for the Disposition of Camp Simms Approval Resolution of 2000 prepared by the Department of Housing and Community Development ("DHCD") for the purpose of soliciting proposals for the disposition and development of Camp Simms, Lot 804, Square 5912 in Ward 8, located generally between Alabama and Mississippi Avenues and 15th Street and Stanton Road, S.E. The Request for Proposal ("RFP") provided for the comprehensive development of Camp Simms with a neighborhood shopping center fronting on Alabama Avenue and a single-family residential community on the Mississippi Avenue portion of the property.

(d) DHCD subsequently released a RFP on January 12, 2001. Congress Heights Redevelopment, LLC ("CHR"), a joint venture between William C. Smith & Co., Inc., Mid-City Urban (FDS Camp Simms), LLC, and East of the River, CDC, submitted their response to the RFP on March 12, 2001. CHR received a Notice of Award ("Notice") from DHCD on April 30, 2001.

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(e) Immediately upon receiving the Notice, CHR entered into negotiations with DHCD to secure an Exclusive Right Agreement and a Land Disposition Agreement for acquisition and development of the property.

(f) Because the subject site was a Formerly Used Defense Site ("FUDS"), immediately following the Notice, CHR met with the District of Columbia's Department of Health, Environmental Health Administration ("DCEHA") and United States Army Corps of Engineers ("USACE") to discuss the environmental conditions of the site. USACE agreed to conduct a re-analysis of existing geophysical data. The re-analysis did not confirm the presence of any hazards, but recommended further investigation to verify the USACE's findings. To ensure the safety of workers at the site and future residents, the USACE agreed to perform additional field investigation in the fall of 2001. CHR and DHCD have worked diligently and made significant progress to expedite the development of this important project, and CHR has completed all significant site characterizations and due diligence activities necessary to begin the project, including topographic and boundary survey, geotechnical soils report, traffic study, and Phase I and II environmental reports.

(g) On July 30, 2001, the USACE issued a press release that further investigation at Camp Simms would be performed, beginning in October 2001. The USACE did not mobilize and begin field investigation until March 2002. A draft Supplementary Focused Site Inspection was issued in May 2002, but needed District and Environmental Protection Agency ("EPA") concurrence that the investigation has been completed and no further action was required by the USACE. DHCD requested that the USACE return to the site and investigate to confirm that a pressurized release incident that occurred during drilling was not due to munitions or tied to the former use of the site. The USACE returned to the site to investigate on September 5, 2003. The USACE has indicated that the report is now in final form and awaits concurrence from the EPA and the District. Notwithstanding the delays caused by USACE's soil/environmental investigations, CHR has invested a significant amount of time, money, and resources into this project and has finalized its site plan. The Large Tract Review was approved on November 18, 2003.

(h) In accordance with the RFP, part of the comprehensive development of Camp Simms includes a residential component on the Mississippi Avenue portion of the property. CHR proposes to build a 72-unit, single-family homeownership residential community. A new 2-year time period is needed so that CHR can demonstrate sufficient control of the site and secure financing as soon as possible to be able to take advantage of current low interest rates, which will keep down the development costs of the project and the new homes that will be built on the site.

(i) In accordance with the RFP, part of the comprehensive development of Camp Simms includes a commercial component fronting on Alabama Avenue. CHR proposes to build a neighborhood shopping center anchored by a supermarket. On April 22, 2003, the developer executed a Letter of Intent with Giant Food, Inc. A lease was received from Giant Food, Inc. on September 5, 2003 to begin negotiations. There is an immediate need for the new 2-year time

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period because CHR has to demonstrate continuous site control to be able to negotiate a timely lease with Giant Food, Inc.

(j) Notwithstanding the delays and predevelopment activities, CHR has continued to invest time, money, and resources to ensure a developable site that is safe for those during construction and the new homeowners after construction. CHR is fully committed to the Congress Heights community and is now ready to obtain permits necessary to complete the development of this site as soon as the new two-year time period is granted.

(k) Due to the unanticipated delays set forth in subsections (f) and (g) of this section and the reasons enumerated in subsections (h), (i), and (j) of this section, CHR and DHCD determined that it is necessary to establish a new 2-year time period to ensure disposition of the property and completion of the development project. CHR has made a request for an extension of time to DHCD.

(l) DHCD is unable to extend the period of time of the underlying statutory authority for DHCD to negotiate the Exclusive Right Agreement and Land Disposition Agreement in the absence of Council action to allow DHCD's execution of the property disposition approved by the Resolution.

(m) The expiration of the statutory time period necessitates immediate action by the Council to establish a new two-year time period during which DHCD is authorized to extend the time period of the Exclusive Right Agreement and take other necessary actions to complete the disposition of the property.

(n) Development of the Camp Simms site is in the best interest of the District, Ward 8, and the surrounding neighborhood. The development of this long-blighted site will provide needed residential development and new homeownership opportunities. The residential component also appropriates 25% of profits toward the operations and programming of THEARC, a \$21-million town hall, arts, and recreation center, already under construction and 2 blocks from the Camp Simms project. The commercial portion of the project will create a neighborhood shopping center and a much-needed supermarket that will meet the underserved needs of the Ward 8 community. During construction, it is estimated that this project will create 400 to 500 jobs, and upon completion, 350 to 400 permanent jobs, and promote economic growth in the area. Moreover, the completion of the project will transfer a government-owned, tax-exempt property into private-sector ownership, with estimated yearly real estate taxes of \$600,000 and millions of dollars in sales, payroll, and business tax revenue.

(o) The Disposal of District-Owned Surplus Real Property in Ward 8 Temporary Amendment Act of 2004, effective April 21, 2004 (D.C. Law 15-170; D.C. Official Code § 10-801, note), expires on January 30, 2005. The Disposal of District-Owned Surplus Real Property in Ward 8 Amendment Act of 2004, signed by the Mayor on December 29, 2004 (D.C. Act 15-678), is pending Congressional review.

(p) This emergency legislation is necessary to prevent a gap in the legal authority.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Disposal of District-Owned Surplus Real Property in Ward 8 Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-12

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to establish the Automated Traffic Enforcement Fund as a lapsing fund, and to require that the revenue collected and deposited into the Automated Traffic Enforcement Fund be used for the expenses associated with automated traffic enforcement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Automated Traffic Enforcement Fund Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Council has enacted emergency legislation (D.C. Act 15-590) and temporary legislation (D.C. Act 15-609) that establishes the Automated Traffic Enforcement Fund as a lapsing fund, and requires that revenue collected and deposited into the Automated Traffic Enforcement Fund be used for the expenses associated with automated traffic enforcement.

(b) The emergency legislation will expire on January 19, 2005, 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 maintain the Automatic Traffic Enforcement Fund as a lapsing fund that pays the expenses associated with automated traffic enforcement.

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 Automated Traffic Enforcement Fund Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-13

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to appropriate \$7.6 million from the funds distributed to the District of Columbia pursuant to section 903(d) of the Social Security Act to improve the administration of the Unemployment Compensation Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Unemployment Compensation Funds Appropriation Authorization Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an ongoing need to improve the administration of the District's Unemployment Compensation Program and to reduce its dependence on outside contractors to provide basic data system services, to provide for the maintenance of unemployment compensation and Virtual One-Stop data systems, to provide for the direct deposit of benefit payments, to provide for promotions of certain career-ladder staff in the Department of Employment Services, and to provide for a system to improve the integrity of the unemployment compensation program and to reduce the level of overpayments, particularly those attributable to fraud or abuse.

(b) There are funds available to defray the costs of these necessary changes without additional costs to the District of Columbia from the funds distributed to the District of Columbia's account in the Unemployment Compensation Trust Fund pursuant to section 903(d) of the Social Security Act (42 USC § 1103(d)).

(c) In September 2004, the Council enacted the Unemployment Compensation Funds Appropriation Authorization Emergency Act of 2004, effective October 12, 2004 (D.C. Act 15-540; 51 DCR 9830) ("emergency act"). The emergency act will expire on January 10, 2005.

(d) In October 2004, the Council enacted the Unemployment Compensation Funds Appropriation Authorization Temporary Act of 2004, signed by the Mayor on November 1, 2004 (D.C. Act 15-575; 51 DCR 10589) ("temporary act"). The temporary act was transmitted to Congress on November 10, 2004 and is not projected to become law until March, 2005.

(e) It is necessary that authorization for the appropriation of these funds remain in effect until the temporary becomes effective so that the needed administrative improvement process for the District's Unemployment Compensation Program continues to move forward in an

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expeditious manner.

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 Unemployment Compensation Funds Appropriation Authorization Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-14

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to extend the time for the issuance of a final report by the Housing and Community Development Reform Advisory Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing and Community Development Reform Advisory Commission Extension Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Housing and Community Development Reform Advisory Commission Act of 2002, effective October 1, 2002 (D.C. Law 14-190; D.C. Code § 6-1031 *et seq.*) ("Act"), established a 7-member Housing and Community Development Reform Advisory Commission ("Commission") to review the operations and administration of the Department of Housing and Community Development ("Department") and recommend to the Council and the Mayor legislative, regulatory, and administrative changes to improve the operation and administration of the Department.

(b) The Act required the Commission to issue a final report to the Council and Mayor within 150 days after the first meeting of the Commission.

(c) The Commission has been engaged in interviewing stakeholders and holding a public hearing to gain input on needed reforms at the Department.

(d) In September 2004, the Council enacted the Housing and Community Development Reform Advisory Commission Extension Emergency Amendment Act of 2004, effective October 12, 2004 (D.C. Act 15-542; 51 DCR 9833) ("emergency act"), which provided for additional time for the Commission to conduct research on best practices of other jurisdictions, to examine the reforms the Department has made to date, and recommend additional reforms that the Department should make in order to improve its operations and administration.

(e) Temporary legislation, the Housing and Community Development Reform Advisory Commission Extension Temporary Amendment Act of 2004, signed by the Mayor on November 1, 2004 (D.C. Act 15-576; 51 DCR 10590), was transmitted to Congress on November 10, 2004, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home

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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, 2005.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Housing and Community Development Reform Advisory Commission Extension Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-15

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to continue in effect the prior modification of the procedures for debarring or suspending a person or business from consideration for award of District contracts or subcontracts.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Debarment Procedures Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The District's contract debarment and suspension proceedings had been heard and decided solely by the Chief Procurement Officer.

(b) In October 2004, the Council enacted the Debarment Procedures Emergency Amendment Act of 2004, effective October 27, 2004 (D.C. Act 15-550; 51 DCR 10345) ("emergency act"), which modified how the District's contract debarment and suspension proceedings were to be heard and decided. The emergency act expires on January 25, 2005.

(c) Temporary legislation, the Debarment Procedures Temporary Amendment Act of 2004, signed by the Mayor on November 30, 2004 (D.C. Act 15-603; 51 DCR 9672), must complete 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, 2005.

(d) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary legislation is law.

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 Debarment Procedures Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-16

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to establish a Metropolitan Police Department School Safety Division that will be responsible for providing security to District of Columbia Public Schools, to provide that the School Safety Division shall be directed by a Director appointed by the Chief of the Metropolitan Police Department, to require the Metropolitan Police Department to create a training curriculum for school resource officers and school security guards who will provide security to District of Columbia Public Schools, to require the Metropolitan Police Department and the District of Columbia Public Schools to enter into a Memorandum of Agreement for the provision of school security services, to require the Mayor to submit a deployment recommendation and a comprehensive implementation plan to the Council and the Board of Education, to immediately transfer the responsibility for issuing an RFP for security services to begin June 30, 2005, from the DCPS to the MPD; and to make conforming amendments to the District of Columbia Procurement Practices Act of 1985.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "School Safety and Security Contracting Procedures Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. The Council finds that:

- (1) The existing school security contract will expire on January 7, 2005.
- (2) A new security contract will not be in place before the existing contract expires.
- (3) In order to ensure that security services are provided to the public schools, the Board of Education must exercise the option to extend the existing security contract.
- (4) Permanent legislation, the School Safety and Contracting Procedures Act of 2004, was approved by the Council on December 21, 2004.
- (5) The School Safety and Security Contracting Procedures Emergency Act of 2004, effective November 30, 2004 (D.C. Act 15-596), expires on January 29, 2005.
- (6) This emergency legislation is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the School Safety and Security Contracting Procedures Congressional Review Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-17

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

January 4, 2005

To declare the existence of an emergency, due to Congressional review, with respect to the need to approve the issuance of tax revenue anticipation notes to finance governmental expenses for the year ending September 30, 2005.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2005 Tax Revenue Anticipation Notes Congressional Review Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Fiscal Year 2005 Tax Revenue Anticipation Notes Emergency Act of 2004 authorized the issuance of District of Columbia general obligation tax revenue anticipation notes to finance general governmental expenses for the fiscal year beginning on October 1, 2004. It expires on January 24, 2005.

(b) Anthony Calhoun, the Deputy Chief Financial Officer for the Office of Finance and Treasury, has indicated that tax revenue anticipation notes authority will be needed at the start of the 2005 fiscal year.

(c) The Fiscal Year 2005 Tax Revenue Anticipation Notes Temporary Act of 2004 is pending Congressional review. The Fiscal Year 2005 Tax Revenue Anticipation Notes Act of 2004 was passed by the Council on 2nd reading on December 7, 2004, and signed by the Mayor on December 29, 2004.

(d) This emergency is necessary to prevent a gap in the legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2005 Tax Revenue Anticipation Notes Congressional Review Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately