

ENROLLED ORIGINAL

A RESOLUTION

17-698

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, which provides a single annual grant application for 4 grant programs provided by the United States Department of Housing and Urban Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, Approval Resolution of 2008".

Sec. 2. The Council finds that:

(1) The primary objective of the Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, is the development of a viable urban community by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income.

(2) The District of Columbia government is required to submit an annual Action Plan for the District of Columbia to the United States Department of Housing and Urban Development ("HUD") under Title I of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 633; 42 U.S.C. § 5301 *et seq.*).

(3) The Action Plan is the successor to the Community Development Program established pursuant to regulations issued by HUD under 24 CFR Part 91, Consolidated Submissions for Community Planning and Development Programs, on January 5, 1995.

(4) Under section 3 of the District of Columbia Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1002), the Council is required to adopt a resolution approving the proposed Action Plan, as the program is defined in Title I of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 633; 42 U.S.C. § 5301 *et seq.*).

(5) The Mayor has received the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, identifying resources and program activities to address the District's housing and community development needs.

(6) The Mayor has submitted to the Council for approval the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, identifying

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resources and program activities, and requests Council approval before the August 2008 submission to HUD.

(7) The Council has reviewed the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan.

Sec. 3. Pursuant to section 3 of the District of Columbia Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1002(c)), the Council approves the Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan and related program funding for the Community Development Block Grant program, the HOME Investment Partnerships Program, the Housing Opportunities for Persons with AIDS program, and the Emergency Shelter Grant program.

Sec. 4. Transmittal.

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

Sec. 5. Fiscal impact statement.

(a) 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)).

(b) The Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, reflects the strategy of the Department of Housing and Community Development that is consistent with established goals for activities and programs required to meet the continued eligibility requirements for federal funding. There is no fiscal impact to the District of Columbia because the spending elements of the Consolidated Plan for the District of Columbia, Fiscal Year 2009 Action Plan, are materially the same as the department's fiscal year 2009 budget submission.

Sec. 6. Effective date.

This resolution shall take effect immediately.

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17-699

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. John Z. Tinpe to the Commission on Asian and Pacific Islander Community Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development John Z. Tinpe Confirmation Resolution of 2008".

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

Mr. John Z. Tinpe
777 7th Street, N.W., #506
Washington, D.C. 20001
(Ward 2)

as a member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374), for a term to end April 17, 2010.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-700

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Ms. Martha M. Watanabe to the Commission on Asian and Pacific Islander Community Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Martha M. Watanabe Confirmation Resolution of 2008".

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

Ms. Martha Watanabe
1626A H Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374), for a term to end April 17, 2010.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-701

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. Richard S. Chiang to the Commission on Asian and Pacific Islander Community Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development Richard S. Chiang Confirmation Resolution of 2008".

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

Mr. Richard S. Chiang
715 6th Street, N.W., #903
Washington, D.C. 20001
(Ward 6)

as a member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374), for a term to end April 17, 2010.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-702

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. David S. Chung to the Commission on Asian and Pacific Islander Community Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Asian and Pacific Islander Community Development David S. Chung Confirmation Resolution of 2008".

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

Mr. David S. Chung
1312 Massachusetts Avenue, N.W., #205
Washington, D.C. 20005
(Ward 6)

as a member of the Commission on Asian and Pacific Islander Community Development, established by section 305 of the Office on Asian and Pacific Islander Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 2-1374), for a term to end April 17, 2010.

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

Sec. 4. This resolution shall take effect immediately.

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17-703

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the disposition by the Mayor of District-owned real property designated for assessment and taxation purposes as Lots 62, 972, and 977 in Square 2877.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Disposition of District-Owned Real Property in Square 2877 Approval Resolution of 2008".

Sec. 2. (a) Pursuant to section 1(b) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)), the Mayor transmitted to the Council a request for Council approval of a proposed disposition of District-owned real property designated for assessment and tax purposes as Lots 62, 972, and 977 in Square 2877 ("Property").

(b) The Council finds that the Property is no longer required for public purposes.

(c) The Council approves the disposition of the Property by the Mayor.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

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. Effective date.

This resolution shall take effect immediately.

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A RESOLUTION

17-704

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed Deanwood/Great Streets-Nannie Helen Burroughs Avenue, N.E., and Minnesota Avenue, N.E., Strategic Development small area action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Deanwood/Great Streets-Nannie Helen Burroughs Avenue N.E. and Minnesota Avenue N.E. Strategic Development Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Deanwood/Great Streets-Nannie Helen Burroughs Avenue, N.E., and Minnesota Avenue, N.E., Strategic Development Plan, dated March 2008 ("Plan").

Sec. 3. The Council finds that:

(1) Minnesota Avenue and Nannie Helen Burroughs Avenue are located in Ward 7 and include the neighborhoods of Deanwood, Burrville, N.E. Boundary, and Central N.E. The planning area is defined by the following boundaries: Eastern Avenue to the northeast, 55th Street, N.E., to the east, Marvin Gaye Park to the south, and Kenilworth Avenue/CSX railway to the west.

(2) The Plan was initiated in March, 2007, by the Office of Planning as the land use component of the Great Streets Initiative for Nannie Helen Burroughs and Minnesota Avenues, in partnership with the Deputy Mayor's Office for Planning and Economic Development and the District Department of Transportation.

(3) The proposed Plan was published and made available to the public on October 12, 2007, and a public hearing was conducted on November 15, 2007.

(4) The purpose of the Plan is to establish a Great Streets development program and investment strategy that leads to neighborhood stabilization through private investment activity.

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(5) The Plan uses specific land use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District's goals and objectives.

(6) The Plan seeks to guide infrastructure projects along the corridor that create a beautiful, unified, functional public realm, attract private development to complement the public realm, and bring in new retail stores and services for existing and new residents. The Plan outlines strategies to attract development to the most appropriate nodes throughout the neighborhood and to address issues related to:

- (A) Housing;
- (B) Shopping;
- (C) Business;
- (C) Employment;
- (D) Worship;
- (E) Parks and recreation;
- (F) Transportation and infrastructure; and
- (G) Education.

(7) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and priority actions considered critical to the revitalization of the Deanwood neighborhood.

(8) The Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the District of Columbia Comprehensive Plan.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

17-705

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed Kennedy Street Revitalization small area action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Kennedy Street Revitalization Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Kennedy Street Revitalization Plan ("Plan").

Sec. 3. The Council finds that:

(1) Kennedy Street, N.W., is located in Ward 4 and includes the neighborhoods of Brightwood Park and South Manor. The planning area is defined as all of the properties fronting Kennedy Street, N.W., from Georgia Avenue, N.W., to North Capitol Street, N.W.

(2) The Plan was initiated in April 2007 by the Office of Planning, as directed by policy RCE-1.1.A of the District of Columbia Comprehensive Plan, which states that a small area plan shall be completed for the Kennedy Street, N.W., corridor.

(3) The Plan is the result of a collaborative planning process between the Office of Planning, residents, business owners, institutions, District government agencies, and the Ward 4 Councilmember.

(4) The proposed Plan was published and made available to the public on February 7, 2008, and a public hearing was conducted on March 13, 2008.

(5) The purpose of the Plan is to guide growth and development along the corridor that will improve its economic vitality and the physical appearance for the benefit of current and future residents, businesses, and institutional stakeholders.

(6) The Plan uses specific land-use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District's goals and objectives.

(7) The Plan outlines strategies to attract new development and target rehabilitation of existing structures in the most appropriate sites along the corridor and design

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guidelines to ensure that new development complements the existing physical character of the corridor.

(8) The Plan provides specific recommendations to address community development issues that will improve the public realm, expand housing choices, attract desirable neighborhood-serving retail, achieve a clean and safe corridor, and empower existing businesses and residents to thrive with the implementation of the Plan.

(9) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and priority actions considered critical to the revitalization of Kennedy Street, N.W.

(10) The Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the District of Columbia Comprehensive Plan.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

17-706

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed Pennsylvania Avenue, S.E., Corridor small area action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pennsylvania Avenue S.E. Corridor Development Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Pennsylvania Avenue S.E. Corridor Development Plan, dated January 2008 ("Plan").

Sec. 3. The Council finds that:

(1) The Pennsylvania Avenue, S.E., Corridor is located in Wards 6, 7, and 8 and includes the neighborhoods of Capitol Hill, Barney Circle, Fairlawn, Twining, Randle Highlands, Dupont Park, Penn Branch, Hillcrest, Fort Davis, and Fairfax Village. The planning area is defined by the properties fronting Pennsylvania Avenue, S.E., starting at Second and Independence Avenues, S.E., to the west and the District-Maryland border at Southern Avenue, S.E., to the east.

(2) The Plan was initiated in September 2006 by the Office of Planning as part of its efforts to support the Great Streets Initiative, a multi-agency, multi-discipline program designed to aid in the revitalization of major commercial corridors in the District.

(3) The proposed Plan was published and made available to the public on December 17, 2007, and a public hearing was held January 17, 2008.

(4) The purpose of the Plan is to provide a development framework that guides the revitalization of the Pennsylvania Avenue, S.E., Corridor through land use, urban design, economic analysis, and public investment strategies that support the Great Streets Initiative.

(5) The Plan uses specific land-use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District's goals and objectives.

(6) The Plan seeks to identify critical issues that impact revitalization for the

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Pennsylvania Avenue, S.E., Corridor. The Plan outlines strategies to:

(A) Provide clear direction concerning land use and zoning policy for the commercial corridor;

(B) Unify and transform Pennsylvania Avenue, S.E., into a world-class boulevard;

(C) Create opportunities for mixed-use development, including enhanced retail amenities and affordable workforce and market rate housing; and

(D) Support important streetscape and infrastructure investments that will aid in revitalizing one of the District's major corridors.

(7) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and priority actions considered critical to the revitalization of the Pennsylvania Avenue, S.E., Corridor.

(8) The Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the District of Columbia Comprehensive Plan.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

17-707

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed Benning Road small area action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Benning Road Corridor Redevelopment Framework Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Benning Road Corridor Redevelopment Framework Plan ("Plan").

Sec. 3. The Council finds that:

(1) The Benning Road corridor is located in Wards 5, 6, and 7 and includes the neighborhoods of Kingman Park, Carver Terrace, Langston Dwellings, River Terrace, Benning Heights, and Marshall Heights. The planning area is defined by all the properties abutting Benning Road, along its entire length, from 15th Street, N.E., to Southern Avenue, S.E.

(2) The Plan was initiated in February 2007 by the Office of Planning as the land use component of the Great Streets Initiative for Benning Road, in partnership with the Deputy Mayor's Office for Planning and Economic Development and the District Department of Transportation.

(3) The proposed Plan was published and made available to the public on October 12, 2007, and a public hearing was conducted on November 14, 2007.

(4) The purpose of the Plan is to create a framework in which development will occur along the Benning Road corridor for the next 10 to 15 years.

(5) The Plan uses specific land-use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District's goals and objectives.

(6) The Plan seeks to guide infrastructure projects along the corridor that create a beautiful, unified, functional public realm, attract private development to complement the public realm, and bring in new retail stores and services for current and new residents.

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(7) The Plan outlines strategies to attract development to the most appropriate locations along the corridor and to address issues related to:

- (A) Housing;
- (B) Shopping;
- (C) Business;
- (D) Parks and recreation;
- (E) Urban design;
- (F) Cultural assets;
- (G) Transportation and infrastructure; and
- (H) Community health and safety.

(8) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and priority actions considered critical to the revitalization of the Benning Road corridor.

(9) The Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the District of Columbia Comprehensive Plan.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

17-708

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed Upper Georgia Avenue Great Streets Redevelopment small area action plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Upper Georgia Avenue Redevelopment Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 4(c)(4) of the District of Columbia Comprehensive Plan Act of the 1984 Land Use Element Amendment Act of 1984, effective March 16, 1985 (D.C. Law 5-187; D.C. Official Code § 1-306.03(c)(4)), the Mayor transmitted to the Council the proposed Upper Georgia Avenue Redevelopment Plan, dated May 2008 ("Plan").

Sec. 3. The Council finds that:

(1) Georgia Avenue is located in Ward 4 and includes the neighborhoods of Brightwood, Shepard Park, and Manor Park. The planning area is defined as the properties that front Georgia Avenue, N.W., between Decatur Street, N.W., and Eastern Avenue N.W.

(2) The Plan was initiated in July 2006 by the Office of Planning, as directed by policy RCE-1.1.A of the District of Columbia Comprehensive Plan, which states that a small area plan shall be completed for Georgia Avenue between Decatur Street and Eastern Avenue.

(3) The Plan is the result of a collaborative planning process between the Office of Planning, residents, business owners, institutions, District government agencies, and the Ward 4 Councilmember.

(4) The proposed Plan was published and made available to the public on June 25, 2007, and a public hearing was conducted on July 25, 2007.

(5) The purpose of the Plan is to guide growth, development, and preservation along the Georgia Avenue corridor between Decatur Street, N.W., and Eastern Avenue, N.W., that will re-establish Georgia Avenue as a prominent neighborhood-serving retail corridor.

(6) The Plan uses specific land-use analysis and incorporates the broadest range of planning techniques and practical solutions to achieve the District's goals and objectives.

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(7) The Plan seeks to revitalize the Upper Georgia Avenue corridor, a Great Street, through the attraction of new development and improvements to the public realm. The Plan outlines specific strategies that will:

(A) Concentrate development at key intersections;

(B) Link development with active, safe, and pedestrian-friendly streets;

and

(C) Improve the overall quality of the existing urban fabric through infill development, storefront renovation, and the reuse of vacant property.

(8) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and priority actions considered critical to the revitalization of the Georgia Avenue corridor between Decatur Street, N.W., and Eastern Avenue, N.W.

(9) The Plan will provide supplemental guidance to the Zoning Commission and other District agencies in carrying out the policies of the District of Columbia Comprehensive Plan.

Sec. 4. The Plan, as submitted, is approved by the Council as a small area action plan.

Sec. 5. 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. 6. This resolution shall take effect immediately.

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A RESOLUTION

17-709

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the reappointment of the Honorable H.R. Crawford to the Metropolitan Washington Airports Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the " Metropolitan Washington Airports Authority Board of Directors H.R. Crawford Confirmation Resolution of 2008".

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

Honorable H.R. Crawford
3195 Westover Drive, S.E.
Washington, D.C. 20020
(Ward 7)

as a member of the Metropolitan Washington Airports Authority Board of Directors, established by section 6007(e) of the Metropolitan Washington Airports Act of 1986, approved October 30, 1986 (100 Stat. 3341; D.C. Official Code § 9-1006(e)), for a term to end January 5, 2013.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-710

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To amend the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 17, to change the date for the beginning of the Council's recess; to permit contracts to be transmitted from August 11 through the end of the Council recess; to permit reprogramming requests and budget modification grant requests to be transmitted and the time period to run from July 19 to August 15, 2008; to authorize the Chairman of the Council to hold a hearing or roundtable during the recess; to authorize the Chairperson of the Committee on Public Safety and the Judiciary to hold a hearing or roundtable during the recess on any matter relating to the *District of Columbia v. Heller*, No. 07-290 (U.S. Sup. Ct. June 26, 2008); and to authorize the Chairperson of the Committee on Public Services and Consumer Affairs to hold a public hearing or roundtable in accordance with Rule 501 to conduct an investigation.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Revised Council Period 17 Rules Amendment and Hearing Authorization Recess Resolution of 2008".

Sec. 2. The Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 17, effective January 3, 2007 (Res. 17-1; 54 DCR 156), is amended as follows:

(a) Section 101(31) is amended by striking the phrase "the 17-day period beginning on July 16th" and inserting the phrase "the 13-day period beginning on July 19th" in its place.

(b) Section 308(b) is amended as follows:

(1) Paragraph (2) is amended by striking the date "August 4" and inserting the date "August 11" in its place.

(2) Paragraphs (4) and (5) are amended to read as follows:

"(4) A reprogramming request that is required to be submitted to the Council may be transmitted from July 19 through August 15, 2008.

"(5) A request for budget modifications for fiscal year 2008 grant funds may be transmitted from July 19 through August 15, 2008."

(c) Section 711(b) is amended as follows:

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"(b) Notwithstanding any other law, reprogramming requests may be submitted and the time period for reprogramming requests may be counted from July 19 through August 15, 2008."

Sec. 3. The Chairman of the Council is authorized to hold a hearing on a contract, reprogramming, budget modification, or emergency measure during the period July 19 through September 15, 2008. The Chairman of the Council may convene an additional meeting at any time during the period July 19 through September 15, 2008, for the Council to consider emergency or temporary measures relating to *District of Columbia v. Heller*, No. 07-290 (U.S. Sup. Ct. June 26, 2008).

Sec. 4. The Chairperson of the Committee on Public Safety and the Judiciary, in consultation with the Chairman of the Council, is authorized to hold a public hearing or roundtable in accordance with Rule 501 on any matters relating to *District of Columbia v. Heller*, No. 07-290 (U.S. Sup. Ct. June 26, 2008), during the period July 19 through September 15, 2008.

Sec. 5. The Chairperson of the Committee on Public Services and Consumer Affairs, in consultation with the Chairman of the Council, is authorized to hold a public hearing or roundtable in accordance with Rule 501, and take actions necessary to conduct an investigation under Article VI of the Council Rules during the period July 19 through September 15, 2008.

Sec. 6. The Chairperson of the Committee on Workforce Development and Government Operations, in consultation with the Chairman of the Council, is authorized to hold a public hearing or roundtable, and take official action on a proposed contract in excess of \$1 million or multiyear contract during the period July 19 through September 15, 2008, in accordance with Rule 308.

Sec. 7. (a) This resolution supersedes the Council Period 17 Rules Amendment and Hearing Authorization Recess Resolution of 2008, effective July 1, 2008 (Res. 17-677; 55 DCR

—).

(b) This resolution expires on September 16, 2008.

Sec. 8. This resolution shall take effect immediately.

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A RESOLUTION

17-711

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve reprogramming request No. 17-114 of \$81.25 million within the Office of Public Education Facilities Modernization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reprogramming No. 17-114 Approval Resolution of 2008".

Sec. 2. (a) Pursuant to section 47-363 of the District of Columbia Official Code, the Mayor transmitted to the Council, on June 17, 2008, a reprogramming request to reprogram \$81.25 million of capital budget authority within the Office of Public Education Facilities Modernization to fully fund 3 components of the School Consolidation Initiative, totaling \$54,520,251, and 2 ongoing modernization projects, totaling \$26,729,749.

(b) The Council approves reprogramming No. 17-114, in the amount of \$81.25 million.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

17-712

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve reprogramming request No. 17-115 of \$43,381,677.29 within the Office of Public Education Facilities Modernization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Reprogramming No. 17-115 Approval Resolution of 2008".

Sec. 2. (a) Pursuant to section 47-363 of the District of Columbia Official Code, the Mayor transmitted to the Council, on June 17, 2008, a reprogramming request to reprogram \$43,381,677.29 of capital budget authority for 13 individual school modernization projects within the Office of Public Education Facilities Modernization to fund athletic field improvements, the Woodrow Wilson Senior High School pool project, and other school facility repairs and improvements.

(b) The Council approves reprogramming No. 17-115, in the amount of \$43,381,677.29.

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

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-713

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. Calvin B. Woodland, Jr., to the Commission on Re-entry and Ex-Offenders Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Re-entry and Ex-Offender Affairs Calvin B. Woodland, Jr., Confirmation Resolution of 2008".

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

Mr. Calvin B. Woodland, Jr.
1477 Newton Street, N.W.
Washington, D.C. 20010
(Ward 1)

as a member of the Commission on Re-entry and Ex-Offender Affairs, established by section 4 of the Office on Ex-Offender Affairs and Commission on Re-entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1303), for a term to end 3 years after the date of appointment.

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

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-714

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. Christopher Iglesias to the Commission on Re-entry and Ex-Offender Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Re-entry and Ex-Offender Affairs Christopher Iglesias Confirmation Resolution of 2008".

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

Mr. Christopher Iglesias
1353 Kennedy Street, N.W.
Washington, D.C. 20011
(Ward 4)

as a member of the Commission on Re-entry and Ex-Offender Affairs, established by section 4 of the Office on Ex-Offender Affairs and Commission on Re-entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1303), for a term to end 3 years after the date of appointment.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-715

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm the appointment of Mr. Kenneth G. Willis to the Commission on Re-entry and Ex-Offender Affairs.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Re-entry and Ex-Offender Affairs Kenneth G. Willis Confirmation Resolution of 2008".

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

Mr. Kenneth G. Willis
1731 28th Street, S.E., #205
Washington, D.C. 20020
(Ward 7)

as a member of the Commission on Re-entry and Ex-Offender Affairs, established by section 4 of the Office on Ex-Offender Affairs and Commission on Re-entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1303), for a term to end 3 years after the date of appointment.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-716

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Traffic Adjudication Act of 1978 to authorize use of an automated parking enforcement system, to allow recorded images of parking violations to be submitted without authentication, to allow notices of infractions generated by an automated parking enforcement system to be served by mail, and to include violations detected by the automated parking enforcement system in the fleet adjudication program; and to make conforming amendments to Chapter 30 of Title 18 of the District of Columbia Municipal Regulations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Street Sweeping Improvement Enforcement Congressional Review Emergency Declaration Resolution of 2008".

Sec. 2. (a) District neighborhoods suffer from inadequate street sweeping as a result of illegally parked vehicles that disrupt the path of street sweeping vehicles.

(b) Incomplete street sweeping in District neighborhoods leads to a general appearance of neglect and to increased stormwater pollution.

(c) The Department of Public Works does not have enough parking enforcement officers to enforce parking restrictions on street sweeping routes.

(d) Automated parking enforcement allowed through the Street Sweeping Improvement Enforcement Congressional Review Emergency Amendment Act of 2008 will facilitate 100% enforcement of illegal parking on street sweeping routes with no additional strain on limited parking enforcement resources.

(e) The Department of Public Works is prepared to begin testing automated parking enforcement cameras on street sweepers immediately upon the passage of enabling legislation.

(f) In June 2008, the Council enacted the Street Sweeping Enforcement Act of 2008, signed by the Mayor on June 24, 2008 (D.C. Act 17-417; 55 DCR___), which was transmitted to Congress on June 30, 2008, 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)).

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(g) Emergency legislation, the Street Sweeping Enforcement Amendment Emergency Act of 2008, effective May 20, 2008 (D.C. Act 17-369; 55 DCR 6087), will expire August 18, 2008, before the permanent act will become law. This will cause an interruption in the legal authority.

(h) If automated parking enforcement tests are postponed until the passage of the permanent act, the 2008 sweeping season is likely to be finished by the time the 45-day citation warning period expires, delaying complete testing of the program until Spring 2009.

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 Street Sweeping Improvement Enforcement Congressional Review Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-717

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency, due to Congressional review, with respect to the need to require the Mayor to establish a program to install and maintain automated external defibrillators in Department of Parks and Recreation facilities, to mandate training in conjunction with existing health training for personnel to operate the defibrillators to ensure the health, safety, and welfare of our citizens, and to provide a model for future automated external defibrillator expansion throughout all public buildings.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "AED Installation for Safe Recreation and Exercise Congressional Review Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to install and maintain automated external defibrillators ("AEDs") in Department of Parks and Recreation facilities to protect the health, safety, and welfare of residents.

(b) AEDs are computerized devices that are now about the size of a laptop computer. They can be used by healthcare providers (such as Emergency Medical Response providers) and by lay rescuers. They are attached to victims who are thought to be in cardiac arrest, and they provide voice and visual prompts to lead rescuers through the steps of operation. AEDs analyze the victim's heart rhythm, determine if a defibrillation shock is needed, then prompt the rescuer to "clear" the victim and deliver a shock.

(c) For ideal effectiveness during a cardiac response, 3 minutes from time of collapse to victim's side is the outer limit of acceptable logistics.

(d) According to the American Red Cross, in cities such as Seattle, Washington, where Cardiopulmonary Resuscitation ("CPR") training is widespread and Emergency Medical Services ("EMS") response and time to defibrillation is short, the survival rate for witnessed VF cardiac arrest is about 30% while in cities such as New York City, where few victims receive bystander CPR and time to EMS response and defibrillation is longer, survival from sudden VF cardiac arrest averages 1-2%.

ENROLLED ORIGINAL

(e) Requiring the installation of AEDs in our recreation centers and schools will place this valuable tool in locations where our citizens are most vulnerable, particularly during the spring and summer seasons.

(f) In May 2008, the Council enacted the AED Installation for Safe Recreation and Exercise Emergency Act of 2008, effective May 21, 2008 (D.C. Act 17-392; 55 DCR 6272), which will expire on August 19, 2008.

(g) Temporary legislation, the AED Installation for Safe Recreation and Exercise Temporary Act of 2008, signed by the Mayor on June 18, 2008 (D.C. Act 17-410; 55 DCR 7019), will not be in effect until September 12, 2008. Therefore, there will be a gap in legislation.

(h) It is of vital importance that the provisions of the emergency act continue in effect, without interruption, until the 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 AED Installation for Safe Recreation and Exercise Congressional Review Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-718

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve multiyear Contract DCBE-2008-C-0054 with The George Washington University, Center for Excellence in Municipal Management, to provide training in leadership and management for mid-level District government managers.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCBE-2008-C-0054 Approval Resolution of 2008".

Sec. 2. Pursuant to section 451(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)(3)), the Council approves Contract No. DCBE-2008-C-0054, a multiyear contract with The George Washington University, Center for Excellence in Municipal Management, to provide training in leadership and management for mid-level District government managers through the Certified Public Manager Program, from July 14, 2008 through September 30, 2009, in the amount of \$264,384.

Sec. 3. Transmittal.

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

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director, dated July 14, 2008, 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. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-719

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve multiyear, 5-year Contract No. CFOPD-08-C-019 with ING Life Insurance and Annuity Company for management of the 457 Deferred Compensation Plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-08-C-019 Management of the 457 Deferred Compensation Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. CFOPD-08-C-019, a multiyear, 5-year agreement with ING Life Insurance and Annuity Company for management of the 457 Deferred Compensation Plan, in the amount of \$15,391.001.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Chief Financial Officer and the Office of the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director, dated July 14, 2008, 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. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-720

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve multiyear, 5-year Contract No. CFOPD-08-C-023 with Calvert Distributors, Inc., for management of the 529 College Savings Plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFOPD-08-C-023 Management of the 529 College Savings Plan Approval Resolution of 2008".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-2.04.451), and section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. CFOPD-08-C-023, a multiyear, 5-year agreement with Calvert Distributors, Inc. for management of the 529 College Savings Plan, in the amount of \$5,716,595.

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Office of the Chief Financial Officer and the Office of the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director, dated July 14, 2008, 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. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-721

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve multiyear Contract No. DCTO-2008-C-0019 with Williams, Adley & Company, LLP, to provide a Statewide Longitudinal Education Data Warehouse system.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCTO-2008-C-0019 Approval Resolution of 2008".

Sec. 2. Pursuant to section 451(c) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51(c)), the Council approves Contract No. DCTO-2008-C-0019, in the estimated total amount of \$11,844,907, for a term of 3 years, with Willaims, Adley & Company, LLP, to provide a Statewide Longitudinal Education Data Warehouse system.

Sec. 3. Transmittal.

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

Sec. 4. 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. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-722

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend the Firearms Control Regulations Act of 1975 to allow for the registration of pistols for use in self-defense within the home, to authorize the Chief of the Metropolitan Police Department to require a ballistics identification procedure for registered pistols, to set a one pistol registration per person policy for a temporary period after enactment of this act, to clarify the firearm storage requirements and to include an exemption from those requirements for the use of a firearm for self-defense in the registered owner's home, and to provide that a registered pistol owner shall not be required to obtain a license to carry the pistol within the registered pistol owner's home.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Firearms Control Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to allow for the registration of pistols for use in self-defense within the home, to authorize the Chief of the Metropolitan Police Department to require a ballistics identification procedure for registered pistols, to set a one pistol registration per person policy for a temporary period after enactment of this act, to clarify the firearm storage requirements and to include an exemption from those requirements for the use of a firearm for self-defense in the registered owner's home, and to provide that a registered pistol owner shall not be required to obtain a license to carry the pistol within the registered pistol owner's home.

(b) The Council enters recess on July 16, 2008.

(c) On June 26, 2008, the United States Supreme Court issued a 5-4 decision in *District of Columbia v. Heller*, No. 07-290 (2008), which held that the Second Amendment guarantees an individual's right to possess a firearm for the lawful purpose of self-defense within the home.

(d) In *District of Columbia v. Heller*, the Supreme Court struck down 2 provisions of the District's Firearms Control Regulations Act of 1975 as unconstitutional. This requires the District to act quickly to have the right balance between constitutional rights and public safety.

(e) The United States Supreme Court found that the portion of the law that requires all firearms, including rifles and shotguns, be kept "unloaded and disassembled or bound by a

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trigger locks” is unconstitutional because it does not contain an explicit exception for self-defense. The Supreme Court stated “[i]n sum, we hold that the District’s ban on handgun possession in the home violates the Second Amendment, as does its prohibition against rendering any lawful firearm in the home operable for the purpose of immediate self-defense.”

(f) It is important to respond to the Supreme Court by specifying a self-defense exception so that the safe storage provision can be kept in the law. Although the District noted in the litigation that research revealed there had never been any prosecutions under this provision, the safe storage requirement is an important statement of policy and direction consistent with accepted firearms training.

(g) The District is concerned about a potential increase in accidental shootings in the home and wants to enact laws reflective of standard gun safety practices.

(h) The District does not know the number of residents that will apply to register a pistol and wants to promote a policy to service as many applications for as many residents as possible during the initial period of new registration.

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 Firearms Control Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-723

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend Chapter 10 of Title 47 of the District of Columbia Official Code to provide equitable real property tax relief to certain property owned by Washington Parks & People, a tax-exempt organization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Parks & People Equitable Real Property Tax Relief Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis regarding the real property located at Lots 0841, 0847, 0848, and 0851, Square 2841, which are 4 parcels of vacant nuisance properties in North Columbia Heights.

(b) Washington Parks and People is a nonprofit organization dedicated to restoring and enhancing public parks in the National Capital Region. Washington Parks & People will create a public park at these 4 parcels ending almost 2 decades of nuisance properties and ultimately saving the District much money.

(c) In the Fiscal Year 2009 Budget Support Act of 2008, signed by the Mayor on June 26, 2008 (D.C. Act 17-419; 55 DCR ___), the Council approved \$140,000 in one-time funding to Washington Parks & People for costs associated with the reclamation of the 4 parcels.

(d) This final piece of equitable tax relief is the last component necessary to ensure that this vacant, nuisance property is returned to productive use as valuable park land for the people 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 Washington Parks & People Equitable Real Property Tax Relief Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-724

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend the District of Columbia Taxicab Commission Establishment Act of 1985 to place a moratorium on the issue of new licenses for limousine organizations and independently operated limousines and to place a moratorium on the establishment of new taxicab companies, associations, and fleets

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Taxicab Company, Association, and Fleet and Limousine License Moratorium Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis regarding the proper regulation of the taxicab and limousine industry in the District of Columbia.

(b) The dramatic recent growth in the number of taxicab companies, associations, and fleets, and of limousine organizations and independently operated limousines, has exceeded the ability of the District of Columbia Taxicab Commission to ensure that these entities are in compliance with rules governing operating and ownership standards.

(c) A moratorium on new taxicab companies, associations, and fleets, and on new limousine organizations and independently operated limousines, must be established immediately to give the District of Columbia Taxicab Commission time to ensure that current companies, associations, fleets, and organizations are in compliance with existing regulations and to devise and adopt procedures for managing the current size of the taxicab and limousine industry.

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 Taxicab Company, Association, and Fleet and Limousine License Moratorium Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-725

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the St. Martin Apartments development project located in Lots 114 and 115, Square 3531.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "St. Martin Apartments Tax Exemption Emergency Declaration Resolution of 2008".

Sec. 2. (a) The St. Martin Apartments project consists of the acquisition, rehabilitation, and equipping, including the financing, refinancing, or reimbursing of costs incurred, of an affordable housing project located on the St. Martin Parish of the Roman Catholic Archdiocese of Washington property, consisting of a building containing 178 units of rental housing on the St. Martin Apartments property and other ancillary improvements.

(b) The St. Martin Apartments property shall be exempt from the tax imposed by Chapter 8 of Title 47 of the District of Columbia Official Code so long as the property is operated as an affordable rental housing project.

(c) Approval of this emergency legislation is essential for the St. Martin Apartments project to meet critical deadlines during Council recess.

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 St. Martin Apartments Tax Exemption Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-726

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend section 16-2326.01 of the District of Columbia Official Code to increase the maximum attorney compensation in neglect and termination of parental rights proceedings.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Appointed Attorney Compensation Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to increase the maximum compensation of appointed attorneys in neglect and termination of parental rights proceedings. Statutory provisions controlling compensation amounts are found in both Title 11 and Title 16 of the District of Columbia Official Code.

(b) This compensation increase has already been funded by the federal government pursuant to the Consolidated Appropriations Act, 2008 and will not have a fiscal impact on the District government's budget.

(c) Congress introduced legislation to amend Title 11 to increase the hourly compensation rate for appointed attorneys from \$65 per hour to \$80 per hour and on April 10, 2008, the Committee on Homeland Security and Government Affairs reported favorably on this measure as it relates to Title 11 of the District of Columbia Official Code.

(d) The District of Columbia is exercising its legislative authority over Title 16 of the District of Columbia Official Code to increase the maximum compensation rates of attorneys representing indigent defendants in District of Columbia courts.

(e) Currently, Title 16 provides for a maximum compensation of \$1,600 for all proceedings from initial hearing through disposition, \$1,600 for all subsequent proceedings other than termination of parental rights, and \$2,200 for proceedings to terminate parental rights.

(f) Maintaining the current maximum rates would decrease the number of hours that an appointed attorney could dedicate to a case because the maximum compensation would be disproportionately low.

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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 Appointed Attorney Compensation Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-727

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend Chapter 20 of Title 21 of the District of Columbia Official Code to clarify presumption of capacity, to add definitions of "best interests", "emergency care", "incapacitated individual for health-care decisions", and "substituted judgment", to amend the definition of "guardian", to permit the court to waive the appointment of a visitor and examiner in certain circumstances, to prohibit the appointment of a guardian with a conflict of interest, to require guardians to limit their caseload, to require the court to appoint the type of guardian who is least restrictive to the individual, to clarify the powers and duties of temporary guardians, to explain the limits of the authority of guardians, to clarify the reasons that the court may remove a guardian, and to clarify the situations in which the estate of a ward shall be deemed depleted; to amend Chapter 22 of Title 21 of the District of Columbia Official Code to define the term "Qualified Psychologist", to require one of the 2 physicians required to pronounce incapacity be a qualified psychologist or a physician, to authorize psychologists to certify incapacity to make a health-care decision, to provide that nothing in this chapter condones mercy-killing or conflicts with the Emergency Medical Treatment and Labor Act, to permit court-appointed mental retardation advocates to provide substituted consent for health-care decisions for incapacitated customers, and to authorize a health-care provider, the District of Columbia, or an interested person to file a petition for the appointment of a limited guardian if there is no individual who can act as a substitute health-care decision maker for an incapacitated customer; to amend the District of Columbia Mental Health Information Act of 1978 to provide that mental health information may be disclosed under a specified act; to amend the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978 to add definitions of "advanced practice registered nurse", "behavioral plan", "best interests", "comprehensive evaluation", "human rights advisory committee", "psychotropic medication", and "substituted judgment", and to require initial and periodic evaluations of the decision-making capacity of and the availability of healthcare decision-making supports for Department on Disability Services customers, to require informed consent for services and to establish a process for informed consent for psychotropic medications, to require the Department on Disability Services to complete a comprehensive review of psychotropic medication use for all Department on Disability Services customers within 18 months, to establish an Department on Disability Services health-care decisions policy, and to require the Department on Disability Services

ENROLLED ORIGINAL

Administrator to issue reports on those evaluations and the agency's health-care decision-making activities.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Health-Care Decisions for Persons with Developmental Disabilities Emergency Declaration Resolution of 2008".

Sec. 2. (a) At the end of 2007, the Council enacted the Health-Care Decisions for Persons with Developmental Disabilities Emergency Amendment Act of 2007, effective October 18, 2007 (D.C. Act 17-161; 54 DCR 10932) ("emergency act") and the Health-Care Decisions for Persons with Developmental Disabilities Temporary Amendment Act of 2007, effective February 2, 2008 (D.C. Law 17-100; 54 DCR 12180) ("temporary act"), which addressed medical decision-making for persons with mental retardation and developmental disabilities.

(b) The emergency act expired on January 16, 2008. The temporary act will expire on September 14, 2008.

(c) A permanent version of these measures, entitled the Health Care Decisions for Persons with Developmental Disabilities Amendment Act of 2008 (Bill 17-432), was approved by the Council on 2nd reading on July 15, 2008. It will not go into effect before the temporary act expires.

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

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Health-Care Decisions for Persons with Developmental Disabilities Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-728

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to confirm the appointment of Ms. Kelley J. Smith to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Kelley J. Smith Confirmation Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Committee on Libraries, Parks and Recreation held a markup on the permanent version of this emergency and it was approved unanimously by the attending committee members.

(b) Ms. Kelley Smith demonstrated that her education, background, and energy would be a welcome addition to the Board of Library Trustees.

(c) As a native Washingtonian, and lifelong resident of Ward 7, it is essential that Ms. Smith be appointed prior to Council recess due to the active planning and construction plans for Ward 7 libraries.

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 Library Trustees Kelly J. Smith Emergency Confirmation Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-729

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To confirm, on an emergency basis, the appointment of Ms. Kelley J. Smith to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Kelley J. Smith Emergency Confirmation Resolution of 2008".

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

Ms. Kelley J. Smith
4500 Alabama Avenue, S.E.
Washington, D.C. 20019
(Ward 7)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2010.

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

17-730

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve measures that are necessary to support action taken on the District's fiscal year 2009 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2009 Budget Support Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Fiscal Year 2009 Budget Support Act of 2008, signed by the Mayor on June 26, 2008 (D.C. Act 17-419; 55 DCR ____), contains measures necessary to support the Fiscal Year 2009 Budget and Financial Plan. It is projected to complete its period of Congressional review and become law on September 15, 2008.

(b) There are time-sensitive provisions that need to be in place in advance of October 1, 2008, the date fiscal year 2009 begins, and before September 15, 2008.

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 2009 Budget Support Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-731

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend the Fiscal Year 2009 Budget Support Act of 2008 to provide that an increase in the earned income tax credit applies as of January 1, 2009, and to clarify the purpose of a grant to City Dance, the grant recipient for the 2009 Freedom Schools summer program, and the information that must be submitted to the Office of the Budget Director to receive a grant.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Designated Appropriation Allocations Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Fiscal Year 2009 Budget Support Act of 2008, signed by the Mayor on June 26, 2008 (D.C. Act 17-419; 55 DCR ____), contains designated appropriations allocations specifying one-time grants necessary to support the Fiscal Year 2009 Budget and Financial Plan.

(b) A grant of \$300,000 to City Dance inaccurately described the nature of the work to be done with the grant. The scope of the work has been clarified.

(c) A grant of \$50,000 erroneously named the Children's Defense Fund as the recipient for the 2009 Freedom Schools summer program grant. The emergency legislation amends this to correctly state that the recipient is the Southeast Tennis and Learning Center.

(d) The grant allocation requirements need to be amended to allow qualified organizations to receive funding, while still providing sufficient information to the Council to allow it to fully conduct its oversight responsibilities, and to provide an extension of 2 weeks for recipients to submit the required documents.

(e) There also is an immediate need to amend a provision that increases the earned income tax credit from 35% to 40% to make it applicable as of January 1, 2009.

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 Designated Appropriations Allocations Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-732

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to clarify the definition of assessed value, to decrease the collection of rent associated with vaults, to provide that owners have at least 30 days to pay a rent bill, to provide for a statute of limitations for claiming a refund of an overpayment of rent, and to reduce the amount of revenue to be deposited in the Highway Trust Fund.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Space Rental Fees Emergency Declaration Resolution of 2008".

Sec. 2. (a) Last year, Councilmembers Evans and Cheh introduced the permanent version of this legislation, Bill 17-266, the Public Space Vaults Rental Fees Relief Amendment Act of 2007, which has been the subject of an extensive hearing by the Committee on Public Works and the Environment.

(b) The Committee on Public Works and the Environment marked up the permanent legislation on July 14, 2008, the text of which is identical to the underlying proposed emergency legislation.

(c) Since the public space vault rental fees were due July 1, 2008, the legislation is being moved on an emergency basis to address the issue on an expedited basis.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Space Rental Fees Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-733

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain real property located on federal property in the District of Columbia and used by the United States Department of the Air Force, and to provide equitable real property tax relief for the real property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Bolling Air Force Base Military Housing Real Property Tax Exemption and Equitable Tax Relief Emergency Declaration Resolution of 2008".

Sec. 2. (a) The United States Department of the Air Force ("USAF") has leased certain land at Bolling Air Force Base ("Bolling") to BLB Privatized Housing, LLC, ("BLB").

(b) Pursuant to the terms of the lease, the title to certain ground, on which housing and ancillary facilities currently exist, will be leased to BLB and the improvements will be transferred to BLB by quit claim deed and will thereby vest in BLB.

(c) Title to this specified and limited portion of Bolling will vest in BLB (as distinguished from remaining the property of the United States of America) solely for purposes consistent with the Military Housing Privatization Initiative, enacted pursuant to the National Defense Authorization Act of 1996, approved February 10, 1996 (Pub. L. No. 104-106; 110 Stat. 186) ("MHPI"), and will allow the design, financing, construction, renovation, management, operation, and maintenance of the housing units at Bolling.

(d) Consistent with the MHPI concept, BLB will obtain financing from a private lender, and supervise demolition or renovation of existing housing and construction of new housing and ancillary facilities in accordance with specifications provided by, and plans approved by, the USAF.

(e) This development is substantially similar to the plan utilized at Walter Reed Army Base, Washington, D.C., several years ago.

(f) To allow this important housing initiative to move forward, legislative action is needed on an emergency basis to exempt from taxation certain real property located on federal property in the District of Columbia and used by the USAF and to provide equitable real property tax relief for the real property.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Bolling Air Force Base Military Housing Real Property Tax Exemption and Equitable Tax Relief Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-734

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend the Targeted Historic Preservation Assistance Amendment Act of 2006 to exempt historic housing grants from computation as District gross taxable income.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Targeted Historic Housing Preservation Assistance Emergency Declaration Resolution of 2008".

Sec. 2. (a) Several residents in Historic Anacostia are participating in the District's Historic Homeowners Grant Program, a grant program targeted to 12 of the District's traditionally underserved historic districts.

(b) The program is a first for the District and the residents of Historic Anacostia are the sole recipients of the first round of grants.

(c) The Office of Tax and Revenue has ruled that the grants are taxable as District gross income.

(d) The grants' present tax status makes many residents hesitant to accept a grant.

(e) Many residents who have already accepted a grant feel misled, having spent close to a year or more on the grant process with the understanding that it would be tax-free.

(f) Emergency action is needed to exempt these grants from District taxation.

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 Targeted Historic Housing Preservation Assistance Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-735

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to modify the vacancy exception to payment of a condo conversion fee, to exempt payment of the condo conversion fee when a unit is sold to a low-income household, or existing tenants, including the elderly or disabled, or leased to the same who are low-income, and to impose penalties for non-payment or submission of the condo conversion fee within 30 days of settlement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Vacancy Exemption Repeal Clarification Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), established a conversion fee with the intention of creating a special fund dedicated to helping those low-income tenants who were displaced by the conversion of buildings. The uses of the fund were later expanded to include the District of Columbia Home Purchase Assistance Program, and other programs. Currently, the conversion fee is 5% of the sales price for each condominium unit, or proportionate value of the cooperative residence, within the housing accommodation.

(b) This law created a perverse incentive to empty buildings through any means possible, including eviction through neglect, coercion, threat, and illegal actions. As noted in a Washington Post article a few months ago, "landlords emptied more than 200 buildings in the past 4 years, with many quickly converting to condominiums."

(c) The Vacancy Conversion Fee Clarification Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 42-3401.01 *et seq.*), clarified the circumstances for collection of a condominium and cooperative conversion fee, including circumstances under which the fee may be reduced; eliminated the vacancy exemption to payment of condominium and cooperative conversion fees; and limited the duration of vacancy exemptions properly granted for tenant elections.

(d) The Council enacted this legislation to remove the incentive to certain unscrupulous

ENROLLED ORIGINAL

developers to empty buildings of their occupants, through coercion or other means, to avail themselves of the 5% conversion fee payment exemption for vacant properties.

(e) Since enactment of the Vacancy Conversion Fee Clarification Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 42-3401.01 *et seq.*), several developers across the District, including developers that produce affordable housing, reported various unintended consequences and unresolved issues surrounding the repeal of the conversion fee payment exemption for vacant buildings.

(f) The Council passed 3 cycles of emergency and temporary legislation to postpone the effective date of the revisions to the Vacancy Conversion Fee Clarification Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 42-3401.01 *et seq.*), until those ambiguities could be clarified. This emergency legislation repeals the most recent cycle of emergency legislation and clarifies the portion of the District of Columbia Official Code that permits application for the vacancy exemption. It also clarifies ambiguities with regard to payment of fees while eliminating the vacancy exemption for conversion fees.

(g) The real estate market is one of the industries most effected by the downturn in our economy. Homes are now selling at a lower rate and slower pace than just a year ago, and small developers are being negatively impacted by this change.

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 Vacancy Exemption Repeal Clarification Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-736

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to proscribe the sales of single containers of beer, malt liquor, or ale, as well as spirits (liquor) sold in half-pints or smaller volumes, by off-premises retailers located in Mt. Pleasant, in Ward 1; Advisory Neighborhood Commissions 2C, 2E, and 2F, in Ward 2; and in Ward 6.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mt. Pleasant, Targeted Ward 2, and Ward 6 Single Sales Moratorium Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis regarding the sale of single containers of alcohol, which contributes to vagrancy, public urination, public intoxication, crime and other anti-social behavior. Single containers often litter the public areas in the vicinity of off-premise retailers, which contribute to blighted neighborhoods.

(b) The Council has received overwhelming public testimony and support for banning the sale of singles as one of several ways of combating the social ills plaguing our neighborhoods.

(c) Areas of the District where singles have been banned have seen a marked decrease in Metropolitan Police Department calls for service, and of the anti-social behavior described above.

(d) The Council approved virtually identical bans in Ward 7, Ward 8, and targeted areas in Ward 4 on June 3, 2008, which will become law on September 12, 2008. This emergency legislation would give retailers in targeted areas in Ward 2, and in Ward 6, 90 days to comply. In Ward 1, where the current effective ban on single sales is set to expire on October 4, 2008, the permanent ban would take effect immediately.

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 Mt. Pleasant, Targeted Ward 2, and Ward 6 Single Sales Moratorium Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-737

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve rules establishing certification procedures for recovery-support services

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Access to Recovery Program Approval Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate crisis with respect to the need to establish certification procedures for recovery-support services.

(b) The District of Columbia faces a serious substance-abuse addiction problem costing the District approximately \$1.2 billion per year. Approximately 60,000 individuals are addicted to drugs or alcohol and could benefit from treatment.

(c) A substantial body of research recognizes that addiction is a chronic condition marked by cycles of recovery, relapse, and repeated treatment that often span many years. The Addiction Prevention and Recovery Administration's system seeks to achieve successful, cost-effective outcomes for the largest number of people by managing clients over time, expanding the client's decision-making role in selecting the most appropriate treatment, and by acknowledging that there are many pathways to recovery.

(d) The Council recognized the urgent need for recovery-support services and enacted emergency and temporary legislation to authorize vouchers for these services through a federal Access to Recovery Grant.

(e) Approval of the rules for recovery-support services certification will implement the program authorized through the emergency and 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 Access to Recovery Program Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-738

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve, on an emergency basis, the proposed rulemaking to establish certification procedures for providers of recovery-support services under the Access to Recovery Program.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Access to Recovery Program Emergency Approval Resolution of 2008".

Sec. 2. Pursuant to section 16(a) of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3015(a)), the Council approves the proposed rulemaking to add new subsections 2300.14 and 2304.5 and a new section 2368 to Chapter 23 of Title 29 of the District of Columbia Municipal Regulations.

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

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-739

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve modifications to Contract No. DCRK-2005-D-0014 to operate the District's Disability Compensation Program and to authorize payment for the services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCRK-2005-D-0014 Modifications Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists a need to approve Modification No. 5 and proposed Modification No. 6 to Contract No. DCRK-2005-D-0014 with CMI Octagon, Inc. ("CMI") to operate the District's Disability Compensation Program and to authorize payment for the services received and to be received under that contract.

(b) The Office of Contracting and Procurement ("OCP"), on behalf of the Office of Risk Management, awarded Contract No. DCRK-2005-D-0014 to CMI to operate the District's Disability Compensation Program for the base period from May 11, 2005 to May 10, 2008 in the amount of \$9,438,987.

(c) On May 9, 2008, by Modification No. 5, the OCP exercised a partial option for the first option period from May 11, 2008 through August 25, 2008 to provide these services in the amount of \$984,104.31.

(d) Proposed Modification No. 6 in the amount of \$702,931.65 is now necessary for additional services until October 31, 2008.

(e) Council approval is necessary since these modifications increase the contract by more than \$1 million during a 12-month period.

(f) This emergency legislation will retroactively approve Modification No. 5 and prospectively approve proposed Modification No. 6 in the following amounts:

Modification 5	\$ 984,104.31
Proposed Modification 6	<u>702,931.65</u>
	\$1,687,035.96

ENROLLED ORIGINAL

(g) Approval is necessary to allow the continuation of these vital services. Without this approval, CMI cannot be paid for services provided in excess of \$999,999.99.

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. DCRK-2005-D-0014 Modifications Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-740

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to authorize the Mayor to enter into a contract with Waterfront Associates, LLC, for the construction of Fourth Street, S.W., as part of the redevelopment of the Waterside Mall property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Waterside Mall and Fourth Street, S.W., Redevelopment and Reconstruction Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to authorize the Mayor to enter into a contract with Waterfront Associates, LLC, ("Developer") for the construction of Fourth Street, S.W., as part of the redevelopment of the Waterside Mall property.

(b) The Waterside Mall project consists of 2.5 million square feet of office, residential, and retail space, designed to redefine the urban fabric of the area, create a vibrant neighborhood, and improve traffic circulation.

(c) The approved planned unit development for the project calls for the Developer to reopen Fourth Street, S.W., which was closed when the existing 1960's era urban-renewal project was built.

(d) The Waterside Mall site is owned by the District, subject to long-term ground leases of the Developer under which the Developer owns the improvements and development rights of the property.

(e) The District and the Developer have been working together since 1999 to develop a plan that would unlock the transit-oriented development potential of the property and provide other significant public benefits to the surrounding neighborhoods and to the District as a whole.

(f) Part of the public-benefits package of this project includes the Developer reopening Fourth Street, S.W., through the development parcel to provide a north-to-south circulation corridor.

(g) The Mayor would enter into a contract with the Developer for the construction of the street because the street will run on land and through property controlled by the Developer. The District will pay for the construction of the road in exchange for a perpetual easement and certain public improvements.

(h) There is a need to provide authority to the Mayor immediately to enter into this contract because the Developer has already completed the demolition and foundation work to prepare for the construction of the street, and construction is prepared to begin as soon as within the next 30 days.

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 Waterside Mall and Fourth Street, S.W., Redevelopment and Reconstruction Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-741

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve rules on licensure, construction, and operating standards for hospitals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hospital Licensing Proposed Rulemaking Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to update licensing standards for the District's hospitals.

(b) Current regulations on hospital operations were written before 1967 and in many ways do not reflect the current needs of patients or medical professionals.

(c) The proposed regulations provide more guidance to hospitals on organization of staff and services as well as on standards of compliance.

(d) Unlike the current regulations, the proposed regulations contain a specific list of patient rights and require licensees to implement written policies and procedures to protect and promote those rights.

(e) Under the newly proposed regulations, each hospital shall be required to maintain documentation verifying that staff members are periodically trained on essential issues, such as infection control, patient-care policies, and emergency preparedness.

(f) Expedient approval of the proposed rules will allow the Department of Health to quickly move forward to establish final updated standards of operation for licensed hospitals and for the protection of patients.

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 Hospital Licensing Proposed Rulemaking Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-742

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve the proposed rules on licensure, construction, and operating standards for hospitals.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hospital Licensing Proposed Rulemaking Emergency Approval Resolution of 2008".

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 Council approves the proposed rules to establish licensure, construction, and operating standards for hospitals.

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

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-743

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve the negotiated compensation settlement between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO, for the period from October 1, 2006, through September 30, 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Settlement between the Transportation Administrator for the Division of Transportation of the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO, Emergency Declaration Resolution of 2008".

Sec. 2. (a) The International Brotherhood of Teamsters, Local 639, AFL-CIO ("Teamsters Local 639"), and the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools ("Transportation Administrator") entered into a collective bargaining agreement on March 18, 2008, for the term of October 1, 2006 through September 30, 2009.

(b) The membership of Teamsters Local 639 consists of senior bus drivers and senior bus attendants who provide specialized transportation services for more than 4,000 special-needs children throughout the Washington Metropolitan Area.

(c) Unless legislative action is immediately taken upon the negotiated compensation agreement between the Transportation Administrator and Teamsters Local 639, for the period from October 1, 2006 through September 30, 2009, a negative impact upon the financial and personal morale of the members of the collective bargaining unit may ensue, which could compromise the delivery of non-instructional services, affecting the learning environment for District public- school 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 Compensation Settlement between the Transportation Administrator for the Division of

Transportation for the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-744

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve, on an emergency basis, the negotiated compensation settlement between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO, submitted by the Mayor on behalf of the Transportation Administrator.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Settlement between the Transportation Administrator for the Division of Transportation for the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO Emergency Approval Resolution of 2008".

Sec. 2. (a) Pursuant to Section 1717(j) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-167.17(j)), the Council approves the compensation settlement between the District of Columbia Public Schools and the International Brotherhood of Teamsters, Local 639, AFL-CIO, and the related salary schedules, for the period October 1, 2006, through September 30, 2009, which were transmitted to the Council by the Mayor on June 26, 2008, following approval by the Transportation Administrator pursuant to his authority by order of the United States District Court for the District of Columbia.

(b) The pay schedules provide as follows:

Teamsters Pay Scale for FY-08 (4% Increase)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
RW-7	15.80	16.90	17.51	18.21	18.86	19.67	20.52	21.75	23.28	25.14
RW-3	12.22	13.08	13.56	14.09	14.62	15.22	15.89	16.93	18.02	19.46

Teamsters Pay Scale for FY-09 (3.5% Increase)

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
RW-7	16.35	17.49	18.12	18.85	19.52	20.36	21.24	22.51	24.09	26.02
RW-3	12.65	13.54	14.03	14.58	15.13	15.75	16.45	17.52	18.65	20.14

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Chancellor of the District of Columbia Public Schools, the International Brotherhood of Teamsters, Local 639, AFL-CIO, the State Board of Education, and the Mayor.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.

A RESOLUTION

17-745

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Forney Enterprises, Inc., for repairs and renovations to schools accepting students from schools to be closed under the District of Columbia Public Schools school consolidation effort, and to authorize payment to Forney Enterprise, Inc., in the amount of \$7.125 million for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Forney Enterprises, Inc., Receiving School Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2.(a) There exists an immediate need to approve the Forney Receiving School Contract for the provision of repairs and renovations to schools accepting students from schools to be closed under the consolidation effort and to authorize payment for the services received under this contract in the amount of \$7.125 million.

(b) The Office of Public Education Facilities Modernization ("OPEFM") must prepare 31 District of Columbia public schools by August 15, 2008, to accept additional students from schools closed under the consolidation program.

(c) On February 29, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to prepare the 13 schools that required the most extensive renovations ("Phase I Receiving School Work").

(d) Four contractors were selected by OPEFM to perform the Phase I Receiving School Work.

(e) To meet the August 15, 2008, completion deadline, OPEFM issued, on April 7, 2008, a letter contract and notice to proceed ("Letter Contract") to Forney Enterprises, Inc., ("Forney"), in the amount of \$966,306, so that Forney could perform design work, develop a Guaranteed Maximum Price ("GMP"), and order long-lead items for the Phase I Receiving School Work at 3 of the 13 schools.

(f) The OPEFM and Forney have agreed on a GMP and a definitized contract for the Phase I Receiving School Work ("Definitized Contract").

(g) Since work has been performed under the Letter Contract, which has been merged

into the Definitized Contract, retroactive approval of the Definitized Contract is required.

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 Forney Enterprises, Inc., Receiving School Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-746

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Centennial Contractors Enterprises, Inc., for repairs and renovations to schools accepting students from schools to be closed under the District of Columbia Public Schools school consolidation effort, and to authorize payment to Centennial Contractors Enterprises, Inc., in the amount of \$9.5 million for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Centennial Contractors Enterprises Receiving School Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2.(a) There exists an immediate need to approve the Centennial Receiving School Contract for the provision of repairs and renovations to schools accepting students from schools to be closed under the consolidation program and to authorize payment for the services received under this contract in the amount of \$9.5 million.

(b) The Office of Public Education Facilities Modernization ("OPEFM") must prepare 31 District of Columbia public schools by August 15, 2008, to accept additional students from schools closed under the consolidation program.

(c) On February 29, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to prepare the 13 schools that required the most extensive renovations ("Phase I Receiving School Work").

(d) Four contractors were selected by OPEFM to perform the Phase I Receiving School Work.

(e) To meet the August 15, 2008, completion deadline, OPEFM issued, on April 7, 2008, a letter contract and notice to proceed ("Letter Contract") to Centennial Contractors Enterprises, Inc., ("Centennial"), in the amount of \$958,325, so that Centennial could perform design and preconstruction work, develop a Guaranteed Maximum Price ("GMP"), and order long-lead items for the Phase I Receiving School Work at 3 of the 13 schools.

(f) The OPEFM and Centennial have agreed on a GMP and a definitized contract for the Phase I Receiving School Work ("Definitized Contract").

(g) Since work has been performed under the Letter Contract, which has been merged into the Definitized Contract, retroactive approval of the Definitized Contract is required.

ENROLLED ORIGINAL

Phase I Receiving School Work (“Definitized Contract”).

(h) Since work has been performed under the Letter Contract, which has been merged into the Definitized Contract, retroactive approval of the Definitized Contract is required.

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 Smoot Construction Receiving School Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-747

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Smoot Construction Company for repairs and renovations to schools accepting students from schools to be closed under the District of Columbia Public Schools school consolidation effort, and to authorize payment to Smoot Construction Company in the amount of \$11.495 million for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Smoot Construction Receiving School Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the Smoot Receiving School Contract for the provision of repairs and renovations to schools accepting students from schools to be closed under the consolidation program and to authorize payment for the services received under this contract in the amount of \$11.495 million.

(b) The Office of Public Education Facilities Modernization ("OPEFM") must prepare 31 District of Columbia public schools by August 15, 2008, to accept additional students from schools closed under the consolidation program.

(c) On February 29, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to prepare the 13 schools that required the most extensive renovations ("Phase I Receiving School Work").

(d) Four contractors were selected by OPEFM, including Smoot Construction, to perform the Phase I Receiving School Work.

(e) To meet the August 15, 2008, completion deadline, OPEFM issued, on April 7, 2008, a letter contract and notice to proceed ("Letter Contract") to Smoot Construction Company ("Smoot"), in the amount of \$671,350, so that Smoot could perform design and preconstruction work and develop a Guaranteed Maximum Price ("GMP") for the Phase I Receiving School Work at 3 of the 13 schools.

(f) On April 25, 2008, OPEFM issued Amendment 1 to the Letter Contract increasing the amount of the Letter Contract by \$162,331 to order long lead-time items.

(g) The OPEFM and Smoot have agreed on a GMP and a definitized contract for the

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 Centennial Contractors Enterprises Receiving School Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-748

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Turner Construction Company for the modernization of School Without Walls High School, and to authorize payment to Turner Construction Company in the amount of \$30,980,122 for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Turner SWW Construction Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract with Turner Construction Company ("Turner") for the modernization and construction of additions to School Without Walls High School and to authorize payment to Turner for the services received under this contract in the amount of \$30,980,122.

(b) The Office of Public Education Facilities Modernization ("OPEFM") has been tasked with the modernization of School Without Walls High School and has scheduled the work to be completed by July 31, 2009.

(c) Pursuant to Mayor's Order 2007-164, the responsibility for the School Without Walls High School modernization procurement was transferred from the District of Columbia Public Schools ("DCPS") to OPEFM. Prior to the transfer, DCPS had awarded Turner this contract to modernize School Without Walls High School ("SWW modernization").

(d) To get the SWW modernization underway and to release Turner to conduct site work, perform preconstruction work, and develop a Guaranteed Maximum Price ("GMP") proposal, OPEFM issued, on April 2, 2008, a letter contract and notice to proceed ("Letter Contract") to Turner in the amount of \$955,874.

(e) The OPEFM and Turner have agreed on a GMP and definitized contract for the SWW modernization ("Definitized Contract").

(f) Since work has been performed under the Letter Contract, which has been merged into the Definitized Contract, retroactive approval of the Definitized Contract is required.

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 Turner SWW Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-749

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve Modification No. 2 to Contract No. DCHC-2007-E-0010 and option year one of the contract to provide non-emergency transportation services to people with intellectual or developmental disability, and to authorize payment for the services received and to be received under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCHC-2007-E-0010 Modification Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve proposed Modification No. 2 to Contract No. DCHC-2007-E-0010 and option year one of the contract with Medical Transportation Management, Inc. ("MTMI") to provide non-emergency transportation services to people with intellectual or developmental disability, and to authorize payment for the services received and to be received under that contract.

(b) The Office of Contracting and Procurement, on behalf of the Department on Disability Services, awarded Contract No. DCHC-2007-E-0010 to MTMI to provide non-emergency transportation services to people with intellectual or developmental disability for the base period from July 20, 2007, to July 19, 2008, in the amount of \$10,843,875.96.

(c) Proposed Modification No. 2 is now necessary for additional services in the amount of \$4.5 million until July 19, 2008, and to exercise option year one of the contract in the amount of \$15,343,875.96.

(d) Council approval is necessary as this modification increases the contract by more than \$1 million during a 12-month period and to allow the continuation of these vital services. Without Council approval, MTMI cannot be paid for services provided in excess of \$10,843,875.96.

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. DCHC-2007-E-0010 Modification Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-750

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Management Alternatives, Inc., for relocation and inventory services and for the purchase of furniture, fixtures, and equipment in connection with relocating students from schools closed under the District of Columbia Public Schools school consolidation effort, and to authorize payment to Management Alternatives, Inc., in the amount of \$4,749,528 for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Management Alternatives Relocation Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract with Management Alternatives, Inc. ("Management Alternatives") for the provision of relocation and inventory services and for the purchase of furniture, fixtures, and equipment in connection with relocating students from schools closed under the District of Columbia Public Schools school consolidation effort and to authorize payment to Management Alternatives for the services received under this contract in the amount of \$4,749,528.

(b) The Office of Public Education Facilities Modernization ("OPEFM") has been tasked with relocating and moving by August 20, 2008, furniture, fixtures, and equipment and educational materials ("FF&E") from the schools being closed to the schools accepting students under the consolidation program.

(c) On May 13, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to inventory and relocate the FF&E from closing schools to receiving schools ("Relocation Work").

(d) The OPEFM selected 2 contractors to perform the Relocation Work.

(e) To meet the August 20, 2008, completion deadline, OPEFM issued, on June 20, 2008, a letter contract and notice to proceed ("Letter Contract") to Management Alternatives, in the amount of \$902,000, so that Management Alternatives could inventory and remove FF&E from schools that required immediate relocation and

(f) The OPEFM and Management Alternatives have agreed on a definitized contract for the Relocation Work ("Definitized Contract").

(g) Since work has been performed under the Letter Contract, which has been merged into this Definitized Contract, retroactive approval of the Definitized Contract is required.

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 Management Alternatives Relocation Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-751

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with SIGAL Construction Corporation for the modernization and construction of additions to Savoy Elementary School, and to authorize payment to SIGAL Construction Corporation in the amount of \$22.046 million for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "SIGAL Savoy Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract with SIGAL Construction Corporation ("SIGAL") for the modernization and construction of additions to Savoy Elementary School and to authorize payment to SIGAL for the services received under this contract in the amount of \$22.046 million.

(b) The Office of Public Education Facilities Modernization ("OPEFM") has been tasked with the modernization and construction of additions to Savoy Elementary School and has scheduled the work to be completed by May 17, 2009.

(c) On February 8, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to modernize, and construct additions to, Savoy Elementary School ("Savoy modernization").

(d) The OPEFM selected SIGAL to perform the Savoy modernization.

(e) To get the Savoy modernization underway and to release SIGAL to begin mobilization and demolition work, OPEFM issued, on April 17, 2008, a letter contract and notice to proceed ("Letter Contract") to SIGAL in the amount of \$980,000.

(f) The OPEFM and SIGAL have agreed on a definitized contract for the Savoy modernization ("Definitized Contract").

(g) Since work has been performed under the Letter Contract, which has been merged into this Definitized Contract, retroactive approval of the Definitized Contract is required.

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 SIGAL Savoy Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-752

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve a contract with Columbia/Forrester Addison Elementary Joint Venture for the modernization of Addison Elementary School, and to authorize payment to the Columbia/Forrester Addison Elementary Joint Venture in the amount of \$7,625,997 for the services rendered under that contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Columbia/Forrester Addison Contract Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve the contract with Columbia/Forrester Addison Elementary Joint Venture ("Columbia/Forrester") for the modernization of Addison Elementary School and to authorize payment to Columbia/Forrester for the services received under this contract in the amount of \$7,625,997.

(b) The Office of Public Education Facilities Modernization ("OPEFM") has been tasked with the modernization of Addison Elementary School and has scheduled the modernization work to be completed by January 2, 2009.

(c) On January 11, 2008, OPEFM issued a request for proposals seeking to engage one or more contractors to perform the work necessary to modernize Addison Elementary School ("Addison modernization").

(d) The OPEFM selected Columbia/Forrester to perform the Addison modernization.

(e) To get the Addison modernization underway and to release Columbia/Forrester to begin pre-construction work, OPEFM issued, on March 28, 2008, a letter contract and notice to proceed ("Letter Contract") to Columbia/Forrester, in the amount of \$903,130, so that Columbia/Forrester could begin pre-construction work.

(f) The OPEFM and Columbia/Forrester have agreed on a final guaranteed maximum price and definitized contract for the Addison modernization ("Definitized Contract").

(g) Since work has been performed under the Letter Contract, which has been merged into the Definitized Contract, retroactive approval of the Definitized Contract is required.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Columbia/Forrester Addison Contract Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-753

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve Contract No. CFSA-08-C-0175 with Pressley Ridge for the provision of specialized family-based foster-care services for Child and Family Services Agency children, and to authorize payment for the goods and services received and to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. CFSA-08-C-0175 Approval and Payment Authorization Emergency Declaration Resolution of 2008".

Sec. 2. (a) There exists an immediate need to approve Contract No. CFSA-08-C-0175 for the provision of specialized family-based foster-care services for Child and Family Services Agency ("CFSA") children and to authorize payment for goods and services received and to be received under that contract. Contract CFSA-08-C-0175 is in the amount of \$1,794,918.60 for the period from February 1, 2008, through January 31, 2009.

(b) There is an urgent need to continue, and prevent the interruption of, specialized family-based foster-care services for children and youth ("children") in the care of CFSA who have special needs, such as medical or mental health conditions, behavioral or emotional problems, learning disabilities, or teen-parenting responsibilities, with the opportunity to be placed in a family home as opposed to a congregate-care setting.

(c) It is in the best interest of children in the care of CFSA to authorize continuation of specialized family-based foster-care services for these children.

(d) The placements are necessary to stabilize youth placement, as required by the *LaShawn vs. Fenty* Amended Implementation Plan, B. Goal, Permanency, 13: Reduction in Multiple Placements.

(e) Council approval is necessary to authorize payments made under the contract for services received and to allow the District to continue paying for the specialized family-based foster-care services provided by Pressely Ridge.

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. CFSA-08-C-0175 Approval and Payment Authorization Emergency Act of 2008 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

A RESOLUTION

17-754

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to amend the Office of Property Management Establishment Act of 1998 to authorize the Office of Property Management to make a grant of up to \$5.5 million to the Old Naval Hospital Foundation for the purpose of renovating and making improvements to the Old Naval Hospital, Carriage House, and adjacent grounds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Old Naval Hospital Grant Emergency Declaration Resolution of 2008".

Sec. 2. (a) The Old Naval Hospital Foundation ("ONHF") was selected by the Office of Property Management through a competitive solicitation process for the redevelopment and leasing of the Old Naval Hospital, Carriage House, and adjacent grounds ("property").

(b) The proposal submitted by ONHF and the selection of ONHF's proposal anticipated that the Office of Property Management, subject to Council approval, would contribute up to \$5.5 million towards the redevelopment of the property.

(c) The grant funds from the District are needed immediately to commence design and predevelopment activities. Further delay in design and predevelopment activities will result in further cost escalations of approximately \$500,000 and in the overall reduction in the building program to maintain the total project cost.

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 Old Naval Hospital Grant Emergency Amendment Act of 2008 be adopted after a single reading.

Sec. 4. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17- 757

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To declare the existence of an emergency with respect to the need to approve the land exchange and disposition of certain real property owned by the District of Columbia, which real property is commonly known as the Gales School and is located at 65 Massachusetts Avenue, N.W., in the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gales School Disposition Approval Emergency Declaration Resolution of 2008".

Sec. 2. (a) There currently exists an immediate need for additional supportive services and shelter facilities for homeless residents of the District of Columbia.

(b) The Mayor transmitted to the Council a request for Council approval of the land disposition and disposition of real property commonly known as the Gales School, which is located at 65 Massachusetts Avenue, N.W., in the District of Columbia and designated for assessment and taxation purposes as Lot 0806 in Square 0625 (the "Property"), to Central Union Mission, a District of Columbia nonprofit corporation, for the specific purpose of operating a homeless shelter and subject to such terms and conditions as the Mayor considers necessary and appropriate.

(c) The Property has been identified as an appropriate and suitable location for provision of homeless supportive services and establishment of a downtown shelter facility.

(d) The Gales School is currently in an extreme state of disrepair. The building shell, which has no roof, requires exterior bracing to maintain structural stability. Making the structure usable again will involve extensive construction and repairs.

(e) Central Union Mission has agreed to acquire the Property, undertake the necessary improvements to the Property, and devote the Property to use as a homeless shelter providing not fewer than 150 beds and other supportive services for a period of not fewer than 40 years.

ENROLLED ORIGINAL

(f) There exists an immediate need to approve this disposition:

(1) Due to the current physical condition of the Property and the need to act as expeditiously as possible to avoid further deterioration of the condition of the Property; and

(2) Because Central Union Mission must vacate its current location by October 2009.

(g) Further delay in the scheduled construction activity at the Property will result in the closure of the existing shelter without the re-opening of a new shelter facility to satisfy the needs of the District's homeless population.

Sec. 4. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Gales School Disposition Emergency Approval Resolution of 2008 be adopted on an emergency basis.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

17-758

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 15, 2008

To approve, on an emergency basis, the land exchange and disposition of certain real property owned by the District of Columbia, which real property is commonly known as the Gales School and is located at 65 Massachusetts Avenue, N.W.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Gales School Disposition Emergency Approval Resolution of 2008".

Sec. 2. (a) Pursuant to section 1(b) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b)), the Mayor transmitted to the Council a request for Council approval of the land exchange and disposition of real property commonly known as the Gales School, which is located at 65 Massachusetts Avenue, N.W., in the District of Columbia and designated for assessment and taxation purposes as Lot 0806 in Square 0625 ("Property"), to Central Union Mission, a District of Columbia non-profit corporation, for the specific purpose of operating a homeless shelter and subject to such terms and conditions as the Mayor considers necessary and appropriate.

(b) The Mayor's analysis of economic factors dated July 16, 2008 has been submitted in accordance with section 1(b-1) of An Act Authorizing the sale of certain estate in the District of Columbia no longer for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(b-1)).

(c) The Council finds that the Property is no longer required for public purposes.

(d) The Council approves the negotiated sale of the Property to Central Union Mission, a nonprofit corporation, for the specific purpose of operating a homeless shelter and pursuant to such terms and conditions as the Mayor considers necessary and appropriate.

ENROLLED ORIGINAL**Sec. 3. Transmittal.**

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor, the Office of Property Management, and the Chief Financial Officer.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This resolution shall take effect immediately.