

ENROLLED ORIGINAL

A RESOLUTION

17-641

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the sense of the Council that acts of hate will not be tolerated in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council in Opposition to Acts of Hate Resolution of 2008".

Sec. 2. The Council finds that:

(1) Our nation was founded on the fundamental conviction that all persons are entitled to equal protection, equal opportunity, and the enjoyment of civil rights.

(2) Over the past 2 years, 75 hate crimes have been reported in the District of Columbia, in addition to numerous other crimes that have occurred citywide, but not reported as hate crimes.

(3) Section 2 of the Bias-Related Crime Act of 1989, effective May 8, 1990 (D.C. Law 8-121; D.C. Official code § 22-3701), defines "bias-related crime" as "a designated act that demonstrates an accused's prejudice based on the actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibility, physical disability, matriculation, or political affiliation of a victim of the subject designated act" and "designated act" as "a criminal act, including arson, assault, burglary, injury to property, kidnapping, manslaughter, murder, rape, robbery, theft, or unlawful entry, and attempting, aiding, abetting, advising, inciting, conniving, or conspiring to commit arson, assault, burglary, injury to property, kidnapping, manslaughter, murder, rape, robbery, theft, or unlawful entry."

(4) These crimes are especially unacceptable and offensive to every resident of the District of Columbia, and we commend the Metropolitan Police Department for its efforts to investigate, arrest, and prosecute those who commit crimes of hate.

(5) Acts of subtle and overt racism, anti-semitism, homophobia, and ethnic bigotry substantially undermine our communities, schools, and the promise of equal justice.

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(6) Hate crimes demand increased attention because of the devastating impact such crimes have on its victims and our communities. Bias acts are designed to intimidate the victim and the victim's community members, leaving all feeling isolated, vulnerable, and unprotected by the law.

(7) Hate is not a trait with which we are born; it is learned. Therefore, we must educate our children and youth from an early age to honor the saying, "Love Thy Neighbor," which simply means to respect one another and to regard each person's needs, desires, religion, and lifestyle as highly as we regard our own.

(8) Our schools should teach and empower our children to respect the differences in people, and, more importantly, to understand and honor those differences. It is those differences that make the District of Columbia the world-class and diverse city it is. Education, understanding, and acceptance are the keys to changing the climate and mindset that lead to the commission of crimes of hate.

(9) Acts of hate have been committed against residents of our community because of sexual orientation, gender identity, religion, national origin, culture, ethnicity, race, and gender. But these are crimes against us all.

(10) Respecting individual dignity and promoting harmony are the responsibilities of all people. We call on every house of worship, community stakeholder, community organization, and every government agency to create year-round programs that address the issues of diversity, harmony, and respect for our city and for each other.

(11) All citizens should speak out when they witness prejudice, discrimination, or a hate crime and report all acts of violence to the appropriate authorities. All residents of the District are called upon to support those who are targets of hate and to join together to educate and empower our young people to be the true and just leaders of today and tomorrow.

Sec. 3. It is the sense of the Council that government officials should join together with residents of all 8 wards, the faith community, and, especially, our children to end hate crimes in the District of Columbia, our Nation's Capital.

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

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A RESOLUTION

17-642

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$8.5 million in one or more series or issues as part of a single plan of financing and to authorize and provide for the loan of the proceeds of the bonds to assist the Washington Math Science Technology Public Charter High School, Inc., in the financing, refinancing, or reimbursing of costs associated with an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Math Science Technology Public Charter School, Inc. Revenue Bonds Project Approval Resolution of 2008".

Sec. 2. Definitions.

For the purposes of this resolution, the term:

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

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

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

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the bonds, which owner shall be the Washington Math Science Technology Public Charter High School, Inc., a District of Columbia nonprofit corporation organized under the laws of the District of Columbia, and exempt from federal income taxes.

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

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

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other similar instruments.

(7) "District" means the District of Columbia.

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

(9) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1-201.01 *et seq.*).

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

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

(12) "Project" means the financing, refinancing or reimbursing of all or a portion of the borrower's cost of:

(A) Its acquisition and renovation of its high school facility located at 1920 Bladensburg Road, N.E., Washington, D.C. 20002 (Square 153, Lot 111);

(B) Funding any required debt service reserve fund or capitalized interest on the bonds; and

(C) Paying certain costs of issuance of the bonds and any bond insurance or credit enhancement.

Sec. 3. Findings.

The Council finds that:

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

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(2) The borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$8.5 million, and to make the loan for the purpose of financing, refinancing, or reimbursing costs of the project.

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

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

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

Sec. 4. Bond authorization.

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

(1) The issuance, sale, and delivery of the bonds, in one or more series, in an aggregate principal amount not to exceed \$8.5 million; and

(2) The making of the loan.

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

(c) The Mayor may charge a program fee to the borrower, including, but not limited to, an amount sufficient to cover costs and expenses incurred by the District in connection with the issuance, sale, and delivery of each series of the bonds, the District's participation in the monitoring of the use of the bond proceeds and compliance with any public benefit agreements with the District, maintaining official records of each bond transaction, and assisting in the redemption, repurchase, and remarketing of the bonds.

Sec. 5. Bond details.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 6. Sale of the bonds.

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

(b) The Mayor or an Authorized Delegate may execute, in connection with each sale of the bonds, offering documents on behalf of the District, may deem final any such offering document on

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behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the sale of the bonds.

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

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

Sec. 7. Payment and security.

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

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

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

Sec. 8. Financing and Closing Documents.

(a) The Mayor is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents that may be necessary or appropriate to issue, sell, and deliver the bonds and to make the loan to the borrower. Each of the Financing Documents and each of the Closing Documents to which the District is not a party shall be approved, as to form and content, by the Mayor.

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

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

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's

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approval, on behalf of the District, of the final form and content of the Financing Documents and the Closing Documents, including those Financing Documents and Closing Documents to which the District is not a party.

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

Sec. 9. Authorized delegation of authority.

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

Sec. 10. Limited liability.

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

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

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

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

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

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

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Sec. 11. District officials.

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

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

Sec. 12. Maintenance of documents.

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

Sec. 13. Information reporting.

Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the bonds, the Mayor shall transmit a copy of the transcript to the Secretary to the Council.

Sec. 14. Disclaimer.

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

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

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

ENROLLED ORIGINAL**Sec. 15. Expiration.**

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

Sec. 16. Severability.

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

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147(f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. §147(f)), and section 490(k) of the Home Rule Act, for the project. This resolution approving the issuance of the bonds for the project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittal.

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

Sec. 19. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the Home Rule Act.

Sec. 20. Effective date.

This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Dr. Pierre Vigilance as the Director of the Department of Health.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Department of Health Pierre Vigilance Confirmation Resolution of 2008".

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

Dr. Pierre Vigilance
24 Bailey Lane
Owings Mills, MD 21117

as the Director of the Department of Health, established by Reorganization Plan No. 4 of 1996, effective July 17, 1996, and 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.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Mr. Charles L. Brodsky to the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Charles L. Brodsky Confirmation Resolution of 2008".

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

Mr. Charles L. Brodsky
1753 Lanier Street, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2012.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Mr. Nicholas S. Alberti to the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Nicholas S. Alberti Confirmation Resolution of 2008".

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

Mr. Nicholas S. Alberti
1330 N. Carolina Ave., N.E.
Washington, D.C. 20002
(Ward 6)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2011.

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

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Mr. Herman O. Jones to the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Herman O. Jones Confirmation Resolution of 2008".

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

Mr. Herman O. Jones
169 Chesapeake Street, S.W.
Washington, D.C. 20032
(Ward 8)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2011.

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

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Mr. Donald C. Brooks to the Alcoholic Beverage Control Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Alcoholic Beverage Control Board Donald C. Brooks Confirmation Resolution of 2008".

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

Mr. Donald C. Brooks
1834 Belmont Road, N.W.
Washington, D.C. 20009
(Ward 1)

as a member of the Alcoholic Beverage Control Board, established by D.C. Official Code § 25-201, for a term to end May 7, 2011.

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

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To confirm the appointment of Ms. Johanna Shreve as the Chief Tenant Advocate of the Office of the Tenant Advocate.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Chief Tenant Advocate of the Office of the Tenant Advocate Johanna Shreve Confirmation Resolution of 2008".

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

Ms. Johanna Shreve
1719 Taylor Street, N.W.
Washington, D.C. 20011-5312
(Ward 4)

as the Chief Tenant Advocate of the Office of the Tenant Advocate, in accordance with section 2066(b) of the Office of the Chief Tenant Advocate Establishment Act, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 42-3531.06(b)), to serve a 3-year term.

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

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to amend the District of Columbia Municipal Regulations to establish a specific penalty for taxicabs violating the restrictions of the Adams Morgan Taxicab Zone Pilot Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Adams Morgan Taxicab Zone Enforcement Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis regarding the proper enforcement of the Adams Morgan Taxicab Zone Pilot Program. Proper enforcement of the Adams Morgan Taxicab Zone Pilot Program is essential for the realization of the Council's intent when it approved the Performance Parking Pilot Zone Emergency Act of 2008, effective March 19, 2008 (D.C. Act 17-320; 55 DCR 3432).

(b) No specific penalty is currently prescribed for failure to comply with the restrictions of the Adams Morgan Taxicab Zone Pilot Program.

(c) A specific penalty for violations of the Adams Morgan Taxicab Zone Pilot Program must be established immediately to ensure that violations of the Adams Morgan Taxicab Zone Pilot Program are resolved in a clear and transparent 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 Adams Morgan Taxicab Zone Enforcement Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to appoint the Reverend Dr. Morris L. Shearin, Sr. to the District of Columbia Judicial Nomination Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Judicial Nomination Commission Morris L. Shearin, Sr. Appointment Emergency Declaration Resolution of 2008".

Sec. 2. (a) The District of Columbia Judicial Nomination Commission ("JNC") selects and recommends a panel of 3 candidates to the President of the United States for each judicial vacancy on the District of Columbia Court of Appeals and the Superior Court of the District of Columbia. The JNC also designates the Chief Judges of the District of Columbia Court of Appeals and the Superior Court of the District of Columbia.

(b) The JNC is composed of 7 members. Two are appointed by the Mayor, 2 by the Board of Governors of the District of Columbia Bar, one by the Council, one by the President of the United States, and one by the Chief Judge of the United States District Court for the District of Columbia. Each member is appointed for a 6-year term, except the member appointed by the President, who is appointed for a 5-year term, or a member appointed to fill a vacancy occurring during the unexpired term of a predecessor, who shall be appointed to serve only for the remainder of the predecessor's term. There is currently a vacancy of the member appointed by the Council.

(c) The JNC is in the process of considering 3 judicial vacancies, including a vacancy on the District of Columbia Court of Appeals, Superior Court of the District of Columbia, and the Chief Judge for the Superior Court of the District of Columbia. There is an immediate need to ensure the input of the Council on the JNC in these judicial vacancies.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the District of Columbia Judicial Nomination Commission Morris L. Shearin, Sr. Appointment Emergency Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-651

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To appoint, on an emergency basis, the Reverend Dr. Morris L. Shearin, Sr. to the District of Columbia Judicial Nomination Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Judicial Nomination Commission Morris L. Shearin, Sr. Appointment Emergency Resolution of 2008".

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

Reverend Dr. Morris L. Shearin, Sr.
1413 Hamlin Street, N.E.
Washington, D.C. 20017
(Ward 5)

as a non-lawyer member of the District of Columbia Judicial Nomination Commission, established by section 434 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 796; D.C. Official Code § 1-204.34), for a term to end April 7, 2011.

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

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

ENROLLED ORIGINAL

A RESOLUTION

17-652

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to close a public alley in Square 127, bounded by 17th Street, N.W., 18th Street, N.W., H Street, N.W., and I Street, N.W., in Ward 2.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Closing of a Public Alley in Square 127, S.O. 07-1209, Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Council passed on first reading on June 3, 2008, the Closing of a Public Alley in Square 127, S.O. 07-1209, Act of 2008 (Engrossed version of Bill 17-642) ("Bill 17-642"), on which a public hearing was held by the Committee of the Whole on April 9, 2008.

(b) Bill 17-642 will close a narrow alley and replace it with a wider, more functional public-alley easement elsewhere in Square 127, bounded by 17th Street, N.W., 18th Street, N.W., H Street, N.W., and I Street, N.W., in Ward 2. The alley closing will facilitate the development of a new 340,000-square-foot commercial office building, with approximately 15,000 square feet of ground-floor retail space and 137 underground parking spaces.

(c) The alley closing will result in several benefits to the District, including:

(1) Improved vehicular access to and circulation within Square 127;
(2) An increase in the annual property-tax revenue from the site in the amount of \$3.8 million; and

(3) A housing linkage contribution of \$700,000 to the East of the River Community Development Corporation to provide gap financing for the substantial rehabilitation of 96 affordable housing units in Wards 7 and 8.

(d) There exists a need to approve this alley closing on an emergency basis to allow the affordable housing linkage projects facilitated by the alley closing to proceed expeditiously and ensure the feasibility of the projects. Approval of emergency legislation will allow for the timely payment of the substantial monetary contribution that is needed to close the gap in financing for the affordable housing projects.

ENROLLED ORIGINAL

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 a Public Alley in Square 127, S.O. 07-1209, Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-653

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to approve the compensation agreement negotiated between the Department of Mental Health and the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU).

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Collective Bargaining Agreement between the Department of Mental Health and the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU) Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Department of Mental Health negotiated a compensation agreement with the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU), that requires certain wage increases and other compensation and benefits over a period of 3 years. The first such compensation increase is made effective October 1, 2007, which constitutes a change to the A-35 pay schedule and a resulting minimum increase of 3% in each bargaining unit member's gross salary. To comply with the goal of section 1717(f)(1) of the District of Columbia Government Compensation Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(f)(1)), that negotiations be completed prior to submission of a budget for the years covered by the agreement, this agreement must be acted on by the Council immediately.

(b) To effectuate the terms of the compensation agreement in fiscal year 2008, the compensation agreement needs to be approved on an emergency basis.

(c) Failure to expeditiously effectuate the terms of the compensation agreement may result in undermining the confidence of union members in the District of Columbia government and in its leadership.

(d) Failure to act in an expedited manner may jeopardize the future relationship between labor and management in the District of Columbia and the success of collaborative efforts, as agreed to under the terms of the compensation agreement.

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

ENROLLED ORIGINAL

Compensation Collective Bargaining Agreement between the Department of Mental Health and the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU) Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-654

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To approve, on an emergency basis, the negotiated compensation agreement submitted by the Mayor for Department of Mental Health employees in the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU).

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Collective Bargaining Agreement between the Department of Mental Health and the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU) Emergency Approval Resolution of 2008".

Sec. 2. Pursuant to section 1717(j) 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 § 1-617.17(j)), the Council approves the compensation agreement negotiated through collective bargaining between the Department of Mental Health and the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU), which was submitted to the Council by the Mayor on May 2, 2008, and the related pay schedule, which provides as follows:

DEPARTMENT OF MENTAL HEALTH

Fiscal Year: 2008/2009/2010 Occupational Group(s): Committee Of Interns and Residents

Effective Date:

Union/Nonunion: Union

Service Codes:
CJU Code: SEJ
Job Series: 0602, 0680

Pay Plan Schedule: ST

Dental Residents

Peoplesoft Salary Plan:

Medical Officer Psychs

Schedule ID:

Medical Officer Psych Residents

% Increase: 3.0%

Resolution Number:

Date of Resolution:

Grade	FY2008	FY2009	FY2010
1	\$43,690.54	\$45,001.26	\$46,351.29
2	\$47,336.74	\$48,756.84	\$50,219.55
3	\$49,355.54	\$50,836.21	\$52,361.29
4	\$52,497.04	\$54,071.95	\$55,694.11
5	\$56,717.98	\$58,419.52	\$60,172.10

ENROLLED ORIGINAL

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Committee of Interns and Residents/Service Employees International Union, CTW, CLC (CIR/SEIU) and to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-655

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to approve the compensation agreement negotiated between the Department of Mental Health and the Service Employees International Union 1199, United Healthcare Workers East.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Compensation Collective Bargaining Agreement between the Department of Mental Health and the Service Employees International Union 1199, United Healthcare Workers East Emergency Declaration Resolution of 2008”.

Sec. 2. (a) The Department of Mental Health negotiated a compensation agreement with the Service Employees International Union 1199, United Healthcare Workers East that requires certain compensation increases over a period of 3 years. The first such compensation increase is made effective October 1, 2007, which constitutes a change to the X95 pay schedule and a resulting minimum increase of 3.25% in each bargaining unit member’s gross salary. To comply with the goal of section 1717(f)(1) of the District of Columbia Government Compensation Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(f)(1)), that negotiations be completed prior to submission of a budget for the years covered by the agreement, this agreement must be acted on by the Council immediately.

(b) To effectuate the terms of the compensation agreement in fiscal year 2008, the compensation agreement needs to be approved on an emergency basis.

(c) Failure to expeditiously effectuate the terms of the compensation agreement may result in undermining the confidence of union members in the District of Columbia government and in its leadership.

(d) Failure to act in an expedited manner may jeopardize the future relationship between labor and management in the District of Columbia and the success of collaborative efforts, as agreed to under the terms of the compensation agreement.

(e) The employees covered by the compensation agreement provide a variety of services to the residents and visitors of the District of Columbia.

(f) Unless legislative action is immediately taken on the compensation agreement, a

ENROLLED ORIGINAL

negative impact upon the financial and personal morale of the employees of the compensation collective bargaining unit may ensue, which could compromise the delivery of services, affecting the residents of, and visitors to, the District of Columbia.

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 Compensation Collective Bargaining Agreement between the Department of Mental Health and the Service Employees International Union 1199, United Healthcare Workers East Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-656

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To approve, on an emergency basis, the negotiated compensation agreement submitted by the Mayor for Department of Mental Health employees in the Service Employees International Union 1199, United Healthcare Workers East.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Collective Bargaining Agreement between the Department of Mental Health and the Service Employees International Union 1199, United Healthcare Workers East Emergency Approval Resolution of 2008".

Sec. 2. Pursuant to section 1717(j) 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 § 1-617.17(j)), the Council approves the compensation agreement negotiated through collective bargaining between the Department of Mental Health and the Service Employees International Union 1199, United Healthcare Workers East, which was submitted to the Council by the Mayor on May 2, 2008, and the related pay schedules, which provide as follows:

District of Columbia Government Salary Schedule: SOCIAL WORKERS UNION TABLE

DEPARTMENT OF MENTAL HEALTH

Occupational Group(s): Social Worker/ Student Trainees

Effective Date: 10/14/07

Service Codes: A22

CBU Code: SEN

Job Series: 0185 Social Worker

Union/Nonunion: Union

Pay Plan Schedule: DS/CS

Peoplesoft Salary Plan: DS0080

Schedule ID: X95

% Increase: 3.0%

Resolution Number:

Date of Resolution:

Grade	1	2	3	4	5	6	7	8	9	10	Between Steps
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	3.25%										
09	\$48,623	\$49,965	\$51,307	\$52,649	\$53,991	\$55,333	\$56,675	\$58,017	\$59,359	\$60,701	\$1,342
11	\$55,386	\$57,007	\$58,628	\$60,249	\$61,870	\$63,491	\$65,112	\$66,733	\$68,354	\$69,975	\$1,621
12	\$62,499	\$64,439	\$66,379	\$68,319	\$70,259	\$72,199	\$74,139	\$76,079	\$78,019	\$79,959	\$1,940

District of Columbia Government Salary Schedule: SOCIAL WORKERS UNION TABLE

DEPARTMENT OF MENTAL HEALTH

Fiscal Year: 2009

Effective Date: 10/01/08

Occupational Group(s): Social Worker/ Student Trainees

Service Codes: A22

CBU Code: SEN

Job Series: 0185 Social Worker

Union/Nonunion: Union

Pay Plan Schedule: DS/CS

Peoplesoft Salary Plan: DS0080

Schedule ID: X95

% Increase: 4.0%

Resolution Number:

Date of Resolution:

VOL 55 NO 5

Grade	1	2	3	4	Step	5	6	7	8	9	10	Between Steps
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09	\$50,567	\$51,963	\$53,359	\$54,755	\$56,151	\$57,547	\$58,943	\$60,339	\$61,735	\$63,131	\$1,396
11	\$57,601	\$59,287	\$60,973	\$62,659	\$64,345	\$66,031	\$67,717	\$69,403	\$71,089	\$72,775	\$1,686
12	\$65,001	\$67,018	\$69,035	\$71,052	\$73,069	\$75,086	\$77,103	\$79,120	\$81,137	\$83,154	\$2,017

FM 009 - Oct 1, 2008

DISTRICT OF COLUMBIA REGISTER

District of Columbia Government Salary Schedule: SOCIAL WORKERS UNION TABLE

DEPARTMENT OF MENTAL HEALTH

Enrolled: 2010

Occupational Group(s): Social Worker/ Student Trainees

Effective Date: 10/01/2009

Service Codes: A22

Union/Nonunion: Union

CBU Code: SEN

Job Series: 0185 Social Worker

Pay Plan Schedule: DS/CS

Peoplesoft Salary Plan: DS0080

Schedule ID: X95

% Increase: 4.0%

Resolution Number: NO

Date of Resolution: 5/5

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Grade	1	2	3	4	5	6	7	8	9	10	Between Steps
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Final: 2010 - Oct 1, 2009

4.0%

09	\$52,589	\$54,041	\$55,493	\$56,945	\$58,397	\$59,849	\$61,301	\$62,753	\$64,205	\$65,657	\$1,452
11	\$59,906	\$61,659	\$63,412	\$65,165	\$66,918	\$68,671	\$70,424	\$72,177	\$73,930	\$75,683	\$1,753
12	\$67,600	\$69,698	\$71,796	\$73,894	\$75,992	\$78,090	\$80,188	\$82,286	\$84,384	\$86,482	\$2,098

ENROLLED ORIGINAL

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Service Employees International Union 1199, United Healthcare Workers East and to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-657

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2008

To declare the existence of an emergency with respect to the need to approve the compensation agreement negotiated between the Department of Mental Health and the Doctors' Council of the District of Columbia, NUHHCE, AFSCME, AFL-CIO.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Collective Bargaining Agreement between the Department of Mental Health and the Doctors' Council of the District of Columbia, NUHHCE, AFSCME, AFL-CIO Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Department of Mental Health negotiated a compensation agreement with the Doctors' Council of the District of Columbia, NUHHCE, AFSCME, AFL-CIO that requires certain wage increases and other compensation and benefits over a period of 3 years. The first such compensation increase is made effective October 1, 2007, which constitutes a change to the pay schedule and a resulting minimum increase of 3.5% in each bargaining unit member's salary. To comply with the goal of section 1717(f)(1) of the District of Columbia Government Compensation Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-617.17(f)(1)), that negotiations be completed prior to submission of a budget for the years covered by the agreement, this agreement must be acted on by the Council immediately.

(b) To effectuate the terms of the compensation agreement in fiscal year 2008, the compensation agreement needs to be approved on an emergency basis.

(c) Failure to expeditiously effectuate the terms of the compensation agreement may result in undermining the confidence of union members in the District of Columbia government and in its leadership.

(d) Failure to act in an expedited manner may jeopardize the future relationship between labor and management in the District of Columbia and the success of collaborative efforts, as agreed to under the terms of the compensation agreement.

(e) The employees covered by the compensation agreement provide a variety of services to the residents and visitors of the District of Columbia.

(f) Unless legislative action is immediately taken on the compensation agreement, a

ENROLLED ORIGINAL

negative impact upon the financial and personal morale of the employees of the compensation collective bargaining unit may ensue, which could compromise the delivery of services, affecting residents of, and visitors to, the District of Columbia.

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 Compensation Collective Bargaining Agreement between the Department of Mental Health and the Doctors' Council of the District of Columbia, NUHHCE, AFSCME, AFL-CIO Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.