

ENROLLED ORIGINAL

A RESOLUTION

16-205

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved

June 17, 2005

To approve an amendment in the District of Columbia State Plan for Medicaid Assistance that establishes a Preferred Drug List (PDL) for Medicaid eligibles who require prescription drugs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Preferred Drug List (PDL) Program for Pharmacy Services Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance which, when implemented, will establish a Preferred Drug List (PDL) that promotes the clinically appropriate utilization of pharmaceuticals in a cost-effective manner, without compromising the health care outcomes for our Medicaid recipients.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
June 18, 2005

To confirm the reappointment of Dr. Arnold W. McKnight to the District of Columbia Boxing and Wrestling Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Arnold W. McKnight Confirmation Resolution of 2005".

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

Dr. Arnold W. McKnight, Ph.D.  
3640 New Hampshire Avenue, N.W.  
Washington, D.C. 20010  
(Ward 1)

as chairperson of the District of Columbia Boxing and Wrestling Commission, established by section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 5, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), for a term to end January 5, 2008.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
June 18, 2005

To confirm the appointment of Mr. Steven E. Bullock to the District of Columbia Boxing and Wrestling Commission.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Boxing and Wrestling Commission Steven E. Bullock Confirmation Resolution of 2005".

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

Mr. Steven E. Bullock, Esquire  
1825 Sudbury Lane, N.W.  
Washington, D.C. 20012  
(Ward 4)

as a member of the District of Columbia Boxing and Wrestling Commission, established by ... section 5 of the District of Columbia Boxing and Wrestling Commission Act, effective October 5, 1975 (D.C. Law 1-20; D.C. Official Code § 3-604), replacing Michael A. Brown, whose term ended January 5, 2005, for a term to end January 5, 2008.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
June 18, 2005

To confirm the appointment of Ms. Monique Nichol Owens to the Board of Real Estate.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Real Estate Monique Nichol Owens Confirmation Resolution of 2005".

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

Ms. Monique Nichol Owens  
16 Rhode Island Avenue, N.E.  
Washington, D.C. 20002  
(Ward 5)

as a licensed real estate salesperson member of the Board of Real Estate, established by D.C. Official Code § 47-2853.06(h), for a term to end December 13, 2008.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-215

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
June 23, 2005

To confirm the reappointment of Ms. Iris McCollum Green to the Public Employee Relations Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Iris McCollum Green Confirmation Resolution of 2005".

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

Ms. Iris McCollum Green  
1714 15<sup>th</sup> Street, N.W.  
Washington, D.C. 20009  
(Ward 2)

as a public member of the Public Employee Relations Board, established by section 501 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 § 1-605.01), for a term to end December 12, 2007.

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

Sec. 4. This resolution shall take effect immediately.

## A RESOLUTION

16-251

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to amend the Child Support Enforcement Amendment Act of 1985 to transfer the income withholding function for child support matters from the Superior Court of the District of Columbia to the District's child support agency and to make conforming and clarifying amendments to the provisions governing income withholding procedures and requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Income Withholding Transfer and Revision Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an immediate need to enact legislation transferring the responsibility for conducting income withholding in child support matters from the Superior Court of the District of Columbia ("Superior Court") to the Office of the Attorney General, Child Support Services Division ("CSSD"), the entity charged with operating the District's federally mandated child support program pursuant to title IV, part D of the Social Security Act, approved January 4, 1975 (88 Stat. 2351; 42 U.S.C. § 651 *et seq.*). In December 2004, CSSD successfully completed the transfer of the District's State Disbursement Unit from the Superior Court to CSSD pursuant to the Child Support Transfer of Functions Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; 51 DCR 8441). Transfer of the Superior Court's income withholding functions to CSSD is the second step in the District's plan to consolidate the child support program's core functions into CSSD, and thereby provide more efficient services to District children and families.

(b) In addition to the transfer of income withholding functions, revisions to the Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201 *et seq.*), are needed to support the transfer and improve the law. These amendments would clarify the procedures and requirements applicable to income withholding, conform the withholding process to the child support program's consolidated structure, fill gaps and resolve inconsistencies, and ensure the District's continuing compliance with federal requirements.

(c) Emergency legislation accomplishing these objectives is needed to assist CSSD in expediting critical improvements to the District's child support program. During Fiscal Years 2004 and 2005, more than \$2.3 million in federal penalties have been assessed against the District's Temporary Assistance for Needy-Families ("TANF") block grant as a result of the child support program's failure to meet federal performance standards in the areas of data reliability and support order establishment. Additional penalties are expected in Fiscal Year 2006, and the program's performance must promptly and significantly improve in key areas if the District is to avoid penalties in future years and become eligible for increased federal child support incentive payments. Transfer of the withholding function will allow CSSD to streamline its operations, improve its performance, and bring more money, more quickly, to needy families. Moreover, the Superior Court has requested that the transfer of the withholding function occur as soon as possible to enable it to concentrate its attention and resources on the further implementation of its Family Court.

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 Income Withholding Transfer and Revision Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-252

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to extend the term allowed for a bus shelter franchise agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Bus Shelter Amendment Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an urgent need for the District to enter into a Bus Shelter Franchise Agreement pursuant to the District of Columbia Bus Shelter Act of 1979, effective May 10, 1980, (D.C. Law 3-67; D.C. Official Code § 9-1152(d)). Currently the District's Bus Shelter Franchise Agreement's term has expired and the District is operating under a temporary extension that will expire on October 26, 2005, or upon approval by the Council of a new bus shelter contract.

(b) The most favorable financial agreement for a Bus Shelter Agreement for the District would be for a term of 20 years, which will result in greater continuity of services, and substantial additional guaranteed revenues generated from the sale of advertising by the franchisee. However, the law currently does not allow for 20 year bus shelter franchise agreements.

(c) Emergency legislation is required so that the District may begin accruing the benefits of the revenues of a franchise agreement, which is a crucial component of the Mayor's Great Streets initiative to make vital improvements to the District's neighborhood commercial corridors. To secure these additional revenues for the District, an immediate need exists to amend the law to allow for a 20 year bus shelter franchise 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 District of Columbia Bus Shelter Emergency Amendment Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-253

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Thompson, Cobb, Bazilio and Associates, Inc., for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Thompson, Cobb, Bazilio and Associates, Inc. Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On March 15, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to Thompson, Cobb, Bazilio and Associates, Inc., ("TCBA") to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised and the contract expired on March 14, 2001. After the contract expired, the OCP mistakenly awarded task orders to TCBA in the total amount of \$6,830,127.27, and TCBA continued to work without a written contract until March 14, 2005.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for the IT services received were fair and reasonable. OCTO's Chief Financial Officer has certified that appropriated funds are available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 Thompson, Cobb, Bazilio and Associates, Inc. Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-254

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to BearingPoint, Inc., for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Bearing Point, Inc. Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On April 7, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to KPMG Consulting, LLP, which later changed its name to BearingPoint, Inc., to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised and the contract expired on April 6, 2001. After the contract expired, the OCP mistakenly awarded task orders to BearingPoint, Inc., in the total amount of \$3,032,714 and BearingPoint continued to work without a written contract until April 6, 2005.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for those services were fair and reasonable. OCTO's chief financial officer has certified that appropriated funds are available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 BearingPoint, Inc. Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-255

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Dynamix Corporation for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Dynamix Corporation Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On June 28, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to Dynamix Corporation ("Dynamix") to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised and the contract expired on June 27, 2001. After the contract expired, the OCP mistakenly awarded task orders to Dynamix in the total amount of \$6,502,134.13, and Dynamix continued to work without a written contract until June 27, 2005.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for the IT services received were fair and reasonable. OCTO's chief financial officer has certified that appropriated funds were available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 Dynamix Corporation Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-256

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Telecommunication Development Corporation for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Telecommunication Development Corporation Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On March 16, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to Telecommunication Development Corporation ("TDC") to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised and the contract expired on March 15, 2001. After the contract expired, the OCP mistakenly awarded task orders to TDC in the total amount of \$7,777,336.71, and TDC continued to work without a written contract until March 15, 2005.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for the IT services received were fair and reasonable. OCTO's chief financial officer has certified that appropriated funds are available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 Telecommunication Development Corporation Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

16-257

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to approve Contract No. DCFRA-00-C-031A Task Order No. 28 Modification Nos. 2 and 3 for project and construction management services for the Department of Parks and Recreation and to authorize payment for services received and to be received under the task order.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may cited as the "Contract No. DCFRA-00-C-031A, Task Order No. 28 Modification Nos. 2 and 3 Approval and Payment Authorization Emergency Declaration Resolution of 2005".

Sec. 2. There exists an immediate need to approve Contract No. DCFRA-00-C-031A Task Order No. 28 Modification Nos. 2 and 3 for project and construction management services and to authorize payment for services received and to be received under that task order.

(b) On March 19, 2001, the Office of the Contracting and Procurement ("OCP") awarded Contract No. DCFRA-00-C-031A, to The Temple Group ("Temple") to provide program and construction management services to the Department of Parks and Recreation. On February 10, 2004 during the 3<sup>rd</sup> option year of the contract, OCP awarded to Temple Task Order No. 28 in the amount of \$6,872,675 to complete the Turkey Thicket Recreation Center project. OCP did not request approval from the Council for this task order. On February 16, 2005, OCP issued Modification No. 2 to Task Order No. 28 in the amount of \$73,160.50 to cover an adjustment in Temple's program management fee. Modification No. 3 to Task Order No. 28 in the amount of \$2,958,748.93 will cover additional construction and program management services required to complete the Turkey Thicket facility. This emergency legislation will improve retroactively the amount of \$6,872,675 for Task Order No. 28, and approve Modifications 2 and 3 in the combined amount of \$3,031,909.43. The total amount for Task Order No. 28 is \$9,904,584.43.

(c) This contract will expire on September 30, 2005.

(d) Council approval is necessary to authorize payment to Temple for the program and construction management services provided under Task Order No. 28 and to be provided under Modification Nos. 2 and 3 of this task order.

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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 Contract No. DCFRA-00-C-031A Task Order No. 28 Modification Nos. 2 and 3 Approval and Payment Authorization Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

16-258

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Affiliated Computer Services, Inc., for services provided to the Department of Health without a written contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Affiliated Computer Services, Inc. Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Department of Health Medical Assistance Administration is the single District agency responsible for administering Title XIX of the Social Security Act, which is the medical charities program including the delivery, management, and administration of health care services to the District's medicaid recipients. An integral component in the delivery of these health care services is the Medicaid Management Information System ("MMIS"). The objectives of the system and its enhancements include the Title XIX program control and administrative costs; service to recipients, providers and inquiries; operations of claims control and computer capabilities; and management reporting for planning and control.

(b) The District's Department of Health ("Department"), like many states, chose to incorporate the transportation call center and support services requirements within the MMIS contract with First Health Services, Inc. This contract was in effect until August 2002. In preparing the requirements to be re-solicited in the MMIS requirements, the District inadvertently omitted the transportation call center and support services portion of the scope of work solicited. The new MMIS contract was issued in 2002 to Affiliated Computer Services, Inc. without the transportation call center and support services as a part of the scope of the work.

(c) Title XIX of the Social Security Act requires that in order to receive federal-matching funds, certain basic services must be offered to the needy population in any state. Under the District of Columbia's state plan, the agency must provide effective access to healthcare for the recipient population to maintain and promote continuity of care. Transportation call center and support services are a crucial element in fulfillment of these requirements. In order to fulfill federally-mandated requirements and avoid jeopardizing loss of federal matching funds, the Department arranged for Affiliated Computer Services, Inc. to

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A RESOLUTION

16-259

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to retroactively approve Contract No. DS-C-0-920-S-092 for information technology services and to authorize payment for the services received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DS-C-0-920-S-092 Retroactive Approval and Payment Authorization Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an immediate need to approve Contract No. DS-C-0-920-S-092 for information technology ("IT") services and to authorize payment for the services received under that contract.

(b) On March 29, 2000, the Office of Contracting and Procurement ("OCP") awarded an IDIQ contract to SAIC, Inc. to provide IT services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for the base year and 4 option years. On October 6, 2000, Modification No. 1 was approved by the Council to increase the cumulative value of the contract to \$5 million per year. This was done in order to continue IT services for OCTO and other District agencies. OCP awarded task orders to SAIC, Inc., in the amount of \$4,206,504.53 for option year one (March 29, 2001 through March 28, 2002) and \$0 for option year 2 (March 29, 2002 through March 28, 2003). OCP did not exercise its option to extend the agreement for option year 3 and the contract expired on March 28, 2005. The total contract amount for the option years 2 is \$4,206,504.53. OCP did not request approval for each option year that exceeded \$1 million.

(c) Council approval is necessary to authorize payment to SAIC, Inc., for the IT services provided in option years 1 and 2.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DS-C-0-920-S-092 Approval and Payment Authorization Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-260

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Keane, Inc., for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Keane, Inc. Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On April 12, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to Keane, Inc., to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised and the contract expired on April 11, 2001. After the contract expired, OCP mistakenly awarded task orders to Keane, Inc., in the total amount of \$5,009,091, and Keane, Inc., continued to work without a written contract until April 11, 2005.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for the IT services received were fair and reasonable. OCTO's chief financial officer has certified that appropriated funds were available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 Keane, Inc. Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-261

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to approve Contract No. PO104652 for DC-NET Project Management Services for the Office of the Chief Technology Officer and to authorize payment for services received under that contract..

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may cited as the "Contract No. PO104652 Approval and Payment Authorization Emergency Declaration Resolution of 2005".

Sec. 2. There exists an immediate need to approve Contract No. PO104652 for DC-NET Project Management Services for the Office of the Chief Technology Officer ("OCTO") and to authorize payment for services received and to be received under that contract.

(b) On December 23, 2004, the Office of the Contracting and Procurement ("OCP") exercised a 3-month partial option for the period January 2, 2005 through April 1, 2005 in the amount of \$450,000 to Science Applications International Corporation ("SAIC") to provide DC-NET Project Management Services for OCTO. On March 29, 2005, OCP exercised a 2-month partial option for the period April 2, 2005 through June 1, 2005 in the amount of \$350,000 to SAIC. The total estimated contract amount for entire option year including these 2 partial options is \$2,263,810. OCP did not request Council approval when it exercised the partial options to extend the contact.

(c) Approval is necessary to allow the continuation of this vital DC-NET Project Management Services for OCTO. Without this approval, the contract must cease and the contractor cannot be paid for services provided in excess of \$1 million.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. PO104652 Approval and Payment Authorization Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-262

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Northrop Grumman Corporation for information technology services provided to the Office of the Chief Technology Officer without a written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Northrop Grumman Corporation Payment Emergency Declaration Resolution of 2005".

Sec. 2. (a) On July 19, 2000, the Office of Contracting and Procurement ("OCP") awarded a District of Columbia Information Technology ("DCIT") Schedule IDIQ contract to TRW, Inc., which later changed its name to Northrop Grumman Corporation ("NGC"), to provide information technology ("IT") services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. Due to an oversight in administration, option year one was not exercised, and the contract expired on July 18, 2001. After the contract expired, the OCP mistakenly awarded task orders to NGC in the total amount of \$3,857,811.52, and NGC continued to work without a written contract until July 18, 2004.

(b) OCTO received IT services that clearly benefited the District. OCTO has determined that the prices charged for the IT services received were fair and reasonable. OCTO's chief financial officer has certified that appropriated funds are available, and the District's Chief Procurement Officer upon review has recommended through the Mayor that the contract be ratified.

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 Northrop Grumman Corporation Payment Emergency Authorization Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

16-263

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to exempt from taxation certain real property owned by Brentwood RI, LLC, at 1060 Brentwood Road, N.E., Washington, D.C. 20018.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Brentwood Retail Center Real Property Tax Exemption Emergency Declaration Resolution of 2005".

Sec. 2. (a) The underlying emergency legislation provides that the District grant a 6-year exemption from real property tax for Brentwood RI, LLC, the developer of a shopping center at 1060 Brentwood Road, N.E., on lot 57 of square 3848 in Ward 5.

(b) The tax abatement is a prerequisite for finalizing the leases for each of the national credit companies that are currently negotiating for space in the shopping center. The leases are conditional on receiving the tax abatement from the District of Columbia.

(c) Because the project has been underwritten to support the \$16.7 million in debt, the return on the project is approximately 11.9 % after taking into account the tax abatement. Without the tax abatement, the return on equity is less than 1% and the project would not be viable.

(d) To secure the financing for the project and to allow the construction to begin on time, without further escalating the development costs, it is critical that the tax abatement be granted on an emergency basis.

(e) The tax abatement would contribute to the successful commercial development of a shopping center, with space to be anchored by 2 national credit retail stores and a minimum of 3 additional retail stores, within the footprint of the K-Mart building originally planned for the site, an area that is underserved by retail and commercial services. The anchors will occupy approximately 39,375 and 20,000 square feet, respectively, and an additional 17,500 square feet will be divided between 3 to 4 additional retail stores.

(f) It is projected that by foregoing approximately \$177,000 in annual real estate tax revenue, the District will receive approximately \$1.2 million in new sales tax revenue and additional revenues in payroll and other business tax revenue. It is projected that the shopping center will generate approximately \$14,979,938 in new sales, payroll, and business tax revenue over a 10-year period, \$593,848 in sales tax on construction materials for years 1 and 2, and \$1,200,000 in real estate taxes for years 7 to 10, for a grand total of \$16,773,786 in revenues for the 10-year period. The construction and lease-up of the commercial center will also create an estimated 250 new jobs in the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances

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enumerated in section 2 constitute emergency circumstances making it necessary that the Brentwood Retail Center Real Property Tax Exemption Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-264

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish that District of Columbia Emancipation Day shall be observed on April 17, 2006, and to add it to the list of legal public holidays in the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Emancipation Day Alternate Date Emergency Declaration Resolution of 2005".

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

(1) Under current District law, the District of Columbia Emancipation Day ("Emancipation Day") will be observed on Sunday, April 16, 2006.

(2) The Easter holiday in 2006 will be observed on April 16.

(3) In recognition of the Easter holiday, Emancipation Day shall be commemorated and observed on April 17, 2006.

(4) Emergency legislation is necessary to assist the Executive Office of the Mayor through its designee, the Office of the Secretary, to adequately organize and plan activities associated with Emancipation Day and also to assist the District of Columbia Office of Personnel to execute its assigned duty of providing timely public notice of legal public holiday observances.

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 Emancipation Day Alternate Observance Date Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

16-265

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$11.5 million in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist the United Planning Organization 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 "United Planning Organization Revenue Bond Project Emergency Declaration Resolution of 2005".

## Sec. 2. Emergency circumstances.

(a) The United Planning Organization ("UPO") is a nonprofit corporation organized under the laws of the District of Columbia which seeks to have District of Columbia revenue bonds issued and receive a loan of the proceeds for the financing and refinancing of all the costs incurred in connection with:

(A) The financing, refinancing, or reimbursing UPO for certain costs incurred in connection with the acquisition, construction, and renovation of UPO's headquarters facility at 301 Rhode Island Avenue, N.W., Washington, D.C. (Square 3095, Lot 77), and 2 service centers in Anacostia, located at 1647-1649 Good Hope Road, S.E. (Square 5765, Lots 834 and 891), and 2907-2913 Martin Luther King, Jr. Avenue, S.E. (Square 5983, Lots 805 and 812);

(B) Funding any required debt service reserve fund and capitalized interest; and

(C) Paying certain real estate and finance costs, costs of issuance, and fees and premiums for any bond insurance, credit enhancement, and other related costs.

(b) UPO's headquarters and 2 service centers had acquisition, construction, and renovation costs financed in 2001 with tax-exempt Enterprise Zone facility bonds. The proceeds of the present bonds will be used to refinance or refund the existing balance on the 2001 bonds. The planned financing will make available funds critically needed to finance, refinance, or reimburse the UPO for costs of the project.

(c) The bank issuing the letter of credit is requiring that this tax-exempt transaction be completed before the end of July 2005.

(d) Interest rates on the tax-exempt bonds are presently low, but interest rates are volatile and in order for UPO to maximize interest savings on the District of Columbia revenue bonds, the issuance needs to occur prior to the next scheduled Council meeting. Council approval of the

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bond resolution authorizing the issuance of up to \$11.5 million of District of Columbia revenue bonds would permit bonds to be issued promptly to provide maximum savings.

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 United Planning Organization Revenue Bond Project Emergency Approval Resolution of 2005 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

16-266

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To authorize and provide, on an emergency basis, for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$11.5 million in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist the United Planning Organization 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 "United Planning Organization Revenue Bonds Project Emergency Approval Resolution of 2005".

## Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or 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 shall be the United Planning Organization, a nonprofit corporation organized under the laws of the District of Columbia, and exempt from federal income taxes as an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).

(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 contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "Enterprise Zone" means the District of Columbia enterprise zone designated by federal and District law.

(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

## ENROLLED ORIGINAL

required supplements to any such documents.

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

(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 certain 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 contemplated thereby, 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, 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:

(A) Refunding or refinancing of outstanding taxable debt or refinancing or refunding of outstanding District of Columbia Enterprise Zone Facility Revenue Bonds (United Planning Organization Issue) Series 2001, the proceeds of which were used in connection with the acquisition, construction and renovation of the borrower's headquarters facility at 301 Rhode Island Avenue, N.W., Washington, D.C. (Square 3095, Lot 77), and 2 service centers in Anacostia, located at 1647-1649 Good Hope Road, S.E. (Square 5765, Lots 834 and 891), and 2907-2913 Martin Luther King, Jr. Avenue, S.E. (Square 5983, Lots 805 and 812);

(B) Funding any required debt service reserve fund and capitalized interest; and

(C) Paying certain real estate and finance costs, costs of issuance, and fees and premiums for any bond insurance, credit enhancement, and other related costs.

### 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 Enterprise Zone facility bonds, notes, or other obligations (including refunding bonds, notes, or other obligations) to borrow money to finance, refinance, or reimburse and to assist in the financing, refinancing, or reimbursing of undertakings in certain areas designated in section 490 and may effect the financing, refinancing, or reimbursement by loans made directly or indirectly to any individual or legal entity, by the purchase of any mortgage, note, or other security, or by the purchase, lease, or sale of any property.

(2) The borrower has requested the District to issue, sell, and deliver Enterprise Zone facility revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$11.5 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 Enterprise Zone, is related to the charitable and educational purposes of the borrower, 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

## ENROLLED ORIGINAL

development of the District.

(4) The project is an undertaking in the area of commercial development 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 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 \$11.5 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, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the bonds.

Sec. 5. Bond details.

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

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

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

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

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

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

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

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

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

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

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

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

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

(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's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

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

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

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

#### Sec. 6. Sale of the bonds.

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

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

## ENROLLED ORIGINAL

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 to which the District is a party 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 bonds, the other Financing Documents, and the Closing Documents to which the District is a party.

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

## ENROLLED ORIGINAL

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 to perform any covenant, undertaking, or obligation under this resolution, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

**Sec. 11. District officials.**

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance 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 the 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 development 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 its bonds in the order or priority it determines in its sole and absolute discretion. The District gives no assurance and makes no representations

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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, a purchaser of the bonds, or any other person shall not rely upon the District with respect to these matters.

**Sec. 15. Expiration.**

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

**Sec. 16. Severability.**

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

**Sec. 17. Compliance with public approval requirement.**

This approval shall constitute the approval of the Council as required in section 147 (f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the project. This resolution has been 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 Council Budget Director 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. 20. Effective date.**

This resolution shall take effect immediately.

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## A RESOLUTION

16-267

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$20 million in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist American Association of Homes and Services for the Aging, Inc., a New York nonprofit corporation headquartered in the District of Columbia, 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 "American Association of Homes and Services for the Aging, Inc. Revenue Bonds Project Emergency Declaration Resolution of 2005".

## Sec. 2. Emergency circumstances.

(a) American Association of Homes and Services for the Aging, Inc. ("Borrower"), a nonprofit corporation organized under the laws of the state of New York and headquartered in the District of Columbia, seeks to have the District issue, sell, and deliver its revenue bonds, in one or more series, in an aggregate principal amount not to exceed \$20 million ("Bonds") in connection with the financing, refinancing or reimbursing of the Borrower for certain costs of:

(1) Refunding the outstanding principal amount of the \$11,000,000 District of Columbia Revenue Bonds (American Association of Homes and Services for the Aging, Inc. Headquarters Issue), Series 1999, and the \$5,290,000 American Association of Homes and Services for the Aging, Inc. Taxable Senior Promissory Note, dated August 31, 1999, which financed certain costs of acquiring the land and designing, developing, planning, constructing, furnishing, and equipping the Borrower's approximately 35,000 square foot headquarters building and associated sub-surface parking of approximately 87 spaces, located at 2519 Connecticut Avenue, N.W., Washington, D.C. (Lot 116, Square 2202);

(2) Funding any required deposit to a debt service reserve fund or capitalized interest fund; and

(3) Paying certain costs of issuance such as fees and premiums for any bond insurance or credit enhancement (collectively, "Project") and to make the loan for the purpose of financing, refinancing, or reimbursing costs of the Project. The Borrower is liable for repayment of the Bonds.

(b) Interest rates on the tax-exempt bonds are presently low, but interest rates are volatile and in order for the Borrower to maximize interest savings on the District of Columbia revenue bonds, the issuance needs to occur prior to the next scheduled Council meeting. Council approval of the bond resolution authorizing the issuance of \$20 million of District of Columbia

revenue bonds would permit bonds to be issued promptly to provide maximum savings for the Borrower.

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 American Association of Homes and Services for the Aging, Inc. Revenue Bonds Project Emergency Approval Resolution of 2005 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

16-268

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To authorize and provide for, on an emergency basis, the issuance, sale, and delivery of District of Columbia revenue bonds in an aggregate principal amount not to exceed \$20 million in one or more series and to authorize and provide for the loan of the proceeds of the bonds to assist American Association of Homes and Services for the Aging, 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 "American Association of Homes and Services for the Aging, Inc. Revenue Bonds Project Emergency Approval Resolution of 2005".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

(1) "Authorized Delegate" means the Mayor or 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 shall be American Association of Homes and Services for the Aging, Inc., a nonprofit corporation 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 contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

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

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

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

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

(11) "Project" means the financing, refinancing or reimbursing of certain costs to pay for:

(A) Refunding of the outstanding principal amount of the \$11,000,000 District of Columbia Revenue Bonds (American Association of Homes and Services for the Aging, Inc. Headquarters Issue), Series 1999, and the \$5,290,000 American Association of Homes and Services for the Aging, Inc. Taxable Senior Promissory Note, dated August 31, 1999, which financed certain costs of acquiring the land and designing, developing, planning, constructing, furnishing and equipping the Borrower's approximately 35,000 square foot headquarters building and associated sub-surface parking of approximately 87 spaces, located at 2519 Connecticut Avenue, N.W., Washington, D.C. (Lot 116, Square 2202);

(B) Funding of any required deposit to a debt service reserve fund or capitalized interest; and

(C) Paying certain costs of issuance such as fees and premiums for 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.

(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 \$20 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 facilities used to house and equip operations related to the development and application of social services within the meaning of section 490 of the Home Rule Act.

## ENROLLED ORIGINAL

(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 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 \$20 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, and maintaining official records of each bond transaction and assisting in the redemption, repurchase, and remarketing of the bonds.

**Sec. 5. Bond details.**

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

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

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

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

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

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

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

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

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

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

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

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

## ENROLLED ORIGINAL

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's manual or facsimile signature. The Mayor's execution and delivery of the bonds shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the bonds.

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

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

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

#### Sec. 6. Sale of the bonds.

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

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

## ENROLLED ORIGINAL

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 to which the District is a party 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 bonds, the other Financing Documents, and the Closing Documents to which the District is a party.

(d) The Mayor's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents, 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 to perform any covenant, undertaking, or obligation under this resolution, the bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

#### Sec. 11. District officials.

(a) Except as otherwise provided in section 10(f), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the bonds or be subject to any personal liability by reason of the issuance 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 the 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 development 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 its 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, a purchaser of the bonds, or any other person shall not rely upon the District with respect to these matters.

Sec. 15. Expiration.

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

Sec. 16. Severability.

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

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval of the Council as required in section 147 (f) of the Internal Revenue Code of 1986, approved October 22, 1986 (100 Stat. 2635; 26 U.S.C. § 147(f)), and section 490(k) of the Home Rule Act, for the project. This resolution has been 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 District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 20. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

16-269

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to exempt from taxation certain real property located in the District of Columbia used by the Department of the Army.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Walter Reed Property Tax Exemption Reconfirmation Emergency Declaration Resolution of 2005".

Sec. 2. (a) The Military Housing Privatization Initiative of the 1996 National Defense Authorization Act, which was Public Law 104-106, codified at 10 U.S.C. §§ 2871 through 2885, created a mechanism whereby the Department of the Army ("Army") could enter into partnerships with the private sector for the purposes of the rehabilitation and construction of housing for military personnel and their families. These partnerships will allow for financing of this work by the private sector.

(b) The Army has entered into such a partnership at Walter Reed U.S. Army Medical Center ("Walter Reed") with GMH Military Housing LLC ("GMH").

(c) The property in question will continue to be used solely for military housing, and will be 90% owned by the Army and 10% owned by GMH for 50 years, after which time sole ownership will revert to the Army.

(d) The underlying emergency legislation will preserve the tax exemption this land currently enjoys, consistent with its continued use as housing for military personnel and their families, and thus allow the public-private partnership for the rehabilitation and development of this housing to move forward.

(e) In order to allow the Army to begin renovating the housing through a streamlined process, the Council passed Bill 15-849, the Walter Reed Property Tax Exemption Reconfirmation Emergency Act of 2005, and Bill 15-850, the Walter Reed Property Tax Exemption Reconfirmation Temporary Act of 2005.

(f) The current temporary legislation, the Walter Reed Property Tax Exemption Reconfirmation Temporary Act of 2004, will expire on July 20, 2005.

**ENROLLED ORIGINAL**

(g) If a new emergency is not passed the GMH would lose its tax-exempt status in the middle of the renovation project.

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 Walter Reed Property Tax Exemption Reconfirmation Emergency Act of 2005 be adopted after a single reading.

Sec. 4 This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-270

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize the Addiction Prevention and Recovery Administration within the Department of Health to make grant awards from the Addiction Recovery Fund during fiscal year 2005.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Choice in Drug Treatment Grants Emergency Declaration Resolution of 2005".

Sec. 2. (a) There exists an immediate need to authorize the Addiction Prevention and Recovery Administration to make grants from the Addiction Recovery Fund during fiscal year 2005.

(b) Local health service providers are facing financial crises and although they have taken steps to alleviate these pressures, they may not be able to maintain the current level of operation without assistance.

(c) There are currently available dollars in the Addiction Recovery Fund that will go unspent during fiscal year 2005.

(d) Without this grant authorization vulnerable service providers will not have the financial resources to maintain critical health and support services to District residents.

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 Choice in Drug Treatment Grants Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

16-271

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to approve Contract No. DS-C-0-920-S-066 for information technology services and to authorize payment for the services received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DS-C-0-920-S-066 Approval and Payment Authorization Emergency Declaration Resolution of 2004".

Sec. 2. (a) There exists an immediate need to approve Contract No. DS-C-0-920-S-092 for information technology ("IT") services and to authorize payment for the services received under that contract.

(b) On March 29, 2000, the Office of Contracting and Procurement ("OCP") awarded a DCIT Schedule IDIQ contract to L. Robert Kimball & Associates, Inc. ("Kimball") to provide IT services to the Office of the Chief Technology Officer ("OCTO") and other District agencies in the amount of \$999,999.99 for a base year and 4 option years. On May 16, 2001 during the 1<sup>st</sup> option year, Modification No. 2 was approved by the Council to increase the cumulative value of the contract to \$5 million per year. This was done in order to continue IT services for OCTO and other District agencies. OCP awarded task orders to Kimball in the amount of \$1,000,045.10 in the base year (March 28, 2000 through March 27, 2001); \$5,095,470 for option year one (March 28, 2001 through March 27, 2002); \$1,042,240 for option year 2 (March 28, 2002 through March 27, 2003); \$1,189,805 for option year 3 (March 28, 2003 through March 27, 2004); and \$387,077.56 for option year 4 (March 28, 2004 through March 27, 2005). The total authorized contract amount for the base year and 4 option years is \$8,714,567.66. OCP did not request approval for each year that exceeded \$1 million.

(c) This contract has expired.

(d) Council approval is necessary to authorize payment to Kimball for the IT services provided in the base year and option years one, 2, 3, and 4.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DS-C-0-920-S-066 Approval and Payment Authorization Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

16-272

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize the Medicaid Program to increase the federal poverty levels of qualified Medicare beneficiaries from 100% to 150% and specified low income Medicare beneficiaries from 120% to 150%.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid State Plan Amendment to Raise the Federal Poverty Levels of Qualified Medicare Beneficiaries and Specified Low Income Medicare Beneficiaries Emergency Declaration Resolution of 2005".

Sec. 2 (a) The United States Congress in 2003 enacted the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003 ("MMA"). The MMA added a new outpatient prescription drug benefit ("Part D").

(b) Under MMA, states are required to facilitate the enrollment of Medicare beneficiaries into the new Medicare Part D prescription program. An amendment to the District of Columbia State Plan for Medical Assistance ("State Plan") is required to align the income eligibility guidelines for the Qualified Medicare Beneficiary and Specified Low Income Medicare Beneficiary programs with the eligibility requirements of the new Part D benefit.

(c) The proposed State Plan amendment to increase the federal poverty levels for qualified Medicare beneficiaries from 100% to 150% and specified low income Medicare beneficiaries from 120% to 150% will eliminate the risk of certain eligible seniors losing prescription drug coverage.

(d) Emergency action is required because the federally mandated Part D enrollment period begins on July 1, 2005. If this alignment is delayed, seniors who do not carry out this enrollment process will face substantially larger obstacles to obtaining and keeping drug coverage.

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 Medicaid State Plan Amendment to Raise the Federal Poverty Levels of Qualified Medicare Beneficiaries and Specified Low Income Medicare Beneficiaries Emergency Approval Resolution of 2005 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-273

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To approve, on an emergency basis, the Medicaid Program to increase the federal poverty levels of qualified Medicare beneficiaries from 100% to 150% and specified low income Medicare beneficiaries from 120% to 150%.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid State Plan Amendment to Raise the Federal Poverty Levels of Qualified Medicare Beneficiaries and Specified Low Income Medicare Beneficiaries Emergency Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code §1-307.02), the Council approves the proposed amendment to the District of Columbia State Plan for Medical Assistance transmitted to the Council by the Mayor on July 5, 2005, to raise the federal poverty levels for qualified Medicare beneficiaries from 100% to 150% and specified low income Medicare beneficiaries from 120% to 150%.

Sec. 3. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, each to the Director of the Department of Health and to the Mayor.

Sec. 4. 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 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.

A RESOLUTION

16-274

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to confirm the appointment of Ms. JoAnne Ginsberg to the Board of Education of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Education of the District of Columbia JoAnne Ginsberg Confirmation Emergency Declaration Resolution of 2005".

Sec. 2.(a) Pursuant to section 2(a-f) of An Act To fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906 (34 Stat. 316; D.C. Official Code § 38-101), the Mayor has nominated JoAnne Ginsberg to be a member of the Board of Education, to replace Mirian Saez, whose term ended December 14, 2004, for a term to end December 14, 2008.

(b) There is a need to ensure a full complement of Board of Education members, especially over the next 2 months, as the board reviews the Superintendent's new strategic educational plan and the District enters into a new school year.

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 Board of Education of the District of Columbia JoAnne Ginsberg Confirmation Emergency Resolution of 2005 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-275

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To confirm, on an emergency basis, the appointment of Ms. JoAnne Ginsberg to the Board of Education of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Education of the District of Columbia JoAnne Ginsberg Confirmation Emergency Resolution of 2005".

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

Ms. JoAnne Ginsberg  
2836 Allendale Place, N.W.  
Washington, D.C. 20008  
(Ward 3)

as a member of the Board of Education of the District of Columbia, established by section 495 of the District of Columbia Home Rule Act, approved December 23, 1974 (87 Stat. 811; D.C. Official Code § 1-204.95), replacing Mirian Saez, whose term ended December 14, 2004, for a term to end December 14, 2008.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-276

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To establish a special committee to undertake a special project to develop and propose a comprehensive policy to substantially increase vocational education and jobs for District residents.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Special Committee on Vocational Education and Jobs for District Residents Establishment Resolution of 2005".

Sec. 2. Establishment of a Special Committee on Vocational Education and Jobs for District Residents.

(a) Pursuant to section 251 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 16 ("Council Rules"), there is hereby established the Special Committee on Vocational Education and Jobs for District Residents ("Special Committee").

(b) Pursuant to section 253 of the Council Rules, the Special Committee is charged with undertaking the Special Project on Vocational Education and Jobs for District Residents.

Sec. 3. Membership and chairmanship of the Special Committee.

(a) The Special Committee shall be comprised of the following members of the Council: Councilmembers Kathleen Patterson, Vincent B. Orange, Kwame R. Brown, Vincent C. Gray, and Marion Barry.

(b) Councilmember Barry shall chair the Special Committee.

Sec. 4. Responsibilities of the Special Committee.

(a) The responsibilities of the Special Committee shall be to:

(1) Review the vocational education options now offered to District youth within the D.C. Public Schools, the University of the District of Columbia, the programs of the Department of Employment Services, and the private sector. Specifically, the Special Committee will determine the number of youth served, including the number of older residents, and assess the success of current programs;

(2) Assess the workforce needs of the Washington D.C. region and analyze the extent to which current vocational education opportunities meet the needs both of District youth and prospective employers;

(3) Analyze which sectors of the economy are expected to see job growth and the steps that should be taken to provide education and training to meet those needs;

(4) Assess the capacity of DCPS and UDC to meet the vocational education

ENROLLED ORIGINAL

needs both of residents and employers;

(5) Make recommendations as to what vocational education programs should be created or expanded to address employer needs;

(6) Assess the feasibility of establishing a vocational school;

(7) Make recommendations as to where the lead public responsibility should reside for vocational education funding and programs; for example, whether it should be within DCPS or UDC, or both;

(8) Review and make recommendations on the role of the public charter schools in providing vocational education to District residents;

(9) Recommend statutory and budgetary changes that the Council could make to better meet the needs of District residents and area employers;

(10) Evaluate the ability of the District government to implement new economic development policy initiatives to enhance vocational education and jobs for District residents; and

(11) Research and propose a comprehensive set of policy recommendations and strategies aimed at substantially increasing vocational education and jobs.

(b) The responsibilities of the Special Committee shall be limited to those enumerated in subsection (a) of this section.

Sec. 5. Hearings and meetings; quorum.

(a) A hearing of the Special Committee may be called by the chair, which shall be held pursuant to the rules promulgated under section 7.

(b) A meeting of the Special Committee may be called by the chair, which shall be held pursuant to the rules promulgated under section 7.

(c)(1) For the purposes of a hearing, one member of the Special Committee shall constitute a quorum.

(2) For the purposes of a meeting, 3 members of the Special Committee shall constitute a quorum.

Sec. 6. Staff.

(a) The Special Committee may appoint staff or consultants to assist and advise the Special Committee on matters before the Special Committee.

(b) The budget for staff or consultants shall be no more than \$75,000 in fiscal year 2005.

Sec. 7. Rules.

The Special Committee, pursuant to section 226 of the Council Rules, shall adopt written rules, not inconsistent with the Council Rules, this resolution, or other applicable law to govern its procedures.

Sec. 8. Fiscal impact statement.

Funding for the Special Committee is included in the fiscal year 2005 appropriated budget of the Council of the District of Columbia.

Sec. 9. Effective date.

This resolution shall take effect immediately.

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ENROLLED ORIGINAL

A RESOLUTION

16-277

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to declare the sense of the Council to designate Barry Farms, Lincoln Heights, and their surrounding areas as New Communities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Barry Farms and Lincoln Heights New Communities Emergency Declaration Resolution of 2005".

Sec. 2. Emergency circumstances.

(a) Barry Farms and Lincoln Heights are underserved, public housing projects with extreme unemployment, high crime, and pressing social needs.

(b) To revitalize and rebuild the community, Barry Farms and Lincoln Heights require sustained focus and long-term investment.

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 Sense of the Council Barry Farms and Lincoln Heights New Communities Emergency Resolution be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-278

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To urge the Mayor to designate Barry Farms, Lincoln Heights, and their surrounding area as part of the New Communities initiative.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Barry Farms and Lincoln Heights New Communities Emergency Resolution of 2005".

Sec. 2. The Council finds that:

(1) The long-term goals of New Communities as described by the Mayor are to meet the needs of lower-income District families and residents by providing critical social support services, decreasing the concentration of poverty and crime, and enhancing access to education, training, and employment opportunities.

(2) New Communities is a massive investment in the housing and physical infrastructure of the city's most challenged neighborhoods. It is a comprehensive community development program aimed at lifting people and neighborhoods by addressing social conditions as well as the infrastructure.

(3) Barry Farms and Lincoln Heights are underserved public housing projects in need of revitalization. While many District neighborhoods are undergoing rapid transformation, residents in Barry Farms and Lincoln Heights are still plagued with crime, unemployment, and deteriorating physical conditions.

Sec. 3. The Council requests that the Mayor include Barry Farms, Lincoln Heights, and their surrounding areas in the New Communities initiative, and to immediately commence with the resources available in the 2006 budget the planning and subsequent implementation of the Barry Farms and Lincoln Heights New Communities.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-279

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 6, 2005

To declare the existence of an emergency with respect to the need to authorize payment to Verizon, Inc., for goods and services provided to the District of Columbia Public Schools without a valid written contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Verizon, Inc. Payment Authorization Emergency Declaration Resolution of 2005".

Sec. 2. There exists an immediate crisis regarding the provision and delivery of data services at District of Columbia Public Schools ("DCPS") schools and administrative offices. The ongoing provision of data services is critical to DCPS' accomplishment of its educational mission. Verizon, Inc., has indicated that it will terminate services without payment and such termination will have an immediate and adverse impact upon the education of DCPS students.

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 Verizon, Inc. Payment Authorization Emergency Act of 2005 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-280

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
July 2, 2005

To approve the disposition of real property located at Lots 848 and 849 in Square 2906, Ward 4, in the northwest quadrant of the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Disposition of Lots 848 and 849 in Square 2906 Approval Resolution of 2005".

Sec. 2. Pursuant to section 8(b)(2) of the National Capital Revitalization Corporation Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C. Official Code § 2-1219.07(b)(2)), the Council approves the disposition of the real property located at Lots 848 and 849 in Square 2906 pursuant to the terms of the attached Request for Proposals. Council approval herein of the disposition of Lot 848 by the National Capital Revitalization Corporation ("NCRC") is subject to the prior transfer of Lot 848 from the Department of Housing and Community Development to the NCRC.

Sec. 3. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Chief Executive Officer of the National Capital Revitalization Corporation.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-281

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
July 8, 2005

To approve an amendment to the District of Columbia State Plan for Medicaid Assistance to authorize the Medicaid program to implement the nursing facility pharmacy Point of Sale reimbursement methodology for prescription drugs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Case-mix Prescription Drugs Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial Assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance governing reimbursement of prescription drugs as a part of the proposed nursing facility case-mix reimbursement system.

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

Sec. 4. This resolution shall take effect immediately.

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ENROLLED ORIGINAL

A RESOLUTION

16-282

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved

July 8, 2005

To approve an amendment to the District of Columbia State Plan for Medical Assistance to authorize the Medicaid Program to change the current prospective reimbursement methodology for nursing facilities to a prospective payment model that compensates based on patient acuity.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid State Plan Amendment to Implement a Case Mix Nursing Facility Reimbursement System with a Ventilator Services Add-on Rate Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance to change the existing Medicaid nursing facility reimbursement methodology to a case mix reimbursement methodology that provides payment based on patient acuity and provides an add-on payment for each resident receiving ventilator services.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-283

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
July 22, 2005

To approve an amendment to the District of Columbia State Plan for Medical Assistance and a waiver to authorize the use of a transportation broker for the delivery of Medicaid non-emergency transportation services.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid State Plan Amendment and Waiver Instituting a Non-Emergency Transportation Broker Delivery System Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance and approves a waiver to authorize the Department of Health, Medical Assistance Administration to provide and coordinate non-emergency transportation services to Medicaid recipients, except those enrolled in managed care, through a transportation broker delivery system.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-284

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
July 22, 2005

To approve an amendment in the District of Columbia State Plan for Medical Assistance To authorize the Medicaid Program to establish a new reimbursement methodology for acute, involuntary psychiatric admissions to private hospitals in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid Acute Involuntary Admissions Payment State Plan Amendment Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed amendment to the District of Columbia State Plan for Medical Assistance which, when implemented, will establish a new reimbursement methodology for acute, involuntary psychiatric admissions to private hospitals in the District of Columbia.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

16-285

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Deemed approved  
July 22, 2005

To approve a Health Insurance Flexibility and Accountability Waiver for the District of Columbia Medicaid Assistance Administration that expands health insurance coverage to an additional 1,800 residents of the District of Columbia with incomes at or below 200% of the federal poverty level.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medicaid D.C. Coverage Initiative Health Insurance Flexibility and Accountability Waiver Approval Resolution of 2005".

Sec. 2. Pursuant to section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), the Council of the District of Columbia approves the proposed Health Insurance Flexibility and Accountability Waiver for the District of Columbia Medicaid Assistance Administration which, when implemented, will expand health insurance coverage to an additional 1,800 residents of the District of Columbia with incomes at or below 200% of the federal poverty level. The increased coverage will be funded by using unspent State Children's Health Insurance Program funds and claiming federal financial participation for the populations to be covered under the waiver.

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

Sec. 4. This resolution shall take effect immediately.