

ENROLLED ORIGINAL

A RESOLUTION

15-662

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend Article 29 of the Harbor and Boating Safety Regulations of the Police Regulations of the District of Columbia to require children under 13 years of age to wear personal flotation devices while on recreational vessels.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Juvenile Flotation Device Requirement Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) In an effort to reduce the number of deaths by drowning of children under the age of 13, the United States Coast Guard ("Coast Guard") promulgated a rule generally requiring children below the age of 13 years old to wear personal flotation devices while on recreational vessels (33 C.F.R. § 175.15(c)).

(b) After the issuance of this Coast Guard rule, many jurisdictions around the country adopted the same rule. The District of Columbia ("District"), however, is one of the few jurisdictions that has not yet amended its regulations to conform to the Coast Guard's rule.

(c) In addition, the District receives \$528,700 in federal revenue to patrol and protect the District's inland waterways. These funds are granted from the Coast Guard Recreational Boating Safety initiative and are applied for every year. The District risks losing these federal funds if it does not adopt the national standards.

(d) On June 1, 2004, the Council enacted the Juvenile Flotation Device Requirement Emergency Amendment Act of 2004, effective June 23, 2004 (D.C. Act 15-446; 51 DCR 6560). The emergency act, which requires the use of a Coast Guard-approved flotation device by all children under the age of 13 while on a recreational vessel, expires on September 21, 2004.

(e) The Juvenile Flotation Device Requirement Temporary Amendment Act of 2004, signed by the Mayor on July 19, 2004 (D.C. Act 15-470; 51 DCR 7593), was transmitted to Congress on September 2, 2004, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24,

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1973 (87 Stat.813; D.C. Official Code § 1-206.02(c)(1)), and is not expected to complete Congressional review until February 28, 2005.

(f) This emergency legislation is needed to fill the gap in the legal authority that would exist between the expiration of the emergency legislation and the effectiveness of the temporary legislation.

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 Juvenile Flotation Device Requirement Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to clarify that certain restrictions applicable to the use of motor vehicles apply to the use of motorized bicycles.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Motorized Bicycle Responsibility Clarification Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The District's roadways have witnessed a recent increase in the number of miniature motorcycles, scooters, and mopeds.

(b) Current regulations provide for the regulation of motorized bicycles and motor scooters, a subset of the larger category of motorcycles; however, there is not complete agreement among District agencies responsible for transportation safety over the applicability of the regulations as they pertain to motorized bicycles, leading to confusion and inadequate enforcement.

(c) Eliminating uncertainty over the meaning of the regulations will enable the Department of Motor Vehicles and the Metropolitan Police Department to ensure that all motor vehicles, including motorized bicycles and mini-motorcycles, have valid identification tags, registration, and proof of inspection, and that they are operated by licensed operators and sold by licensed salespersons.

(d) Certain motorized bicycles and miniature motorcycles are especially popular among children who are not old enough to obtain a driver's license and among adults whose licenses have been revoked or suspended, and, therefore, the continuing failure to enforce existing regulations would permit the potentially unsafe operation of these motor vehicles on the District's roadways to continue, needlessly endangering motorists, pedestrians, and residents.

(e) The Motorized Bicycle Responsibility Clarification Emergency Amendment Act of 2004, effective June 23, 2004 (D.C. Act 15-454; 51 DCR 6730), will expire on September 21, 2004.

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(f) The Motorized Bicycle Responsibility Clarification Temporary Amendment Act of 2004, signed by the Mayor on July 19, 2004 (D.C. Act 15-477; 51 DCR 7614), is pending Congressional review making emergency legislation necessary to prevent a gap in legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Motorized Bicycle Responsibility Clarification Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-664

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to require that venues that attract large numbers of people inform the Metropolitan Police Department of their schedule and obtain adequate police presence at the event for the safety of the public.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this resolution may be cited as the "Public Congestion and Venue Protection Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. The Council finds that:

- (1) Events that attract large numbers of people require police presence to expeditiously disperse crowds.
- (2) Failure to effectively control vehicular and human congestion can lead to violent incidents.
- (3) Police presence deters crime.
- (4) In light of recent terrorist threats, professional and organized crowd control is paramount to public safety.
- (5) Requiring venues that attract large numbers of people to inform the Metropolitan Police Department of their event would be in the interest of public safety and security.
- (6) Two separate incidents on public space in Northeast Washington resulted in 11 people being shot, while leaving public establishments.
- (7) Public establishments that attract large numbers of people should be required to obtain adequate police presence at the event for the safety of the public.
- (8) Act 15-452, the "Public Congestion and Venue Protection Emergency Act of 2004" expires on September 21, 2004, and the projected effective date for Act 15-475, the "Public Congestion and Venue Protection Temporary Act of 2004" is February 28, 2005.

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 "Public Congestion and Venue Protection Congressional Review Emergency Act of 2004" be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-665

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to enact guidelines and safeguards to reform the Office of Property Management's lease and construction management operations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office of Property Management Reform Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. The Council finds that:

- (1) Attempts have been made to circumvent the need for Council approval by drafting contracts slightly below the threshold of \$1 million which would require Council approval.
- (2) Leases and other contracts between the District of Columbia ("District") and a single party have been separated into multiple writings to lower the dollar amount in each individual contract, thus evading the requirement for Council approval.
- (3) Addenda and amendments to Council-approved documents were ratified without Council approval, even in cases where the amount in the amendment or addendum exceeded \$1 million.
- (4) The practice of awarding sole source contracts by the Office of Property Management ("OPM") deserves additional scrutiny.
- (5) The Council needs to gather data on the OPM's contracting practices to determine whether there is a pattern and practice of deliberate evasion of Council scrutiny in the construction of these contracts and to determine whether a charter change is necessary to require Council approval for contracts below \$1 million.
- (6) When considering the relocation of District facilities, the Council needs a complete cost-benefit analysis of the relocation.
- (7) The Council needs information on the history and performance, costs, and benefits associated with instituting the tenant representation contract to determine whether it should be reinstated.

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(8) The Subcommittee on Human Rights, Latino Affairs, and Property Management has oversight authority over OPM and has the authority to examine the operations of OPM, including its lease management functions and its management of construction projects, and recommends that additional safeguards and tighter approval procedures are implemented to assure that past, current, and future lease agreements or memoranda of understanding associated with or entered into on the District's behalf are based on a fair market value of leased and purchased property.

(9) On June 1, 2004, the Council approved emergency and temporary legislation to reform the Office of Property Management's lease and construction management operations. Permanent reform legislation, Bill 15-715, is pending second reading by the Council.

(10) The Council-approved emergency legislation, D.C. Act 15-865, will expire on September 21, 2004. Temporary legislation, D.C. Act 15-476, is pending Congressional review with a projected law date of February 28, 2005. This emergency legislation is necessary to prevent a lapse in legal authority.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Office of Property Management Reform Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to eliminate term limitations for Eastern Market Community Advisory Committee members that are subject to them and to change the composition of the Eastern Market Community Advisory Committee by eliminating the Eastern Market Tenants Council member, by giving a full vote both to the food market inside vendor and the representative from the farmers' line, by keeping the member from the Advisory Neighborhood Commission in which Eastern Market is sited and eliminating the other Advisory Neighborhood Commission member, by giving the Mayor's representative a vote, by requiring the Ward 6 Councilmember's representative to be a resident in the ward and giving the Ward 6 Councilmember's representative a vote, and to require the Eastern Market Community Advisory Committee to conform its bylaws to these amendments.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Eastern Market Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Eastern Market Temporary Amendment Act of 2003, effective December 9, 2003 (D.C. Law 15-60; 50 DCR 9214), expired on July 21, 2004. The Council had final reading on the related permanent legislation, Bill 15-316 (Act 15-469), on June 29, 2004. It is pending Congressional review with a projected law date of February 28, 2005. Consequently, a gap exists since the temporary legislation expired before the permanent legislation became effective.

(b) The rationale for passing this emergency legislation is to prevent removal in the Fall of 2004 of a majority of the Eastern Market Community Advisory Committee ("EMCAC") under the term limits established in the Eastern Market Real Property Asset Management and Outdoor Vending Act of 1998, effective April 16, 1999 (D.C. Law 12-228; D.C. Official Code § 37-101 *et seq.*) ("Act"). The Act created a new management structure for Eastern Market, which is a property owned by the District of Columbia. The Act called for the formation of an advisory committee, the Eastern Market Community Advisory Committee or "EMCAC."

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(c) The EMCAC serves in a solely advisory role to the Office of Property Management and the market management contractor with whom the District of Columbia has contracted to manage the day-to-day operations at Eastern Market. The EMCAC is responsible for reviewing and commenting to the District of Columbia's Chief Property Management Officer on those matters pertaining to Eastern Market that are listed in section 12 of the Act, including the request for proposals for the selection of the market manager.

(d) Bill 15-316 eliminated term limitations for Eastern Market Community Advisory Committee members that are subject to them and changed the composition of the Eastern Market Community Advisory Committee by eliminating the Eastern Market Tenants Council member, by giving a full vote both to the food market inside vendor and the representative from the farmers' line, by keeping the member from the Advisory Neighborhood Commission in which Eastern Market is sited and eliminating the other Advisory Neighborhood Commission member, by giving the Mayor's representative a vote, by requiring the Ward 6 Councilmember's representative to be a resident in the ward and giving the Ward 6 Councilmember's representative a vote, and required the Eastern Market Community Advisory Committee to conform its bylaws to these amendments.

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 Eastern Market Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-667

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to maintain the hybrid Board of Education until January 2, 2009, and then re-establish an all elected Board with 8 members elected from each ward and one member elected at-large.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Education Continuity and Transition Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) On June 15, 2004, the Council passed emergency legislation, Act 15-465, that determined the structure of the District of Columbia's Board of Education until January 2, 2009. The emergency act is due expire on September 28, 2004.

(b) Pursuant to the emergency act, elections for two members of the Board of Education are scheduled for November 2, 2004. If the emergency law is allowed to expire, the validity of the elections may be in question.

(c) Temporary legislation, Act 15-478, is expected to complete Congressional review on February 28, 2005.

(d) Emergency legislation is needed to fill the gap that will exist between the expiration of the emergency legislation and the effectiveness of the temporary legislation.

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 Board of Education Continuity and Transition Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-668

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To confirm the Mayoral appointment of Ms. Barbara A. Childs-Pair as the Director of the Emergency Management Agency.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Director of the Emergency Management Agency Barbara A. Childs-Pair Confirmation Resolution of 2004".

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

Ms. Barbara A. Childs-Pair
2345 Belleview Avenue
Cheverly, MD 20785

as Director of the Emergency Management Agency, in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01), to serve at the pleasure of the Mayor.

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

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

15-669

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Housing and Community Development Reform Advisory Commission Extension Emergency Declaration Resolution of 2004".

Sec. 2. The Council finds that:

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

(2) D.C. Law 14-190 requires the Commission to issue a final report to the Council and Mayor within 150 days after the first meeting of the Commission.

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

(4) Additional time is required for the Commission to conduct research on best practices of other jurisdictions, examine carefully the reforms the Department has made to date, and recommend additional reforms the Department should make in order to improve its operations and administration.

(5) The chairperson of the Commission has requested that D.C. Law 14-190 be amended to provide the Commission with additional time to complete its final report to the Council and the Mayor.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Housing and Community Development Reform Advisory Commission Extension Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-670

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to make a technical correction to the Uniform Disposition of Unclaimed Property Act of 1980.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Unclaimed Property Demutualization Proceeds Technical Correction Emergency Declaration Resolution of 2004".

Sec. 2. The Council finds that:

(1) The Council adopted amendments to the Uniform Disposition of Unclaimed Property Act of 1980 relating to the treatment of unclaimed property in Subtitle F of Title I of the Fiscal Year 2005 Budget Support Act of 2004. This emergency makes a technical correction to those amendments. Inadvertently, the word "no" was left out of the amendments the Council adopted.

(2) The same technical correction will be incorporated into the Council's forthcoming technical amendments act, but as this is a provision which will be implemented beginning October 1, 2004, emergency legislation is warranted in order to make this technical correction in a timely fashion.

Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Unclaimed Property Demutualization Proceeds Technical Correction Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-671

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to authorize the Chief Financial Officer to redesignate amounts allocated from state aid funds and the District of Columbia fiscal year 2004 operating cash reserve.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2004 Year-End State Aid Re-Allocation Emergency Declaration Resolution of 2004".

Sec. 2. Spending authority for unused funds allocated from the state aid funds made available in accordance with Title VI of the Jobs and Growth Tax Relief Reconciliation Act of 2003, approved May 28, 2003 (Pub. L. No. 108-27; 117 Stat. 752), and funds allocated from the District of Columbia fiscal year 2004 operating cash reserve made available in compliance with section 202(j)(3) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)), will expire at the close of fiscal year 2004 unless the Chief Financial Officer is authorized to redesignate and expend these funds to meet existing obligations of the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2004 Year-End State Aid Re-Allocation Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-672

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to approve the acceptance and use of grants not included in the ceiling of the District of Columbia Appropriations Act, 2004.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "September 16th Budget Modification for FY 2004 Grant Funds Emergency Declaration Resolution of 2004".

Sec. 2. (a) Compliance with federal law established by section 417(b)(1)(B) of the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat. 3), requires Council approval of the acceptance, obligation, and expenditure of a grant not included in the ceiling of the FY 2004 appropriation for the District of Columbia.

(b) Grant requests have been submitted that are not included in the FY 2004 appropriations ceiling. These grants must be approved by the Council expeditiously.

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 September 16th Budget Modification of FY 2004 Grant Funds Approval Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-673

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

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

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Unemployment Compensation Funds Appropriation Authorization Emergency Declaration Resolution of 2004".

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

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

(c) It is necessary that authorization for the appropriation of these funds remain in effect so that the needed administrative improvement process for the District's Unemployment Compensation Program continues to move forward in an expeditious manner.

(d) The Unemployment Compensation Funds Appropriation Authorization Temporary Act of 2003, effective March 10, 2004 (D.C. Law 15-81; 50 DCR 10942), will expire on October 21, 2004.

(e) The Committee on Public Services is scheduled to markup the permanent legislation on September 22, 2004.

(f) It is important that the authorization for the use of these funds remain in effect.

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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 Unemployment Compensation Funds Appropriation Authorization Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-674

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to retroactively approve Contract No. DS-C-0-920-S-006 for Administrative Services Modernization Program services and to authorize \$6,384,128.46 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-006 Retroactive 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-006 for Administrative Services Modernization Program ("ASMP") services and to authorize payment for the services received under that contract.

(b) On April 28, 2000, the Office of Contracting and Procurement (OCP) awarded Contract No. DS-C-0-920-S-006 to Accenture, LLP, with a ceiling of \$999,999.99. The contract was for one year, with 4 option years. No task orders were issued in the base year. On April 23, 2001, the Council approved increasing the value of this contract to \$5 million. Each of the option years was exercised without Council approval.

(c) In option year #1, OCP issued Task Order #1 in the amount of \$2.7 million, which was subsequently modified to \$3.067 million. In option year #2, OCP issued Task Order #2, in the amount of \$1 million, which was subsequently modified to \$3,316,558.23. Council approval was not obtained for the task orders.

(d) In option year #4, OCP needs to issue Modification #6 to Task Order #1 in the amount of \$1,554,221 to allow Accenture to complete ASMP work through October 6, 2004.

(e) All work under this contract was stopped as of September 2, 2004.

(f) In order to make payments to Accenture for services performed and to be performed through October 6, 2004, Council approval is necessary for Task Order #1 and Modifications #1-5; Task Order #2 and Modifications #1-3; the exercise of each of the 4 option years; and Modification # 6 under Task Order #1. Without this approval, the work under the contract cannot resume, vital services under the ASMP will not be provided to the District, and the contractor cannot be paid for services already provided in excess of \$3.13 million.

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-006 Retroactive Approval and Payment Authorization Emergency Declaration Resolution of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-675

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to approve Delivery Order 252990 for Administrative Services Modernization Program services and to authorize payment for the services received.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Delivery Order 252990 Approval and Payment Authorization Emergency Declaration Resolution of 2004".

Sec. 2. (a) There exists an immediate need to approve Delivery Order 252990 for Administrative Services Modernization Program ("ASMP") services and to authorize payment for the services received under that contract.

(b) On June 18, 2003, the Office of Contracting and Procurement awarded Delivery Order 252990 to Accenture, LLP. The Council approved the delivery order in the amount of \$3.886 million on June 18, 2003 (CA 15-80).

(c) All work under this contract was stopped as of September 2, 2004.

(d) In order to make payments to Accenture, LLP for services performed, and to be performed through October 6, 2004, Council approval is necessary for Modification #1 to Delivery Order 252990 in the amount of \$2,030,497. Without this approval, the work under the contract cannot resume and vital services under the ASMP will not be provided to the District.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Delivery Order 252990 Approval and Payment Authorization Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-676

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To declare the existence of an emergency with respect to the need to approve the reallocation of the capital projects financing authority provided to the Mayor in the General Obligation Bond Issuance Authorization Resolution of 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "General Obligation Bond Proceeds Financing Reallocation Authorization Approval Emergency Declaration Resolution of 2004".

Sec. 2. (a) There is a need to reallocate the capital projects financing authority provided to the Mayor in fiscal year 2004 to cover costs associated with the implementation of the human resources module of the Administrative Systems Modernization Program project. If this reallocation is not approved today, funding availability cannot be certified for the contract modification with system integrator, Accenture.

(b) Funding for debt service expenses associated with this reallocation is included in the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat. 3).

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 General Obligation Bond Proceeds Financing Reallocation Authorization Emergency Approval Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately

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A RESOLUTION

15-677

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

September 21, 2004

To amend the capital projects financing authority provided to the Mayor in the Fiscal Year 2004 General Obligation Bond Issuance Approval Emergency Resolution of 2003.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "General Obligation Bond Proceeds Financing Reallocation Authorization Emergency Approval Resolution of 2004".

Sec. 2. (a) Pursuant to section 3302 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 47-335.01), the Council approves the request of the Mayor for the authority to reallocate \$3.6 million in financing from the proceeds of the District's General Obligation Bonds, Series 2003B, Series 2003C and Series 2003D for the capital projects listed in section 3. The financing authorized by this resolution amends the financing authority granted by the Council pursuant to the Fiscal Year 2004 General Obligation Bond Issuance Approval Emergency Resolution of 2003, effective December 2, 2003 (Res. 15-364; 50 DCR 10787) for the financing of capital projects listed in section 3.

(b) The capital projects listed in section 3 have been authorized pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), and the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat 3) ("FY 2004 Appropriations Act"), and are included within the schedule of capital projects for which the District is authorized to incur indebtedness under the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2002-2007 Authorization Act of 2002, effective March 25, 2003 (D.C. Law 14-214; 49 DCR 9427).

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Sec. 3. The amounts to be financed from the borrowing are as follows:

Fund	AG	City	Project Name	LAG	City Funds Reallocated from 2004 AGO Fund Balances	City Funds Reallocated to 2004 Borrowing
300	TO	N18	Facility Improvements	TO	3,600,000	0
300	TO	ZB	Citywide Enterprise Resource Planning (ERP)	TO	0	3,600,000
Total					0	3,600,000

Sec. 4. The agency codes presented in section 3 of this resolution correspond with the designations in the FY 2004 Appropriations Act.

Sec. 5. The Secretary to the Council shall submit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 6. This resolution shall take effect immediately.