

ENROLLED ORIGINAL

A RESOLUTION

15-580

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To approve a commemorative work known as the September 11 Memorial Grove on Kingman Island.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "September 11 Memorial Grove on Kingman Island Approval Resolution of 2004".

Sec. 2. (a) On September 5, 2003, Green Spaces for DC submitted an application to the District of Columbia Commemorative Works Committee ("Committee") to sponsor and undertake a commemorative work on District public space. This proposed commemorative work is a September 11 Memorial Grove on a section of Kingman Island south of Benning Road, in Ward 7, which is District public space administered by the District of Columbia Department of Parks and Recreation ("DPR").

(b) Green Spaces for DC developed the proposal in coordination with DPR and in consultation with the District of Columbia Office of Planning regarding the application requirements.

(c) The Office of Planning reviewed the application with other District agencies represented on the Committee. The Committee distributed copies of the application to affected advisory neighborhood commissions, affected District agencies, public utilities, and the National Capital Memorial Advisory Commission for comment, and it prepared a report on the application.

(d) Green Spaces for DC presented its proposal to the Committee on October 29, 2003. The Committee reviewed the proposal and found that:

(1) The proposed September 11 Memorial Grove meets the requirements for a commemorative work and other requirements of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*) ("Act").

(2) Notwithstanding section 415(b) of the Act, the events of September 11, 2001 are appropriate for commemoration even though only 2 years have passed since that event.

ENROLLED ORIGINAL

(3) The events of September 11, 2001 are important in the history of Washington, D.C., as well as in the history of the nation, and that it is appropriate to commemorate these events on District public space.

(4) The plan for the September 11 Memorial Grove on Kingman Island is compatible with the District of Columbia Comprehensive Plan, the plan for Kingman Island developed with the community, the Anacostia Waterfront Initiative, and the memorial location concepts in the Memorials and Museums Master Plan prepared by the National Capital Planning Commission.

(5) The proposed landscape design of the September 11 Memorial Grove is compatible with the District's climate, and transportation access and parking are adequate for the project.

(6) Green Spaces for DC has provided an acceptable budget and financing plan to develop, construct, and maintain the project. The DPR has indicated that arrangements will be made for perpetual maintenance of the Memorial Grove on Kingman Island.

(e) After review and discussion, the Committee voted unanimously to recommend approval of the application for the September 11 Memorial Grove on Kingman Island and to transmit the application, the Committee's report, and the Committee's recommendation to the Mayor.

(f) The Mayor has recommended to the Council that the September 11 Memorial Grove commemorative work on Kingman Island be approved and transmitted the Green Space for DC application, the Committee's report, and this resolution to the Council on March 15, 2004.

(g) The Committee of the Whole held a public hearing on the proposed September 11 Memorial Grove on Kingman Island on May 25, 2004.

Sec. 3. The Council hereby approves, pursuant to sections 401 and 416 of the Act, the September 11 Memorial Grove commemorative work on Kingman Island project.

Sec. 4. The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-581

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To confirm the appointment of Mr. Charles R. Lowery, Jr., to the District of Columbia Board of Elections and Ethics.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Board of Elections and Ethics Charles R. Lowery, Jr. Confirmation Resolution of 2004".

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

Charles R. Lowery, Jr.
1317 Somerset Place, N.W.
Washington, D.C. 20011-1134
(Ward 4)

as a member of the District of Columbia Board of Elections and Ethics, established by section 3 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.03), for a term to end July 7, 2007.

Sec. 3. The Council 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

15-582

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To reauthorize a special committee of the Council to review and oversee the development and implementation of a comprehensive housing policy for the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reauthorization of the Special Committee on a Comprehensive Housing Policy for the District of Columbia Resolution of 2004".

Sec. 2. Special committee on the development and implementation of a comprehensive housing policy for the District.

Pursuant to section 251 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period XV ("Council Rules"), the Council established for one year the Special Committee on a Comprehensive Housing Policy for the District of Columbia ("Special Committee") by its adoption of the "Establishment of the Special Committee on a Comprehensive Housing Policy for the District of Columbia Resolution of 2003", effective May 6, 2003 (Res. 15-89; 50 DCR 2785). The Council hereby establishes the Special Committee for the duration of Council Period 15.

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

(a) The Special Committee shall be comprised of the following members of the Council: Councilmembers Brazil, Chavous, Evans, Fenty, and Graham. The Chairman of the Council shall be an ex-officio, voting member of the Special Committee and may be counted for purposes of a quorum, but shall not increase the quorum requirement for the Special Committee.

(b) Councilmembers Brazil and Fenty shall be co-chairs of the Special Committee.

Sec. 4. Responsibilities of the Special Committee.

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

(1) Review the appointment of members nominated to serve on any task force established by the Comprehensive Housing Strategy Act of 2003, effective March 10, 2004 (D.C. Law 15-73; 50 DCR 10909) ("Act").

ENROLLED ORIGINAL

(2) Oversee the progress of the Comprehensive Housing Strategy Task Force established by the Act; and

(3) Review the District's progress in meeting any recommendations, goals, or timetables set forth in any comprehensive housing strategy created pursuant to the Act.

(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 concurrence of the co-chairs, which shall be held pursuant to the rules promulgated under section 7.

(b) A meeting of the Special Committee may be called by the concurrence of the co-chairs, 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; provided, that no meeting shall be held without the presence of both co-chairs.

Sec. 6. Staff.

(a) The Special Committee may appoint staff or consultants to assist and advise the Special Committee on matters before it, provided, that no staff or consultant may be appointed without the written concurrence of the co-chairs, and no staff or consultant may be appointed beyond the duration of the Special Committee as set forth in section 8.

(b) The budget for staff or consultants shall be no more than \$60,000 in fiscal year 2005; provided, that nothing in this section shall be construed to limit the expenditure of funds budgeted for the Special Committee in fiscal year 2004.

Sec. 7. Rules.

Pursuant to section 226 of the Council Rules, the procedures of the Special Committee shall be governed by the Rules of Organization and Procedure for the Special Committee on a Comprehensive Housing Policy for the District of Columbia, approved by the Special Committee on April 20, 2004; provided, that no rule adopted by the Special Committee may be inconsistent with the Council Rules, this resolution, or other applicable law.

Sec. 8. Duration of the Special Committee.

The Special Committee shall exist for the remainder of Council Period 15.

Sec. 9. Fiscal impact statement.

This resolution has no fiscal impact.

Sec. 10. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-583

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to exempt from taxation certain real property of the American College of Cardiology and American College of Cardiology Foundation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "American College of Cardiology and American College of Cardiology Foundation Real Property Tax Exemption Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Council has previously passed this legislation on an emergency, temporary, and permanent basis.

(b) The temporary legislation, D.C. Law 15-45, will expire on July 21, 2004.

(c) The permanent legislation, D.C. Act 15-438, has been transmitted to Congress for review and is projected to become law on September 27, 2004.

(d) In order to avoid a gap in authority, the proposed Congressional review emergency legislation is necessary.

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 College of Cardiology and American College of Cardiology Foundation Real Property Tax Exemption Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-584

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to exempt a subsidiary of the Shakespeare Theatre from real estate, personal property, and sales taxes.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lot 878, Square 456 Tax Exemption Clarification Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) The Council has previously passed this legislation on an emergency and temporary basis.

(b) The emergency legislation, D.C. Act 15-423, will expire on August 8, 2004.

(c) The temporary legislation, D.C. Act 15-431, has been transmitted to Congress for review and is projected to become law on September 27, 2004.

(d) In order to avoid a gap in authority, the proposed Congressional review emergency legislation is necessary.

Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lot 878, Square 456 Tax Exemption Clarification Congressional Review Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-585

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to expand and improve the tax increment financing program in the District of Columbia.

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

Sec. 2. (a) The Council has previously passed this legislation on an emergency, temporary, and permanent basis.

(b) The temporary version of the legislation, D.C. Law 15-58, will expire on July 21, 2004.

(c) The permanent legislation, D.C. Act 15-435, has been transmitted to Congress for review and is projected to become law on September 27, 2004.

(d) In order to avoid a gap in authority, the proposed Congressional review emergency legislation is necessary.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-586

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to increase civil and criminal penalties for violations of the laws and regulations concerning lead-based paint abatement and control to reduce the incidences of lead poisoning in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lead-Based Paint Abatement and Control Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) There exists an immediate crisis regarding children in the District of Columbia who continue to be lead poisoned at a rate that exceeds the national average as a result of persons conducting lead-based paint abatement and control without the use of trained and certified lead abatement contractors and workers.

(b) The current sanctions for failure to abide by the laws and regulations concerning lead-based paint abatement and control are not adequate to provide a deterrent.

(c) Without a significant increase in the penalties for failure to conduct lead-based paint abatement and control activities with trained lead-certified contractors and workers, residents will be subjected to conditions that threaten their lives and well-being.

(d) Without a significant increase in the penalties for failure to conduct lead-based paint abatement and control activities with trained lead-certified contractors and workers, the District of Columbia will not meet the threshold for eligibility and continued grant funding from the United States Environmental Protection Agency to administer and enforce federal lead-based paint statutes and regulations.

(e) The Lead-Based Paint Abatement and Control Emergency Amendment Act of 2004, effective April 21, 2004 (D.C. Act 15-411; 51 DCR 4677), is expected to expire on July 20, 2004. The Lead-Based Paint Abatement and Control Temporary Amendment Act of 2004, signed by the Mayor on May 21, 2004 (D.C. Act 15-430; 51 DCR 5718), is pending Congressional review, and is not expected to become law before September 27, 2004. The Lead-Based Paint Abatement and Control Amendment Act of 2004, as introduced on February 5, 2004

ENROLLED ORIGINAL

(D.C. Bill 15-721), is pending in committee.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Lead-Based Paint Abatement and Control Congressional Review Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-587

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency, due to Congressional review, with respect to the need to authorize the establishment and administration of a business improvement district in the Mount Vernon Triangle area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mount Vernon Triangle Business Improvement District Congressional Review Emergency Declaration Resolution of 2004".

Sec. 2. (a) In March 2004, the Council enacted the Mount Vernon Triangle Business Improvement District Emergency Amendment Act of 2004, effective March 18, 2004 (D.C. Act 15-404; 51 DCR 3647) ("Emergency Act"). The Emergency Act established a business improvement district ("BID") in the Mount Vernon Triangle area to start to provide services to create a cleaner and safer environment and improve the marketability of the area as soon as possible by authorizing the BID tax roll to be included on a list submitted to the Chief Financial Officer for the April 2004 tax bills. The Emergency Act expired on June 16, 2004.

(b) Temporary legislation, the Mount Vernon Triangle Business Improvement District Temporary Amendment Act of 2004 ("Temporary Act"), signed by the Mayor on April 29, 2004 (D.C. Act 15-430; 51 DCR 4946), was transmitted to Congress on May 11, 2004, for the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)).

(c) The projected date for Congressional approval of the Temporary Act is July 8, 2004.

(d) It is of vital importance to the operation and effectiveness of the BID in the Mount Vernon Triangle Area that the provisions of the Emergency Act continue in effect, without interruption, until temporary legislation is in place.

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 Establishment of the Mount Vernon Triangle Business Improvement Districts Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-588

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to permit the Department of Insurance, Securities and Banking to spend fees generated from the Certified Capital Companies Act of 2003 and to repeal the sponsored cell provisions for captive insurance companies and replace them with provisions for the establishment, operation, and liquidation of segregated accounts.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Captive Insurance Company Enhancement Emergency Declaration Resolution of 2004".

Sec. 2. (a) The District of Columbia enacted its captive insurance company law in October of 2000. Since that time, many provisions of the law have become outdated. Recently, the Department of Insurance, Securities and Banking has been approached by several businesses, including a few large national and international organizations, who are interested in forming captive insurance companies in the District, and want to form those captive insurance companies with the use of segregated accounts. The use of segregated accounts is currently not permitted under District laws. These organizations would generate substantial revenue for District businesses and additional tax dollars for the District government. The companies must form these captive insurance companies in the District in the coming weeks because their insurance programs are expiring soon.

(b) These large companies are interested in establishing their captives in the District, but only if the amendments offered in this emergency are passed by the Council. These companies will form their captives in other jurisdictions if these amendments are not made on an emergency basis.

(c) The emergency act is also needed to make use of the fees generated by the certified capital companies act to fund the operations of the Department's insurance regulatory trust fund. Several certified capital companies are planning on forming in the District late this summer. Without this amendment passed on an emergency basis, the money generated through the formation of these companies will not be available for use in the regulation of these companies.

ENROLLED ORIGINAL

(d) These amendments must be passed on an emergency basis to ensure that the regulation of the insurance industry continues to be done in a manner that competes sufficiently with other jurisdictions.

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 Captive Insurance Company Enhancement Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-589

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with the respect to the need to extend the terms of current members of the Washington Convention Center Authority Advisory Committee until December 31, 2004.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Advisory Committee Continuity Third Emergency Declaration Resolution of 2004".

Sec. 2. Emergency circumstances.

(a) The Washington Convention Center Authority ("WCCA") began construction of the new convention center in August 1998.

(b) The terms of the appointees of the current Washington Convention Center Authority Advisory Committee ("WCCAAC") will expire on June 30, 2004.

(c) The WCCAAC serves as an adviser to the WCCA Board of Directors and has proven to provide good recommendations to the Board over the years.

(d) The WCCAAC maintains a wealth of expertise in the areas of community relations, financial, hotel industry, restaurant affirmative action, and union relations.

(e) The WCCAAC has proven to be a necessary entity and mediator on behalf of the Shaw community, the Washington Convention Center, and the District government.

(f) There is a need to maintain the continuity of the WCCAAC.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Washington Convention Center Advisory Committee Continuity Third Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-590

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to authorize the Mayor to require the owner of a multiple dwelling, upon written request by a rental tenant or owner-occupant of that dwelling, to order a water lead level test kit for that tenant or owner-occupant within 15 calendar days of receiving the written request to allow the tenant or owner-occupant to collect a sample of his or her tap water and have it tested for lead, to ensure that the water sample is tested for lead and that the result is provided to the tenant or owner-occupant and any other rental tenant or owner-occupant of the dwelling who requests a copy and that the result is conspicuously posted on the premises, and to establish a penalty for failure to comply.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Multiple Dwelling Residence Water Lead Level Test Emergency Declaration Resolution of 2004".

Sec. 2. (a) The District is currently faced with the problem of increased levels of lead in the tap water of certain residents. The District of Columbia Water and Sewer Authority ("WASA") has been providing water lead level test kits to District residents in single-family homes who have requested one.

(b) Some of the owners of multiple dwellings such as apartment buildings, condominium buildings, and cooperative buildings, who can receive tests kits for their buildings, have apparently been refusing to request kits from WASA to test the lead level of the tap water in their buildings after having been requested to do so by a resident of the building.

(c) It is, therefore, necessary to enact emergency legislation to authorize the Mayor to require the owner of a multiple dwelling to order lead level test kits for residents of the building, up to a certain limit, upon a written request by a resident, so that residents of multiple dwellings in the District can also have their tap water tested for lead.

ENROLLED ORIGINAL

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Multiple Dwelling Residence Water Lead Level Test Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-591

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to extend the life of the free clinic assistance program until October 1, 2008.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Free Clinic Assistance Program Extension Emergency Declaration Resolution of 2004".

Sec. 2. The Free Clinic Assistance Program Act of 1986, effective September 23, 1986 (D.C. Law 6-155; D.C. Official Code § 1-307.21 *et seq.*) ("Act"), is set to sunset on September 23, 2004. The Act provides insurance for free clinics for which medical liability insurance is available, but only at a rate that is so high as to make it economically infeasible for the clinic to pay. This emergency legislation is necessary to prevent the Act from sunseting while the permanent piece of legislation for an extension of this Act is being considered. Without an extension of this program, the clinics will be unable to operate.

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 Free Clinic Assistance Program Extension Emergency Amendment Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-592

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to approve amendments to the rules for adult trauma facilities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Adult Trauma Facilities Regulations Approval Emergency Declaration Resolution of 2004".

Sec. 2. (a) Adult trauma facilities are subject to licensing requirements, including the requirement to be in compliance with the rules published in Chapter 28 of Title 22 of the District of Columbia Municipal Regulations.

(b) The regulations published in Chapter 28 of Title 22 of the District of Columbia Municipal Regulations reflect the requirements of the American College of Surgeons ("ACS"), which also certifies these facilities.

(c) The current regulations no longer comply with the certification standards for the ACS.

(d) The Director of the Department of Health has issued emergency rules that comply with ACS certification standards, which will expire on July 20, 2004, during the Council recess.

(e) The ACS has begun inspections of adult trauma facilities and will continue inspections beyond the expected expiration of the emergency rules, thereby requiring continuous effectiveness of the rules beyond the expiration date.

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 Adult Trauma Facilities Regulations Emergency Approval Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-593

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To approve, on an emergency basis, the proposed rules to amend the certification standards for Level I and Level II adult trauma facilities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Adult Trauma Facilities Regulations Emergency Approval Resolution of 2004".

Sec. 2. Pursuant to section 5(j) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504(j)), the Mayor on June 28, 2004 transmitted to the Council proposed rules to amend the certification standards for Level I and Level II adult trauma facilities. The Council approves the proposed rules published at 51 DCR 3915, to amend Chapter 27 of Title 22 of the District of Columbia Municipal Regulations.

Sec. 3. Fiscal impact statement.

The Council adopts the March 29, 2004 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Director of the Department of Health.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-594

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to approve amendments to the rules for pediatric trauma facilities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pediatric Trauma Facilities Regulations Approval Emergency Declaration Resolution of 2004".

Sec. 2. (a) Pediatric trauma facilities are subject to licensing requirements, including the requirement to be in compliance with the rules published in Chapter 27 of Title 22 of the District of Columbia Municipal Regulations.

(b) The regulations published in Chapter 27 of Title 22 of the District of Columbia Municipal Regulations reflect the requirements of the American College of Surgeons ("ACS"), which also certifies these facilities.

(c) The current regulations no longer comply with the certification standards for the ACS.

(d) The Director of the Department of Health has issued emergency rules that comply with ACS certification standards, which will expire on July 20, 2004, during the Council recess.

(e) The ACS has begun inspections of pediatric trauma facilities and will continue inspections beyond the expected expiration of the emergency rules, thereby requiring continuous effectiveness of the rules beyond the expiration date.

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 Pediatric Trauma Facilities Regulations Emergency Approval Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-595

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To approve, on an emergency basis, the proposed rules to amend the certification standards for Level I and Level II pediatric trauma facilities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pediatric Trauma Facilities Regulations Emergency Approval Resolution of 2004".

Sec. 2. Pursuant to section 5(j) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504(j)), the Mayor on June 28, 2004 transmitted to the Council proposed rules to amend the certification standards for Level I and Level II pediatric trauma facilities. The Council approves the proposed rules published at 51 DCR 3933, to amend Chapter 28 of Title 22 of the District of Columbia Municipal Regulations.

Sec. 3. Fiscal impact statement.

The Council adopts the March 29, 2004 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to the Director of the Department of Health.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-596

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support act taken on the District's Fiscal Year 2005 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2005 Budget Support Emergency Declaration Resolution of 2004".

Sec. 2. (a) On May 14, 2004, the Council adopted Bill 15-765, the Fiscal Year 2005 Budget Request Act of 2004 (Enrolled version of Bill 15-765).

(b) On June 29, 2004, the Council passed on second reading the Fiscal Year 2005 Budget Support Act of 2004 (Enrolled version of Bill 15-768), which contains the programmatic changes needed to implement the Fiscal Year 2005 Budget and Financial Plan.

(c) There are time sensitive provisions that need to be implemented immediately and other provisions that need to be implemented on October 1, 2004.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2005 Budget Support Emergency Act of 2004 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-597

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare the existence of an emergency with respect to the need to declare the sense of the Council in regard to the Proposed Contract No. GA-GA-2004-C-0198 CAS 15-237 with Watkins Security Agency of Washington, D.C., Inc., and to oversight of school security services generally.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Strengthening Oversight of School Security Emergency Declaration Resolution of 2004".

Sec. 2. (a) The District of Columbia Public Schools ("DCPS") issued a Request for Proposals ("RFP") for security and related services on May 16, 2002, which resulted in responses from 5 companies, including Watkins Security Agency of Washington, D.C., Inc. ("Watkins").

(b) Following negotiations and the receipt of Best and Final Offers from the respondents, the highest scoring contractor took a position on provisions of the contract that was determined by the Contracting Officer to be an untenable position for a contract award; therefore, the contract was awarded to the second highest scorer, Watkins.

(c) Since July 2003, when the first letter contract with Watkins was signed, DCPS has expended more than \$12 million without Council approval.

(d) Concerns have been raised regarding the performance of Watkins in light of recent incidents on and around school property and cost overruns.

(e) The Council received Contract No. GA-GA-2004-C-0198, which was deemed approved on June 25, 2004, to avoid a lapse in school security despite Council reservations.

(f) Contract GA-GA-2004-C-0198 has been characterized by DCPS as an interim measure to allow DCPS and the Metropolitan Police Department to collaborate on a strategic approach to security operations and to allow DCPS to engage in a new RFP process, which is to begin immediately.

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 on Strengthening Oversight of School Security Emergency Resolution of 2004 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-598

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 29, 2004

To declare, on an emergency basis, the sense of the Council in regard to Contract No. GA-GA-2004-C-0198 between the District of Columbia Public Schools and Watkins Security Agency of Washington, D.C., Inc., and to oversight of school security services generally.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Strengthening Oversight of School Security Emergency Resolution of 2004".

Sec. 2. The Council finds that:

(1) The District of Columbia Public Schools ("DCPS") issued a Request for Proposals ("RFP") for security and related services on May 16, 2002, which resulted in responses from 5 companies, including Watkins Security Agency of Washington, D.C., Inc. ("Watkins").

(2) Following negotiations and the receipt of Best and Final Offers from the respondents, the highest scoring contractor took a position on provisions of the contract that was determined by the Contracting Officer to be an untenable position for a contract award; therefore, the contract was awarded to the second highest scorer, Watkins.

(3) Since July 2003, when the first letter contract with Watkins was signed, DCPS has expended more than \$12 million without Council approval.

(4) Concerns have been raised regarding the performance of Watkins in light of recent incidents on and around school property and cost overruns.

(5) The Council received Contract No. GA-GA-2004-C-0198 for Watkins to provide security services through December 2004, which was deemed approved to avoid a lapse in school security despite Council reservations.

(6) The Watkins contract has been characterized by DCPS as an interim measure to allow DCPS and the Metropolitan Police Department ("MPD") to collaborate on a strategic approach to security operations and to allow DCPS to engage in a new RFP process.

ENROLLED ORIGINAL

Sec. 3. It is the sense of the Council that there is a need for comprehensive planning to improve school security and that consideration should be given to the transfer of the function to MPD. Should DCPS proceed with an RFP, DCPS is encouraged to transmit to the Council a new contract for the provision of school security services prior to January 1, 2005, instead of exercising the options years available under the current contract. Further, the contract should incorporate the recommendations of MPD and include a stronger contract monitoring process.

Sec. 4. This resolution shall take effect immediately.