

ENROLLED ORIGINAL

A RESOLUTION

15-104

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To confirm the reappointment of Mr. Stanly E. Wigenton to the Citizen Complaint Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizen Complaint Review Board Stanly E. Wigenton Confirmation Resolution of 2003".

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

Mr. Stanly E. Wigenton  
623 Columbia Road, N.W.  
Washington, D.C. 20001  
(Ward 1)

as the Metropolitan Police Department member of the Citizen Complaint Review Board, established by section 5(a) of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(a)), to serve for a term to end January 12, 2006.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-105

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To confirm the appointment of Mr. Marc A. Schindler to the Citizen Complaint Review Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Citizen Complaint Review Board Marc A. Schindler Confirmation Resolution of 2003".

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

Mr. Marc A. Schindler  
1833 California Street, N.W., #102  
Washington, D.C. 20009  
(Ward 1)

as a member of the Citizen Complaint Review Board, established by section 5(a) of the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1104(a)), replacing Michael Selmi, whose term ended January 12, 2003, to serve for a term to end January 12, 2006.

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

Sec. 4. This resolution shall take effect immediately.

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15-106

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To confirm the Mayoral appointment of Ms. Terri Thompson Mallett to the Board of Appeals and Review.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Appeals and Review Terri Thompson Mallett Confirmation Resolution of 2003".

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

Ms. Terri Thompson Mallett  
6904 32<sup>nd</sup> Street, N.W.  
Washington, D.C. 20015  
(Ward 3)

as a District Member of the Board of Appeals and Review, in accordance with Mayor's Order 96-27, issued March 5, 1996 (43 DCR 1367) and section 2(f)(3) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(3)), for a term to end May 8, 2005.

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

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-107

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To confirm the Mayoral appointment of Mr. Glenn S. Greene to the Board of Appeals and Review.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Appeals and Review Glenn S. Greene Confirmation Resolution of 2003".

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

Mr. Glenn S. Greene  
1789 Lanier Place, N.W., Apt. #23  
Washington, D.C. 20009  
(Ward 1)

as a Legal Member of the Board of Appeals and Review, in accordance with Mayor's Order 96-27, issued March 5, 1996 (43 DCR 1367) and section 2(f)(3) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(3)), for a term to end May 8, 2005.

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

Sec. 4. This resolution shall take effect immediately.

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15-108

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To confirm the Mayoral appointment of Mr. Mike Meier to the Board of Appeals and Review.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Appeals and Review Mike Meier Confirmation Resolution of 2003".

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

Mr. Mike Meier  
5324 43<sup>rd</sup> Street, N.W.  
Washington, D.C. 200015  
(Ward 3)

as a Legal Member of the Board of Appeals and Review, in accordance with Mayor's Order 96-27, issued March 5, 1996 (43 DCR 1367) and section 2(f)(3) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(3)), for a term to end May 8, 2005.

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

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

15-109

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the sense of the Council that June 19th be recognized as "Juneteenth National Freedom Day".

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Juneteenth National Freedom Day Resolution of 2003".

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

(1) For more than 137 years, Juneteenth National Freedom Day has been the most recognized African-American holiday observance in the United States. Also known as "Emancipation Day," "Emancipation Celebration," "Freedom Day," "Jun-Jun," "Juneteenth Independence Day," and "Juneteenth," Juneteenth National Freedom Day commemorates the survival through strength and determination of African-Americans, who were first brought to this country stacked in the bottom of slave ships in a month-long journey across the Atlantic Ocean, known as the "Middle Passage".

(2) Approximately 11½ million African-Americans survived the voyage to the New World. The number that died is likely greater. For more than 200 years, African-American slaves were subjected to whipping, castration, branding, rape, and the tearing apart of their families.

(3) Even though slaves in the District of Columbia were emancipated on April 16, 1862, and later that year President Abraham Lincoln signed the Emancipation Proclamation abolishing slavery in all areas in rebellion, the existence of slavery in the South did not end until June of 1865. "Juneteenth" commemorates the day that freedom was proclaimed to the last slaves in the South by Union General Gordon Granger, on June 19, 1865.

(4) "Juneteenth," June 19, 1865, is celebrated annually in more than 205 cities and is officially recognized in Alaska, Delaware, Florida, Idaho, Iowa, Kentucky, Louisiana, Oklahoma, Oregon, Pennsylvania, Texas, Vermont, Washington, Wisconsin, and Wyoming.

(5) In 1997, the United States Congress adopted a joint resolution recognizing "Juneteenth" as the true independence day for African-American citizens.

(6) Americans of all colors, creeds, cultures, religions and countries-of-origin

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share in a common love of and respect for "freedom," as well as a determination to protect their right to freedom through democratic institutions. "Juneteenth," along with the 4th of July, completes a cycle of freedom for America's Independence Day observances. "Until All are Free, None are Free" is an oft-repeated maxim that can be used to highlight the significance of the end of the era of slavery in the United States.

(7) The National Juneteenth Observance Foundation sponsors a celebration, including concert and worship services, to commemorate this Independence Day for African-Americans. This celebration recognizes our country's movement toward "One America," promoting racial healing, restoration, and justice.

Sec. 3. It is the sense of the Council to recognize June 19th as "Juneteenth National Freedom Day," to support the campaign to recognize "Juneteenth National Freedom Day" as a national holiday, and to encourage participation of all citizens in the annual Washington Juneteenth National Holiday Observance on the National Mall in Washington, D.C., during the week of the 19th of June.

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

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## A RESOLUTION

15-110

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency, due to Congressional review, with respect to the need to close an additional \$134 million budget gap in fiscal year 2003.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2003 Budget Support Congressional Review Emergency Declaration Resolution of 2003".

Sec. 2. (a) The District of Columbia is facing additional spending pressures within fiscal year 2003. In order to alleviate the budget gap, savings had to be realized as soon as possible so that the additional revenue could be used during the remainder of fiscal year 2003.

(b) In March 2003, the Council enacted the Fiscal Year 2003 Budget Support Emergency Act of 2003, effective March 31, 2003 (D.C. Act 15-51; 50 DCR 2954) ("Emergency Act"), to address the budget gap. The Emergency Act expires on June 29, 2003.

(c) Temporary legislation, the Fiscal Year 2003 Budget Support Temporary Act of 2003, signed by the Mayor on May 19, 2003 (D.C. Act 15-92), was transmitted to Congress on May 22, 2003, 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)), and is not projected to become law until July 17, 2003.

(d) It is important that the provisions of the Emergency Act continue in effect, without interruption, until the temporary legislation is in effect.

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 2003 Budget Support Congressional Review Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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## A RESOLUTION

15-111

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency, due to Congressional review, with respect to the need to approve legislative measures to support action taken to close a \$323 million budgetary shortfall in the District's Fiscal Year 2003 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2003 Budget Support Amendment Second Congressional Review Emergency Declaration Resolution of 2003".

Sec. 2. (a) In December 2002, the Council enacted the Fiscal Year 2003 Budget Support Amendment Act of 2002, signed by the Mayor on December 4, 2002 (D.C. Act 14-453; 49 DCR 11664) ("permanent legislation"), to address a shortfall in the local budget due to a sharp decline in anticipated income tax revenues.

(b) The permanent legislation was transmitted to Congress on January 30, 2003, for a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)).

(c) Also in December 2002, the Council enacted the Fiscal Year 2003 Budget Support Amendment Emergency Act of 2002, effective December 4, 2002 (D.C. Act 14-544; 49 DCR 11700) ("Emergency Act"). The Emergency Act, which made the provisions of the permanent legislation effectively immediately, expired on March 4, 2003.

(d) In February 2003, the Council enacted the Fiscal Year 2003 Budget Support Amendment Congressional Review Emergency Act of 2003, effective February 24, 2003 (D.C. Act 15-27; 50 DCR 2151) to keep the provisions of the Emergency Act in effect until the permanent legislation was in effect.

(e) The permanent legislation was originally projected to become law on May 21, 2003. The permanent legislation is currently not projected to become law until June 7, 2003.

(f) It remains necessary that the provisions of the Emergency Act continue in effect, without interruption, until the permanent legislation is in place.

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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 Fiscal Year 2003 Budget Support Amendment Second Congressional Review Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

15-112

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To authorize and provide for the issuance, sale, and delivery of up to \$13 million aggregate principal amount of District of Columbia revenue bonds in one or more series and to authorize and provide for the loan of the proceeds of such bonds to assist Washington International School in the financing, refinancing, or reimbursing of an authorized project pursuant to section 490 of the District of Columbia Home Rule Act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington International School Revenue Bonds Project Approval Resolution of 2003".

Sec. 2. Definitions.

For the purpose of this resolution, the term:

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

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

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

(4) "Borrower" means the owner of the assets financed, refinanced, or reimbursed with proceeds from the Bonds which shall be Washington International School, a nonprofit corporation organized under the Nonprofit Corporation Act of the District of Columbia.

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

(6) "Closing Documents" means all documents and agreements other than Financing Documents that may be necessary and appropriate to issue, sell, and deliver the Bonds and to make the Loan contemplated thereby, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

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

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

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

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

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

(12) "Loan" means the District lending of proceeds from the sale, in one or more series, of the Bonds to the Borrower.

(13) "Mayor" means the Mayor of the District of Columbia.

(14) "Project" means:

(A) The refunding of the \$11 million District of Columbia Revenue Bonds ("Washington International School Project"), Series 1999, the proceeds of which were used to finance or refinance, or reimburse the Borrower for certain costs incurred in connection with the construction, renovation, furnishing, and equipping of certain facilities on the Borrower's campus located at 3100 Macomb Street, N.W. and 3601 Reservoir Road, N.W., Washington, DC (Lots 0837 and 0014, Squares 2084 and 1304, respectively), and the financing, refinancing, or reimbursement of the costs of the acquisition, construction, renovation, furnishing and equipping of certain buildings and improvements at the facility, together with other property functionally related and subordinate thereto;

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

(C) Paying certain costs of issuance, and fees and premiums for any bond insurance or credit enhancement.

### Sec. 3. Findings.

The Council finds that:

(1) Section 490 of the Home Rule Act provides that the Council may by resolution

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

(2) The Borrower has requested the District to issue, sell, and deliver revenue bonds, in one or more series, in a total aggregate principal amount not to exceed \$13 million and to make the Loan for the purpose of financing, refinancing, or reimbursing costs of the Project.

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

(4) The Project is an undertaking in the area of elementary, secondary, and college and university facilities within the meaning of section 490 of the Home Rule Act.

(5) The authorization, issuance, sale, and delivery of the Bonds and the Loan to the Borrower are desirable, are in the public interest, will promote the purpose and intent of section 490 of the Home Rule Act, and will assist the Project.

Sec. 4. Bond authorization.

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

(1) The issuance, sale, and delivery of the Bonds, in one or more series, in an aggregate principal amount not to exceed \$13 million; and

(2) The making of the Loan.

(b) The Mayor is authorized to make the Loan to the Borrower for the purpose of financing, refinancing, or reimbursing the costs of the Project and establishing any fund with respect to the Bonds as required by the Financing Documents.

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

Sec. 5. Bond details.

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

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

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- (2) The principal amount of the Bonds to be issued and denominations of the Bonds;
- (3) The rate or rates of interest or the method for determining the rate or rates of interest on the Bonds;
- (4) The date or dates of issuance, sale, and delivery of, and the payment of interest on the Bonds, and the maturity date or dates of such Bonds;
- (5) The terms under which the Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;
- (6) Provisions for the registration, transfer, and exchange of the Bonds and the replacement of mutilated, lost, stolen, or destroyed Bonds;
- (7) The creation of any reserve fund, sinking fund, or other fund with respect to the Bonds;
- (8) The time and place of payment of the Bonds;
- (9) Procedures for monitoring the use of the proceeds received from the sale of the Bonds to ensure that the proceeds are properly applied to the Project and used to accomplish the purposes of the Home Rule Act and this resolution;
- (10) Actions necessary to qualify the Bonds under blue sky laws of any jurisdiction where the Bonds are marketed; and
- (11) The terms and types of credit enhancement under which the Bonds may be secured.
- (b) The Bonds shall contain a legend, which shall provide that the Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve, the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.
- (c) The Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District by the Secretary manual or facsimile signature. The Mayor execution and delivery of the Bonds shall constitute conclusive evidence of the Mayor approval, on behalf of the District, of the final form and content of the Bonds.
- (d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the Bonds.
- (e) The Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee to be selected by the Borrower subject to the approval of the Mayor, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.
- (f) The Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

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## Sec. 6. Sale of the Bonds.

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

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

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

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

## Sec. 7. Payment and security.

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

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

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

## Sec. 8. Financing and Closing Documents.

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

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

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

(d) The Mayor execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents, including those Financing Documents and Closing Documents to which the District is not a party.

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

Sec. 9. Authorized delegation of authority.

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

Sec. 10. Limited liability.

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

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

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

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

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

(f) No person, including, but not limited to, the Borrower and any Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District to perform any covenant, undertaking, or obligation under this resolution, the Bonds, the Financing Documents, or the Closing Documents, nor as a result of the incorrectness of any representation in or omission

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from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 11. District officials.

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

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

Sec. 12. Maintenance of documents.

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

Sec. 13. Information reporting.

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

Sec. 14. Disclaimer.

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

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

(c) The District, by adopting this resolution or by taking any other action in connection with financing, refinancing, or reimbursing costs of the Project, does not provide any assurance that the Project is viable or sound, that the Borrower is financially sound, or that amounts owing on the Bonds or pursuant to the Loan will be paid. Neither the Borrower, any purchaser of the Bonds, nor any other person shall rely upon the District with respect to these matters.

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Sec. 15. Expiration.

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

Sec. 16. Severability.

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

Sec. 17. Compliance with public approval requirement.

This approval shall constitute the approval required by section 147 (f) of the Internal Revenue Code of 1986, as amended and section 490(k) of the Home Rule Act, by the Council of the Project to be financed, refinanced, or reimbursed with the proceeds of such Bonds. This resolution approving the issuance of Bonds for the Project has been adopted by the Council after a public hearing held at least 14 days after publication of notice in a newspaper of general circulation in the District.

Sec. 18. Transmittals.

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

Sec. 19. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-113

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to permit the District of Columbia Board of Elections and Ethics to waive, for good cause, the deadline by which the names of nominees for presidential electors must be filed.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Presidential Elector Deadline Waiver Emergency Declaration Resolution of 2003".

Sec. 2. (a) There exists an emergency regarding the deadline by which political parties in the District of Columbia must file the names of nominees for presidential electors, as well as the names of the parties' candidates for the offices of President and Vice-President.

(b) Currently, major political parties in the District of Columbia must file the names of nominees for presidential electors by September 1<sup>st</sup> in presidential election years. The District of Columbia Board of Elections and Ethics ("Board") lacks the ability to waive this statutory deadline.

(c) This situation may pose a hardship for those political parties whose candidates for presidential electors are not named in time for their local committees to complete and submit the requisite filings.

(d) The Presidential Elector Deadline Waiver Emergency Amendment Act of 2003 redresses this condition by allowing the Board to waive the statutory deadline in instances where good cause is demonstrated.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances, making it necessary that the Presidential Elector Deadline Waiver Emergency Amendment Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

15-114

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to revise the laws and regulations governing the removal and disposition of abandoned, junk and other unlawfully parked or stored vehicles on public space or private property by reducing the time periods for the removal and disposition of such vehicles, streamlining the notice process, clarifying the procedures for reclaiming such vehicles, and providing for criminal penalties for persons who repeatedly place such vehicles on public space or private property.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Removal and Disposition of Abandoned, Dangerous and Other Unlawfully Parked Vehicles Reform Emergency Declaration Resolution of 2003".

Sec. 2. (a) Pursuant to the District of Columbia Abandoned and Junk Vehicle Removal Amendment Act of 1989, effective September 9, 1989 (D.C. Law 8-24; D.C. Official Code §50-2402), the Department of Public Works is responsible for the removal of any abandoned or junk vehicle from any public or private property.

(b) Over the past year, the District has been deluged with abandoned, junk, and dangerous vehicles dumped in alleys, streets, parks, schoolyards, and businesses, reaching into every commercial sector and neighborhood across the city.

(c) Historically, it has been shown that 93% of vehicles that are dumped in the District are never reclaimed by their owners—they are being dumped with no intention of ever returning for them.

(d) Many of these dumped vehicles then become breeding grounds for vermin, trash dumping, crime, drugs, prostitution, and other illicit activities.

(e) The dumped vehicles occupy precious parking space, erode property values, and blight throughout the District.

(f) District law establishes that these vehicles can be removed, impounded and then auctioned, if not reclaimed by their owners. However, the timeframe required before the Department of Public Works can lawfully remove the vehicle is excessive if the District seeks to rid itself of this plague of junk and often-dangerous vehicles.

(g) As a means of ameliorating this problem, it is immediately necessary to empower the Department of Public Works to more effectively combat vehicle dumping by granting it the authority to quickly remove classes of vehicles that are junk or dangerous, and to more quickly auction or dispose of them, rather than storing them in excess of 45 days, establish defined timeframes for the removal and disposal of each type of vehicle and establish civil and criminal penalties for vehicle dumping, for both individuals and businesses.

**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 Removal and Disposition of Abandoned, Junk and Other Unlawfully Parked Vehicles Reform Emergency Act of 2003 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-115

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to approve legislative measures necessary to support action taken on the District's Fiscal Year 2004 proposed budget.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fiscal Year 2004 Budget Support Emergency Declaration Resolution of 2003".

Sec. 2. (a) On May 6, 2003, the Council passed the Fiscal Year 2004 Budget Request Act (Enrolled version of Bill 15-214).

(b) On June 3, 2003, the Council passed on second reading the Fiscal Year 2004 Budget Support Act of 2003 (Enrolled version of Bill 15-218), which contains the programmatic changes needed to implement the Fiscal Year 2004 Budget and Financial Plan.

(c) Bill 15-218 shall be submitted to Congress for a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(2)).

(d) There are time sensitive provisions in Bill 15-218 that need to be implemented immediately and other provisions that need to be implemented on October 1, 2003.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Fiscal Year 2004 Budget Support Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-116

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to provide an exemption from sales and use taxes related to the renovation and operation of the Lincoln Square Theater.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Lincoln Square Theater Sales and Use Tax Exemption Emergency Declaration Resolution of 2003".

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

(1) Silver Cinema Acquisition Company (the "Prospective Developer and Operator") has requested that the District of Columbia ("District") provide a 5-year exemption from sales and use taxes on sales of tangible personal property that will be incorporated into or consumed in renovating, equipping, and operating a theater located in lot 22, square 347 in the District.

(2) A temporary exemption from sales and use taxes would contribute to the economic success of the theater.

(3) The development and operation of a motion picture theater at Lincoln Square would provide social and economic benefits that would contribute to the creation of a living downtown in the District.

(4) To complete the project by the end of 2003, it is essential that this matter be acted on immediately.

Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary the Lincoln Square Theater Sales and Use Tax Exemption Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-117

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to approve the acceptance and use of grants not included in the ceiling of the District of Columbia Appropriations Act, 2003.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "June Budget Modifications for FY 2003 Grant Funds Emergency Declaration Resolution of 2003".

Sec. 2. (a) Compliance with federal law established by section 119 of the District of Columbia Appropriations Act, 2003, approved February 20, 2003 (Pub. Law 108-7; 117 Stat. 11), requires Council approval within 15 calendar days after a request for acceptance and use of grants not included in the ceiling of the FY 2003 appropriation for the District of Columbia.

(b) Grant requests have been submitted that are not included in the FY 2003 appropriations ceiling. These grants must be approved by the Council expeditiously.

Sec.3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the June Budget Modifications for FY 2003 Grant Funds Approval Emergency Act of 2003 be adopted after a single reading.

Sec.4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

15-118

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to approve the proposed compensation system changes submitted by the Mayor for employees covered under Compensation Units 1 and 2.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Units 1 and 2 Compensation System Changes Emergency Declaration Resolution of 2003".

Sec. 2. (a) Article 1, section 4(B) of the Compensation Agreement between the District of Columbia and Compensation Units 1 and 2 Approval Resolution of 2001 (Agreement), effective October 16, 2001 (Res. 14-226; 48 DCR 9679), provides that during Fiscal Year 2003 the District government will invest the equivalent of a minimum 1% in the aggregate salaries for the bargaining unit toward further compensation reform and that the joint labor-management committee shall continue to work together to develop this reform, which is intended to strengthen the District's market competitiveness as an employer and to improve administrative efficiency.

(b) The Compensation Units 1 and 2 Labor-Management Compensation and Classification Reform Task Force authorized a pay comparability survey, which revealed that the District government is not market competitive with compensation prevailing in large jurisdictions in the Washington, D.C. Standard Metropolitan Statistical Area ("SMSA").

(c) It typically takes a District government employee covered under Compensation Unit 1 a total of 18 years to progress from the minimum to the maximum rate of a grade on a salary schedule, compared to the progression of nearly 14 years prevailing in the large jurisdictions in the SMSA.

(d) The range of 17% provided to an employee covered under Compensation Unit 2 in progressing from the minimum to the maximum rate of a grade on a wage service pay schedule is low when compared to the average range of 49% to 62% for comparable positions in the large jurisdictions in the SMSA.

(e) The proposed changes are designed to increase market competitiveness with the large jurisdictions in the SMSA. Furthermore, there is an imminent need to approve these changes to the compensation system in order to implement the provisions in the Agreement for Fiscal Year 2003.

Sec. 3. The Mayor proposes:

- (1) A change to the compensation system to provide a 14-year progression for advancement from the minimum to the maximum rate of a grade for employees covered under Compensation Unit 1;
- (2) In the case of an employee covered under Compensation Unit 1 who, as of the

ENROLLED ORIGINAL

approval date of this compensation system change is at a step 10, the maximum rate of the grade, a one-time, non-recurring payment equivalent to 3% of the employee's rate of basic pay;

(3) A compensation system change to add a step 6 to each grade on the wage service pay schedules; and

(4) A change to the waiting period for advancement within steps for employees covered under Compensation Unit 2.

Sec. 4. The Council of the District of Columbia determines that the circumstances enumerated in sections 2 and 3 constitute emergency circumstances making it necessary that the Compensation Units 1 and 2 Compensation System Changes Emergency Approval Resolution of 2003 be adopted after a single reading.

Sec. 5. This resolution shall take effect immediately.

ENROLLED ORIGINAL

## A RESOLUTION

15-119

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To approve, on an emergency basis, the proposed compensation system changes submitted by the Mayor for employees covered under Compensation Units 1 and 2, and to provide for a one-time, non-recurring payment to eligible Compensation Unit 1 employees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Units 1 and 2 Compensation System Changes Emergency Approval Resolution of 2003".

Sec. 2. (a) Pursuant to sections 1105 and 1106 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 §§ 1-611.05 and 1-611.06), and in accordance with Article 1, section 4(B) of the Compensation Agreement between the District of Columbia and Compensation Units 1 and 2 Approval Resolution of 2001, effective October 16, 2001 (Res. 14-226; 48 DCR 9679), the Council approves the following proposed compensation system changes, as recommended by the Mayor for employees covered under Compensation Units 1 and 2:

(1) The waiting periods for step advancement for Compensation Unit 1 employees with a prearranged regularly scheduled tour of duty are approved as follows:

(A) Steps 2, 3, 4 and 5: fifty-two (52) calendar weeks of creditable service;

(B) Steps 6, 7, 8, 9 and 10: one hundred and four (104) calendar weeks of creditable service.

(2) A Compensation Unit 1 full-time employee with a prearranged regularly scheduled tour of duty who is at the maximum rate of step 10 and who was on the employment rolls of the District government on the effective date of this resolution shall be eligible for a one-time, non-recurring payment equivalent to 3% of the employee's rate of basic pay.

(3) Changes to the waiting periods for advancement to the following steps for Compensation Unit 2 employees with a prearranged regularly scheduled tour of duty as follows:

(A) Steps 2 and 3: fifty-two (52) calendar weeks of creditable service;

and

(B) Steps 4, 5 and 6: one hundred and four (104) calendar weeks of creditable service.

(4) A step 6 shall be added to each grade on the wage service pay schedules for Compensation Unit 2 employees as follows:

# Salary Schedules

Effective date: 6/29/2003 FY: 2003

Occupational Group(s): Maintenance/Trades/Labor Occupation Group – MTL2

Union/NonUnion: Union

Service Code(s): B01, B02

Compensation Unit: 1 and 2

Job Series: 02604 02805 03502 03566 03653  
 03753 03809 04204 04607 04701  
 04749 05001 05042 05201 05301  
 05306 05402 05703 05803 05823  
 06904 07404

% Increase:

Pay Plan (DS/WG): LW

Resolution Number:

Date of Resolution:

Schedule ID: X08

4901

Grade	Step										Between Steps	
	1	2	3	4	5	6	7	8	9	10		
02	\$24,824.39	\$25,853.87	\$26,883.36	\$27,912.83	\$28,965.71	\$30,014.40						\$1,035.33
02	\$11.93	\$12.43	\$12.92	\$13.42	\$13.93	\$14.43						\$0.50
03	\$26,813.16	\$27,936.22	\$29,059.28	\$30,182.35	\$31,282.01	\$32,401.20						\$1,117.21
03	\$12.89	\$13.43	\$13.97	\$14.51	\$15.04	\$15.58						\$0.54
04	\$28,755.13	\$29,948.38	\$31,141.64	\$32,334.89	\$33,551.54	\$34,751.60						\$1,199.10
04	\$13.82	\$14.40	\$14.97	\$15.55	\$16.13	\$16.71						\$0.58
05	\$30,603.51	\$31,866.94	\$33,130.40	\$34,417.24	\$35,680.68	\$36,940.80						\$1,269.29
05	\$14.71	\$15.32	\$15.93	\$16.55	\$17.15	\$17.76						\$0.61
06	\$32,592.27	\$33,949.29	\$35,306.34	\$36,663.36	\$38,020.40	\$39,379.60						\$1,357.03
06	\$15.67	\$16.32	\$16.97	\$17.63	\$18.28	\$18.93						\$0.65
07	\$34,604.42	\$36,055.04	\$37,505.67	\$38,932.90	\$40,382.62	\$41,813.20						\$1,444.55
07	\$16.64	\$17.33	\$18.03	\$18.72	\$19.41	\$20.10						\$0.69
08	\$36,686.77	\$38,207.58	\$39,728.41	\$41,272.61	\$42,793.43	\$44,309.20						\$1,526.67
08	\$17.64	\$18.37	\$19.10	\$19.84	\$20.57	\$21.30						\$0.73
09	\$38,488.35	\$40,102.75	\$41,717.16	\$43,308.16	\$44,922.57	\$46,540.00						\$1,608.56
09	\$18.50	\$19.28	\$20.06	\$20.82	\$21.60	\$22.38						\$0.78
10	\$40,500.50	\$42,185.10	\$43,869.70	\$45,554.29	\$47,238.89	\$48,921.60						\$1,684.60
10	\$19.47	\$20.28	\$21.09	\$21.90	\$22.71	\$23.52						\$0.81
11	\$42,465.86	\$44,244.04	\$46,022.24	\$47,777.02	\$49,555.21	\$51,313.60						\$1,772.34
11	\$20.42	\$21.27	\$22.13	\$22.97	\$23.82	\$24.67						\$0.85
12	\$44,337.64	\$46,186.02	\$48,034.40	\$49,882.77	\$51,731.14	\$53,575.60						\$1,848.38
12	\$21.32	\$22.20	\$23.09	\$23.98	\$24.87	\$25.76						\$0.89
13	\$46,326.39	\$48,268.37	\$50,210.33	\$52,128.90	\$54,070.86	\$56,019.60						\$1,936.12
13	\$22.27	\$23.21	\$24.14	\$25.06	\$26.00	\$26.93						\$0.93
14	\$48,338.56	\$50,350.71	\$52,362.88	\$54,375.03	\$56,387.18	\$58,401.20						\$2,012.16
14	\$23.24	\$24.21	\$25.17	\$26.14	\$27.11	\$28.08						\$0.97

# Salary Schedules

Effective date: 6/29/2003 FY: 2003

Union/NonUnion: Union

Compensation Unit: 1 and 2

% Increase:

Pay Plan (DS/WG): RW

Resolution Number:

Date of Resolution:

Schedule ID: X07

Occupational Group(s): Maintenance/Trades/Labor Occupation Group - MTL1

Service Code(s): B01, B05

Job Series: 00000 02604 02805 03414 03501 05704 05705 05706 05716 05725  
 03502 03566 03603 03605 03610 05801 05803 05805 05806 05823  
 03653 03703 03801 03806 03809 06709 06904 06907 07404 07408  
 03817 03901 04102 04104 04204  
 04206 04417 04605 04607 04701  
  
 04737 04740 04749 04801 04803  
 04805 05001 05003 05026 05042  
 05201 05301 05306 05309 05313  
 05323 05352 05401 05402 05424  
 05430 05439 05450 05701 05703

4902

Grade	Step										Between Steps	
	1	2	3	4	5	6	7	8	9	10		
02	\$22,742.04	\$23,712.14	\$24,660.63	\$25,596.51	\$26,555.79	\$27,518.40						\$953.44
02	\$10.93	\$11.40	\$11.86	\$12.31	\$12.77	\$13.23						\$0.46
03	\$24,473.44	\$25,502.92	\$26,532.40	\$27,538.46	\$28,567.95	\$29,577.60						\$1,023.63
03	\$11.77	\$12.26	\$12.76	\$13.24	\$13.73	\$14.22						\$0.49
04	\$26,251.62	\$27,351.29	\$28,563.44	\$29,550.63	\$30,626.90	\$31,709.60						\$1,093.82
04	\$12.62	\$13.15	\$13.73	\$14.21	\$14.72	\$15.25						\$0.53
05	\$28,029.82	\$29,188.42	\$30,369.53	\$31,539.39	\$32,709.25	\$33,888.40						\$1,169.86
05	\$13.48	\$14.03	\$14.60	\$15.16	\$15.73	\$16.29						\$0.56
06	\$29,737.80	\$30,977.86	\$32,217.90	\$33,457.95	\$34,698.01	\$35,932.00						\$1,240.05
06	\$14.30	\$14.89	\$15.49	\$16.09	\$16.68	\$17.28						\$0.60
07	\$31,656.37	\$32,966.62	\$34,276.86	\$35,610.49	\$36,920.74	\$38,235.60						\$1,316.09
07	\$15.22	\$15.85	\$16.48	\$17.12	\$17.75	\$18.38						\$0.63
08	\$33,411.16	\$34,815.00	\$36,218.82	\$37,599.24	\$39,003.08	\$40,398.80						\$1,397.98
08	\$16.06	\$16.74	\$17.41	\$18.08	\$18.75	\$19.42						\$0.67
09	\$35,142.55	\$36,582.83	\$38,045.16	\$39,507.48	\$41,015.25	\$42,484.00						\$1,468.18
09	\$16.90	\$17.59	\$18.29	\$18.99	\$19.72	\$20.43						\$0.71
10	\$36,944.14	\$38,488.35	\$40,032.55	\$41,576.77	\$43,097.59	\$44,636.80						\$1,538.36
10	\$17.76	\$18.50	\$19.25	\$19.99	\$20.72	\$21.46						\$0.74
11	\$38,745.71	\$40,360.12	\$41,974.52	\$43,588.94	\$45,203.33	\$46,810.40						\$1,614.41
11	\$18.63	\$19.40	\$20.18	\$20.96	\$21.73	\$22.51						\$0.78
12	\$40,500.50	\$42,185.10	\$43,869.70	\$45,554.29	\$47,238.89	\$48,921.60						\$1,684.60
12	\$19.47	\$20.28	\$21.09	\$21.90	\$22.71	\$23.52						\$0.81
13	\$42,208.50	\$43,963.29	\$45,718.08	\$47,472.86	\$49,227.65	\$50,991.20						\$1,754.79
13	\$20.29	\$21.14	\$21.98	\$22.82	\$23.67	\$24.52						\$0.85

DISTRICT OF COLUMBIA REGISTER

JUN 20 2003 ENROLLED ORIGINAL

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(b) The proposed compensation system changes shall not be applicable to employees of the District of Columbia Board of Education, the Board of Trustees of the University of the District of Columbia and the Department of Mental Health.

Sec. 3. Applicability.

The compensation system changes enumerated in section 2 shall be effective as of June 29, 2003.

Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement 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. The Secretary to the Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the Office of the Mayor.

Sec. 6. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-120

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to detail the purpose for the expenditure of reserve funds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "June Use of the Reserve Emergency Declaration Resolution of 2003".

Sec. 2. (a) Section 113 of the District of Columbia Appropriations Act, 2002, approved December 21, 2001 (Pub. L. No. 107-96; 115 Stat. 923), requires that reserve funds be obligated or expended in accordance with laws enacted by the Council.

(b) The \$33.5 million from the fiscal year 2003 budgeted reserves shall be made available for use by the Department of Health for the Health Care Safety Net.

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 June Use of the Reserve Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

15-121

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to provide Council comments on the National Park Service's Draft General Management Plan for Rock Creek Park.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on the National Park Service's Draft General Management Plan for Rock Creek Park Emergency Declaration Resolution of 2003".

Sec. 2. (a) There exists an immediate need for the Council to provide timely comments on proposals by the National Park Service that will affect the management, operation, and uses of Rock Creek Park -- a vital open space, recreation, and transportation resource within the District of Columbia.

(b) The National Park Service ("NPS") in March 2003 released a draft general management plan and environmental impact statement that analyzes alternatives, one or a combination of which will be selected to guide management of Rock Creek Park for the next 15 to 20 years.

(c) The uses to which Rock Creek Park will be put in the future is an issue of vital concern to the citizens of the District of Columbia.

(d) The deadline for submission of comments on the NPS's proposed alternatives for Rock Creek Park is July 15, 2003, which creates an urgency for the Council to provide timely comments on this important issue.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense of the Council on the National Park Service's Draft General Management Plan for Rock Creek Park Emergency Resolution of 2003 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

## ENROLLED ORIGINAL

## A RESOLUTION

15-122

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare, on an emergency basis, the sense of the Council on the National Park Service's Draft General Management Plan for Rock Creek Park.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on the National Park Service's Draft General Management Plan for Rock Creek Park Emergency Resolution of 2003".

Sec. 2. The Council finds that:

(1) The National Park Service ("NPS") in March 2003 released a draft general management plan and environmental impact statement that analyzes alternatives, one or a combination of which ultimately will be selected to guide management of Rock Creek Park for the next 15 to 20 years. NPS has invited public comment on the plan until July 15, 2003.

(2) Alternative A, Improved Management of Established Park Uses, would improve visitor safety, better control traffic volumes, and speeds through the park by implementing traffic-calming measures and high-occupancy vehicle ("HOV") restrictions during rush-hour periods in the primary travel direction of the traffic, enhance interpretation and education opportunities, and improve the use of park resources, especially cultural resources. This alternative generally would retain the current scope of visitor uses.

(3) Alternative B, Continue Current Management/No-Action, would continue the current management practices into the future.

(4) Alternative C, Nonmotorized Recreation Emphasis, would eliminate automobile traffic along much of the northern portion of Beach Drive, and better control traffic volumes and speeds elsewhere. Management of resources other than traffic would be the same as in Alternative A.

(5) Alternative D, Mid-Weekday Recreation Enhancement, would eliminate automobile traffic along much of the northern part of Beach Drive from 9:30 a.m. to 3:30 p.m. each weekday, which is the part of Beach Drive currently closed to traffic on weekends and holidays. Management of resources other than traffic would be the same as Alternative A. Alternative D is the National Park Service's preferred alternative.

(6) Rock Creek Park was established through an act of Congress in 1890 and is

## ENROLLED ORIGINAL

one of the oldest and largest natural urban parks in the United States. The park's urban character is described in the act, which calls for both "a pleasure park or pleasure ground for the benefit and enjoyment of the people," as well as "roadways and bridle paths, to be used for driving and for horseback riding, respectively, and footways for pedestrians."

(7) Rock Creek Park's 1,754 acres annually provide recreation, respite, and educational opportunities for thousands of citizens locally, regionally, and nationally. The park's amenities and attractions, enjoyed by so many, include the National Zoo, Peirce Mill, Klinge Farm, Rock Creek Horse Centre (including the National Center for Therapeutic Riding), National Park Service Nature Center, Brightwood Recreation Area (including the Carter Barron Amphitheater and the tennis stadium), Rock Creek Golf Course, recreation and bridal trails, picnic groves, playground areas, and community gardens.

(8) Rock Creek Park's roadways not only make the scenic vistas of the park readily available to the public, they also serve as major transportation arteries within the District. According to traffic studies conducted for the National Park Service, on an average weekday, approximately 55,000 cars travel on the busiest portion of Rock Creek and Potomac Parkway, and approximately 25,000 cars travel on the busiest portion of Beach Drive.

(9) One scenario proposed by the National Park Service in developing its environmental impact statement would essentially preserve the status quo, maintaining the park as it has evolved thus far, with emphasis on improved maintenance of the current facilities.

(10) Alternate scenarios would greatly alter the present nature and character of the park. The alternatives include changing or eliminating many of the current vehicular access features and placing a greater emphasis on the recreational or urban wilderness aspects of the park.

Sec. 3. (a) It is the sense of the Council that the current management plan for Rock Creek Park, Alternative B, has been greatly successful and has served its many purposes well in benefitting the citizens of the District of Columbia, the region, and the nation.

(b) It is also the sense of the Council that the current traffic management plan for Rock Creek Park, contained in Alternative B, should continue as the preferred policy of the National Park Service because all of the other alternatives currently under consideration include new vehicular restrictions on Rock Creek Park's roadways that would divert substantial traffic to other existing major north-south routes in the city, such as 16th Street, 14th Street, Connecticut Avenue, Massachusetts Avenue, and Wisconsin Avenue, and would considerably overburden these major thoroughfares and their adjacent residential streets. The District is already suffering adverse transportation, economic, and environmental impact from other federally-imposed vehicular traffic restrictions.

(c) However, the Council supports traffic management improvements, outlined in Alternative C, which are designed to increase safety and reduce speeds along Rock Creek's roadways, such as the traffic-calming devices proposed for Beach Drive and the safety

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improvements proposed for the intersection of Beach Drive and Rock Creek and Potomac Parkway.

(d) It is further the sense of the Council that the non-traffic management plan that calls for improved recreational facilities and other park resources, contained in Alternative A, should also be implemented. These improvements would:

- (1) Upgrade some recreational trails and rehabilitate deteriorating segments;
- (2) Rehabilitate the Peirce Mill complex to focus on the history of milling and land use in the area and rehabilitate the Peirce Mill Barn for use in interpretation and education;
- (3) Move the park administrative offices out of the Peirce-Klingbein Mansion at Linnaean Hill to commercial office space outside the park or to a new office facility that would be constructed at the park maintenance yard;
- (4) Rehabilitate the Linnaean Hill complex for adaptive use compatible with park values;
- (5) Move the U.S. Park Police substation out of the Lodge House on Beach Drive at Joyce Road to a commercial space outside the park or to a new park police substation that would be constructed near the existing U.S. Park Police H-3 stables;
- (6) Convert the Lodge House to a visitor contact station to provide park orientation, information, and interpretation; and
- (7) Rehabilitate and expand the nature center and upgrade the planetarium to improve effectiveness of public programs.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Director of the National Park Service and to the Superintendent of Rock Creek Park.

Sec. 5. This resolution shall take effect immediately.

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## A RESOLUTION

15-123

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 3, 2003

To declare the existence of an emergency with respect to the need to prohibit the use of the Master Business License list other than by the District government for official use, to prohibit the District government from releasing Federal Employer Identification numbers and Social Security numbers of persons who apply for a Master Business License except under certain circumstances, and to implement an amnesty program until the enactment of the Master Business License Repeal Act of 2003.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Master Business License Amnesty and Repeal Emergency Declaration Resolution of 2003".

Sec. 2. (a) The Master Business License registration system was developed to assist the government in the protection of the public. It was not designed for the purposes of assisting commercial enterprises from sending unwanted commercial advertising to District of Columbia residents and businesses. Mailing addresses, e-mail addresses, and phone numbers contained in the Master Business License registration database should not be used for improper purposes. The District government should take reasonable steps to protect the Master Business License registration database from misuse; the Master Business License registration database should be used for legitimate public policy purposes. There is an immediate need to clarify that the Master Business License registration database should not be released in a mailing list or telephone list format. However, the database may be used by individuals seeking to obtain information for legitimate public policy purposes.

(b) A Federal Employer Identification number and Social Security number can be used to obtain sensitive information about a person for improper purposes, including criminal purposes. The District government should take reasonable steps to protect the privacy of a person's Federal Employer Identification number and Social Security number. There is a need to clarify that the Department of Consumer and Regulatory Affairs ("DCRA") should not release a person's Federal Employer Identification number or Social Security number except under certain

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circumstances.

(c) The Council approved the Omnibus Regulatory Reform Act in 1998. Pursuant to the Omnibus Regulatory Reform Act, all businesses in the District of Columbia must obtain a Master Business License. DCRA began implementation of the Master Business License program during 2002. The Council has received numerous complaints from residents and business people about the government's implementation of the registration program. The Council extended the deadline for registration until June 30, 2003. Because the Master Business License Repeal Act of 2003 will not be enacted before the June 30, 2003 deadline, it is necessary to extend the deadline for registering until the enactment of the Master Business License Repeal Act of 2003.

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 Master Business License Amnesty and Repeal Emergency Act of 2003 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.