

ENROLLED ORIGINAL

A RESOLUTION

18-31

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To approve the negotiated compensation collective bargaining agreement submitted by the Mayor for Department of Mental Health employees represented by the Washington Area Metal Trades Council, AFL-CIO National Conference of Firemen & Oilers, Service Employees International Union, Local 473, Public Service Employees Union, affiliated with the Laborers International Union of North America, Local 572.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Compensation Collective Bargaining Agreement between the Department of Mental Health and the Washington Area Metal Trades Council, AFL-CIO National Conference of Firemen & Oilers, Service Employees International Union, Local 473, Public Service Employees Union, affiliated with the Laborers International Union of North America, Local 572 Approval Resolution of 2009".

Sec. 2. 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 1-617.17(j)), the Council approves the compensation agreement between the Department of Mental Health and the Washington Area Metal Trades Council, AFL-CIO National Conference of Firemen & Oilers, Service Employees International Union, Local 473, Public Service Employees Union, affiliated with the Laborers International Union of North America, Local 572, which was submitted to the Council by the Mayor on January 30, 2009, and the related salary schedules, which provide as follows:

District of Columbia Government Salary Schedule: WASHINGTON AREA METAL TRADE UNION TABLE



DEPARTMENT OF MENTAL HEALTH											
Fiscal Year:	2008	Service Code Definition:	B01 (Regular)							1	
Effective Date:	September 30 2008	CBU Code:	SEL							1	
Union/Nonunion:	Union	Series:	05703, 04749, 04804, 03803, 02805, 05306							1	
Pay Plan/Schedule:	RW										
Peoplesoft Schedule:											
% Increase:	3.25%										
Resolution Number:	77 Please Insert										
Date of Resolution:	77 Please Insert										
FY08											
Grade	1	2	3	4	5	6	7	8	9	10	Steps
1	\$20,413.40	\$21,127.87	\$21,842.34	\$22,556.81	\$23,271.28	\$23,985.75	\$24,700.22	\$25,414.69	\$26,129.16	\$26,843.63	\$714.47
2	\$23,245.44	\$24,089.03	\$24,872.62	\$25,696.21	\$26,498.80	\$27,313.39	\$28,128.98	\$28,940.57	\$29,754.16	\$30,574.75	\$813.59
3	\$26,077.47	\$26,990.18	\$27,902.89	\$28,815.60	\$29,728.32	\$30,641.03	\$31,553.74	\$32,466.45	\$33,379.16	\$34,291.87	\$912.71
4	\$28,886.11	\$29,897.12	\$30,908.14	\$31,919.15	\$32,930.16	\$33,941.18	\$34,952.19	\$35,963.20	\$36,974.22	\$37,985.23	\$1,011.01
5	\$31,718.14	\$32,828.28	\$33,938.41	\$35,048.55	\$36,158.68	\$37,268.82	\$38,378.95	\$39,489.09	\$40,599.22	\$41,709.35	\$1,110.13
6	\$34,565.56	\$35,668.00	\$36,780.45	\$37,892.89	\$39,005.34	\$40,117.78	\$41,230.23	\$42,342.67	\$43,455.12	\$44,567.56	\$1,209.44
7	\$37,412.98	\$38,515.42	\$39,627.87	\$40,740.31	\$41,852.75	\$42,965.19	\$44,077.64	\$45,190.08	\$46,302.52	\$47,414.96	\$1,308.75
8	\$40,260.40	\$41,362.84	\$42,475.28	\$43,587.72	\$44,699.16	\$45,811.60	\$46,923.04	\$48,034.48	\$49,145.92	\$50,257.36	\$1,408.06
9	\$43,107.82	\$44,210.26	\$45,322.70	\$46,435.14	\$47,547.58	\$48,660.02	\$49,772.46	\$50,884.90	\$51,996.84	\$53,108.78	\$1,507.37
10	\$45,955.24	\$47,057.68	\$48,170.12	\$49,282.56	\$50,394.99	\$51,507.43	\$52,619.87	\$53,732.31	\$54,844.75	\$55,957.19	\$1,606.68
11	\$48,802.66	\$49,905.10	\$51,017.54	\$52,129.98	\$53,242.42	\$54,354.86	\$55,467.30	\$56,579.74	\$57,692.18	\$58,804.62	\$1,706.00
12	\$51,650.08	\$52,752.52	\$53,864.96	\$54,977.40	\$56,089.84	\$57,202.28	\$58,314.72	\$59,427.16	\$60,539.60	\$61,652.04	\$1,805.31
13	\$54,497.50	\$55,599.94	\$56,712.38	\$57,824.82	\$58,937.26	\$60,049.70	\$61,162.14	\$62,274.58	\$63,386.99	\$64,499.43	\$1,904.63
14	\$57,344.92	\$58,447.36	\$59,559.80	\$60,672.24	\$61,784.68	\$62,897.12	\$64,009.56	\$65,121.99	\$66,234.43	\$67,346.87	\$2,003.94
15	\$60,192.34	\$61,294.78	\$62,407.22	\$63,519.66	\$64,632.10	\$65,744.54	\$66,856.98	\$67,969.42	\$69,081.86	\$70,194.30	\$2,103.25

Created 11.13.08

District of Columbia Government Salary Schedule: WASHINGTON AREA METAL TRADE UNION TABLE



DEPARTMENT OF MENTAL HEALTH											
Fiscal Year:	2010	Service Code Definition: B01 (Regular)									ET
Effective Date:	September 27 2008										ET
Union/Nonunion:	Union	CBU Code: SEL									ET
Pay Plan/Schedule:	RW	Series: 05703, 04749, 04804, 03603, 02805, 05306									ET
Peoplesoft Schedule:											ET
% Increase:	4.00%										ET
Resolution Number:	?? Please Insert										ET
Date of Resolution:	?? Please Insert										ET
FY10											ET
Grade	1	2	3	4	5	6	7	8	9	10	Between
1	\$22,079.14	\$22,851.91	\$23,624.88	\$24,397.45	\$25,170.22	\$25,942.98	\$26,715.75	\$27,488.52	\$28,261.29	\$28,261.29	\$772.77
2	\$10.61	\$10.99	\$11.36	\$11.73	\$12.10	\$12.47	\$12.84	\$13.22	\$13.59	\$13.59	\$0.37
3	\$25,142.26	\$26,022.24	\$26,902.22	\$27,782.20	\$28,662.18	\$29,542.16	\$30,422.14	\$31,302.12	\$32,182.10	\$32,182.10	\$879.98
4	\$12.08	\$12.51	\$12.93	\$13.36	\$13.78	\$14.20	\$14.63	\$15.05	\$15.47	\$15.47	\$0.42
5	\$28,205.39	\$29,192.58	\$30,179.77	\$31,166.96	\$32,154.15	\$33,141.34	\$34,128.52	\$35,115.71	\$36,102.90	\$36,102.90	\$987.19
6	\$13.56	\$14.03	\$14.51	\$14.98	\$15.46	\$15.93	\$16.41	\$16.88	\$17.36	\$17.36	\$0.47
7	\$31,243.21	\$32,336.73	\$33,430.24	\$34,523.75	\$35,617.26	\$36,710.78	\$37,804.29	\$38,897.80	\$39,991.31	\$39,991.31	\$1,093.51
8	\$15.02	\$15.55	\$16.07	\$16.60	\$17.12	\$17.65	\$18.18	\$18.70	\$19.23	\$19.23	\$0.53
9	\$34,308.34	\$35,507.08	\$36,707.79	\$37,908.51	\$39,109.23	\$40,309.95	\$41,510.67	\$42,711.40	\$43,912.12	\$43,912.12	\$1,200.72
10	\$16.48	\$17.07	\$17.65	\$18.23	\$18.80	\$19.38	\$19.96	\$20.53	\$21.11	\$21.11	\$0.58
11	\$37,158.97	\$38,459.54	\$39,760.10	\$41,060.67	\$42,361.23	\$43,661.79	\$44,962.36	\$46,262.92	\$47,563.49	\$47,563.49	\$1,300.56
12	\$17.86	\$18.49	\$19.12	\$19.74	\$20.37	\$20.99	\$21.62	\$22.24	\$22.87	\$22.87	\$0.63
13	\$39,879.33	\$41,275.10	\$42,670.88	\$44,066.65	\$45,462.43	\$46,858.21	\$48,253.98	\$49,649.76	\$51,045.54	\$51,045.54	\$1,395.78
14	\$19.17	\$19.84	\$20.51	\$21.19	\$21.86	\$22.53	\$23.20	\$23.87	\$24.54	\$24.54	\$0.67
15	\$42,589.68	\$44,090.87	\$45,581.86	\$47,072.64	\$48,563.63	\$50,054.62	\$51,545.61	\$53,036.60	\$54,527.59	\$54,527.59	\$1,490.99
16	\$20.48	\$21.20	\$21.91	\$22.63	\$23.35	\$24.06	\$24.78	\$25.50	\$26.22	\$26.22	\$0.72
17	\$44,870.28	\$46,440.74	\$48,011.20	\$49,581.66	\$51,152.12	\$52,722.58	\$54,293.04	\$55,863.50	\$57,433.96	\$57,433.96	\$1,570.46
18	\$21.57	\$22.33	\$23.08	\$23.84	\$24.59	\$25.35	\$26.10	\$26.86	\$27.61	\$27.61	\$0.76
19	\$47,380.14	\$49,038.44	\$50,696.75	\$52,355.05	\$54,013.35	\$55,671.66	\$57,329.96	\$58,988.27	\$60,646.57	\$60,646.57	\$1,658.30
20	\$22.78	\$23.58	\$24.37	\$25.17	\$25.97	\$26.77	\$27.56	\$28.36	\$29.16	\$29.16	\$0.80
21	\$49,862.38	\$51,607.57	\$53,352.75	\$55,097.94	\$56,843.12	\$58,588.30	\$60,333.49	\$62,078.67	\$63,823.85	\$63,823.85	\$1,745.18
22	\$23.97	\$24.81	\$25.65	\$26.49	\$27.33	\$28.17	\$29.01	\$29.85	\$30.68	\$30.68	\$0.84
23	\$52,397.56	\$54,231.46	\$56,065.37	\$57,899.29	\$59,733.20	\$61,567.12	\$63,401.03	\$65,234.94	\$67,068.86	\$67,068.86	\$1,833.91
24	\$25.19	\$26.07	\$26.95	\$27.84	\$28.72	\$29.60	\$30.48	\$31.36	\$32.24	\$32.24	\$0.88
25	\$54,853.34	\$56,773.21	\$58,693.07	\$60,612.94	\$62,532.81	\$64,452.67	\$66,372.54	\$68,292.41	\$70,212.27	\$70,212.27	\$1,919.87
26	\$28.37	\$27.29	\$28.22	\$29.14	\$30.06	\$30.99	\$31.91	\$32.83	\$33.76	\$33.76	\$0.92
27	\$57,310.28	\$59,316.14	\$61,322.00	\$63,327.86	\$65,333.72	\$67,339.58	\$69,345.44	\$71,351.30	\$73,357.16	\$73,357.16	\$2,005.86
28	\$27.55	\$28.62	\$29.48	\$30.45	\$31.41	\$32.37	\$33.34	\$34.30	\$35.27	\$35.27	\$0.96
29	\$59,818.99	\$61,912.85	\$64,006.72	\$66,099.58	\$68,193.45	\$70,287.31	\$72,381.18	\$74,475.04	\$76,568.91	\$76,568.91	\$2,083.86
30	\$28.76	\$29.77	\$30.77	\$31.78	\$32.79	\$33.79	\$34.80	\$35.81	\$36.81	\$36.81	\$1.01

Created 11.13.08

District of Columbia Government Salary Schedule: METAL TRADES UNION TABLE
Department of Mental Health

Fiscal Year:	2009	Effective Date:	September 28, 2008	Union/Nonunion:	Union	Occupational Group(s):	Maintenance/Trades/Labor	Service Codes:	B01	CBU Codes:	SEL	Job Series:	See additional sheet
Pay Plan Schedule:	LW	Peoplesoft Salary Plan:	WS0034 Leaders	Resolution Number:	?? Please Insert	Date of Resolution:	?? Please Insert						
Schedule ID:	X88	% Increase:	4%										
Grades	1	2	3	4	5	6	7	8	9	10	Between Steps		
FY2009 - Sept 28, 2008	4.00%												
02	\$30,302.84	\$31,356.03	\$32,409.43	\$33,462.83	\$34,516.23	\$35,569.63	\$36,623.02	\$37,676.42	\$38,729.82	\$39,783.22	\$1,053.40		
03	\$32,726.94	\$33,879.24	\$35,031.54	\$36,184.85	\$37,289.15	\$38,433.45	\$39,577.75	\$40,712.05	\$41,851.36	\$42,990.66	\$1,139.30		
04	\$35,087.49	\$36,307.33	\$37,527.16	\$38,747.00	\$39,966.84	\$41,186.67	\$42,406.51	\$43,626.35	\$44,846.18	\$46,066.02	\$1,219.84		
05	\$37,313.48	\$38,611.70	\$39,909.92	\$41,208.15	\$42,506.57	\$43,804.99	\$45,102.82	\$46,401.05	\$47,699.27	\$48,997.49	\$1,298.22		
06	\$39,772.48	\$41,156.61	\$42,540.73	\$43,924.86	\$45,308.99	\$46,693.12	\$48,077.25	\$49,461.38	\$50,845.50	\$52,229.63	\$1,384.13		
07	\$42,233.63	\$43,703.68	\$45,173.69	\$46,643.72	\$48,113.76	\$49,583.79	\$51,053.82	\$52,523.85	\$53,993.89	\$55,463.92	\$1,470.03		
08	\$44,767.80	\$46,324.81	\$47,881.82	\$49,438.83	\$50,995.84	\$52,552.85	\$54,109.86	\$55,666.87	\$57,223.88	\$58,780.89	\$1,557.01		
09	\$48,974.45	\$49,808.78	\$50,243.10	\$51,877.43	\$53,511.75	\$55,148.07	\$56,780.40	\$58,414.72	\$60,049.04	\$61,683.37	\$1,634.32		
10	\$49,411.98	\$51,131.13	\$52,850.29	\$54,569.44	\$56,288.60	\$58,007.75	\$59,726.90	\$61,446.06	\$63,185.21	\$64,884.37	\$1,719.15		
11	\$51,804.41	\$53,807.32	\$55,410.23	\$57,213.14	\$59,016.05	\$60,818.96	\$62,621.87	\$64,424.78	\$66,227.69	\$68,030.60	\$1,802.91		
12	\$54,106.63	\$55,989.01	\$57,871.38	\$59,753.75	\$61,636.12	\$63,518.49	\$65,400.86	\$67,283.23	\$69,165.61	\$71,047.98	\$1,882.37		
13	\$56,547.38	\$58,513.51	\$60,479.64	\$62,445.77	\$64,411.89	\$66,378.02	\$68,344.15	\$70,310.28	\$72,276.40	\$74,242.53	\$1,968.13		
13	\$27.19	\$28.13	\$29.08	\$30.02	\$30.97	\$31.91	\$32.86	\$33.80	\$34.75	\$35.69	\$0.94		
Comparable to Union Comp 162 X06 Maintenance/Trades/Labor													

District of Columbia Government Salary Schedule: METAL TRADES UNION TABLE
Department of Mental Health

Fiscal Year:	2010										
Effective Date:	September 27, 2009										
Union/Nonunion:	Union										
Pay Plan Schedule:	LW										
Peoplesoft Salary Plan:	WSS0034 Leaders										
Schedule ID:	X88										
% Increase:	4%										
Resolution Number:	?? Please Insert										
Date of Resolution:	?? Please Insert										
Grade	1	2	3	4	5	6	7	8	9	10	Between Steps
Step											
Rate	4.00%										
02	\$31,514.74	\$32,610.28	\$33,705.81	\$34,801.34	\$35,896.88	\$36,992.41	\$38,087.94	\$39,183.48	\$40,279.01	\$41,374.54	\$1,095.53
03	\$15.15	\$15.68	\$16.20	\$16.73	\$17.25	\$17.79	\$18.31	\$18.84	\$19.36	\$19.89	\$0.52
04	\$34,046.42	\$35,231.29	\$36,416.17	\$37,601.04	\$38,785.91	\$39,970.79	\$41,155.66	\$42,340.54	\$43,525.41	\$44,710.28	\$1,184.87
05	\$16.37	\$16.94	\$17.51	\$18.08	\$18.65	\$19.22	\$19.79	\$20.36	\$20.93	\$21.50	\$0.57
06	\$36,490.99	\$37,759.62	\$39,028.25	\$40,296.88	\$41,565.51	\$42,834.14	\$44,102.77	\$45,371.40	\$46,640.03	\$47,908.66	\$1,268.63
07	\$17.54	\$18.16	\$18.78	\$19.38	\$19.98	\$20.59	\$21.21	\$21.81	\$22.42	\$23.04	\$0.61
08	\$38,806.02	\$40,156.17	\$41,506.32	\$42,856.47	\$44,206.62	\$45,556.78	\$46,906.93	\$48,257.09	\$49,607.24	\$50,957.39	\$1,350.15
09	\$18.66	\$19.31	\$19.96	\$20.60	\$21.25	\$21.90	\$22.55	\$23.21	\$23.85	\$24.50	\$0.65
10	\$41,363.38	\$42,802.87	\$44,242.36	\$45,681.86	\$47,121.35	\$48,560.84	\$50,000.34	\$51,439.83	\$52,879.32	\$54,318.82	\$1,439.49
11	\$19.89	\$20.58	\$21.27	\$21.97	\$22.66	\$23.35	\$24.04	\$24.74	\$25.42	\$26.11	\$0.68
12	\$43,922.97	\$45,451.81	\$46,980.64	\$48,509.47	\$50,038.31	\$51,567.14	\$53,095.97	\$54,624.81	\$56,153.64	\$57,682.47	\$1,528.63
13	\$21.12	\$21.85	\$22.59	\$23.32	\$24.05	\$24.78	\$25.53	\$26.27	\$27.01	\$27.73	\$0.74
14	\$46,558.51	\$48,177.80	\$49,797.09	\$51,416.38	\$53,035.67	\$54,654.96	\$56,274.25	\$57,893.54	\$59,512.83	\$61,132.12	\$1,618.28
15	\$22.36	\$23.16	\$23.94	\$24.72	\$25.50	\$26.28	\$27.06	\$27.83	\$28.61	\$29.39	\$0.78
16	\$48,853.43	\$50,563.13	\$52,272.83	\$53,982.52	\$55,692.22	\$57,401.92	\$59,111.61	\$60,821.31	\$62,531.01	\$64,240.70	\$1,699.70
17	\$23.49	\$24.30	\$25.13	\$25.94	\$26.76	\$27.57	\$28.38	\$29.20	\$30.03	\$30.84	\$0.82
18	\$51,388.46	\$53,176.38	\$54,964.30	\$56,752.22	\$58,540.14	\$60,328.06	\$62,115.98	\$63,903.90	\$65,691.82	\$67,479.74	\$1,787.82
19	\$24.70	\$25.56	\$26.42	\$27.28	\$28.14	\$29.00	\$29.86	\$30.72	\$31.58	\$32.44	\$0.86
20	\$53,876.58	\$55,751.61	\$57,626.64	\$59,501.66	\$61,376.69	\$63,251.72	\$65,126.74	\$67,001.77	\$68,876.80	\$70,751.82	\$1,875.03
21	\$25.90	\$26.80	\$27.71	\$28.61	\$29.50	\$30.41	\$31.31	\$32.21	\$33.11	\$34.02	\$0.90
22	\$56,270.90	\$58,228.57	\$60,186.23	\$62,143.90	\$64,101.56	\$66,059.23	\$68,016.90	\$69,974.56	\$71,932.23	\$73,889.90	\$1,957.67
23	\$27.06	\$28.00	\$28.94	\$29.87	\$30.82	\$31.76	\$32.70	\$33.64	\$34.58	\$35.52	\$0.94
24	\$58,809.26	\$60,854.05	\$62,898.82	\$64,943.60	\$66,988.37	\$69,033.14	\$71,077.91	\$73,122.68	\$75,167.46	\$77,212.23	\$2,044.77
25	\$28.28	\$29.26	\$30.24	\$31.22	\$32.21	\$33.19	\$34.17	\$35.16	\$36.14	\$37.12	\$0.98

Comparable to Union Comp 182 X06 Maintenance/Trades/Labor
Created 11.13.08

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

The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Washington Area Metal Trades Council, AFL-CIO National Conference of Firemen & Oilers, Service Employees International Union, Local 473, Public Service Employees Union, affiliated with the Laborers International Union of North America, Local 572, and 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. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-32

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To approve the small area action plan submitted by the Mayor to the Council for the Brookland/CUA Metro Station area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Brookland/CUA Metro Station Small Area Plan Approval Resolution of 2009".

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 on December 11, 2008, the proposed Brookland/CUA Metro Station Small Area Plan ("Plan"), dated December 2008.

Sec. 3. The Council finds that:

(1) The planning area of the Plan is located in Ward 5 and includes the neighborhood of Brookland. The planning area is generally bound by Taylor Street on the north, 13th Street on the east, Rhode Island Avenue on the south, and 7th Street to Michigan Avenue to John McCormack Road on the west.

(2) The Plan was initiated in August 2006 by the Office of Planning as an action item for the Upper Northeast Area Element of the District of Columbia Comprehensive Plan.

(3) With particular emphasis on the area along 10th Street, N.E., and east of 10th Street, N.E., the goal of the Plan is to guide future development in the station vicinity in a manner that respects the low-density scale of the nearby residential area, mitigates parking and traffic impacts, and improves connections to nearby institutions and shopping areas.

(4) The District of Columbia Comprehensive Plan recommends capitalizing on the presence of a metro station to provide new transit-oriented housing, community services, and jobs. The District will coordinate with the Washington Metropolitan Transit Authority ("WMATA") to ensure that the design, density, and type of housing of other proposed development at the metro station is compatible with surrounding neighborhoods, respects community concerns and feedback, serves households of varying incomes, and mitigates the impact on parking, traffic, and public services.

(5) The Plan also provides guidance on the future use of vacant land, the

ENROLLED ORIGINAL

buffering of existing development, the upgrading of pedestrian connections to Catholic University and 12th Street, the provision of additional open space and community facilities in the area, and on urban design and transportation improvements. Additionally, the Plan provides that community partners, such as Catholic University and CSX Corporation, are involved in this process.

(6) The Plan was published and made available to the public on August 31, 2008, and a public hearing was conducted on September 30, 2008.

(7) The purpose of the Plan is to guide the growth, development, and revitalization of underutilized areas within a quarter mile or ten minute walk of the Brookland/CUA Metro Station.

(8) The Plan uses specific land use analysis and incorporates the broadest range of planning techniques, such as an existing conditions analysis, an historic and cultural resource assessment, a market conditions analysis, a transportation analysis and a supplemental analysis of the feasibility of decking over the CSX and WMATA rail lines. These analyses and assessments resulted in the development of practical solutions, recommendations, and an implementation strategy to achieve the District's purpose and goals for the planning area.

(9) The Plan seeks to address under utilized areas in and surrounding the metro station that are within a quarter of a mile of the station. These sub-areas include the station itself, Monroe Street between Michigan Avenue and 12th Street, 12th Street, and the commercial areas north and south of the station along the CSX rail line. The Plan outlines strategies to apply guiding principles developed through a community planning process to put the neighborhood concepts into a physical framework plan. These guiding principles are grouped into 4 categories:

- (A) Land use and neighborhood character;
- (B) Economic development and neighborhood amenities;
- (C) Transportation, walkability, and connectivity; and
- (D) Green space, open space, and the environment.

(10) The Plan defines near and mid-term strategies for revitalization and articulates broad development goals, urban design, and definitive priority actions considered critical to the revitalization of the Brookland/CUA Metro Station area.

(11) The Plan will also 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.

ENROLLED ORIGINAL

A RESOLUTION

18-33

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To approve the small area action plan submitted by the Mayor to the Council for the Riggs Road and South Dakota Avenue area.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Riggs Road and South Dakota Avenue Area Development Plan Approval Resolution of 2009".

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 on January 14, 2009, the proposed Riggs Road and South Dakota Avenue Area Development Plan ("Plan"), dated December 2008.

Sec. 3. The Council finds that:

(1) The planning area is located in Wards 4 and 5 and includes all properties within a quarter-mile radius of the Riggs Road, N.E., and South Dakota Avenue, N.E., intersection.

(2) The Plan was initiated by the Office of Planning in October 2006 as a follow-up to the completion of the 2005 South Dakota/Riggs Community handbook.

(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 and Ward 5 Councilmembers.

(4) The Plan was published and made available to the public on October 9, 2008, and a public hearing was conducted on November 13, 2008.

(5) The purpose of the Plan is to establish a strategic approach to redevelop 6 currently underutilized areas surrounding the Fort Totten Metro Station and the Riggs Road, N.E., and South Dakota Avenue, N.E., intersection. The Plan will guide the transformation of the area into a dynamic neighborhood center, offering residents improved retail choices, better services, and a variety of housing options, which will be supported by safer and interconnected multi-modal travel options.

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(6) The Plan recommends specific land use changes and incorporates the broadest range of planning techniques and practical solutions to achieve the District's purpose and goals for the planning area.

(7) The Plan defines short-, mid-, and long-term strategies for revitalization and definitive priority actions considered critical to the revitalization of the Riggs Road, N.E., and South Dakota Avenue, N.E., area. The Plan provides specific recommendations to address community development issues related to urban design and land use, economic development and housing, the public realm and community safety, and parks and open space.

(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.

ENROLLED ORIGINAL

A RESOLUTION

18-34

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To approve the borrowing of funds by the Mayor, through the Chief Financial Officer, through the issuance and sale of bonds in an aggregate principal amount not to exceed \$325 million as either income tax secured revenue bonds or general obligation bonds.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as "Fiscal Year 2009 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2009".

Sec. 2. Pursuant to and in accordance with the Income Tax Secured Bond Authorization Act of 2008, effective October 22, 2008 (D.C. Law 17-254; D.C. Official Code § 47-340.26 *et seq.*) ("Income Tax Bond Act"), the Council approves the issuance and sale of income tax secured revenue bonds in an aggregate principal amount not to exceed \$325,000,000 to refund certain outstanding general obligation bonds, an aggregate principal amount not to exceed \$652,500,000, to fund the capital projects listed in section 4 and to pay all other costs and expenses authorized by the Income Tax Bond Act, including, but not limited to, reimbursing amounts temporarily advanced from the General Fund of the District of Columbia, any enterprise fund, or other fund or account of the District, plus an amount equal to all costs related to structuring, issuing, securing, marketing, and maintaining the bonds issued pursuant to this resolution, including capitalized interest, underwriting fees, discounts and expenses, rating agency fees, legal fees, accounting fees, financial advisory fees, trustee and paying agent fees, collection agent fees, bond insurance and other credit enhancement fees, liquidity enhancement fees, printing costs and expenses, and any other fees, discounts, or expenses, and all costs incurred by the District with respect to the financing documents related to such bonds, redemption premiums, and other costs of redemption.

Sec. 3. (a) Pursuant to section 3302 of the Fiscal Year 2001 Budget Support Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 47-335.01), the Council approves the issuance and sale of general obligation bonds in an aggregate principal amount not to exceed \$325,000,000 to refund certain outstanding general obligation bonds, an aggregate principal amount not to exceed \$652,500,000, to fund the capital projects listed in section 4 and

ENROLLED ORIGINAL

to pay all other costs and expenses of issuing and delivering the bonds, including, but not limited to, any capitalized interest, underwriting, rating fees, legal fees, accounting fees, financial advisory fees, bond insurance and other credit enhancements, and printing costs and expenses.

(b) The capital projects listed in section 4 have been authorized pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), the District of Columbia Appropriations Act, 2000, approved November 29, 1999 (Pub. L. No. 106-113; 113 Stat. 1501), the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Pub. L. No. 106-522; 114 Stat. 2457), the District of Columbia Appropriations Act, 2002, approved December 21, 2001 (Pub. L. No. 107-96; 115 Stat. 923), the District of Columbia Appropriations Act, 2003, approved February 20, 2003 (Pub. L. No. 108-7; 117 Stat. 11), the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat. 3), the District of Columbia Appropriations Act, 2005, approved October 18, 2004 (Pub. L. No. 108-335; 118 Stat. 1322), the District of Columbia Appropriations Act, 2006, approved November 30, 2005 (Pub. L. No. 109-115; 119 Stat. 2508), the Continuing Appropriations Resolution, 2007, approved February 15, 2007 (Pub. L. No. 110-5; 121 Stat. 8), the Continuing Appropriations Resolution, 2008, approved September 29, 2007 (Pub. L. No. 110-92; 121 Stat. 989), the District of Columbia Appropriations Act, 2008, approved December 26, 2007 (Pub. L. No. 110-161; 121 Stat. 1990), and the Continuing Appropriations Resolution, 2009, approved September 30, 2008 (Pub. L. No. 110-329; 119 Stat. 3574), and are included within the schedule of capital projects for which the District of Columbia is authorized to incur indebtedness under the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 1999 - 2004 Authorization Act of 1999, effective July 29, 1999 (D.C. Law 13-22; D.C. Official Code § 1-204.61, note); the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2002 - 2007 Authorization Act of 2002, effective March 25, 2003 (D.C. Law 14-214; D.C. Official Code § 1-204.61, note); and the General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2007-2012 Authorization Act of 2006, effective March 6, 2007 (D.C. Law 16-212; D.C. Official Code § 1.204.61, note) ("Bond Acts").

Sec. 4. (a) The Chief Financial Officer shall determine whether income tax secured bonds or general obligation bonds will be issued. to finance the capital projects listed in subsection (b) of this section.

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(b) The capital projects to be financed, in the amounts specified, from the proceeds of either income tax secured bonds or general obligation bonds are as follows:

Agency	Project	Project Title	Implementing Agency	Amount
I. Annual Capital Improvements Program				
Office of Property Management				
AM0	A06	Consolidated Food Service Facility	AM0	\$98,820
AM0	BC1	Facilities Condition Assessment Study	AM0	958,766
AM0	CA1	National Archives/Recorder of Deeds Pool	AM0	121,730
AM0	EA7	Neighborhood Revitalization	AM0	104,657
AM0	PL6	FY 2006 Pool Projects	AM0	1,921,098
AM0	RES	Reservation 13	AM0	1,087,460
Subtotal, Office of Property Management				4,292,530
Office of the Chief Financial Officer				
AT0	BF2	System Upgrade 2	AT0	2,475,988
AT0	BF3	SOAR Modernization	AT0	68,599
AT0	CIS	Computer Infrastructure System	AT0	15,686
AT0	CSP	Integrated Tax System	AT0	2,919,887
Subtotal, Office of the Chief Financial Officer				5,480,160
Office of Planning				
BD0	PLN	Public Planning-Initial Project Development	BD0	2,196,127
Subtotal, Office of Planning				2,196,127
D.C. Department of Human Resources				
BE0	BE5	Information Technology	BE0	36,147
Subtotal, D.C. Department of Human Resources				36,147
Office of Zoning				
BJ0	JM1	Rewriting of Zoning Regulations	BJ0	40,000
Subtotal, Office of Zoning				40,000
Commission on Arts & Humanities				
BX0	AH7	Public Art Fund	BX0	3,002,585
BX0	DA1	Cultural Facilities Program	BX0	1,057,479
BX0	PA1	Public Art Building Communities Program	BX0	412,460
Subtotal, Commission on Arts & Humanities				4,472,523
Office on Aging				
BY0	AA1	General Improvement Group Homes OOA	CC0	113,576
BY0	EA3	Ward 5 Renovation	AM0	25,174

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Agency	Project	Project Title	Implementing Agency	Amount
BY0	EA4	Ward 7 Senior Wellness Center Renovation	AM0	77,563
BY0	IT1	Continuity of Operations	TO0	511,326
Subtotal, Office on Aging				727,639
DC Public Library				
CE0	FGR	Francis A. Gregory	CE0	3,540,000
CE0	FS2	Petworth Branch Library Substantial Renovation	CE0	206,550
CE0	FS3	Georgetown Library Renovation	CE0	828,771
CE0	LB2	Library Improvements	CC0/CE0	1,011,379
CE0	LB3	General Improvement Various Library Branches	AM0/CE0	1,277,977
CE0	MCL	Central Library	CE0	113,089
CE0	MLK	Martin Luther King Memorial Library	CE0	157,462
CE0	NL6	Community Libraries	CE0	63,444
CE0	NWO	Northwest One Branch	CE0	2,250,000
CE0	SEL	Southeast Library - Major Renovation	CE0	201,252
CE0	TAK	Takoma Park - Renovation	CE0	132,127
CE0	WAH	Washington Highlands - Substantial Renovation	CE0	157,023
Subtotal, D.C. Public Library				9,939,074
Dept. of Consumer and Regulatory Affairs				
CR0	CO3	Digitization of the Office of the Survey	TO0	339,886
CR0	EB3	Neighborhood Revitalization	CR0	4,979,930
CR0	ISM	DCRA Mission Critical IT Systems Modernization	CR0	2,556,839
CR0	RPD	Real Property Database	CR0	35,637
Subtotal, Dept. of Consumer and Regulatory Affairs				7,912,292
Dept. of Housing and Comm. Development				
DB0	033	Ft Lincoln Utility	DB0	19,118
DB0	040	Affordable Housing	DB0	3,321,011
DB0	500	Housing Redevelopment	DB0	227,348
DB0	503	DCHA - Affordable Housing	DB0	1,722,374
Subtotal, Dept. of Housing and Comm. Development				5,289,850
Deputy Mayor for Planning and Economic Development				
EB0	EB4	Community Economic Development Initiatives	EB0	7,500,000
Subtotal, Deputy Mayor for Planning and Economic Development				7,500,000
Metropolitan Police Department				
FA0	FRI	Base Building Renovation	FA0	692,309
FA0	ITI	Information Technology Initiative	ELC	134,970
FA0	KA3	IPS Campus - Indoor Firing Range	FA0	32,603
FA0	KA4	Institute of Police Science	FA0	147,141

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Agency	Project	Project Title	Implementing Agency	Amount
FA0	PER	Reporting Tool - Synchronized	TO0	774,495
FA0	PL1	MPD Building Renovations/Construction	FA0	6,712,283
Subtotal, Metropolitan Police Department				8,493,801
Fire And Emergency Medical Services				
FB0	E20	Engine 20	FB0	69,840
FB0	F27	Permanent Improvement Various Loc. FEMS	FB0	73,314
FB0	F34	Fire Emergency Comm Facility	FB0	225,159
FB0	LA9	Engine 9	FB0	1,017,103
FB0	LB1	Engine 10	FB0	246,760
FB0	LC3	Engine 21 Renovation And Modernization	FB0	150,938
FB0	LC4	Engine 22	FB0	40,652
FB0	LC7	Engine 25	FB0	1,282,391
FB0	LC8	Engine Company 26 Relocation	FB0	6,000
FB0	LD8	Training Academy Infrastructure/ EVOC	FB0	123,544
FB0	LF1	Asbestos Abatement	FB0	96,856
FB0	LF2	Scheduled Capital Maintenance	FB0	8,503,016
Subtotal, Fire And Emergency Medical Services				11,835,573
Department of Corrections				
FL0	CR0	General Renovation at DC Jail Laundry Fac.	AM0	67,678
FL0	CR1	General Renovation & Upgrades	AM0	58,158
FL0	MA2	Renovation at Central Detention Facility	AM0	150,664
FL0	MA5	Central Detention /Roof Replacement	AM0	91,439
Subtotal, Department of Corrections				367,940
Office of the Chief Medical Examiner				
FX0	AA5	Renovation of the Mortuary	AM0	339,490
Subtotal, Office of the Chief Medical Examiner				339,490
District of Columbia Public Schools				
GA0	GI5	General Improvements	GM0	329,144
GA0	GM0	Woodrow Wilson Natatorium/Pool	GM0	448,974
GA0	GM1	Stabilization Initiative	GM0	49,371,986
GA0	GM3	Stabilization Initiatives	GM0	12,550,702
GA0	NA1	Adams ES - Life Safety Code Compliance	GA0	231
GA0	NA4	Anacostia- Exterior Finishings - Other	GA0	110
GA0	NA9	Barnard ES - Modernization/Renovation	GA0	750,053
GA0	NB5	Bowen ES - Modernization/Renovation	GA0	70,000
GA0	NB7	Brightwood ES - Modernization/Renovation	GA0	75,387
GA0	NC2	Bruce-Monroe ES Life Safety Code Compliance	GA0	76,970
GA0	ND4	Deal JHS -Modernization/Renovation	GA0/GM0	12,975,214

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Agency	Project	Project Title	Implementing Agency	Amount
GA0	NF9	Hardy MS-Modernization/Renovation	GA0/GM0	5,454,870
GA0	NI6	Leckie ES - Life Safety Code Compliance	GA0	426,613
GA0	NK5	Luke Moore HS- Modernization/Renovation	GA0	9,496
GA0	NL9	Phelps High School	GM0	7,252,375
GA0	NM8	Ross Elementary	GA0	15,379
GA0	NO3	Sousa Middle	GA0	4,056,130
GA0	NP6	Thomson ES-Modernization/Renovation	GA0	293,821
GA0	NR9	Roosevelt HS Modernization/Renovation	GA0/GM0	757,421
GA0	SG1	General Improvements	GM0	28,999,649
GA0	SG3	Maintenance Improvements	GA0/GM0	24,410,254
GA0	SG4	School Modernizations	GA0	10,292,881
GA0	SK1	Athletic Facilities Improvements	GM0	215,911
Subtotal, District of Columbia Public Schools				158,833,572
Office of the State Superintendent of Education				
GD0	N28	Data Warehouse	TO0	445,185
Subtotal, Office of the State Superintendent of Education				445,185
University of the District of Columbia				
GF0	ET9	Higher Education Back Office	TO0	62,848
GF0	PA1	Building #32	AM0	147,796
GF0	PA2	Building #38	AM0	115,246
GF0	PA4	Building # 41	AM0	106,772
GF0	PA5	Building #42	AM0	435,380
GF0	PA6	Building #44	AM0	269,854
GF0	PA7	Building #46W	AM0	1,940
GF0	PA8	Building # 47	AM0	73,440
GF0	PA9	Building # 52	AM0	650,486
GF0	PB1	Complete Renovation & Modernization	AM0	250,648
GF0	U08	Permanent Improvement Van Ness Campus	CC0	14,313,440
GF0	U25	Architectural Barrier Removal Var Loc UDC	CC0	9,968
GF0	UB6	Emergency Mech, Elec&Struct Deficiencies	AM0	1,709,311
GF0	UD6	Renovation of Plaza Deck & Parking Garage	AM0	341,367
GF0	UM0	Renovate Physical Plant Systems	AM0	243,752
Subtotal, University of the District of Columbia				18,732,246
Department of Parks and Recreation				
HA0	QA1	Aquatic Center Ward III	HA0	124,091
HA0	QA3	Riggs LaSalle Recreation Center	HA0	4,826,246
HA0	QA4	Lamond Recreation Center	HA0	206,950
HA0	QA5	Stoddert Recreation Center	HA0	88,550
HA0	QB3	Roper / Deanwood Recreation Center	HA0	10,260,820

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Agency	Project	Project Title	Implementing Agency	Amount
HA0	QD5	Woodrow Wilson Natatorium	QD5	10,900,000
HA0	QG3	Support Facilities Modernization	HA0	21,058
HA0	QG6	Kenilworth Parkside Recreation Center	HA0	2,093,984
HA0	QI1	Northwest One Recreation Center	HA0	4,000,000
HA0	QI8	Guy Mason Rehabilitation	HA0	327,043
HA0	QM8	Community Recreation Centers	HA0	8,676,264
HA0	RG0	General Improvements	HA0	12,042,216
HA0	RN0	New Recreation Facilities	HA0	96,852
HA0	RR0	Facility Renovation	HA0	345,177
Subtotal, Department of Parks and Recreation				54,009,251
Department of Health				
HC0	HC1	DC Animal Shelter	AM0	409,095
HC0	HC5	Community Clinic Construction	HC0	2,409,333
HC0	HN7	General Renovation Public Health Lab	AM0	1,000
HC0	HY5	Renovate Detoxification Clinic at D.C. General	HC0	169,075
HC0	R16	General Improvements	AM0	143,267
HC0	R17	Plumbing	AM0	282,789
HC0	R20	Emergency Systems	AM0	25,648
HC0	R22	Roof Replacement	AM0	223,644
HC0	R23	Laboratory Re-Engineering	HC0	147,565
HC0	R24	Electrical Renovations	AM0	68,973
HC0	R25	Mechanical Renovations	AM0	80,554
HC0	R26	Roof Replacements	AM0	27,111
HC0	R28	Boiler Plant Renovations	AM0	231,129
HC0	RA2	Medicaid	HC0	124,965
HC0	RA8	APRA Patient Records System	HC0/TO0	278,891
Subtotal, Department of Health				4,623,040
Department of Human Services				
JA0	JB2	JB Johnson Facility	AM0	209,523
JA0	SB1	Children's Tracking System	TO0	1,484,743
JA0	SE4	DC Village	AM0	36,599
JA0	SH1	Shelter Facilities	AM0	27,121
Subtotal, Department of Human Services				1,757,986
Department of Youth Rehabilitation Services				
JZ0	H96	General Renovation @ Oak Hill Juvenile Fac	CC0	703,928
JZ0	SH7	Oak Hill Youth Facility	AM0	34,160,645
Subtotal, Department of Youth Rehabilitation Services				34,864,573
Department of Transportation				

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Agency	Project	Project Title	Implementing Agency	Amount
KA0	CKL	Roadway Reconstruction	KA0	115,699
KA0	RL1	DPW Facility Relocation	KA0	24,128
Subtotal, Department of Transportation				139,826
Mass Transit Subsidies				
KE0	SA2	Metrobus	KE0	26,205,288
KE0	SA3	Metrorail Rehab	KE0	39,300,000
Subtotal, Mass Transit Subsidies				65,505,288
Department of Public Works				
KT0	FM5	Packer Storage Facility	CC0/KT0	1,275,373
KT0	FS1	DPW Fueling Sites	KT0	272,941
KT0	GD1	Fleet Management, Pool, Welding, and Carwash	KT0	3,560
KT0	SW1	Rehabilitation of Ft Totten Transfer Station	KT0	165,086
KT0	SW2	Solid Waste Reduction Center	KT0	1,425
Subtotal, Department of Public Works				1,718,385
Department of Motor Vehicles				
KV0	MVS	Motor Vehicle Information System	KA0	112,749
KV0	WA5	IT Infrastruct Syst/Software 301 C St NW	KV0	738,757
Subtotal, Department of Motor Vehicles				851,506
Department of Mental Health				
RM0	HX2	St. Elizabeths General Improvements	RM0	1,037,836
RM0	HX5	New Mental Health Hospital	RM0	24,800,000
RM0	XA5	SEH General Improvements	RM0	4,213,283
RM0	XA6	St. Elizabeths Hospital Information System	RM0	841,308
RM0	XA7	DMH Renovation to North Center Bldg	RM0	33,623
Subtotal, Department of Mental Health				30,926,050
Office of the Chief Technology Officer				
TO0	N17	Tech City	TO0	2,511,945
TO0	N26	ITCC (Information Tech Control Center)	TO0	316,569
TO0	N27	Applications Maintenance Transition Project	TO0	950,359
TO0	N36	SMP Pool	TO0	748,262
TO0	ZA1	IT Management	TO0	2,658,649
TO0	ZB1	ASMP-Citywide Enterprise Resource Planning	TO0	1,484,160
Subtotal, Office of the Chief Technology Officer				8,669,945
I. Total, District of Columbia, Annual Capital Improvements Program				450,000,000

ENROLLED ORIGINAL

Agency	Project	Project Title	Implementing Agency	Amount
II. Additional Financings				
Office of Property Management				
AM0	AA3	Consolidated Laboratory Facility	AM0	75,000,000
AM0	PL1	Government Centers	AM0	75,000,000
Department of Transportation				
KA0	EW0	East Washington Traffic Initiative	KA0	52,500,000
II. Total, District of Columbia, Additional Financings				202,500,000
Grand Total, District of Columbia				\$652,500,000

Sec. 5. If the funds allocated to any agency pursuant to this resolution exceed the amount required by that agency to complete any authorized capital project listed in section 4 for that agency, the excess funds shall be made available to finance other capital projects approved by a prior or subsequent Council bond issuance resolution.

Sec. 6. Pursuant to sections 7 and 8 of the Bond Acts, section 2 of the Income Tax Bond Act, and applicable law, the Council approves the execution and delivery by the Mayor, or the Chief Financial Officer, on behalf of the District, of any agreement, document, contract, and instrument (including any amendment of or supplement to any such agreement, document, contract, or instrument) in connection with the issuance, sale, and delivery of District of Columbia general obligation bonds or income tax secured revenue bonds pursuant to the Bond Acts or the Income Tax Bond Act.

Sec. 7. 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. 8. The Secretary to the Council shall submit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 9. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-35

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend An Act To control the possession, sale, transfer and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to change the definitions for the terms firearm, machine gun, pistol, and sawed-off shotgun, to provide definitions for the terms shotgun and place of business, to make discharging a weapon without a permit from the Chief of Police a misdemeanor offense, to provide that the District and private persons may prohibit or restrict the possession of firearms on their property, to prohibit carrying rifles and shotguns in the District except in limited circumstances and to provide penalties for violations of the prohibition that are equivalent to those for unlawfully carrying a pistol, to allow for the transportation of firearms in limited circumstances and in a prescribed manner, to repeal the authority of the Chief of Police to issue licenses for the carrying of pistols, and to change the waiting period for delivery of a purchased pistol from 2 to 10 days; and to provide a savings clause for actions, proceedings, and prosecutions commenced before amendments made by this act.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Inoperable Pistol Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) On December 16, 2008, the Council unanimously approved Bill 17-593, the Inoperable Pistol Amendment Act of 2008 (D.C. Act 17-690), which contained provisions related to the carrying and transportation of firearms in the District of Columbia.

(b) Emergency legislation, Bill 17-1074, the Inoperable Pistol Emergency Amendment Act of 2008 (D.C. Act 17-652), was enacted on January 6, 2009 and expires on April 6, 2009.

(c) Permanent legislation, Bill 17-593, is not projected to become law until May 21, 2009.

(d) The provision of these critical gun laws must continue without interruption and therefore emergency legislation is necessary to prevent a gap in legal authority between the expiration of D.C. Act 17-652 and Bill 17-593 becoming law.

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 Inoperable Pistol Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-36

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend the District of Columbia Health Occupations Revision Act of 1985 to permit pharmacists licensed in the District of Columbia to administer immunizations and vaccinations when certified by the Board of Pharmacy to do so, to amend the definition of the practice of pharmacy, to amend the definition of prescription to include approved electronic forms, and to allow pharmacists who are certified to administer vaccinations and immunizations to administer emergency anaphylactic treatment pursuant to an approved protocol.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pharmacy Practice Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) Safe and effective vaccines protect against disease, disability, and death from communicable diseases. Despite the availability of immunizations and vaccinations, approximately 50,000 people nationwide die each year from vaccine-preventable diseases or their complications.

(b) Individuals who reside in states where pharmacists are allowed to administer immunizations and vaccinations are 10.6% more likely to be immunized than individuals who live in states where pharmacists cannot administer immunizations and vaccinations. This difference holds true when controlling for other demographic factors such as gender, race, income, health insurance, and self-perceived health status. Further, states where pharmacists are certified to administer immunizations and vaccinations see increased visits to primary care physicians and report more return visits for annual immunizations.

(c) The District of Columbia was one of 2 jurisdictions in the United States that had not passed legislation allowing pharmacists to administer immunizations and vaccinations.

(d) In December 2008, the Council enacted the Pharmacy Practice Emergency Amendment Act of 2008, effective December 8, 2008 (D.C. Act 17-596; 55 DCR 12816) ("emergency act"), which authorized pharmacists to administer immunizations and vaccinations.

ENROLLED ORIGINAL

The emergency act expires on March 8, 2009.

(e) Permanent legislation, the Pharmacy Practice Amendment Act of 2008, signed by the Mayor on December 16, 2008 (D.C. Act 17-606; 56 DCR 23), was transmitted to Congress on January 30, 2009, 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 March 23, 2009.

(f) It is important that the provisions of the emergency act continue in effect, without interruption, until the permanent legislation is 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 Pharmacy Practice Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-37

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to provide for the District of Columbia's compliance with Title V of the Housing and Economic Recovery Act of 2008.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Mortgage Lender and Broker Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) The Council has enacted the Mortgage Lender and Broker Emergency Amendment Act of 2008, which provides for the District of Columbia's compliance with Title V of the Housing and Economic Recovery Act of 2008 ("federal law").

(b) The federal law provides that if the District of Columbia fails to participate in the Nationwide Mortgage Licensing System and Registry, or does not have in place a system that meets the minimum standards, a Department of Housing and Urban Development ("HUD") backup licensing system will be established where HUD will maintain and administer the licensing of mortgage lenders, mortgage brokers, and loan originators.

(c) The emergency act provides for a new licensing category; authorizes the Commissioner of the Department of Insurance, Securities, and Banking ("Commissioner") to contract with third parties to collect fees related to the licensing of mortgage brokers, lenders, and loan originators; adds new definitions; and conforms other sections with the new licensing requirements to meet the minimum standards of the federal law.

(d) The act was necessary to formally authorize the Commissioner to implement the proposed regulatory regime within the one-year compliance period provided for in the federal law.

(e) The emergency act will expire on March 22, 2009. The Mortgage Lender and Broker Temporary Amendment Act of 2008 will not complete Congressional review prior to the expiration of the emergency act. Therefore, passage of the accompanying emergency act is necessary to prevent a temporal gap in legal authority.

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 Mortgage Lender and Broker Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-38

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to expand the Neighborhood Investment Fund boundaries in Ward 4.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Ward 4 Neighborhood Investment Fund Boundary Expansion Congressional Review Emergency Declaration Resolution of 2009".

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

(1) D.C. Act 17-0605, the Ward 4 Neighborhood Investment Fund Boundary Expansion Amendment Act of 2008, is projected to become law on March 23, 2009.

(2) In order to immediately provide the authority embodied in D.C. Act 17-0605 to implement an expanded Brightwood and Upper Georgia Avenue Target Area, emergency legislation was proposed and passed on December 16, 2008. The plan outlines how funds will be used to develop, maintain, and improve physical facilities and infrastructure owned by the District of Columbia, particularly for projects or improvements in neighborhood plans such as the Kennedy Street Revitalization Plan and the Upper Georgia Avenue Great Streets Plan that do not qualify for capital budget funding.

(3) That emergency legislation, the Ward 4 Neighborhood Investment Fund Boundary Expansion Emergency Act of 2008, expires on March 16, 2009.

(4) It is of vital importance that the provisions of the emergency act continue in effect, without interruption, until permanent 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 Ward 4 Neighborhood Investment Fund Boundary Expansion Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-39

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend section 704 of the Public Education Reform Amendment Act of 2007 to clarify the duties of the Office of Public Education Facilities Modernization to reflect the clear intent of the Council in the creation of the agency so that maximum efficiencies of service and appropriate contracting and procurement protocols are maintained.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Office of Public Education Facilities Modernization Clarification Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) On November 5, 2008, the Mayor announced the intent of the administration to transfer capital projects, which the Council approved to be managed by the Department of Parks and Recreation ("DPR"), from DPR to the Office of Public Education Facilities Modernization ("OFM").

(b) When the Council established OFM in the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-453), the duties of the office were stated in conclusive terms, and the scope of OFM's authority was limited to "District of Columbia Public Schools ("DCPS") facilities".

(c) During Council discussions regarding the creation of OFM, it was determined that this office was necessary to create an efficient public education system by relieving the Chancellor of capital project duties, and was also determined that OFM should be given independent contracting and procurement authority, excepting them from traditional bidding regulations, to increase efficiencies and costs by expedited school modernization. The Council made this exception for OFM after Executive testimony that public school facilities needed to be addressed immediately.

(d) No District agencies, other than DCPS, were contemplated by the Council in granting OFM exceptions from traditional contracting and procurement regulations.

(e) With the addition of non-public school facilities to the portfolio of OFM projects, this may nullify the efficiency in addressing public school modernization originally contemplated by the Council in the establishment of OFM.

ENROLLED ORIGINAL

(f) The Council was not notified in time to contemplate prudent legislative remedies, including the creation of appropriate accounting standards, if the transfer of non-public school facility capital projects from DPR to OFM is in the best interest of the District.

(g) The management of non-public school facility capital projects by OFM is in direct contrast to the language of the law establishing OFM; therefore, a clarification of responsibilities is required prior to OFM taking actions outside the scope of its authority.

(h) The Council enacted the Office of Public Education Facilities Modernization Clarification Congressional Emergency Amendment Act of 2008, effective December 8, 2008 (D.C. Act 17-0575; 55 DCR 12617) ("emergency act"), and the Office of Public Education Facilities Modernization Clarification Temporary Amendment Act of 2008, signed by the Mayor on January 16, 2009 (D.C. Act 17-697) ("temporary act"), which clarified the scope of the OFM.

(i) The emergency act expires on March 8, 2009. The temporary act must still complete its 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 March 26, 2009.

(j) It is important that the provisions of the emergency act continue in effect, without interruption, until the temporary 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 Office of Public Education Facilities Modernization Clarification Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-40

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to require the Mayor to submit to the Council a comprehensive analysis of proposed child day care services and senior citizen programs to be offered by the Department of Parks and Recreation prior to the closing, discontinuing, or relocating of any child day care service or senior citizen program offered by the department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Day Care and Senior Services Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) Due to a lapse created by a period of Congressional review, there exists an immediate need to enact legislation requiring the Mayor to submit a plan detailing an impact analysis of potential closings of child day care services and senior citizen programs prior to any discontinuing or relocating of such services.

(b) Closings of child day care services and senior citizen programs may have an adverse impact on public safety for participants and on federal funds for vital programs for the Department of Parks and Recreation.

(c) Due to budget constraints, it has been proposed that some child day care services and senior programs may be discontinued. Therefore, it is necessary to have an impact analysis prior to any action.

(d) The Council enacted the Day Care and Senior Services Emergency Act of 2008, effective December 19, 2008 (D.C. Act 17-615) ("emergency act"), and the Day Care and Senior Services Temporary Act of 2008, signed by the Mayor on January 5, 2009 (D.C. Act 17-642) ("temporary act"), which required an analysis of programs.

(e) The emergency act expires on March 19, 2009. The temporary act must still complete its 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 March 24, 2009.

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

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 Day Care and Senior Services Congressional Review Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-41

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency, due to Congressional review, with respect to the need to reinsert lease provisions for the new convention center hotel, to authorize the grant of easements to and the use by the new convention center hotel of the new convention center vault space and real property titled in the name of the District in Squares 400, 402, and 424, to authorize an underground airspace lease in addition to vault permits, to insert a phrase related to a tax exemption, and to approve the Hotel Development and Funding Agreement and the Pedestrian Connector Agreement.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "New Convention Center Hotel Technical Amendments Congressional Review Emergency Declaration Resolution of 2009".

Sec. 2. (a) Late last year, in Council Period 17, the Council passed Bill 17-1014, the New Convention Center Hotel Combined Amendments Emergency Act of 2008, D.C. Act 17-604, which is due to expire March 16, 2009.

(b) Additionally, the Council also passed the permanent version of the legislation, Bill 17-774, the New Convention Center Hotel Technical Amendments Act of 2008, D.C. Act 17-657, which is not projected to become law until March 24, 2009.

(c) In order to avoid a gap in legal authority, the underlying proposed Congressional review emergency is warranted.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary the New Convention Center Hotel Technical Amendments Congressional Review Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-42

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Ms. Linda Greenan to the Washington Convention Center Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Washington Convention Center Authority Board of Directors Linda Greenan Confirmation Resolution of 2009".

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

Ms. Linda Greenan
3835 S Street, N.W.
Washington, D.C. 20007
(Ward 2)

as a public member of the Washington Convention Center Authority Board of Directors, established by section 205 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.05), replacing Mark Michael, for a term to end May 16, 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

18-43

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To approve the proposed rules to establish hearing procedures at the Washington Humane Society for the owner of a seized animal to be able to contest the seizure, detention, and terms of release and treatment of the animal, the allegation of cruelty, abandonment, or neglect, and the imposition of the lien and costs assessed for caring and providing for the animal.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Hearing Procedures for Washington Humane Society Approval Resolution of 2009".

Sec. 2. Pursuant to section 4(c)(2) of Chapter 106 of the Acts of the Legislative Assembly, approved August 23, 1871 (D.C. Official Code § 22-1004(c)(2)), the Mayor on January 2, 2009 transmitted to the Council proposed rules to establish hearing procedures at the Washington Humane Society for the owner of a seized animal to be able to contest the seizure, detention, and terms of release and treatment of the animal, the allegation of cruelty, abandonment, or neglect, and the imposition of the lien and costs assessed for caring and providing for the animal. The Council approves the proposed rules published at 56 DCR 316, to amend Title 24 of the District of Columbia Municipal Regulations to add a new Chapter 15.

Sec. 3. Transmittal.

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

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.

ENROLLED ORIGINAL

A RESOLUTION

18-44

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Ms. Lori Lee to the Public Service Commission of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Service Commission of the District of Columbia Lori Lee Confirmation Resolution of 2009".

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

Ms. Lori Lee
7816 16th Street, N.W.
Washington, D.C. 20012
(Ward 4)

as a member of the Public Service Commission of the District of Columbia, established by section 8(97) of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 995; D.C. Official Code § 34-801), for a term to end June 30, 2012.

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

18-45

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Ms. Betty Ann Kane as chairperson of the Public Service Commission of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Service Commission of the District of Columbia Betty Ann Kane Confirmation Resolution of 2009".

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

Ms. Betty Ann Kane
118 5th Street, N.E.
Washington, D.C. 20002
(Ward 6)

as chairperson of the Public Service Commission of the District of Columbia, established by section 8(97) of An Act Making Appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 995; D.C. Official Code § 34-801), for the length of her unexpired term to end June 30, 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

18-46

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the reappointment of Mr. Christopher Dyer to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Christopher Dyer Confirmation Resolution of 2009".

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

Mr. Christopher Dyer
1420 N Street, N.W., #508
Washington, D.C. 20005
(Ward 2)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2011.

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

18-47

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the reappointment of Mr. Nimesh Patel to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Nimesh Patel Confirmation Resolution of 2009".

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

Mr. Nimesh Patel
1419 R Street, N.W., Unit 33
Washington, D.C. 20009
(Ward 2)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2011.

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

18-48

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Mr. Anil Kakani to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Anil Kakani Confirmation Resolution of 2009".

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

Mr. Anil Kakani
1706 Crestwood Drive, N.W.
Washington, D.C. 20009
(Ward 4)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 2011.

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

18-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Ms. Mai Fernandez to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Mai Fernandez Confirmation Resolution of 2009".

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

Ms. Mai Fernandez
311 4th Street, S.E.
Washington, D.C. 20003
(Ward 6)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01(e)(8)), filling a vacancy for a term to end December 31, 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

18-50

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To confirm the appointment of Mr. Lamont Akins to the Commission on Human Rights.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Commission on Human Rights Lamont Akins Confirmation Resolution of 2009".

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

Mr. Lamont Akins
738 Longfellow Street, N.W., Unit #105
Washington, D.C. 20011
(Ward 4)

as a member of the Commission on Human Rights, established by section 401 of the Human Rights Act of 1977, effective December 7, 2004 (D.C. Law 15-216; D.C. Official Code § 2-1404.01), in accordance with section 2(e)(8) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D. C. Official Code § 1-523.01(e)(8)), for a term to end December 31, 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

18-51

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To establish a special committee to undertake a special project to develop a comprehensive strategy to achieve statehood, to prepare a cost-benefit analysis of statehood for the District, to draft proposed legislation to enact the initiatives, recommendations, timetables, and goals of the comprehensive strategy, to study and track current and proposed Congressional District voting-rights legislation, to establish a statehood database relating to the ongoing endeavor to attain statehood, to serve as the Council's liaison to groups and organizations advocating statehood or full representation, to provide analysis of Congressional legislation and its potential impact on proposed Council legislation or initiatives, to encourage communication between stakeholders, to encourage collaboration and coordination of statehood and voting-right initiatives and events within and outside the Council, and to address other matters relating to the acquisition of statehood, full representation, or self-determination for the District.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Special Committee on Statehood and Self-Determination Establishment Resolution of 2009".

Sec. 2. Findings.

(a) With a Democratic President and Democratic majorities in both the House and the Senate, it is the opportune time for the District to gain a winning majority of support for statehood.

(b) While full representation through statehood is the goal for many, others argue for full representation through other means, something short of statehood.

(c) The Council supports, and seeks to attain, statehood as the means that will make the District of Columbia and its citizenry full participants in the democratic republic that is the United States of America.

(d) The Council must have an effective, comprehensive strategy, and as soon as possible during this propitious period, to win the argument for and achieve the goal of statehood.

(e) The purpose of the Special Committee on Statehood and Self-Determination is to develop such a comprehensive strategy by identifying all potential paths to statehood, including

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the pros and cons of each, and effectively collaborating with groups, organizations, and individual advocates of statehood in state and federal governments, and with concerned members of the public.

Sec. 3. Establishment of a Special Committee on Statehood and Self-Determination.

(a) Pursuant to section 251 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 18 ("Council Rules"), there is established the Special Committee on Statehood and Self-Determination ("Special Committee").

(b) Pursuant to section 253 of the Council Rules, the Special Committee is charged with undertaking the Special Project on Statehood and Self-Determination.

Sec. 4. Membership and chairmanship of the Special Committee.

(a) The Special Committee shall be comprised of the following members of the Council: Councilmembers Michael A. Brown, Kwame Brown, Mary Cheh, Harry Thomas, Jr., and Yvette Alexander.

(b) Councilmember Michael Brown shall chair the Special Committee.

Sec. 5. Responsibilities of the Special Committee.

The responsibilities of the Special Committee shall be to:

(1) Develop a comprehensive strategy to result in the District obtaining equal rights with the rest of the country, including full representation in both houses of Congress, through the attainment of statehood;

(2) Prepare a cost-benefit analysis of statehood for the District;

(3) Draft proposed legislation to enact the initiatives, recommendations, timetables, and goals set forth in, or in accordance with, the comprehensive strategy;

(4) In conjunction and consultation with the Council's Director of Federal Relations;

(A) Study current and proposed Congressional District voting-rights legislation;

(B) Track the progress of proposed Congressional District voting-rights legislation;

(C) Establish a statehood database, including testimony, legislative history, court opinions, and any other information relating to the ongoing endeavor to attain statehood;

(D) Serve as the Council's liaison to groups and organizations advocating statehood or full representation; and

(E) Review, and consolidate, if appropriate, varying tactics for obtaining statehood into the comprehensive strategy;

(5) Provide analysis of the strengths and weaknesses of existing and proposed Congressional legislation and its potential impact on proposed Council legislation or initiatives;

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(6) Encourage and help maintain communication between advocates of statehood or full representation and concerned members of the public to foster greater cooperation between these constituencies;

(7) Encourage collaboration and coordination of all statehood and voting-rights initiatives, activities, events, or other forms of promotion within and outside the Council;

(8) Encourage advocates of full representation through means other than statehood to join in the effort for statehood for the District; and

(9) Address other matters relating to the acquisition of statehood, full representation, or self-determination for the District.

Sec. 6. Hearings and meetings; quorum.

(a) The Special Committee may hold a hearing, called by the chair, on a topic or issue relating to the acquisition of statehood, full representation, or self-determination for the District, which shall be held pursuant to the rules promulgated under section 8.

(b) A meeting of the Special Committee may be called by the chair, which shall be held pursuant to the rules promulgated under section 8.

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

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

Sec. 7. Staff.

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

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

Sec. 8. Rules.

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

Sec. 9. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director.

Sec. 10. Effective date.

(a) This resolution shall take effect immediately.

(b) This resolution shall expire on January 1, 2011 or the date the Special Committee issues its final report, whichever occurs first.

ENROLLED ORIGINAL

A RESOLUTION

18-52

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

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 View 14 development project located in Square 2868, Lot 155 in Ward 1.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "View 14 Economic Development Emergency Declaration Resolution of 2009".

Sec. 2. (a) The "View 14 Project" is a mixed-use, multi-family residential and retail project proposed to be located in Square 2868, Lot 155 (as recorded in Page 68, Book 201 in the Office of the Surveyor for the District of Columbia) and to consist of approximately 185 units of residential housing, totaling approximately 173,765 square feet of floor area, including a minimum of 6,000 square feet of affordable housing, and approximately 33,000 square feet of retail space.

(b) The View 14 Project has and will continue to provide the District with substantial public benefits, including much needed multi-family residential and retail use to an area that has historically been underserved by such uses.

(c) The View 14 Project has provided a number of other significant community benefits and amenities, including the following:

(1) Affordable Housing. The Developer has already contributed \$1 million to the Sankofa Tenants' Association for the acquisition of the Cresthill Apartments, a 48-unit apartment house at 1430 Belmont Street. The association worked with Jubilee Housing, Inc., the management agent for the Cresthill Apartments, and Reuben McCornack, an affordable housing development consultant, and acquired the apartment building, converted it to a cooperative, and rehabilitated the 48 affordable units, which are currently be maintained as affordable housing. This is one of the largest private-sector-assisted affordable housing projects in the District. Additionally, the developer for the View 14 Project ("Developer") proposes to devote approximately 6,000 square feet to create dwelling units in the project available to those persons whose income does not exceed 80% of the metropolitan Washington D.C. area median income.

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(2) Employment and Training Opportunities. The Developer has entered into a Memorandum of Understanding with the Office of Local Business Development, committing to make a bona fide effort to utilize local, small, or disadvantaged business enterprises certified by the District of Columbia Local Business Commission to achieve, at a minimum, the goal of 35% participation in the contracted development costs in connection with the development of the View 14 Project. The Developer has also entered into a First Source Agreement with the Department of Employment Services ensuring cooperation with the department for employee recruitment for jobs created by the View 14 Project with the objective that 51% of the employees hired in connection with the development of the project are District of Columbia residents.

(3) Monetary Contributions to Neighborhood Organizations. The Developer has contributed \$40,000 to the following neighborhood programs and initiatives:

(A) Parent Association of the Boys & Girl Club of Greater Washington. (\$20,000) Education, field trips, educational materials, and supplies for high school members at the Mary and Daniel Loughram Clubhouse #10.

(B) The Children's Studio School at 13th Street and V Street, N.W. (\$10,000) Full day School of Arts as Education, Early Light and After 4 Studios, City as Studio, Urban Arts Complex, Evening Studios, Weekend Studios, Honoring and Transforming the Intimate Cultural Traditions of Washington Families, Epicenter Stories, and internships at the Children's Studio School.

(C) Meridian Hill Neighborhood Association. (\$5,000) Scholarship fund for students at Cardozo High School, neighborhood clean-up, social events, welcome packages for new neighbors, and education forums.

(D) Cardozo Shaw Neighborhood Association. (\$5,000) Initiatives resolving historic district boundaries, renovation of the Harrison Recreation Center, and ongoing neighborhood outreach.

(d) The Developer made certain below-grade improvements for a health club facility within the View 14 Project, which, due to changes in the market conditions, will not be occupied by the prospective tenant, causing the Developer to suffer a significant economic loss.

(e) The Developer has also incurred unforeseen costs associated with the removal or modification of certain Comcast satellite dish equipment on the View 14 Project site and adjacent property. These additional costs total several million dollars.

(f) It is desirable and in the public interest to provide tax and other economic incentives to encourage the continued development of the View 14 Project, which has and will produce substantial public benefits to the District;

(g) Without emergency action taken, the Council may lose this important opportunity to encourage this important redevelopment in the 14th and U Street corridor, which eliminates blight and encourages a mix of important uses and facilities;

(h) Emergency action is further needed to avoid jeopardizing the success of the View 14 Project given the current unfavorable economic climate and need to efficiently continue construction, and to avoid the imposition of certain real estate and gross sales taxes related to

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financing, refinancing, or reimbursing of costs incurred for the acquisition, construction, installation, development, construction, equipping, furnishing, and operation of the View 14 Project.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the View 14 Economic Development Emergency Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-53

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency with respect to the need to require apartment building owners to post notice in conspicuous places in common areas in a building instructing tenants on the operation of a building fire alarm; to notify tenants whether the building fire alarm is connected to smoke alarms in individual apartments, or to fire department and emergency medical services; to maintain a fire safety plan and conduct periodic fire drills; and to instruct tenants to immediately call 911 in the event of a fire.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Fire Alarm Notice and Tenant Fire Safety Emergency Declaration Resolution of 2009".

Sec. 2. (a) The District of Columbia does not require that building smoke and fire detectors be linked to emergency services or the fire department.

(b) Smoke detectors in buildings built after September 30, 1978 must be hard wired to the building's electrical systems, but in older buildings they may be battery operated.

(c) While the District requires that all residential buildings have installed smoke alarms in common areas and in individual units, there is no requirement that building owners notify tenants on the location and operation of smoke detectors and alarms.

(d) On February 23, 2009, a fire at Harvard Hall apartments in Adams Morgan badly injured one resident, and raised concerns in several other tenants who claimed to have not heard a fire alarm. Fire department officials confirmed that the fire alarm in the building was working properly, but that it had not been activated by residents as they fled the building.

(e) Emergency action is needed to ensure that building owners give notice to tenants instructing them on the operation of a building fire alarm. Tenants need to be notified whether the building fire alarm is connected to smoke alarms in individual apartments, or to fire department and emergency medical services. This emergency will also require building owners to maintain a fire safety plan and conduct periodic fire drills, and to instruct tenants to immediately call 911 in the event of a fire.

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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 Fire Alarm Notice and Tenant Fire Safety Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

18-54

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency with respect to the need to clarify that hand delivery or sending by certified mail a tenant's letter of interest preserves the tenant's or tenant group's opportunity to purchase rights, and that actual receipt of the letter by the housing provider or the Mayor within the relevant time frame is not required.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Tenant Opportunity to Purchase Preservation Clarification Emergency Declaration Resolution of 2009".

Sec. 2. (a) In the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980, the Council found that there was a severe shortage of affordable rental housing available to the citizens of the District. This shortage continues to-date.

(b) The Council found that conversion and sale of rental housing threatened to only increase the problem, disproportionately affecting the poor, the elderly, and the disabled.

(c) The act addressed these problems by ensuring meaningful tenant participation in condominium conversions, to ensure that tenants were not displaced without their own input. The act further required that tenants have a meaningful opportunity to purchase their buildings or units, thus promoting home ownership by District residents.

(d) The Rental Housing Conversion and Sale Amendment Act of 2005, effective July 22, 2005, strengthened the tenant opportunity to purchase by closing a loophole, known as the "95/5 loophole", which was used by unscrupulous landlords to sell buildings without providing tenants their right to a first offer.

(e) On February 5, 2009, a panel of the District of Columbia Court of Appeals interpreted a provision of the act, which requires that a tenant in a single-family or 2- to 4-unit accommodation provide a written statement of interest within 30 days of receiving an owner's offer of sale, as requiring that the owner receive the statement of interest within that time period.

(f) District law requires that the court interpret any ambiguities in the act "toward the end of strengthening the legal rights of tenants or tenant organizations to the maximum extent permissible under law."

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(g) This emergency action is necessary to clarify the Council's intent that tenants have the full 30 days provided by law to express an interest in purchasing their unit following an offer of sale from the landlord.

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 Tenant Opportunity to Purchase Preservation Clarification Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-55

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency with respect to the need to amend the Continuation of Health Coverage Act of 2002 to provide that an employee shall have the right to continue coverage under the employer's health benefits plan for the length of time a subsidy is available under the American Recovery and Reinvestment Act of 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Continuation of Health Coverage Emergency Declaration Resolution of 2009".

Sec. 2. (a) The Consolidated Omnibus Budget Reconciliation Act of 1985, approved April 7, 1986 ("COBRA") provides that an employee of a firm with 20 or more employees has the right to continue coverage under the employer's health benefits plan for a period of 18 months subsequent to termination.

(b) District law provides that an employee of a firm with 19 or fewer employees has the right to continue coverage under the employer's health benefits plan for a period of 3 months subsequent to termination ("mini-COBRA").

(c) The American Recovery and Reinvestment Act of 2009 ("federal stimulus package") provides a federal subsidy of 65% of the costs of continuing coverage for up to 9 months for an employee who is involuntarily terminated, whether the employee is covered by COBRA or mini-COBRA, as well as in certain other circumstances.

(d) Relevant provisions of mini-COBRA must be amended to ensure that District residents will be eligible for all the benefits contemplated by the federal stimulus package.

(e) Mini-COBRA must be amended immediately so that displaced District workers whose coverage has already ended or will soon end will be able to benefit from the subsidy offered by the federal stimulus package.

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 Continuation of Health Coverage Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-56

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the existence of an emergency with respect to the need to pass the Sense of the Council Against the U.S. Senate Amendment on the District's Gun Regulations Emergency Resolution of 2009.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Against the U.S. Senate Amendment on the District's Gun Regulations Emergency Declaration Resolution of 2009".

Sec. 2. (a) On Tuesday, February 24, 2009, the United States Senate agreed to consider the District of Columbia Voting Rights Act that for the first time would give the District a voting representative in the United States House of Representatives.

(b) On Thursday, February 26, 2009, the United States Senate passed the District of Columbia Voting Rights Act by a vote of 61-37.

(c) Senator John Ensign of Nevada moved an amendment successfully, which removed from the District government the right to regulate firearms within the District of Columbia.

(d) Among other things, the amendment:

- (1) Repeals the requirement for the registration of firearms;
- (2) Permits assault weapons, .50 caliber weapons, and large capacity ammunition magazines in the nation's capital;
- (3) Repeals child access prevention laws and penalties; and
- (4) Amends the U.S. Code to allow District residents to purchase handguns from unregistered dealers at gun shows.

(e) The House of Representatives may vote on the District of Columbia Voting Rights Act during the week of March 2, 2009.

(f) It is important that the Council of the District of Columbia declare its opposition to the Ensign amendment before the House of Representatives vote.

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 Sense of the Council Against the U.S. Senate Amendment on the District's Gun Regulations Emergency Resolution of 2009 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-57

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 3, 2009

To declare the sense of the Council that the United States Congress must not adopt any amendment to the District of Columbia Voting Rights Act restricting the District government's ability to legislate the regulation of firearms or repealing the Firearms Registration Amendment Act of 2008.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council Against the U.S. Senate Amendment on the District's Gun Regulations Emergency Resolution of 2009".

Sec. 2. On February 26, 2009, the United States Senate adopted S.160, the District of Columbia Voting Rights Act, which included a provision entitled the "Second Amendment Enforcement Act". This provision would "reform" the District government's authority to restrict firearms, stating in part that the District government "shall not have authority to enact laws or regulations that discourage or eliminate the private ownership or use of firearms."

(1) This restriction is so general that it would effectively preclude any regulation of firearms by local authorities.

(2) The effect of this restriction is to reduce the local authority granted to the District in the Home Rule Act.

Sec. 3. The provisions in the District's firearms registration law that drew the greatest controversy last year have already been revised. For instance:

(1) The Senate bill would repeal the District's ban on semiautomatic weapons. But the District has revised its law to permit the registration of semiautomatic weapons, both pistols and long arms.

(2) The Senate bill would revise the District's definition of "machine gun" (which is prohibited) to conform to federal law. But the District has revised its law to conform the definition to federal law.

(3) The Senate bill would restore the right of self defense in the home. But the District has revised its law by repealing already the prohibition that the Senate bill would repeal.

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(4) The Senate bill would remove criminal penalties for carrying a firearm in one's dwelling. But the District has revised its law and explicitly permits the carrying of a firearm in one's dwelling.

Sec. 4. In addition, the Senate bill would:

(1) Permit the possession and use of firearms in the District by individuals who are not now permitted to possess or use such weapons, including:

(A) Persons with a history of violent behavior;
 (B) Mentally ill persons committed voluntarily to a mental institution;
 (C) Respondents to a protective order within 5 years – *e.g.*, domestic violence;

(D) Persons with multiple convictions of drunk driving; and

(E) Persons convicted of an intrafamily offense.

(2) Permit the possession and use of assault weapons in the District, including long arms with forward pistol grips or grenade launchers, semiautomatic shotguns with detachable magazines, handguns with 2 handgrips and heat shrouds, and so forth.

(3) Permit the possession and use of .50 caliber firearms in the District.

(4) Permit the possession and use of large capacity ammunition magazines in the nation's capital, notwithstanding the testimony of the District's Chief of Police that large capacity magazines are favored in mass shootings (*e.g.*, Columbine and Virginia Tech shootings) and, when in the hands of criminals, put law enforcement at a disadvantage.

(5) Permit the carrying of firearms at work ("at the person's ... place of business") and outside one's dwelling place.

(6) Permit the purchase of firearms for possession and use in the District from unregistered dealers at gun shows.

(7) Repeal the District's "Child Access Prevention" ("CAP") law that imposes criminal liability on adults who negligently leave firearms accessible to children or otherwise allow children access to firearms. Twenty-seven states have a CAP law.

(8) Permit the possession and use of "unsafe" handguns, which are cheap and therefore favored by criminals, even though their manufacture is of such low quality that they can be dangerous to use.

(9) Prohibit obtaining ballistics or other identifying information about a firearm until *after* it has been used in a crime.

(10) Make District residents the only persons in the United States who may purchase handguns out of state.

(11) Repeal the District's 30-year-old requirement for a fingerprint-based FBI background check to purchase and possess a firearm in the District. Instead, background checks would utilize the National Instant Criminal Background Check System, relying only on ID cards, which is not as accurate.

(12) Prohibit any registration scheme for firearms. Law enforcement will be adversely affected by this prohibition. Police can more quickly and easily arrest criminals—at a

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minimum for possession of unregistered firearms - if there is a registration requirement, because criminals, such as gang members, do not register the guns they use to commit crimes.

(13) Undermine provisions in the District's 1932 firearms law, originally adopted by Congress, because they are integrally related to provisions in the 1975 registration law which the Senate would repeal, and the Council will be unable to fix the problems because it will be prohibited from legislating in this area. For instance, the 10-day waiting period for purchases would become unenforceable.

Sec. 5. The effect of the Senate bill would be to prohibit the District from having gun laws similar to those adopted in other states. A prohibition on assault weapons is the law in 7 states. Seven states require registration of some or all firearms. A prohibition on large capacity ammunition magazines is the law in 6 states. Twenty-seven states have a "child access prevention" law.

Sec. 6. The "Second Amendment Enforcement Act" denies the District government the authority to legislate in any way that would "unduly burden the ability of persons" to obtain and possess firearms. And yet the provision is attached to a bill intended to expand democracy to District residents - a voting representative in the House of Representatives. This is perverse irony: limiting governance in a bill intended to expand governance.

Sec. 7. The District shares the problem of gun violence with other dense, urban jurisdictions - a problem that is quite different than the experience in suburban and rural America. The District, however, has a unique distinction: as the nation's capital, it hosts a large presence of government and diplomatic officials. The Council is cognizant of its duty to give law enforcement every tool to protect all citizens from violence, but also to protect national and international officials from assassination. The District's Chief of Police testified to this fact before Congress on September 9, 2008.

Sec. 8. It is the sense of the Council of the District of Columbia that the United States Congress must not adopt any amendment to the District of Columbia Voting Rights Act that restricts the District government's ability to legislate the regulation of firearms, or that repeals D.C. Act 17-708, the Firearms Registration Amendment Act of 2008.

Sec. 9. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to Congresswoman Eleanor Holmes Norton and to the majority and minority leaders of both the House of Representatives and the Senate.

Sec. 10. This resolution shall take effect immediately.